



**ORDINARY MEETING OF COUNCIL
MONDAY, 19 APRIL 2021**

MINUTES

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CITY OF ARMADALE

MINUTES

OF ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 19
APRIL 2021 AT 7.00PM.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

PRESENT:

Mayor, Cr R Butterfield
presided over

River Ward

Deputy Mayor, Cr C Frost
Cr J H Munn CMC
Cr S Peter JP
Cr M S Northcott
Cr C A Campbell JP
Cr D M Shaw
Cr E J Flynn
Cr G J Smith
Cr K Busby
Cr G Nixon
Cr C M Wielinga

Lake Ward
Ranford Ward
Ranford Ward
Palomino Ward
Palomino Ward
Heron Ward
Heron Ward
Minnawarra Ward
Minnawarra Ward
Hills Ward
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 N Kegie	A/Executive Director Community Services
Mrs S D'Souza	CEO's Executive Assistant

Public: 18

Press: Nil

LEAVE OF ABSENCE:

Leave of Absence previously granted to Cr M Silver

APOLOGIES:

Nil

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

Nil

4 PUBLIC QUESTION TIME & DEPUTATIONS

1 Mr Peter Lawrence - 216 Croyden Road, Roleystone

Can the City acknowledge receipt of a letter from the Roleystone Volunteer Fire Brigade dated 9 April 2021 requesting a response within 60 days from the date of this letter?

The CEO advised that a letter acknowledging receipt was emailed to the Secretary of the RVFB today.

Question time closed at 7.02pm

1 DEPUTATION - Amendment No.118 - West Piara Precinct South (Item 3.3 on Development Services Report)

In attendance:

- Grant Shepherd (Planning Manager, Stockland)
- Dale Newsome (Senior Principal, Strategen-JBS&G)
- Stephen Carter (Principal, CLE Town Planning + Design) – to be made available for questions, if any arise

Grant Shepherd and Dale Newsome addressed Council at 7.02pm and provided the following main comments in support of a minor modification to Amendment 188 (Clause 70.2 in Schedule 8) seeking for the Environmental Assessment Report (EAP) to be submitted prior to or as part of the Structure Plan:

- *Background on the new Stockland project in West Piara (South Precinct) – Stockland majority landowner of 49ha approx. for future residential community of 400 lots with considerable open space and wetland retention*
- *Outlined the works undertaken as part of the earlier MRS Amendment and those that will continue to be undertaken as planning of the site progresses i.e. wetland and its buffer area, possible passive recreation outcomes, bushfire implications, tree implementation and retention*
- *The modification being sought will*
 - *not change what work needs to be addressed as part of the EAP including assessment of wetlands, vegetation and fauna;*
 - *allow for the Environmental Assessment Plan to be done comprehensively as part of a Structure Plan and not in isolation.*

The Mayor thanked Mr Shepherd and Mr Newsome for their comments with the deputation concluding at 7:07 pm

5 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Request for Leave of Absence – Cr Melissa Northcott

Request for leave of absence received from Cr Melissa Northcott for the period Monday 10 May 2021 to Thursday 14 May 2021 inclusive:

MOVED Cr K Busby

That Council grant Leave of Absence to Cr Melissa Northcott for the period Monday 10 May to Thursday 14 May 2021 inclusive. (Includes 1 Ordinary Council Meeting - 10 May 2021.)

MOTION not opposed, DECLARED CARRIED (12/0)

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS SPECIAL COUNCIL MEETING
HELD ON 13 APRIL 2021 (7.00PM).

MOVED Cr K Busby that the Minutes of the Special Council Meeting held on 13 April 2021 (7.00pm) be confirmed as a true and accurate record.

MOTION not opposed, DECLARED CARRIED (12/0)

7.2 PREVIOUS SPECIAL COUNCIL MEETING
HELD ON 13 APRIL 2021 (5.15PM).

MOVED Cr K Busby that the Minutes of the Special Council Meeting held on 13 April 2021 (5.15pm) be confirmed as a true and accurate record.

MOTION not opposed, DECLARED CARRIED (12/0)

7.3 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 22 MARCH 2021.

MOVED Cr K Busby that the Minutes of the Ordinary Council Meeting held on 22 March 2021 be confirmed as a true and accurate record.

MOTION not opposed, DECLARED CARRIED (12/0)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1 Mayors Announcements

Thursday 25 March 2021

The Dept of Home Affairs hosted three citizenship ceremonies at the Administration Office, for a total of 60 new citizens on my behalf. Councillors Munn, Northcott and Smith attended all three Ceremonies.

Sunday 28 March 2021

Planted a tree and gave a speech at the 60th Anniversary of the Armadale Branch of the Western Australian Wildflower Society's Tree Planting Ceremony.

Tuesday 30 March 2021

Hosted 20 Year 5 students and several teachers from the Byford John Calvin School in the Chambers, to discuss roles and responsibilities of local govt.

Tuesday 6 April 2021

Attended a meeting with the Champion Lakes Residents Association on site in Champion Lakes.

Wednesday 7 April 2021

Participated in an informal forum of WALGA State Councillors via TEAMS to discuss the political environment following the State Election.

Thursday 8 April 2021

Attended a meeting with senior representatives from the Armadale Health Service at the Armadale Kelmscott Memorial Hospital to discuss the future needs of the community.

Friday 9 April 2021

Attended the Kelmscott Cenotaph with Minister Dr Tony Buti MLA and Hugh Jones, Member for Darling Range to have a photo taken. This year marks the Centenary of the of the Kelmscott War Memorial, and the City is seeking images of the memorial over the years.

