

CITY OF ARMADALE

MINUTES

OF THE TECHNICAL SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 7 MAY 2018 AT 7.00PM.

PRESENT: Cr C Frost (Chair)
Cr C M Wielinga
Cr K Busby
Cr R Butterfield
Cr L Sargeson

APOLOGIES: Cr G Nixon (Leave of Absence)
Cr J A Stewart (Leave of Absence)
Cr J H Munn JP CMC

OBSERVERS: Cr H Zelones OAM JP
Cr G Smith

IN ATTENDANCE: Mr K Ketterer Executive Director Technical Services
Mr T Naude Executive Manager Technical Services
Mr N Burbridge Manager Environmental Services
Ms C Omacini Senior Environmental Officer
Mrs A Owen-Brown Minute Secretary

PUBLIC: Nil.

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

DISCLAIMER

The Disclaimer for protecting Councillors and staff from liability of information and advice given at Committee meetings was not read 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 16 April 2018 be confirmed.

**Moved Cr R Butterfield
MOTION CARRIED**

(5/0)

ITEMS REFERRED FROM INFORMATION BULLETIN

- **Outstanding Matters and Information Items**

Various Items.

- **Monthly Departmental Reports**

Technical Services Works Programme.

No further items were raised for discussion and/or further report purposes.

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7 MAY 2018

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Harrisdale Primary School

Fairhaven Avenue
HARRISDALE

Location Plan





Piara Waters Primary School

Wright Rd
PIARA WATERS
Location Plan



***1.1 - SCHOOL PARKING RESTRICTIONS - HARRISDALE AND PIARA WATERS
PRIMARY SCHOOLS***

WARD : ALL
FILE No. : M/120/18
DATE : 20 February 2018
REF : MC/YA/EV/AO/MT
RESPONSIBLE : Executive Director
MANAGER : Technical Services

In Brief:

- The City has received a number of complaints relating to unacceptable parking practices in the vicinity of Harrisdale and Piara Waters primary schools.
- Parking restrictions in the vicinity of both schools have been reviewed. The results of a public survey indicate a high level of support for the implementation of new parking restrictions at both schools.
- The report recommends that new parking restrictions for both Harrisdale and Piara Waters Primary schools be approved.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

- 1.2 Active community life that is safe and healthy
- 1.2.3 Encourage initiatives to improve perceptions of safety
- 1.2.3.1 Facilitate community safety partnerships and projects

Legislative Implications

Assessment of legislation indicates that the following are applicable:

- Road Traffic Code 2000 – Part 12, Division 2, Section 140 – No Stopping Signs, Section 141 – No Parking Signs, Section 142 – No Stopping on Carriageway with Yellow Edge Line

Council Policy/Local Law Implications

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

- Parking and Parking Facilities Local Law

Budget/Financial Implications

The costs associated with installation of the proposed signs and line markings can be accommodated within the 2017/18 Civil Works budget and Long Term Financial Plan provisions.

Consultation

- Inter Directorate
- Department of Education (Harrisdale and Piara Waters Primary School Principals)
- Local Residents

BACKGROUND

The City has previously implemented parking restrictions at a number of local schools to ensure adverse parking practices do not occur. Over a number of years the restrictions have taken various different forms. The City has been reviewing these restrictions with a view to ensuring the existing parking restrictions around schools are adequate, and to developing a standardised approach to school parking area management. The implementation of parking restriction measures at both Harrisdale and Piara Waters Primary schools is the subject of this report.

Piara Waters Primary School was opened in 2012 and while significant parking restriction signage was installed in September 2015 (T48/7/15 refers), unacceptable parking continues to occur. Harrisdale Primary School was opened in 2016 and while there are sufficient options available in the school parking area, continuous unacceptable parking practices are reoccurring. The school is located in a new suburb with a growing population and is expected attract more students over time.

Over the last 12 months in particular, the City has received a number of concerns from local residents, elected members and the respective school principals with regard to the parking practices around both schools. In the main, the concerns received relate to parking on verges, in residents' driveways, across footpaths, and on street corners. This is creating potential traffic hazards, notably in areas highly travelled by pedestrians during school pick up and drop off times.

Public Consultation

Following receipt and review of the concerns, the City undertook a public consultation process whereby the City met with each of the school's principals outlining proposed parking restrictions. Both principals were supportive of the proposed changes. In addition, a letter and plan was sent to residents in the areas surrounding both schools inviting them to take part in a survey regarding the proposed parking restrictions.

Two questions were asked in the survey:

1. Have you experienced parking problems at or near your property during school peak hours?
2. Would you support the implementation of the proposed 'Parking Area Management' zone as highlighted on the attached plan in the area around Harrisdale/Piara Waters Primary School?

The results from the survey are detailed in the table below:

School	# Letters Sent	# Responses Received	Question 1 – Parking Problems			Question 2 – Support of proposed Parking area Management Zone			% Residents supportive of Parking Area Management Zone
			Yes	No	Invalid Response	Yes	No	Invalid Response	
Piara Waters Primary School	610	99	43	55	1	65	28	6	66%
Harrisdale Primary School	128	27	19	7	1	26	1	0	96%

As can be observed from the results outlined in the above table, the majority of respondents to the Harrisdale Primary School survey have experienced parking problems and want to implement a Parking Area Management zone.

The Piara Waters Primary School respondents demonstrated a more even result; with 43 respondents having experienced parking problems and 66% being supportive of implementing a Parking Area Management Zone.

It is proposed that new parking restrictions be introduced for both schools. If approved by Council the restrictions will be implemented with immediate effect once the appropriate signs and line markings (where required) have been installed.

