

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

MINUTES

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CITY OF ARMADALE

MINUTES

OF ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY,
28 SEPTEMBER 2021 AT 7.00PM.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor, Cr Butterfield, declared the meeting open at 7.00pm and acknowledged the traditional custodians of this land, the Whadjuk people of the Noongar nation and Elders past, present and emerging.

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

PRESENT:

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

IN ATTENDANCE:

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

Public: 19

LEAVE OF ABSENCE:

Nil

APOLOGIES:

Apology received from Cr M Silver

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

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

Ryan Sutherland – 48 Jarrah Road Roleystone

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

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

Advice sent via email

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

Peter Stewart – 317 Peet Road Roleystone

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

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

Advice sent via email

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

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

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

Advice sent via email

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

4 PUBLIC QUESTION TIME

1 Veronica Hansen - Protector Grove, Roleystone

Q In regard to the Bushfire Management Program understand that the City has applied for funding which is not likely to be announced till November. There is a concern on the amount of debris and fuel load around Roleystone. When will Council actually start those controlled burns and what percentage will be achieved before summer sets in?

Mayor: The funding applied for does not cover controlled burns but instead is for the slashing, pruning and weed mitigation work for the verges. In regard to the treatment of reserves, that work will be done from Municipal funds.

Q When will that start?

Mayor: As soon as the funding is approved the works will be started. The other mitigation works being funded by Council is ongoing.

Q What burning works will be funded and when is that likely to take place?

Mayor: There is an item on the agenda for Council tonight in regard to mitigation works on Reserves and once Council has reached a decision officers will work out a schedule for the burning.

Q Given the concerns raised by the public about the issue of bushfire mitigation around Roleystone surely those plans would have already been in place and once approved should be set to go? How soon would we know that there is a schedule for the controlled burns?

CEO: The question will be taken on notice and responded to in writing.

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING HELD ON 13 SEPTEMBER 2021.

MOVED Cr E J Flynn that the Minutes of the Ordinary Council Meeting held on 13 September 2021 be confirmed as a true and accurate record.

MOTION not opposed, DECLARED CARRIED (13/0)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1 Mayor's Announcements from 14 to 28 September 2021

Tuesday 14 September 2021

- Attended and spoke at the City's Aspire program Graduation Ceremony, held at the Armadale District Hall. Councillors Keogh, Munn and Smith also attended.

Wednesday 15 September 2021

- Attended the opening of an Art Exhibition at the John Wollaston Anglican Community School in Camillo, where local textile artist Trudi Pollard opened the exhibition. Trudi Pollard had also worked with students to create art works for the City's 'Art in the Park' project.

Thursday 16 September 2021

- Attended Red Cross Communications Training for Bushfire Recovery with the CEO and relevant City officers.
- Attended the official launch of Member for Armadale, Dr Tony Buti MLA's book 'Alkira' at the University of Western Australia. Councillors Campbell, Northcott and Smith also attended.

Friday 17 September 2021

- Attended a briefing prior to the Local Emergency Management Committee meeting.

Saturday 18 September 2021

- Attended an interview with Heritage FM in their studio.

Monday 20 September 2021

- Attended the WALGA Convention 2021 and the WALGA AGM along with Cr Northcott.

Tuesday 21 September 2021

- Attended the CEO Review Panel meeting.
- Attended the WALGA Convention and chaired the Integrated Planning and Reporting Session as a WALGA State Councillor.

Wednesday 22 September 2021

- Attended an interview which was filmed with Channel 9 in Minnowarra Park, about the recent and widely successful event "Humans of Armadale".

Thursday 23 September 2021

- Hosted a Public Citizenship Ceremony at the Kelmscott Hall to welcome just over 100 new conferees to the City. Cr's Smith, Nixon, Munn, Peter and Frost were also in attendance. The Hon Dr Brian Walker MLC, Member for East Metropolitan Region also attended.

Saturday 25 September 2021

- Welcomed competitors and special guests to the City of Armadale at the PUMA Dragon Boat Race held at Champion Lakes. Also in attendance were Councillor Peter, Yaz Mubarakhi MLA and the Indian Consul General, Ms Dantu Charandasi.
- Attended the Bedforddale Markets in Bedforddale.

Tuesday 28 September 2021

- Attended a meeting with the CEO and Hon Matt Swinbourn MLC, Member for East Metropolitan, at his office in Maddington, to discuss local issues.