Monday 12 April 2021

Met with the CEO to discuss general issues.

Tuesday 13 April 2021

Met with Small Business Development Commissioner David Eaton at the Rahi Indian Restaurant in Kelmscott, to acknowledge the City's participation in the SBDC

Wednesday 14 April 2021

Attended a Standing Orders of House Advisory Group meeting along with Councillors Munn, Nixon and Campbell.

Attended the Business Armadale AGM held in the City's Function Room. Guest speaker, Nicole Lockwood gave an informative talk on the strategic planning work of Infrastructure WA.

Thursday 15 April 2021

Chaired the Local Emergency Management Committee meeting held at the City.

Saturday 17 April 2021

Attended the Heritage FM radio station for a monthly interview, to talk about the upcoming Armadale Arts Festival, native plant 'give away' and the special election to be held on 3rd July 2021.

Attended the Kelmscott Bulldogs Football Club's season opening game for the All Abilities League held at John Dunn Memorial Oval. Councillor Smith also attended.

Monday 19 April 2021

Attended a meeting with DFES to discuss the Roleystone Volunteer Bushfire Brigade.

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 12 April 2021.

CORRECTION

Page 75 In the Recommendation for Item 3.3 Amendment No.119 to be corrected to read “Amendment **118**”

MOVED Cr D M Shaw that the report, subject to the above correction, be received.

MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation D12/4/21 - Illuminated Directional Street Sign - corner of Albany Highway and Admiral Road, Bedfordale

MOVED Cr D M Shaw

That Council approve the application by Australian Sign Rentals to erect a solar powered illuminated directional street sign (as amended) advertising Southern Hills Christian College at the corner of Albany Highway and Admiral Road, Bedfordale subject to the following conditions and advice notes:

CONDITIONS

- 1. In accordance with Clause 72 of Schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, this approval is valid for a temporary period of five (5) years from the date of this approval.**
- 2. Annual rental to be paid to the City in accordance with the City’s Schedule of Fees and Charges.**
- 3. The sign is not to interfere with the use of any pathway, cycleway or crossover to the satisfaction of the Executive Director Technical Services.**
- 4. Within 21 days from the date of approval, a written agreement is to be provided to the Executive Director Technical Services prior to the erection of the sign on the land, that Australian Sign Rentals will be responsible for funding and carrying out all maintenance, removal (within 24 hours should the sign be damaged), replacement, relocation and cleaning of graffiti (within 3 working days) of the proposed illuminated directional street sign, including any such requests by the City. The City is to be informed (within 5 working days) should any of the above be carried out.**
- 5. The sign shall be removed or relocated at the applicant’s cost and to the satisfaction of the Executive Director Technical Services, in the event any road works, upgrade and/or widening of the intersection of Albany Highway and Admiral Road, Bedfordale are required, within 30 days of a written request from the City.**

6. **Provide a copy of a Public Liability Insurance Policy to the City to the value of \$10,000,000 which must remain current for the life of the sign, prior to the erection of the sign on the land.**
7. **All signage artwork shall be limited to content associated with promoting Southern Hills Christian College to the satisfaction of the Executive Director Development Services.**
8. **The sign shall not be fully or partially projected, flashing or animated, moving or rotating to the satisfaction of the Executive Director Development Services.**
9. **The sign shall not contain fluorescent, reflective or retro reflective colours or materials to the satisfaction of the Executive Director Development Services.**
10. **In the event the site where the sign has been erected is needed for future roadworks, the applicant shall upon receipt of a notice from Main Roads WA, relocate or remove the sign at their own expense.**
11. **No portion of the device (including the street name portion of the device) shall be closer than 1.0m to the face of a mountable or semi-mountable kerb forming the edge of the carriageway.**
12. **The sign shall carry a notice which provides owner information and emergency contact numbers in the event that the sign is damaged or has otherwise become unsafe.**
13. **Any proposed illumination of the sign must not exceed 300cd.m² (candela per square metre) between sunset and sunrise.**
14. **Vegetation within the state road reserve shall not be removed or trimmed to improve the visibility of the proposed advertising sign.**

ADVICE NOTES

- A. **Please note Conditions 10 to 14 were requested by Main Roads WA. All enquiries regarding those conditions and advice notes should be directed to Main Roads WA on 138 138 quoting their reference number 20/3729 (D21#214139).**
- B. **The applicant is required to submit an Application form to undertake works within the road reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on Main Roads website > Technical & Commercial > Working on Roads.**
- C. **Further to Condition 1, the proposed sign is partially located with land reserved in the Metropolitan Region Scheme, as shown on the land protection plan 201832-0038, land will be required for road purposes sometime in the future.**
- D. **The upgrading/widening of Albany Highway is not in Main Roads current 4-year forward estimated construction program and all projects not listed are considered long term. Please be aware that timing information is subject to change and that Main Roads assumes no liability for the information provided.**