DETAILS OF PROPOSAL

The proposed restrictions are outlined in drawing numbers E18-01 and E18-02 attached to this report. The restrictions are proposed to be implemented as a staged approach, with Stage 2 only to be implemented should the restrictions in Stage 1 prove inadequate to addressing the concerns.

The proposed approach is similar to the current restrictions around Carey Baptist College, where a No Stopping Area is enforced during school peak times. This arrangement has proven effective for Carey Baptist.

The proposed staged approach is outlined below.

Stage 1

Install No Stopping Area entry and exit signs as indicated on drawing numbers E18-01 and E18-02 (Stage One). Following consultation with the school principals, the proposed No Stopping areas are to take effect between 7:30 - 9:00 am and 2:30 – 4:00 pm in the area surrounding Harrisdale Primary School and between 7:30 - 9:00 am and 2:00 - 3:30 pm in the area surrounding Piara Waters Primary School, these being the times the schools are experiencing the largest amount of traffic.

Stage 2

Should adverse parking practices continue and feedback from Schools, Residents or Rangers indicates that further intervention is required, yellow lines are to be installed as indicated under Stage 2 on drawing numbers E18-01 and E18-02.

In addition to this staged approach, Piara Waters Primary School has implemented a monitored Kiss and Drive arrangement where staff supervise the pick-up and drop-off of students on Wright Road. The school has requested that the existing Kiss and Drive area be separated into two halves; one half for school buses and the other half for seven bays marked Kiss and Drive. Accordingly, drawing E18-35 details the installation of new signs and stenciled markings to the Kiss and Drive/bus bay on Wright Road, for Council's consideration.

CONCLUSION

Following receipt of a number of concerns from the local community, the City has reviewed the current parking restrictions at Harrisdale and Piara Waters Primary Schools.

To assist in addressing unacceptable parking practices, Piara Waters Primary School has implemented a monitored Kiss and Drive arrangement on Wright Road. The school has also requested changes to the existing Kiss and Drive area. The City has reviewed the proposal and Council's approval of changes to the existing Kiss and Drive embayment as outlined on drawing number E18-35 is recommended.

Following consultation with relevant stakeholders, the implementation of a staged parking area management zone as depicted on drawing numbers E18-01 and E18-02 to address ongoing unacceptable parking practices at Harrisdale and Piara Waters primary schools is recommended, with Stage 2 only to be implemented if the measures outlined in Stage 1 prove ineffective.

ATTACHMENTS

- 1.1.1. ↓ E18-01 Harrisdale Primary School - Parking Restriction Area
- 1.1.2. ↓ E18-02 Piara Waters Primary School - Parking Restriction Area
- 1.1.3. ↓ E18-35 Piara Waters Primary School - Kiss and Drive

Officer Recommendation:

“That Council:

1. *Approve the implementation of the parking restrictions as shown on the drawings for the following schools:*
 - *Harrisdale Primary School - Plan E18-01*
 - *Piara Waters Primary School – Plan E18-02*
2. *Approve the implementation of the Kiss and Drive and Bus parking on Wright Road as shown on drawing – Plan E18-35.”*

Committee Discussion

After discussions considering that the proposed school parking restrictions could be extensive, it was proposed to recommit this item so that further information on the community survey could be included in a future report.

The Chair moved to re-commit this item to the next Technical Services Committee meeting.

Moved: Cr C Crost

Seconded: Cr C Wielinga

CARRIED (5/0)

RECOMMEND

T36/5/18

That the report be re-submitted to the next Technical Services Committee meeting.

Moved Cr C Frost

MOTION CARRIED

(5/0)

2.1 - EXPANSION OF THE SWITCH YOUR THINKING INTELLECTUAL PROPERTY LICENSE AGREEMENT

WARD : ALL
FILE No. : M/235/18
DATE : 13 April 2018
REF : DH/JM
RESPONSIBLE : Executive Director
MANAGER : Technical Services

In Brief:

- This report is to inform Council about minor amendments to the *Switch your thinking* Intellectual Property Licence Agreement (IPLA) and to seek Council approval to expand the *Switch your thinking* brand nationally.
- The report recommends that Council endorse the use of the *Switch your thinking* Intellectual Property Licence Agreement to share the brand with Local Governments nationwide, at the discretion of the South East Regional Energy Group (SEREG).

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

- 2.1 The natural environment is valued and conserved
 - 2.1.2 Manage the interface between natural areas and the built environment
 - 2.1.2.1 Promote the role the City's natural environment plays in quality of life

Legislation Implications

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

Council Policy/Local Law Implications

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

Budget/Financial Implications

Permitting Australian local governments outside of Western Australia to use the *Switch your thinking* brand will generate \$5,000 per year in program income from each Council that uptakes the brand.

Consultation

- Intra Directorate.
- South East Regional Energy Group (SEREG).

BACKGROUND

At its 16 April 2007 meeting Council considered and endorsed an Intellectual Property Licence Agreement (IPLA) prepared by solicitors Lewis, Blyth and Hooper. This agreement guided the expansion of the *Switch your thinking* brand to other Western Australian local governments.