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

Nil

10 REPORTS

10.1 CITY AUDIT COMMITTEE MEETING
Report of the City Audit held on 13 September 2021.

MOVED Cr C Frost that the report be received.

MOTION not opposed, DECLARED CARRIED (13/0)

BUSINESS ARISING FROM REPORT

Recommendation CA9/9/21 - Community Engagement Internal Audit

MOVED Cr C Frost

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

MOTION not opposed, DECLARED CARRIED (13/0)

10.2 DEVELOPMENT SERVICES COMMITTEE MEETING
Report of the Development Services Committee held on 20 September 2021.

MOVED Cr D M Shaw that the report be received.

MOTION not opposed, DECLARED CARRIED (13/0)

BUSINESS ARISING FROM REPORT

Recommendation D32/9/21 - Proposed Amendment No.116 to TPS No.4 - South Forrestdale Industrial Area Stage 2

MOVED Cr D M Shaw

That Council:

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

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

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

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

- iii Adding a part c, to provision 46.4 as follows:
- c. *A Local Water Management Strategy which, in addition to standard matters, addresses the location and design of any proposed stormwater drainage features within the buffer. The Local Water Management Strategy is to be prepared in consultation with the Department of Water and Environmental Regulation to the satisfaction of the local authority.*
2. Has determined that the Amendment is Standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:
 - a. Amendment No.116 is an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission; and
 - b. Amendment No.116 is an amendment required to the scheme so that it is consistent with a region planning scheme that applies to the scheme area.
 3. 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.
 4. Authorise the Mayor and the Chief Executive Officer to execute the Amendment documents.
 5. Forward a copy of the amendment to the Western Australian Planning Commission for information.
 6. Advise the applicant of the above decision and that an updated Engineering Service Report should be prepared and submitted to the City for its consideration, prior to a report being considered by Council on the Amendment No.116 for consideration for final adoption and recommendation to the Hon Minister for Planning.
 7. Write to the WAPC requesting that the portion of Lot 12 Rowley Road containing a portion of Bush Forever Area 345 and Conservation Category Wetland be included in a future omnibus amendment to the MRS to include this land within the Parks and Recreation reservation to enable the subsequent acquisition of the land by the WAPC in the future and the protection of its environmental assets and values.

MOTION not opposed, DECLARED CARRIED

(13/0)

Recommendation D33/9/21 - Swimming Pool Tender 32/2021 - Private Swimming Pool Inspection Services

MOVED Cr D M Shaw

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

Recommendation Part 1

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

1. Not award tender 32/21.

Recommendation Part 2

That Council:

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

Decrease in Operating Expenditure

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

Increase in Operating Expenditure

Pool Inspections - Salaries and Superannuation \$77,818

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

*** ABSOLUTE MAJORITY RESOLUTION REQUIRED**

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION OF COUNCIL (13/0)

Recommendation D34/9/21 - Privacy Screen- Lot 218 (No.1) Sanctuary Court, Roleystone

MOVED Cr D M Shaw

That Council:

- A) Approves the application for Planning Approval for Privacy Screen on Lot 218 (No.1) Sanctuary Court, Roleystone, subject to the following conditions:**
- 1. Within 90 days of this approval, the privacy screen fence shall be reduced in height to no more than 1.8 metres and finished in materials and colour scheme to match the existing Single House.**
 - 2. Within 90 days of this approval, a Landscape Plan shall be submitted to and approved by the Executive Director Development Services to achieve softening of the privacy screen from Ridgehill Rise and Sanctuary Court. All landscaping shall be installed as per the approved plan prior to occupancy of the development and maintained thereafter.**
 - 3. The 1.8m high visually permeable (wooden picket style) fence as shown on the submitted plans does not form part of this approval.**

Advice Note:

- 1. With regard to Condition 3, the proposed fence is not included within this development approval. The proposed fence contravenes Clause 2.1 (3)(c) of the *City's Fencing Local Law*. Whilst a separate application could be lodged for consideration under Clause 6.1 of the *City's Fencing Local Law*, the City**

advises that it does not support this style of fence and recommends if any fencing is installed then it shall comply with the specifications and requirements of Schedule 3 of the Local Law.