- E. The approval shall remain valid unless any alteration is made to the approved sign structure. In such an event, a new application for Development Approval will be required.**
- F. No other unauthorised signage is to be displayed.**
- G. The applicant and landowner are advised that it is a statutory requirement to comply with all conditions of this approval, and that not complying with any condition is therefore illegal. Failure to comply with any condition of this approval or the approved plans constitutes an offence under the *Planning and Development Act 2005*. The City can issue a Planning Infringement Notice of \$500 (without notice) and/or commence legal action with higher penalties up to \$200,000 for each offence and a daily penalty of \$25,000 per day for the continuation of that offence.**
- H. If the applicant is aggrieved by a Refusal to Approve his/her application, or, where Approved, is aggrieved by any Condition imposed in that Approval he/she may apply for a Review to the State Administrative Tribunal pursuant to the provisions of Part 14 of the *Planning and Development Act 2005* against such refusal or imposition of such aggrieved Condition.**
- I. Such application for Review must be made not more than twenty eight (28) days after the date of Council's decision via the form available from the State Administrative Tribunal (copies available from the State Administrative Tribunal, Level 6, State Administrative Tribunal Building, 565 Hay Street, Perth, WA, 6000 or GPO Box U1991, Perth, WA, 6845, or www.sat.justice.wa.gov.au or from Council's offices), and should be accompanied by the relevant fee detailed in Schedule 18 of the *State Administrative Tribunal Regulations 2004*).**

MOTION not opposed, DECLARED CARRIED

(12/0)

Recommendation D13/4/21 - Normalisation of Kelmscott Town Centre

Cr Butterfield declared a non-financial interest in this item as she is a member on the DevelopmentWA Armadale Land Redevelopment Authority Committee. As a consequence, there may be a perception that her impartiality on the following matter may be affected, but declared that she would disregard this association, consider the matter on its merits and vote accordingly.

MOVED Cr D M Shaw

That Council resolve to advise DevelopmentWA that it supports normalisation of the Kelmscott District Centre precinct, subject to:

- a. Metropolitan Region Scheme No.1360/57 taking effect in the Kelmscott District Centre Precinct.**
- b. Finalisation, prior to normalisation, of an amendment to the City's Town Planning Scheme No.4 which reintroduces the Kelmscott District Centre Precinct.**
- c. DevelopmentWA being responsible for the resolution of any environmental issues raised by the EPA during processing of the Amendment to Town Planning Scheme No.4.**

MOTION not opposed, DECLARED CARRIED

(12/0)

Recommendation D14/4/21 - Development Contribution Plan 3 - Infrastructure Cost Schedule Review 2021

MOVED Cr D M Shaw

That Council in accordance with Clauses 3.12 and 3.13 of Schedule 9B in Town Planning Scheme No.4, advertise the Proposed Values and Draft Infrastructure Cost Schedule 2021 that includes a Cost Contribution per Lot of \$9,601 for a minimum of 28 Days.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation D15/4/21 - Draft Medium Density Code

MOVED Cr D M Shaw

That Council supports the Medium Density Code in-principle, subject to:

- 1. The statutory timeframes and fee structure for building permits/development applications being increased to provide for cost recovery corresponding to the proposed increase in the number of deemed to comply standards and their additional complexity.**
- 2. Where the proposed relaxation of some existing development criteria is based on additional/increased requirements offsetting potential amenity impacts, those mitigating requirements should not be removed or diluted at the final adoption stage for this Policy by the WAPC, as has occurred in the case of the Low Density Code which proposed to both reduce side setbacks and establish a 32m² outdoor living area requirement but then removed this requirement at the final adoption stage.**
- 3. Modifications as outlined in the Attachment to this report.**
- 4. Modifications to the Draft Medium Density Code Submission contained in the Attachment to this report addressing the categories of site area, car parking requirements, trees and disincentive for infill development.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation D16/4/21 - Consideration of modifications required by Minister for Planning - Amendment 103 to TPS 4 - Armadale Strategic Metropolitan Centre

Cr Smith declared a financial interest in Recommendation D16/4/21 on the basis that he owns property and business ownership within the proposed report area and left the meeting at 7.12pm

MOVED Cr D M Shaw

That Council:

- 1. Notes the Minister for Planning's direction pursuant to Section 87(2) of the *Planning and Development Act 2005* as advised in the WAPC's letter dated 16 December 2020 to require the implementation of modifications to Amendment No.103 prior to the amendment receiving final approval.**

2. **Supports the changes to Proposals 16 (a), (b), (c) and 25 as requested by the Hon. Minister for Planning.**
3. **Write to the WAPC requesting the Hon. Minister for Planning's reconsideration of the modifications required to Proposals 15, 18 and 21 of the Amendment on the basis that these modifications will affect the intent of the Amendment and the objectives of the Armadale Strategic Metropolitan City Centre Structure Plan with regard to increasing the density of dwellings in the City Centre and consequently the future population of the City Centre.**
4. **Authorise the Mayor and Chief Executive Officer to execute the modified Amendment documents upon receipt of the Minister for Planning's final determination on Council's request for reconsideration and forward the modified Amendment documentation to the Western Australian Planning Commission for final approval by the Hon Minister for Planning. The Minister's decision on Proposals 15, 18 and 21 shall be reported to Council via the Executive Director's report.**

MOTION not opposed, DECLARED CARRIED (11/0)

Cr Smith returned to the meeting at 7.14pm

Recommendation D17/4/21 - Proposed Amendment No.112 To Town Planning Scheme No.4 - Normalisation of Kelmscott District Centre Precinct from DevelopmentWA to City of Armadale

Cr Butterfield declared a non-financial interest in this item as she is a member on the DevelopmentWA Armadale Land Redevelopment Authority Committee. As a consequence, there may be a perception that her impartiality on the following matter may be affected, but declared that she would disregard this association, consider the matter on its merits and vote accordingly

MOVED Cr D M Shaw

That Council:

1. **Pursuant to Part 5 of the *Planning and Development Act 2005*, initiate Amendment No.112 to Town Planning Scheme No.4 as a standard amendment in accordance with Part 5 Clause 34 – standard amendment subsections (b), (c) and (e) of the *Planning and Development (Local Planning Schemes) Regulations 2015* to:**
 - a. **Include the Kelmscott District Centre Precinct as designated on the Scheme Amendment Map into the Scheme boundary;**
 - b. **Rezone Lot 8, Lot 10 (No.2883), Lot 11 (No.2861), Lot 50 (No.2853), Lot 96 (No.2831), portion of Lot 1091 (No.2793), Lot 1092 (No.2821), Lot 1288 (No.2291) and Lot 1751 Albany Highway and Lot 1091 Streich Avenue, Kelmscott as depicted on the Scheme Amendment Map from unzoned to 'District Centre';**
 - c. **Rezone Lot 56 (No.2) Slee Avenue, Lot 71 (No.57) Railway Avenue, portions of Lot 55 (No.14) Third Avenue, Lot 72 (No.8) Third Avenue, Lot 73 (No.10) Third Avenue, Lot 74 (No.12) Third Avenue, Lot 68 (No.63) Railway Avenue, Lot 69 (No.61) Railway Avenue and Lot 70 (No.59) Railway Avenue, Kelmscott as depicted on the Scheme Amendment Map from unzoned to 'Residential' and assign a density code of 'R15/60';**

- d. Amend Special Control Area Maps 1 and 2 to remove ‘Metropolitan Redevelopment Scheme’ from the Kelmscott District Centre Precinct;
- e. Amend Special Control Area Map 3 to remove ‘Metropolitan Redevelopment Scheme’ from the Kelmscott District Centre Precinct and to designate Development Area No.67 as depicted on the Special Control Area Map 3;
- f. Amend Schedule 8 – Development (Structure Planning) Areas to include the following provisions relating to Development Area No.67:

No.	Description of Land	Additional provisions applicable to subdivision and development
67.	<p>Kelmscott – District Centre bound by Albany Highway, Davis Road and the Armadale Railway Line Reservation including -</p> <p>Lot 8, Lot 10 (No.2883), Lot 11 (No.2861), Lot 50 (No.2853), Lot 96 (No.2831), portion of Lot 1091 (No.2793), Lot 1092 (No.2821), Lot 1288 (No.2291) and Lot 1751 Albany Highway and Lot 1091 Streich Avenue, Kelmscott.</p>	<p>67.1 Prior to any subdivision or development occurring, comprehensive planning for the area shall be undertaken by preparation of a Precinct Structure Plan to guide future subdivision and development.</p> <p>67.2 In determining any planning application for subdivision and development approval, the Local Government shall have regard to any Approved Precinct Structure Plan.</p> <p>67.3 Notwithstanding clause 67.1, the City may consider a development application, a change of use application or make a recommendation on a subdivision before a Precinct Structure Plan has been adopted, where the City determines the proposal:</p> <ul style="list-style-type: none"> i. Is consistent with the strategic direction of the District Centre; or ii. Is an addition, alteration, extension or change of use to an existing development on the site; or iii. Is of a minor nature that will not prejudice the future planning of the centre.

- g. Amend the Scheme Map accordingly.
2. Refers 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*. Should the EPA advise that the Amendment does not require assessment, advertise the Amendment for a period of 42 days.
 3. Authorise the Mayor and the Chief Executive Officer to execute the Amendment documents.
 4. Forward a copy of the Amendment to the Western Australian Planning Commission and DevelopmentWA for information.

MOTION not opposed, DECLARED CARRIED

(12/0)

Recommendation D18/4/21 - Proposed Amendment No.118 To Town Planning Scheme No.4 - Rezoning of West Piara Urban Precinct South

MOVED Cr D M Shaw

That Council:

1. Pursuant to Section 75 of the *Planning and Development Act 2005*, initiate Amendment No.118 to Town Planning Scheme No.4, as follows:
 - a. Rezone Lots 9501, 9600, 9005, 9001 & 9800 Interdominion View, Lots 603, 15, 14, 13 & 150 Armadale Road, Lots 151, 100, 99 & 88 Warton Road, and Lot 9009 Lockeville Boulevard, Piara Waters from the “Rural Living” and “General Rural” zones to the “Urban Development” zone;
 - b. Remove the “General Rural” zones from the Warton Road and Mason Road reserves;
 - c. Insert the following text in Schedule 8 Development (Structure Planning) Areas for the land generally bound by Warton Road, the MRS Public Purpose (High School) Reservation, Lockeville Boulevard, Interdominion View and Armadale Road:

No.	Description of Land	Additional provisions applicable to subdivision and development
70.	West Piara Urban Precinct South	<p>70.1 Subdivision and development of land is to generally be in accordance with a structure plan prepared and approved pursuant to Part 4 of the Deemed Provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (as amended).</p> <p>70.2 Prior to the preparation and lodgement of a Structure Plan, the applicant shall prepare an Environmental Assessment Report in consultation with the Department of Biodiversity, Conservation and Attractions and the Environmental Protection Authority, to the satisfaction of the City of Armadale. The Environmental Assessment Report shall address as a minimum:</p> <ol style="list-style-type: none"> a. Botanical survey confirming vegetation type and condition, and assessing potential presence of conservation significant flora; b. Assessment of wetland values; c. Assessment of the potential presence of threatened fauna, including habitat and feeding trees/sources; and d. The identification and protection of Wetland UFIs 7176 and 13342 (as amended) including buffers and other areas of high quality vegetation.