Details of Council's resolution are as follows:

"CS33/4/07

RECOMMEND

1. *That Council endorse the Intellectual Property Licence Agreement, attached to this report as Attachment A-2, as the means by which the use of the **Switch your thinking!** brand may be licensed to other Western Australian local governments for approved purposes, and that this endorsement is subject to similar endorsements by the Councils of the City of Gosnell's and Serpentine-Jarrahdale Shire.*
2. *That the City of Gosnell's represent the South East Regional Energy Group partners, namely the City of Armadale and Serpentine Jarrahdale Shire, in the signing and application of Common Seal to Intellectual Property Licence Agreements associated with the expansion of the Switch your thinking! program, and that such resolution are subject to complementary endorsements by South East Regional Energy Group partner Councils."*

City of Randwick (NSW) request to join *Switch your thinking* program

The City of Randwick in NSW recently approached SEREG seeking permission to use the words "Switch your thinking" in promoting the uptake of re-useable coffee cups and shopping bags at three of its eco-themed events.

However, based on the above resolution, local governments located outside Western Australia are not permitted to be licensed to use the *Switch your thinking* brand.

At its meeting held on 14 February 2018, SEREG agreed that the City of Randwick should be granted permission to use the *Switch your thinking* trademark, as set out in the IPLA, for a period of six months at a discounted rate of \$1500. The discounted rate requested by the City of Randwick was deemed appropriate as they will only require limited use of the brand (they will be using it three times).

DETAILS OF PROPOSAL

Going forward – general brand expansion nationally

The recent approach by the City of Randwick instigated SEREG to consider the idea that all Australian local governments located outside of Western Australia should be considered eligible to use the *Switch your thinking* brand, in accordance with the current IPLA.

The benefits of licencing the brand to other Australian Local Governments located outside Western Australia include:

- Generation of new markets for the *Switch your thinking* brand that require few resources to service
- Generation of additional program income (normal licence fee is \$5,000 per year per Local Government)
- Enhanced reputation for the program and the City of Armadale as industry leaders.

SEREG agreed that general use of the brand nationally should be in accordance with the IPLA but that there may be times where a local government requests a discounted rate if they plan to use the brand to a minimal level, as is the case with the City of Randwick. On such occasions, SEREG will consider a discounted rate accordingly.

COMMENT

At the City of Gosnells Ordinary Council Meeting held on 27 March 2018, the City of Gosnells Council considered this matter and resolved as follows:

“58

That Council approves Australian local governments located outside of Western Australia to be considered eligible to use the Switch your thinking brand for approved purposes, in accordance with the Intellectual Property License Agreement attached as 13.4.1A and at a cost deemed appropriate by the South East Regional Energy Group (SEREG). Implementation of this recommendation will be subject to approval of the same recommendation by the Councils of the City of Armadale and the Shire of Serpentine Jarrahdale (the SEREG partners). CARRIED 12/0”

The matter will be considered by the Shire of Serpentine Jarrahdale at the next available opportunity.

OPTIONS

Option 1

That Council endorse the use of the amended *Switch your thinking* Intellectual Property Licence Agreement to share the brand nationally.

Option 2

That Council not endorse the use of the amended *Switch your thinking* Intellectual Property Licence Agreement to share the brand nationally.

Option 1 is recommended.