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation D35/9/21 - Proposed Outbuilding - Lot 42, No.1 Churchman Brook Road, Roleystone

MOVED Cr D M Shaw

That Council:

A) Approves the application for Planning Approval for an outbuilding on Lot 42, No.1 Churchman Brook Road Roleystone in accordance with the plans dated 30/06/21 subject to the following conditions:

- 1. The outbuilding shall only be used for purposes incidental to the rural use of the property and shall not be used for habitable, commercial or industrial purposes to the satisfaction of the Executive Director Development Services.**
- 2. The outbuilding shall have a maximum roof pitch height of 4.9m and a maximum wall height of 4.3m.**
- 3. A Landscape Plan shall be submitted to and approved by the Executive Director Development Services to achieve screening of the outbuilding from Churchman Brook Road. All landscaping shall be installed as per the approved plan prior to occupancy of the development and maintained thereafter.**
- 4. A schedule of external colours and materials shall be submitted to the City's Planning Services and approved by the Executive Director Development Services. The development shall be completed and maintained in accordance with the approved schedule to the satisfaction of the Executive Director Development Services.**

Advice Notes

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

applicant and/or landowner to inform Council in writing when they consider the development to be complete and all conditions of this approval have been satisfied.

- D. A Building Licence application is required prior to the erection of any structures on the property.
- E. The developer is reminded of the requirement under the provisions of the *Environmental Protection Act* that all construction work (which includes earthworks and similar) be managed with due regard for noise control. Works generating noise and rock breaking in particular, are not permitted:-
- Outside the hours of 7:00am to 7:00pm; or
 - On a Sunday or Public Holiday.
- F. If the applicant is aggrieved by a Refusal to Approve his/her application, or, where Approved, is aggrieved by any Condition imposed in that Approval he/she may apply for a Review to the State Administrative Tribunal pursuant to the provisions of Part 14 of the *Planning and Development Act 2005* against such refusal or imposition of such aggrieved Condition.

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

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

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

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation D36/9/21 - Proposed Amendment No.121 To Town Planning Scheme No.4 - Rezoning of Lots 601-606 Balannup Road & Lots 200 - 202 Skeet Road, Harrisdale

MOVED Cr D M Shaw

That Council:

1. Pursuant to Section 75 of the *Planning and Development Act 2005*, initiate Amendment No.121 to Town Planning Scheme No.4, as follows:

- a. **Rezone Lots 603 – 606 Balannup Road, Lots 200 – 201 Skeet Road, portions of Lot 601, 602 Balannup Road and Lot 202 Skeet Road from the ‘General Rural’ zone to the ‘Urban Development’ zone;**
- b. **Rezone portions of Balannup Road, Skeet Road and Reilly Road reserves to ‘Urban Development’ zone;**
- c. **Insert the following text in Schedule 8 Development (Structure Planning) Areas for the land generally bound by Ranford Road, Skeet Road, Reilly Road and Balannup Road:**