		<p>70.3 The following plans are to be prepared by the applicant and approved by the local government and used to inform the Structure Plan:</p> <ul style="list-style-type: none">a. Local Water Management Strategy, prepared in accordance with any relevant District Water Management Strategy in consultation with the Department of Water and Environmental Regulation, and addressing the potential impacts of stormwater flows on wetland UFIs 7176, 13342 and 15532 (as amended);b. Bushfire Management Plan;c. Traffic Impact Assessment, including (but not limited to) analysis of the Warton Road/Mason Road intersection;d. Acoustic assessment to address traffic noise; ande. Environmental Management Plan, addressing actions to prevent and manage impacts of urban development on vegetation identified for retention, for implementation at subdivision and development stage. <p>70.4 The Structure Plan shall provide design and/or management responses for implementation through subdivision and development, addressing:</p> <ul style="list-style-type: none">a. Land use zones and other actions to prevent and manage urban development impacts on public groundwater drinking sources, in accordance with State Planning Policy 2.3 Jandakot Groundwater Protection;b. Acid sulphate soils;c. Site contamination;d. Safe and efficient road intersections to Warton Road for traffic distribution and congestion management, on the advice of the City of Armadale;e. Widening and upgrade of Mason Road, including any modifications to its intersection with Warton Road;f. Identification of a roundabout-controlled intersection at Mason Road/Southampton Drive/Lockeville Boulevard;g. Identification and protection of significant landscape trees and features as per Local Planning Policy PLN 2.4 Landscape Feature and Tree Preservation, where possible;
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		<p>h. Visual impact of noise attenuation measures;</p> <p>i. A pattern of land use and road networks integrating with abutting areas zoned MRS Urban Deferred.</p> <p>70.5 Structure Plans shall identify a location for a Department of Education-operated primary school to the satisfaction of the City of Armadale and the Department of Education.</p> <p>70.6 The provision of public open space shall satisfy the following criteria:</p> <p>a. Provision of unrestricted public open space in accordance with WAPC policy;</p> <p>b. Identification of the location of an active senior-sized playing field;</p> <p>c. Protection of significant vegetation and environmental features;</p> <p>d. Linear public open space connections to the abutting North Forrestdale Development (Structure Planning) Areas.</p>
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- d. Include the land generally bound by Warton Road, the MRS Public Purpose (High School) Reservation, Lockeville Boulevard, Interdominion View and Armadale Road within Special Control Area Map 3 with the appropriate ‘Development Area (Structure Plan) Schedule 8’ and ‘No.70’ designations.**
 - e. Modify Special Control Area Map 2 to remove the land generally bound by Warton Road, the MRS Public Purpose (High School) Reservation, Lockeville Boulevard, Interdominion View and Armadale Road from the ‘Priority 2 Groundwater Protection Area’;**
 - f. Modify Special Control Area Map 1 to remove the Poultry Farm Buffer from Lot 709 Armadale Road, Banjup and modify intersecting Poultry Farm Buffers accordingly; and**
 - g. 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 is consistent with a region planning scheme that has been endorsed by the Commission;**
 - b. The Amendment has minimal impact on land in the scheme area that is not the subject of the amendment;**
 - c. The Amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and**
 - d. The Amendment does not meet the definition of a complex or a basic amendment.**

3. Refer the above Amendment to Town Planning Scheme No.4 to the Environmental Protection Authority (EPA) pursuant to Section 81 of the *Planning and Development Act 2005*.
4. Should the EPA advise that the amendment does not require assessment, advertise the amendment for a period of 42 days in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
5. Authorise the Mayor and the Chief Executive Officer to execute the Amendment documents.
6. Forward a copy of the amendment to the Western Australian Planning Commission for information.

MOTION not opposed, DECLARED CARRIED

(12/0)

Recommendation D19/4/21 - Proposed Amendment No.119 To Town Planning Scheme No.4 - Rezoning of West Piara Urban Precinct North

MOVED Cr D M Shaw

That Council:

1. Pursuant to Section 75 of the *Planning and Development Act 2005*, initiate Amendment No.119 to Town Planning Scheme No.4, as follows:
 - a. Rezone Lot 9101 Warton Road, Lot 9008 Jayes Road and portion of Lot 9010 Warton Road from the “General Rural” zone to the “Urban Development” zone;
 - b. Rezone Lot 9007 Southampton Drive from the “General Rural” zone to the “Residential” zone and code R25 and Additional Use No.49;
 - c. Rezone portion of Lot 7 Jayes Road from the “General Rural” zone to the “Residential” zone and code R15/40 and include within the extent of Additional Use No.35;
 - d. Remove the “General Rural” zones from the Warton Road, Southampton Drive and Jayes Road reserves;
 - e. Insert the following text in Schedule 8 Development (Structure Planning) Areas for the land generally bound by Warton Road, the MRS Public Purpose (High School) Reservation, Southampton Drive and Jayes Road:

No.	Description of Land	Additional provisions applicable to subdivision and development
71.	West Piara Urban Precinct North	71.1 Subdivision and development of land is to generally be in accordance with a structure plan prepared and approved pursuant to Part 4 of the Deemed Provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (as amended).