ATTACHMENTS

2.1.1. [↓](#) Draft Intellectual Property Licence Agreement

RECOMMEND

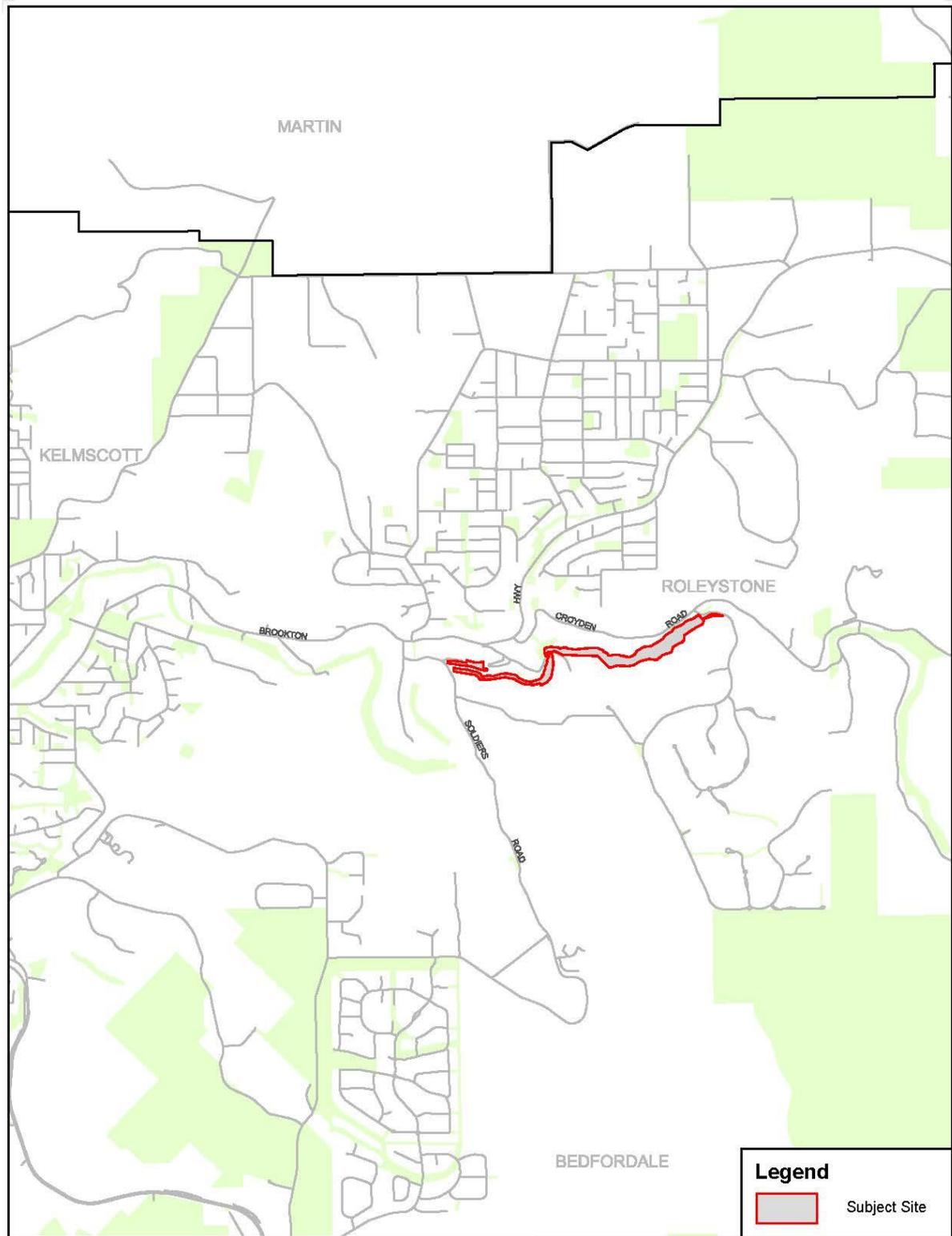
T37/5/18

That Council:

- 1 **Approves eligible local governments outside Western Australia to use the *Switch your thinking* brand:**
 - **At the discretion of the South East Regional Energy Group (SEREG)**
 - **For purposes approved by SEREG**
 - **In accordance with the Intellectual Property License Agreement as attached to this report**
 - **At a cost deemed appropriate by SEREG**
- 2 **Approves implementation subject to approval of the same recommendation by the other SEREG partner Councils, the City of Gosnells and the Shire of Serpentine Jarrahdale.**

Moved Cr R Butterfield
MOTION CARRIED

(5/0)



LOCATION PLAN
Roley Pools Heritage Walk Trail
Management Plan



DATE 9 January 2018 - REVISION 1801
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Based on information provided by and at the direction of the
responsible officers from the Authority to the City of Armadale, 2018.
Aerial photography supplied by LandGate, Photocopy by Interstep.



**2.2 - ENDORSEMENT OF THE ROLEY POOLS HERITAGE WALK TRAIL
MANAGEMENT PLAN**

WARD : HILLS
FILE No. : M/207/18
DATE : 4 April 2018
REF : DH/CO
RESPONSIBLE : Executive Director
MANAGER : Technical Services

In Brief:

- The Draft Roley Pools Heritage Walk Trail Management Plan provides a strategic guide to management of City vested reserves on the Canning River in Roleystone.
- Council endorsed the release of the draft plan for public comment at its 12 February 2018 meeting.
- The Draft Roley Pools Heritage Walk Trail Management Plan public comment period has now closed with six submissions received.
- The report recommends that Council endorse the Draft Roley Pools Heritage Walk Trail Management Plan with modifications and as described in this report.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

- 2.1 The natural environment is valued and conserved
 - 2.1.1 Preserve and improve natural areas
 - 2.1.1.2 Deliver habitat/fauna sanctuary projects in natural areas
 - 2.1.2 Manage the interface between natural areas and the built environment
 - 2.1.2.2 Implement periodic reviews of the City's Natural Areas Program, including vegetation mapping

Legislative Implications

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

Council Policy/Local Law Implications

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

Budget/Financial Implications

Rationalisation of the programs within the Management Plan was reviewed by Council at its meeting of 12 February 2018 during the consideration of the documents released for public comment. A number of items requiring significant capital investment are to be considered as unique stand-alone projects as part of the City's Long Term Financial Plan and in future budget deliberations.

The implementation of operational actions and less significant capital items (imperative for the considered maintenance of the area) was also addressed at the 12 February 2018 meeting, with Council resolving as follows: (T1/2/18)

“Include the following annual maintenance and capital works funding items for considerations in the 2018/19 budget deliberations.

Annual maintenance:

- *\$12,000 for weed control*
- *\$15,000 for revegetation*
- *\$5,000 for feral animal control*
- *\$2,500 for fauna habitat*
- *\$9,000 for track maintenance*

Capital:

- *\$22,000 for track maintenance*
- *\$58,000 for a recreational strategy and signage upgrades”*

No further change with regard to the consideration of budget is proposed as a result of the public consultation period and recommended changes to the Management Plan.

Consultation

- Members of the Public.
- Local Interest Groups.
- Inter Directorate.

BACKGROUND

Roley Pools Reserve and the Thompson/Araluen Walk Trail are a series of City vested reserves located along the Canning River in Roleystone (refer to Attachment 2.2.1).

The reserve stretches from Soldiers Road in Roleystone for 2.6 km to Heritage Drive, Roleystone. There are a series of walk trails and access tracks that follow the Canning River through the reserve, with a number of key destinations along the journey.

The reserves have been identified as:

- Having high value to the local community
- Being widely used for recreation, education and as a place to interact with the natural environment
- Containing key environmental features and areas of conservation value
- Having locally significant European and Aboriginal heritage values

In 2016 the City commissioned a consultant to prepare a management plan for City managed reserves adjacent to the Canning River, between Soldiers Road and Heritage Drive in Roleystone. The Draft Roley Pools Heritage Walk Trail Management Plan (the Management Plan) provides aspirational programs for the management of the Roley Pools Heritage Walk Trail reserves.

The draft plan was considered by Council at its 12 February 2018 meeting (T1/02/18 refers). Following Council's endorsement, the Management Plan was advertised for public comment. The comment period has now concluded.