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

		<p>72.3 The Structure Plan shall provide design and management responses for implementation through subdivision and development, addressing:</p> <ul style="list-style-type: none">a. Acid sulphate soils;b. Site contamination;c. Identification and protection of significant landscape trees and features as per <i>Local Planning Policy PLN 2.4 Landscape Feature and Tree Preservation</i>, where possible;d. Suitable wetland buffer distances that do not impact existing dwelling and outbuilding on Lot 606 Balannup Road, in accordance with the Environmental Management Plan;e. Maximised retention of banksia woodland species within POS areas and within the area identified as excellent condition on Lot 200 Skeet Road in Figure 5 in the Environmental Management Plan, where possible.f. Visual impact of noise attenuation measures. <p>72.4 At the subdivision stage, applications are to be prepared with, but not limited to the following plans:</p> <ul style="list-style-type: none">a. Detailed Wetland and Buffer Management Plan (where applicable), prepared in consultation with the Department of Biodiversity, Conservation and Attractions and the Environmental Protection Authority to the satisfaction of the City of Armadale. The Detailed Wetland and Buffer Management Plan shall address as a minimum:<ul style="list-style-type: none">i. Buffers for sites subject of, and/or adjacent to, a Wetland and/or a Threatened Ecological Community; and,ii How potential impacts to the wetlands from adjacent urban development will be managed.b. A Midge and Mosquito Management Plan demonstrating how larvae will be kept to a minimum (non-nuisance levels) during and after development to the satisfaction of the City.c. Prior to undertaking any earthworks or development of the land, the landowners shall demonstrate to the satisfaction of the City and the WAPC that primary production or filling has not occurred on the subject land, or, undertake a Soil Contamination Assessment of
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		<p>the land, at the landowner's cost to determine the presence or absence of soil contamination to the satisfaction of DWER.</p> <p>d. Should any soil contamination be identified in the soil contamination assessment, a Site Remediation and Validation Report for the subject land shall be prepared at the landowner's cost by the developer/subdivider and remediation works shall be undertaken at the landowner's cost for all identified contamination and should be validated as being free of contamination above acceptance guidelines to the satisfaction of the DWER, prior to undertaking any earthworks or development of the land.</p> <p>72.5 Subdivision or development may be permitted within the SCA Map 3 Poultry farm buffer subject to the following:</p> <p>a. The amalgamation of lots or part lots;</p> <p>b. For the efficient provision of utilities and infrastructure that would not prejudice future residential development outcomes outside of the buffer area;</p> <p>c. In accordance with <i>SPP 2.5 – Rural Planning</i>, the WAPC may support subdivision within the buffer subject to demonstration that land use will not result in unacceptable impacts to sensitive land uses, such as odour, dust, noise and vibrations associated with the Poultry Sheds on Lot 202 Skeet Road, Harrisdale to the satisfaction of the WAPC on advice from the City / DWER.</p> <p>d. The WAPC may defer final endorsement of diagram of surveys until satisfactory arrangements are made that confirms usage of the Poultry Sheds on Lot 202 Skeet Road, Harrisdale has ceased on the advice of the City / DWER.</p>
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- d. Include the land generally bound by Ranford Road, Skeet Road, Reilly Road and Balannup Road within Special Control Area Map 3 with the appropriate 'Development Area (Structure Plan) Schedule 8' and 'No.72' designations;
- e. Amend Scheme Maps accordingly.

2. The Amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- a. The Amendment is consistent with a region planning scheme that has been endorsed by the Commission;
- b. The Amendment has minimal impact on land in the scheme area that is not

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

MOTION not opposed, DECLARED CARRIED

(13/0)

Recommendation D37/9/21 - DevelopmentWA Public Art Cash in Lieu Contributions -
Forrestdale Business Park East

Cr Butterfield disclosed that she is a member on the Local Redevelopment Committee of DevelopmentWA. As a consequence, she advised that there may be a perception on the basis of her non-financial interests that her impartiality on the matter may be affected but declared that she would set aside this association, consider the matter on its merits and vote accordingly.

MOVED Cr D M Shaw

That Council:

1. Agree to DevelopmentWA's proposal that it transfer the Public Art Contributions it has received in the Forrestdale Business Park East precinct to the City and any

other similar public art contributions received before normalisation occurs for future expenditure within the relevant precinct.

2. Pursuant to section 6.11(i) of the *Local Government Act 1995*, a reserve account be established for ‘DevelopmentWA Public Art Contributions’ for the purpose of facilitating the transfer of DevelopmentWA’s Public Art funds to the City for Forrestdale Business Park East and any other Redevelopment Areas to be normalised to the City.
3. Pursuant to Section 6.8 of the *Local Government Act 1995*, amend* the 2021/22 budget as follows:

Increase in Revenue

DevelopmentWA Public Art Contributions Account \$83,226

Increase in Transfer to Reserve

DevelopmentWA Public Art Contributions Reserve \$83,226

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION OF COUNCIL (13/0)

10.3 CORPORATE SERVICES COMMITTEE MEETING
Report of the Corporate Services Committee held on 21 September 2021.

CORRECTIONS:

- Page 1 Cr Busby to be shown as “Leave of Absence”
Page 103 The outcome of voting on Recommendation CS56/9/21 to be shown as “7/0”

MOVED Cr J H Munn that the report, subject to the above corrections, be received.