		<p>71.2 Provision 71.1 does not apply to the following applications for subdivision and/or development approval on Parent Lot 9007 Southampton Drive:</p> <ul style="list-style-type: none">a. Park Home Park Applications for Development Approval, including incidental uses;b. Applications for Subdivision or Survey Strata Subdivision for residential lots with primary frontage to Southampton Drive, where the following matters are addressed in conditions of approval:<ul style="list-style-type: none">i. Widening and construction of Southampton Drive free of cost to the satisfaction of the City of Armadale, including service relocation;ii. Preparation and approval of an Urban Water Management Plan, including coordination of finished lot levels with adjoining development. <p>71.3 The following plans are to be prepared by the applicant and approved by the City of Armadale and used to inform the Structure Plan:</p> <ul style="list-style-type: none">a. Local Water Management Strategy, prepared in accordance with any relevant District Water Management Strategy, in consultation with the Department of Water and Environmental Regulation;b. Bushfire Management Plan;c. Acoustic assessment, to address traffic and kennel noise;d. Environmental Management Plan in consultation with the Department of Biodiversity, Conservation and Attractions to the satisfaction of the City of Armadale. The Environmental Management Plan shall address as a minimum, actions to prevent and manage impacts of urban development on vegetation identified for retention, and be informed by a botanical survey to assess the potential presence of conservation significant flora. <p>71.4 The Structure Plan shall provide design and management responses for implementation through subdivision and development, addressing:</p> <ul style="list-style-type: none">a. Land use zones and other actions to prevent and manage urban development impacts on public groundwater drinking
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		<p>sources, in accordance with State Planning Policy 2.3 Jandakot Groundwater Protection;</p> <ul style="list-style-type: none"> b. Acid sulphate soils; c. Site contamination; d. Safe and efficient road intersections to Warton Road for traffic distribution and congestion management, on the advice of the City of Armadale; e. Identification of a roundabout-controlled intersection at the future Southampton Drive/Pipeline Boulevard four way intersection; f. Identification and protection of significant landscape trees and features as per Local Planning Policy PLN 2.4 Landscape Feature and Tree Preservation, where possible; g. Gazetted road frontage to the high school, including vehicle and bus parking; and h. Visual impact of noise attenuation measures. <p>71.5 The provision of public open space shall satisfy the following criteria:</p> <ul style="list-style-type: none"> a. Provision of unrestricted public open space in accordance with WAPC policy; b. Protection of significant vegetation and environmental features.
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f. Insert the following text in Schedule 2 Additional Uses:

No.	Description of Land	Additional Use	
49.	Parent Lot 9007 Southampton Drive, Piara Waters (West Piara Urban Precinct North)	Permitted (P) Use: Park Home Park	<p>49.1 Within the extent of any Park Home Park, all P use classes listed for the base zone shall be D (Discretionary) uses notwithstanding that they are P uses in the zoning table.</p> <p>49.2 One left-in left-out driveway access only is permitted to Warton Road.</p> <p>49.3 In determining any application for development approval, the local government shall have regard to the compatibility of proposed</p>

			development and/or use with the existing use of the site and adjoining development and/or use.
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- g. Include the land generally bound by Warton Road, the MRS Public Purpose (High School) Reservation, Southampton Drive and Jayes Road within Special Control Area Map 3 with the appropriate ‘Development Area (Structure Plan) Schedule 8’ and ‘No.71’ designations;
 - h. Modify Special Control Area Map 2 to remove the land generally bound by the MRS Public Purpose (High School) Reservation, Southampton Drive and Jayes Road from the ‘Priority 2 Groundwater Protection Area’;
 - i. 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 is consistent with a region planning scheme that has been endorsed by the Commission;
 - b. The Amendment has minimal impact on land in the scheme area that is not the subject of the amendment;
 - c. The Amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
 - d. The Amendment does not meet the definition of a complex or a basic amendment.
3. Refer the above Amendment to Town Planning Scheme No.4 to the Environmental Protection Authority (EPA) pursuant to Section 81 of the *Planning and Development Act 2005*.
4. Should the EPA advise that the amendment does not require assessment, advertise the amendment for a period of 42 days in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
5. Authorise the Mayor and the Chief Executive Officer to execute the Amendment documents.
6. Forward a copy of the amendment to the Western Australian Planning Commission for information.

MOTION not opposed, DECLARED CARRIED (12/0)

10.2 TECHNICAL SERVICES COMMITTEE MEETING
Report of the Technical Services Committee held on 12 April 2021.

MOVED Cr G Nixon that the report be received.

MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation T23/4/21 - Asset Management Plan - Public Open Space

MOVED Cr G Nixon

That Council accept the *Public Open Space Asset Management Plan 2021/22-2035/36* informing strategy as attached to this report.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation T24/4/21 - Asset Management Plan - Plant and Fleet

MOVED Cr G Nixon

That Council accept the *Plant and Fleet Asset Management Plan 2021/22-2035/36* informing strategy as attached to this report.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation T25/4/21 - Parking at Willandra Primary School

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

MOVED Cr G Nixon

That Council:

- 1. Note the outcome of the investigation into the parking at Willandra Primary School as detailed in this report.**
- 2. Approach the Member for Armadale to ascertain whether the State Government is in a position to provide financial assistance to Willandra Primary School for the expansion of the parking facilities, should the school choose to proceed with the project.**
- 3. Provide a letter of support to the school detailing the outcome of the City's investigations, to assist the school in advocating for additional parking at the site.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation T26/4/21 - Streetscape and Verge Maintenance Report

MOVED Cr G Nixon

That Council:

1. **Note the contents of the Streetscape and Verge Maintenance Report.**
2. **Give consideration to the allocation of additional funding to an amount of \$750,000 per annum for Verge Maintenance and Streetscape Maintenance, during the 2021/22 budget deliberations.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation T27/4/21 - Rivers Regional Council - Transition to Rivers Regional Subsidiary

MOVED Cr G Nixon

That Council, to continue to facilitate the transition of the Rivers Regional Council to the Rivers Regional Subsidiary:

1. **Resolve to adopt the amended Deed of Novation as attached to this report.**
2. **Provide the Chief Executive Officer delegated authority to approve any non-material changes to the following documentation, and authorise* the Chief Executive Officer and Mayor to execute the documents as required:**
 - **Deed of Novation**
 - **Deed of Dissolution of the Rivers Regional Council**
 - **Deed of Asset Transfer.**

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION OF COUNCIL (12/0)

Recommendation T28/4/21 - Request for Quote 5/21 - Newhaven Public Open Space Landscaping and Drainage Improvement Project Stage 1

MOVED Cr G Nixon

That Council, in regard to Request for Quotation 5/21 *Newhaven Public Open Space Landscaping and Drainage Improvement Project Stage 1*:

1. **Accept the Quotation from Natural Area Holdings Pty Ltd T/A Natural Area Consulting Management Services in accordance with:**
 - **The respondent's submitted Price Consideration as presented in Confidential Attachment 2**
 - **Council's Contract Documentation, Budget and Long Term Financial Plan estimates.**

2. Pursuant to Section 6.8 of the *Local Government Act 1995* (as amended) Authorise* the following budget variations related to the increased project value of the *Newhaven Public Open Space Landscaping and Drainage Improvement Project Stage 1*

DECREASE

Drainage – Kellogg Park	\$211,000
Drainage – McPhail Park	\$92,600

INCREASE:

Contribution from Infrastructure Project Contribution Reserve	\$724,361
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INCREASE

Drainage – Bedbrook Park	\$797,262
Drainage – Sheaf Park	\$230,699

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION OF COUNCIL (12/0)

Recommendation T29/4/21 - Major Play Equipment in Parks and Reserves (Referral Item)

MOVED Cr G Nixon

That Council note a report on this matter will be provided at a future Technical Services Committee meeting during 2021.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation T30/4/21 - Vehicle Speed Signs - Reilly Road (Referral Item)

MOVED Cr G Nixon

That Council, note traffic counters will be installed on Reilly Road, Harrisdale, in the vicinity of Carey Baptist College and Harrisdale North Primary School.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation T31/4/21 - Review of Pre 2002 Thoroughfare Closures (Referral Item)

MOVED Cr G Nixon

That Council note that the matter of closed thoroughfares within the City will be investigated, with a report on the matter to be presented at a future Technical Services Committee meeting during 2021.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation T32/4/21 – Councillors’ Items

MOVED Cr G Nixon

That Council, refers the following Councillor item in regard to:

**1. Parking and Traffic Flow- Clifton Hills Primary School
to the relevant Directorate for action and / or report to the appropriate Committee.**

MOTION not opposed, DECLARED CARRIED (12/0)

10.3 CORPORATE SERVICES COMMITTEE MEETING

Report of the Corporate Services Committee held on 13 April 2021.

MOVED Cr J H Munn that the report be received.

MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation CS21/4/21 - List of Accounts Paid - February 2021

MOVED Cr J H Munn

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

Municipal Fund

Accounts paid totalling \$7,349,887.68 on Batch 2587-2594, Cheques 033182-033191, 033193, Direct Debits, PY01.17-PY01.18 & PY99.11

Credit Card

Accounts Paid totalling \$4,353.97 for the period ended January 2021 and totalling \$4,838.54 for the period ending February 2021

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation CS22/4/21 - Statement of Financial Activity - February 2021

MOVED Cr J H Munn

That Council:

- 1. pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* (Financial Activity Statement Report) accepts the Statement of Financial Activity for the eight (8) month period ended 28 February 2021;**
- 2. notes that there are reportable actual to budget material variances for the period.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation CS23/4/21 - Ward Boundary Review

MOVED Cr J H Munn

That Council:

- 1. Receive the information contained within this report.**
- 2. Endorse the officers decision to continue with the ward boundaries as approved by the Minister for Local Government.**
- 3. Endorse the allocation of lots 76, 9028 and 9024 to the Minnowarra ward.**
- 4. Address required amendments in Part 3 above to take effect from the next local government elections in 2023.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation CS24/4/21 - Secondary Access Route - Araluen Estate (Referral Matter)

MOVED Cr C A Campbell, OPPOSED Cr D M Shaw

That Council request a report on options for adding a second permanent access to the Araluen Estate.

MOTION LAPSED FOR WANT OF A SECONDER

Recommendation CS25/4/21 - Adoption of the Strategic Community Plan 2020-2030

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

That Council adopts the revised Strategic Community Plan 2020-2030 as attached to this report subject to

- (1) Aspiration Statement No 2 – Environment to remain unchanged; and
- (2) Amend Vision Statement to read as follows:

*"A place of natural beauty, rich in heritage and respectful of culture, with diverse landscapes and lifestyles, **safe and affordable living**, and a wealth of business and investment opportunities."*

MOTION LOST (3/9)

MOVED Cr J H Munn

That Council adopts the revised Strategic Community Plan 2020-2030 as attached to this report subject to Aspiration Statement No 2 – Environment to remain unchanged.

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION OF COUNCIL (12/0)

Recommendation CS26/4/21 - Status Report - OneCouncil ERP Implementation Project

MOVED Cr J H Munn

That Council:

1. Acknowledges the assessments of the critical risks and monitors the critical risks through the Standing Orders House Advisory Group and more formally, via the City Audit Committee;
2. Notes the project is operating with a tight and unrealistic program and a constrained budget;
3. Requests a further report regarding the recasting of the project program and review of the project budget in order for Council to consider a recommendation for a revised project budget;
4. Agrees to expand the Terms of Reference for the SOHAG to incorporate project reporting and oversight of the *OneCouncil* ERP Project Implementation, and initially, this be required on a monthly basis.