Public Comment Period

The public comment period commenced 13 February 2018 and closed Friday, 23 March 2018. Notices were published on the City's website, were displayed at the City's administration building front counter, and an advertisement appeared in the March 2018 edition of the Roleystone Courier.

Individual copies were posted to interest groups including Roley Bushcare, Friends of Roley Pools, Armadale Gosnells Landcare Group and the Department of Biodiversity Conservation and Attractions. An additional copy of the draft plan was displayed at the Roleystone Family Centre.

DETAILS OF PROPOSAL

The City received six (6) submissions providing comment on the Draft Roley Pools Heritage Walk Trail Management Plan. A summary of the submissions is provided in Attachment 2.2.2.

COMMENT

Comments generally support the Management Plan. Specifically, environmental management and proposals for recreational upgrades to the reserves (including the conversion of the water pipe crossing at Roley Pools to a foot-bridge) were supported by the community.

Officer responses to the public comments and proposed changes to the Management Plan are provided in Attachment 2.2.2.

Modifications to the proposed Management Plan that require more detailed consideration are provided below.

Nomenclature – Key Destinations and Trails

Recommended nomenclature for the reserve was supported in one submission and opposed in another.

The Management Plan recommended the existing and commonly used names of key destinations including:

- Roley Pools Picnic Area
- Nature's Spa
- The Cascades

No change to these names is recommended and no adverse public comment was received during the advertising period. It is proposed that Council formally recognise these names.

The following trail names were recommended in the Management Plan:

- **Boardwalk Trail** on the south side of the river stretching from the Soldiers Road lower car park to the Thompsons Road lower car park. This area is sometimes referred to as part of Thompsons Track.
- **Roley Pools Walk Trail** on the north side of the river stretching from the Soldiers Road upper car park to the Roley Pools Picnic Area (key destination).
- **Heritage Walk Trail** (also known as Thompsons Trail, Thompsons Track and Araluen Walk Trail) from the Thompsons Road upper car park to Heritage Drive.

The name 'Boardwalk Trail' was not supported in one submission, with preference to this trail being named the same as a location on the northern bank, 'Roley Pools Walk Trail', which leads to the key destination 'Roley Pools Picnic Area'. This alternative suggestion is not supported. Each of these tracks offer different visitor experiences and begin and end at different car parks therefore there is merit in distinguishing the northern bank and southern bank tracks, as different tracks with different names.

There may be merit in naming the two trails as one walk trail 'Roley Pools Walk Trail' as suggested, once the connectivity between the north and south banks (to create a round circuit) is resolved. However, due to infrastructure upgrades required to achieve this at 2 locations, this naming is not supported at this time.

The name ‘Heritage Walk Trail’ (for the section of reserve between Thompson Road and Heritage Drive) was opposed in one submission with the alternative suggestion that this area should be broken down into two trail names – the Cascades Walk Trail and the Heritage Walk Trail, or entirely as the Cascades Walk Trail.

The proposal for sectional naming of one continuous trail is not supported. This is because the trail runs between two major roads (Thompson and Heritage Road) with no road distinguishing area or feature to divide the two.

The ‘Cascades’ and ‘Natures Spa’ are the two key destinations on this trail. Given there was community support for the name ‘Heritage Walk Trail’ and existing reference to the area using that name, it is proposed Council formally recognise the nomenclature as documented in the Management Plan, without alteration.

Revegetation and Fauna Monitoring

Modification clarification of the revegetation priority area 1, in recognition of vegetation condition consideration (relates to Attachment 2.2.2 - comment 3).

Aspirational programs for revegetation are costed in Table 36 of the Management Plan. The proposed changes to the management plan are likely to result in reduced costs associated with revegetation of this area.

However, in consideration of funding of the Management Plan actions in an achievable framework, Council considered a rationalised annual allocation of \$15,000 for revegetation (allowing approximately 3,000 plants to be planted each year in the three priority areas) at the 12 February 2018 meeting. The proposed change to the Management Plan does not influence this.

Modification 2 to include a recommendation to “undertake baseline fauna monitoring in the reserve (relates to Attachment 2.2.2 - comment 5).

Some fauna management can be undertaken as an operational action using the City’s fauna monitoring cameras and as a part of existing programs.

It is recommended that further larger scale specialist study, such as invertebrate study using pit fall traps etc, be considered separately to the Management Plan implementation, as part of the City’s budget review process.

Using this approach allows for the opportunity to review these initiatives in the context of other priority strategic projects as well as their level of importance outlined in the Management Plan.

OPTIONS

Option 1:

That Council endorse the Draft Roley Pools Heritage Walk Trail Management Plan without modification.

Option 2:

That Council endorse the Draft Roley Pools Heritage Walk Trail Management Plan with modifications, as described in this report and documented in Attachment 2.2.2.

Option 3:

That Council seek further modification to the Draft Roley Pools Heritage Walk Trail Management Plan, prior to consideration for endorsement.

Option 2 is recommended.

CONCLUSION

Six (6) submissions commenting on the Draft Roley Pools Heritage Walk Trail Management Plan were received during the public comment period. Comments generally support the Management Plan, specifically environmental management initiatives and proposals for recreational upgrades.

Minor modifications to the Management Plan are proposed as a result of the public comments received.

It is recommended that Council endorse the Draft Roley Pools Heritage Walk Trail Management Plan with modifications, as described in this report and documented in Attachment 2.2.2.