MOTION not opposed, DECLARED CARRIED (13/0)

BUSINESS ARISING FROM REPORT

Recommendation CS55/9/21 - Bushfire Mitigation Schedule - Reserves (Controlled Burns)

MOVED Cr J H Munn

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

Reserve name	Locality	Treatment works	Estimated Cost
Colquhoun Reserve 2.5ha	Roleystone	Complete Reserve, targeted burn	\$3,135
Peet Reserve 0.45ha	Roleystone	Complete Reserve, targeted burn	\$1,122
Lot 4823 Public Recreation Reserve 3.4ha	Bedforddale	Complete Reserve, targeted burn	\$1,194
Canning Mills Reserve 5.8ha	Roleystone	Partial Reserve burn as indicated on the Reserve Location Map. Installation of firebreaks and access gates.	\$26,413

Armadales Settlers Common 28Ha	Bedfordale	Partial Reserve burn as indicated on the Reserve Location Map.	\$3,674
Lloyd Hughes Park 2.552 ha	Kelmscott	Partial Reserve burn as indicated on the Reserve Location Map.	\$3,250
Total			\$38,788

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation CS56/9/21 - Report on Roleystone Volunteer Fire Brigade (Referral Item)

Cr Keogh disclosed that he is a member of the Roleystone Volunteer Fire Brigade. As a consequence, he advised that there may be a perception on the basis of his non-financial interests that his impartiality on the matter may be affected but declared that he would set aside this association, consider the matter on its merits and vote accordingly.

MOVED Cr J H Munn

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

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation CS57/9/21 - List of Accounts Paid - July 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 \$12,261,093.34 on Batch 2631-2639, Cheques 033261-033292, Direct Debits & PY01.01 & PY01.02.

Credit Card

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

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation CS58/9/21 - Statement of Financial Activity - July 2021

MOVED Cr J H Munn

That Council:

Pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* (Financial Activity Statement Report) accepts the Statement of Financial Activity for the one (1) month period ended 31 July 2021; and

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

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation CS59/9/21 - Options for Resourcing the City's Events Program

MOVED Cr J H Munn

That Council:

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

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation CS60/9/21 - OneCouncil Reporting to Council

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

That Council agree from November 2021, the reporting and oversight of the OneCouncil ERP Project Implementation be managed by monthly confidential report to Corporate Services Committee.

MOTION LOST (6/7)

MOVED Cr D M Shaw, OPPOSED Cr K Busby
SECONDED Cr C A Campbell

That Council agree from November 2021, the reporting and oversight of the OneCouncil ERP Project Implementation be managed by monthly reports in the Information Bulletin.

MOTION LOST (6/7)

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

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

MOTION DECLARED CARRIED (10/3)

Recommendation CS61/9/21 - Business Hours - 2021-2022 End of Year Holiday Period

MOVED Cr J H Munn

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

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation CS62/9/21 – OneCouncil – Core Business System Contract Variation

MOVED Cr J H Munn

That Council endorse the recommendations as contained within the Confidential report

MOTION not opposed, DECLARED CARRIED (13/0)

10.4 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 (13/0)

BUSINESS ARISING FROM REPORT

Recommendation CEO3/9/21 - Tender 31/21: Westfield Heron Wetland Improvement Works

MOVED Cr D M Shaw

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

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation CEO4/9/21 - Tender 26/20 - Challenge Park Bike Facility Design and Construction

MOVED Cr J H Munn

That Council adopt the recommendation contained within the Confidential Report.

MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation CEO5/9/21 - 2021 Performance Review & Criteria for 2021-22 - Chief Executive Officer

The CEO, Joanne Abbiss, declared financial interest on this item as the matter relates to her contact of employment. Ms Abbiss left the meeting at 8.03pm.

MOVED Cr C Frost

That Council:

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

MOTION not opposed, DECLARED CARRIED (13/0)

Ms Abbiss returned to the meeting at 8.04pm

Recommendation CEO6/9/21 - Councillors Information Bulletin - Issue No 16/2021

MOVED Cr M S Northcott

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

MOTION not opposed, DECLARED CARRIED (13/0)

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 New Verge Teams (Cr Jeff Munn)

That the matter of an update on when the new teams, allowed for in the Budget, will start improving the City's long verges and locality entrances be referred to the Technical Services Committee.

2 Reports for Councillor Referral Items (Cr Donna Shaw)

That the matter of the cost of officer time in preparing reports for Councillor Referral items be included in the agenda report for that item be referred to the Corporate Services Committee.

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Butterfield, declared the meeting closed at 8.07pm

MINUTES CONFIRMED THIS 11 OCTOBER 2021

MAYOR