MOTION not opposed, DECLARED CARRIED (12/0)

10.4 COMMUNITY SERVICES COMMITTEE MEETING

Report of the Community Services Committee held on 13 April 2021.

CORRECTION:

Page 208 Item 4.1 - the ward for this item to be corrected from Ranford to Lake

MOVED Cr K Busby that the report, subject to the above correction, be received.

MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation C9/4/21 - Review of Policies and Delegation to the CEO - Various

MOVED Cr K Busby

That Council:

1. Adopts the following policies, inclusive of any amendments and as presented in the attachment to this report:
 - a. Homelessness
 - b. Council Support of Club-Community Group Capital Works Projects
 - c. Lighting on Sporting Reserves
 - d. Lease and License
2. Adopts the Community Facilities and Reserve Fees and Charges policy with the following amendment:
3. Other principles
Resident Associations that have been in existence for a period of 12 months and have been ~~endorsed by the Standing Orders House Advisory Group (SOHAG),~~ **approved by the CEO**, are eligible for free use of a facility or reserve for one booking per month for a maximum of two hours on each occasion.

3. **Deletes the following policy:**
 - a. **Provision of Goal Posts and Structures**

4. **Approves* the following delegation to the Chief Executive Officer, inclusive of any amendments and as presented in the attachment to this report, in accordance with section 5.42 of the Local Government Act 1995:**
 - a. **Sponsorship and grant application, agreements and acquittals**
 - b. **Lease Administration**

5. **Grant authority to the CEO to make administrative changes to numbering and formatting of all reviewed policies and delegations, as approved by Council, upon completion of the full review. This authority does not extend to amending the content.**

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION OF COUNCIL (12/0)

Recommendation C10/4/21 - Lot 249 (30) Regatta Boulevard, Champion Lakes - Proposed Conversion of Existing Sales Building into Community Facilities

MOVED Cr K Busby

That Council:

1. **Notify DevelopmentWA advising of its desire to progress discussions on the ceding of Lot 249 (No. 30), Lot 237 (No. 25) Regatta Boulevard and Lot 248 (No. 28) Dorney Esplanade, Champion Lakes to the Crown as a Crown Reserve for “Community Purposes” with power to lease.**
2. **Notify the Champion Lakes Residents Association, advising of Council’s desire to progress the ceding of Lots referred to in part 1 of this recommendation.**
3. **Consider an additional allocation of \$200,000 to the 2021/22 Property Services budget to fund the required works.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation C11/4/21 - Community Consultation regarding the Australia Day Event in Armadale

MOVED Cr K Busby, SECONDED Cr C Frost
OPPOSED Cr D M Shaw

That Council do not endorse the distribution of the community-wide survey regarding the Australia Day event in Armadale.

MOTION DECLARED CARRIED (8/4)

Recommendation C12/4/21 - Harrisdale Library - Location Feasibility

Due to the site for the new library now being located within the Piara Waters locality it was moved that the it now be referred to the Piara Waters Library.

MOVED Cr C Frost, SECONDED Cr D M Shaw
OPPOSED Cr S Peter

That Council:

- 1. Endorse Site 2 on the attached plan as the preferred location for the **Piara Waters Library**.**
- 2. Proceed to Concept and Detailed Design for the **Piara Waters Library**.**

MOTION DECLARED CARRIED (8/4)

Recommendation C13/4/21 - Bedforddale Volunteer Bush Fire Brigade Fire Station

MOVED Cr K Busby

That Council:

- 1. Note the success of additional DFES LGGs grant funding of \$51,198 towards the Bedforddale Fire Station project.**
- 2. Note the reduction of the Bedforddale Volunteer Bush Fire Brigade's co-contribution towards the construction of the Bedforddale Fire Station from \$80,000 to \$54,400.**
- 3. Note the reduction in the drawdown from the Freehold Sale Capital Works Reserve Fund from \$248,000 to \$222,402.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation C14/4/21 - Royal Commission into Institutional Responses to Child Abuse, Recommendation 6.12 - Child Safety Officers

MOVED Cr K Busby

That Council:

- 1. Provide this report to the West Australian Local Government Association and the Department of Local Government, Sport and Cultural Industries, as Council endorsed feedback, into the development of the State Government's findings report and draft policy position statement regarding the *Royal Commission into Institutional Responses to Child Sexual Abuse* recommendation 6.12.**
- 2. Receive further information on the related findings report and draft policy position statement when it becomes available.**
- 3. Receive further information on the proposed *Reportable Conduct Scheme* when it becomes available.**

MOTION not opposed, DECLARED CARRIED (12/0)

10.5 CHIEF EXECUTIVE OFFICER'S REPORT

Report of the Chief Executive Officer.

MOVED Cr K Busby that the report be received.

MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation - Councillors Information Bulletin - Issue No 6/2021

MOVED Cr M S Northcott

That Council acknowledge receipt of Issue 6/2021 of the Information Bulletin

MOTION not opposed, DECLARED CARRIED (12/0)

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

13 MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION

1 Naming of the Piara Waters Library (Cr Shanavas Peter)

That the matter of the naming of the Piara Waters Library be referred to the Community Services Committee

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Butterfield, declared the meeting closed at 8.27pm

MINUTES CONFIRMED THIS 10 MAY 2021

MAYOR