ATTACHMENTS

- 2.2.1. [↓](#) Roley Pools Management Trails Location Plan
- 2.2.2. [↓](#) Comments Table Roley Pools

Committee Discussion

Committee briefly discussed various aspects and wording of the proposed amendments to the Management Plan, specifically the work done by Roley Bushcare and the fire sensitivity of the environment. These were clarified in more detail by the Senior Environmental Officer and the Manager Environmental Services.

RECOMMEND

T38/5/18

That Council endorse the Roley Pools Heritage Walk Trail Management Plan with modifications as described in this report.

**Moved Cr C Wielinga
MOTION CARRIED**

(5/0)

3.1 - NOMINATION TO ATTEND PARKS AND LEISURE 2018 STATE CONFERENCE

WARD : ALL
FILE No. : M/245/18
DATE : 19 April 2018
REF : DH
RESPONSIBLE : Executive Director
MANAGER : Technical Services

In Brief:

- The Parks and Leisure Australia (WA) State Conference titled *Growing Expectations* is to be held at The Esplanade Hotel Fremantle from 21-22 June 2018.
- The report calls for nominations for Councillors' attendance at the conference.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

4.1 Visionary Civic leadership and sound governance

4.1.3 Support the role of the elected body

4.1.3.3 Advocate and support Councillor engagement in outside bodies and events to maintain awareness and enhance the City's knowledge base

Legislative Implications

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

Council Policy/Local Law Implications

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

- Council Policy ADM 3 – Conferences, Seminars, and Training

Budget/Financial Implications

Allowances for Officer and Councillor attendance at conferences have been made within the 2017/18 budget.

Consultation

- Intra Directorate.

BACKGROUND

Parks and Leisure Australia Western Australia (PLAWA) Regions third State Conference this June builds on the success of the burgeoning professional development programme and the inaugural conference held in 2014. The conference is held every two years to address trends and issues when planning, constructing, activating/programming and maintaining leisure and sporting places, spaces, programmes and facilities.

The conference is an important chance for those in the parks and leisure industry to share ideas, discuss relevant concerns, hear about the latest trends and consider the future. The conference offers the opportunity to learn about what's new, what to plan for and how to ensure all Western Australians have access to quality leisure and community sporting opportunities and infrastructure.

In 2018, PLAWA will offer a two day conference that includes 54 presentations over six professional streams, six workshops and technical tours all targeting 300 professional practitioners from the Leisure Planning, Leisure and Aquatic Facilities, Sports Development, Parks, Environmental, Events and Community Development sectors. The conference theme *Growing Expectations* examines challenges for the industry in meeting community expectations for quality open space, sporting infrastructure, events, programmes and services against a climate of economic, environmental, and social resource limitations.

DETAILS OF PROPOSAL

This year will bring six streams of educational and informative speakers and workshops.

The keynote speakers for the 2018 conference are:

- Dr Clare Hanlon, Vice President Sports Management Association of Australia and New Zealand
- Andrew Horabin, Principal, Bullshift
- Dan Popping, Engagement Manager, Bang the Table
- Justin Tamsett, Principal, Active Management
- Jeff Walkley, National Disability & Diversity Manager, Belgravia Foundation
- Steve Humphrey, Principal Project Manager (Design Development Director), Department of Local Government, Sport and Cultural Industries, Perth Stadium
- Kate More, Digital & Social Media Producer, West Coast Eagles

- Paul Edward, Site Architecture Studio (SITE)
- Matthew Batchelor, Director, Cox Architects
- Tony Butler, Facilities Manager, Town of Port Hedland
- Jo Davies General Manager & Alan Singer, Field Force Manager, WACA
- Josh Bowler, Manager Participation and Engagement, WA Football Commission
- Rod Clements, CEO, Basketball WA
- Liz Chetkovick, Community Netball Manager, WA Netball
- Josh Madden, Wembley Golf
- Graeme Hall, Places to Play Manager, Tennis West
- Corey Gray, Managing Director, LVX
- Nick Wilkinson, Manager of Leisure Services, City of Canning
- David McMeekin, Lecturer, Curtin University
- Denver D'Cruz, General Manager, Inclusion Solutions
- Ashlee Osborne, Senior Consultant, Alzheimer's WA
- Terry Farrell, Director and Design, Nature Based Play
- Paul Barber, Managing Director, Arbor Carbon
- Travis McNaught, Regional Manager West Pilbara, Landcorp
- James Eggleston, Senior Analyst, Power Ledger
- Andrew Kikeros, Principal, Life Time Wise
- Matthew Southern, Leisure Program Coordinator, City of Swan
- Andrew Ng, State Health and Wellness Manager, Belgravia
- Susan Shand, Fitness and Aquatics Supervisor, City of Busselton
- Chris Earl, Recreation Program Coordinator, Curtin University

COMMENT

At the Parks and Leisure Australia State Conference 2018, titled Growing Expectations, attendees will:

- Hear from a range of amazing international and national keynote speakers across the sector.
- Learn about innovative projects from around Australia and internationally.

The City's Manager Parks has been a member of Parks and Leisure Australia for over 30 years, including as a past and present Western Australian Regional Councillor. The City is a Corporate Member of Parks and Leisure Australia.

Attendance costs for full registration amount to approximately \$850.00 per person.

CONCLUSION

The Parks and Leisure Australia State Conference is held every two years and continues to offer items of significant interest to the Local Government Sector. The 2018 conference will examine the current challenges the industry faces in meeting community expectations in a climate of economic, environmental, and social resource limitations.

Attendance at the conference is considered beneficial, and a Councillor delegate is sought accordingly.

ATTACHMENTS

There are no attachments for this report.

Committee Discussion

Councillor Frost nominated to attend the conference however the Committee agreed to seek further nominations for the 2018 Parks and Leisure Australia State Conference at the Ordinary Council Meeting of Monday, 14 May 2018.

RECOMMEND

T39/5/18

That Council:

- 1. Nominate Councillor Frost as a delegate to the Parks and Leisure Australia State Conference 2018.**
- 2. Note the attendance of Officers as delegates to the Parks and Leisure Australia State Conference 2018.**

Moved Cr R Butterfield
MOTION CARRIED

(5/0)

4.1 - RIVERS REGIONAL COUNCIL TENDER 2013/1 - RECEIPT AND PROCESSING OF WASTE FOR RESOURCE RECOVERY - UPDATE

The Chair determined that this item would be considered after the consideration of the Confidential Item, to be considered behind closed doors.

WARD : ALL
FILE No. : M/205/18
DATE : 3 April 2018
REF : AO/KK
RESPONSIBLE : Executive Director
MANAGER : Technical Services

In Brief:

- The Rivers Regional Council awarded the Tender for the Receipt and Processing of Waste for Resource Recovery within a Resource Recovery Facility in 2015.
- The Rivers Regional Council has requested consideration of matters relating to this tender, details of which are contained in the Confidential Report attached to this agenda.
- The report refers to the adoption of the recommendation as contained in the Confidential Report.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

- 2.1 The natural environment is valued and conserved
 - 2.1.4 Minimise the City's carbon footprint
- 2.4 Best Practice Waste Management
 - 2.4.1 Apply effective waste collection methodologies
 - 2.4.2 Maximise recycling opportunities
 - 2.4.3 Improve waste disposal practices

Legislative Implications

Assessment of legislation indicates that the following apply:

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

Council Policy/Local Law Implications

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

- Council Policy ADM 18 – Common Seal
- Council Policy ADM 19 – Procurement of Goods and Services

Budget/Financial Implications

The financial implications of adopting the recommendation are detailed in the body of the Confidential Report.

Consultation

- Rivers Regional Council.
- Rivers Regional Council Member Council Directors (Technical Advisory Committee).
- Intra-Directorate.

BACKGROUND

Financial and commercial issues related to the tender for the Receipt and Processing of Waste for Resource Recovery within a Resource Recovery Facility which are to be considered as part of this report, necessitate the report being given confidential consideration.

The full report is therefore provided as a Confidential Report.

ATTACHMENTS

There are no attachments for this report.

MEETING CLOSED TO PUBLIC

MOVED Cr Butterfield that the meeting be closed to the public as the matter to be considered, if disclosed, discussion of this matter in an open meeting would on balance be contrary to the public interest because the matter relates to a contract entered into or which may be entered into by the City of Armadale.

Motion Carried (5/0)

Meeting declared closed at 7.20 pm.

Committee Discussion

Committee voted on the recommendation as below:

MOVED: Cr Busby

Seconded: Cr Frost

Opposed: Cr Butterfield

CARRIED (4/1)

RECOMMEND

T40/5/18

That the recommendation relating to Rivers Regional Council Tender 2013/1 - Receipt and Processing of Waste for Resource Recovery, as contained in the Confidential Report, be adopted.

Moved Cr K Busby

MOTION CARRIED

(4/1)

Meeting declared open at 7.50 pm.

5.1 - TENDER 44/17 - LANDFILL GAS MANAGEMENT

WARD : ALL
FILE No. : M/249/18
DATE : 20 April 2018
REF : JL
RESPONSIBLE : Executive Director
MANAGER : Technical Services

In Brief:

- Tender 44/17 was recently advertised for Landfill Gas Management.
- One (1) tender was received and evaluated against compliance and qualitative criteria.
- The report recommends that Council not accept the submitted tender, and authorise the CEO to enter in to negotiations with suitable contractors for the provision of Landfill Gas Management services.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

- 2.1 The Natural Environment is valued and conserved
 - 2.1.4 Minimise the City's carbon footprint
- 2.3 Well Managed Infrastructure
 - 2.3.1 Apply best practice design and construction methodologies for the provision of infrastructure
 - 2.3.2 Ensure maintenance activities address required levels of service
- 2.4 Best Practice Waste Management
 - 2.4.3 Improve waste disposal practices

Legislative 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 is applicable:

- Council Policy ADM 19 – Procurement of Goods and Services

Budget/Financial Implications

The proposed expenditure expected to be associated with the provision of Landfill Gas Management Services can be accommodated in the City's 2017/18 financial year budget and Long Term Financial Plan estimates.

Consultation

- Intra Directorate.

BACKGROUND

Tender 44/17 for Landfill Gas Management was advertised in the 17 February 2018 edition of the West Australian newspaper, on the City's website and in a notice, which was displayed on the Administration Centre, Armadale, Kelmscott and Seville Grove Libraries public notice boards.

The Request for Tender sought the provision of services from a suitably qualified contractor to maintain the Landfill Gas Extraction and Destruction System for the Armadale Landfill and Resource Recovery Facility.

The services expected to be carried out by the successful tenderer include the expansion of the existing gas extraction well field as well as operating and maintaining the system. The contractor will also be required to ensure that the system meets the original designed performance objectives with respect to the City's carbon abatement targets.

DETAILS OF PROPOSAL

Tender 44/17 for Landfill Gas Management closed at 2.00 pm on 16 March 2018. One (1) tender was received by the close of deadline in accordance with Regulation 18 (1) of the Local Government (Functions and General) Regulations 1996.

The tender received from **Run Energy Pty Ltd** was assessed against compliance criteria and found to be conforming.

An evaluation process was undertaken having specific regard to the Qualitative Criteria listed below.

Relevant Experience (25%)

This criterion required tenderers to describe their experience in completing similar projects including the following information:

- Provide details of similar contracted works
- Provide scope of the Tenderer's involvement including details of outcomes
- Project reference sheet.

The tenderer submitted reasonable experience dealing with landfill flaring systems. Three examples were provided, two of which the tenderer is still managing. However, the tenderer provided no information regarding any experience in data collection and management for the purposes of compliance with methodologies under the Carbon Credits Act 2011 (Carbon Farming Initiative).

Key Personnel skills and experience (25%)

This criterion required tenderers to provide information describing the operational personnel to be allocated to this project, including:

- Their role in the performance of the contract
- Their qualifications and curriculum vitae noting experience and role of personnel in similar projects

The tenderer submitted information regarding an Operations Manager and an Operations Technician from a local subcontractor that are proposed for the contract, however, no specific examples were provided of companies or landfill gas flaring systems that have been managed by the two individuals.

Resources (25%)

This criterion required tenderers to demonstrate their ability to supply and sustain the necessary:

- Plant, equipment and materials
- Any contingency measures or back up of resources including personnel (where applicable)
- Resources Commitment Schedule indicating availability

It must be noted that the tenderer is based in Victoria and proposes to use a local subcontractor with only two (2) employees for their operations in Western Australia (WA). In their proposal the tenderer indicated that the company employs 65 personnel Australia Wide and 300 worldwide, albeit not in WA. Although the tenderer provided some detail regarding landfill gas flares, diesel generators, gas analysers and component stock that is available at their head office, no information was provided regarding any resources available in WA, other than time available by the two employees of the subcontractor.

Demonstrated Understanding/Methodology (25%)

The tenderers were to detail the process they intend to use to achieve the requirements of the Specification. Areas they needed to consider included:

- A demonstrated understanding of the scope of work
- A description of the processes involved in the operation and management and reporting
- To provide an outline of the proposed methodology

The tenderer included a range of exclusions/omissions and qualifications to their tender which, if accepted, are considered likely to place the City at risk of claims and variations, the cost of which is likely to be considerable. Some examples of the exclusions/omissions are Construction Quality Assurance, Operation and Maintenance Plans, casings for new wells, Carbon Methodology in maintaining performance targets, monitoring and the provision of data for Emission Reduction Reporting.

Upon assessment of the tender, it is clear that the submitted tender did not adequately address the City's requirements with regard to Understanding/Methodology.

The scores achieved by the tenderer under each of the qualitative criteria as assessed by the evaluation panel are as follows:

Tenderer	Relevant Experience	Key Personnel	Resources	Methodology	Total	Ranking
	25%	25%	25%	25%		
Run Energy Pty Ltd	13.75	11.25	13.13	9.06	47.19	1

COMMENT

Under Regulation 18(5) of the *Local Government (Functions and General) Regulations 1996* a local government may decline to accept any tender.

Division 2 of the *Local Government (Functions and General) Regulations 1996* – Tenders for providing goods or services, Section 11(2) (c) (i) states as follows:

“Tenders do not have to be publicly invited according to the requirements of this Division if within the last 6 months the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment.”

Considering the poor standard of tender received, the City has reviewed the methodology for the implementation of this project, and it is considered that a better outcome will be to return to the market and negotiate with alternate service providers who can supply the full scope of the works, complying with the required specifications to the City’s requirements.

Council approval is therefore sought to not accept the submitted tender for RFT 44/17 Landfill Gas Management, and to authorise the CEO to enter in to negotiations with suitable service providers for the provision of Landfill Gas Management services.

The City’s Governance department has been consulted, and has confirmed that this proposed alternative approach is not in contravention of the City’s Procurement Policy and meets all procedural requirements.

It is recommended that Council support this approach in order to facilitate the timely progress of this project.

CONCLUSION

Tenders for the Provision of Landfill Gas Management at the Armadale Landfill and Resource Recovery Facility were recently invited with one (1) tender being received and assessed by an evaluation panel against compliance and qualitative criteria.

The tenderer did not sufficiently demonstrate their suitability to undertake the works required.

The evaluation panel therefore recommends that in accordance with *Regulation 18(5) and Section 11 (2) (c) (i) of the Local Government (Functions and General) Regulations 1996*, the tender not be awarded, and Council authorise the CEO to enter in to negotiations with suitable contractors for the provision of Landfill Gas Management services.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

T41/5/18

That Council:

1. **Not accept the tender submission received for Tender 44/17 - Landfill Gas Management, as the tender received was assessed as being unsuitable.**
2. **Authorise the CEO to enter into negotiations with suitable contractors for the provision of Landfill Gas Management Services.**

**Moved Cr C Wielinga
MOTION CARRIED**

(5/0)

6.1 - ALEX WOOD DRIVE (REFERRAL ITEM)

At the Council meeting held on 23 April 2018, Cr Jeff Munn referred the following matter to the Technical Services Committee.

That the matter of Alex Wood Drive be referred to the Technical Services Committee.

Comment from Cr J Munn

Property owners on Alex Wood Drive in Forrestdale, advise they have a problem with long vehicles when leaving their premises. For properties on the western side, vehicles have to turn right, travel up to the next roundabout (at Remisko Drive) and turn back on to Alex Wood Drive to return to Armadale Road.

The central drain is an anomaly in a business park and should be filled in, with crossovers allowed so that heavy vehicles leaving from the western side can turn right and return easily to Armadale Road. The same applies to properties on the eastern side, turning right and going to Ranford Road.

Officer Comment

The matter of the provision of vehicle crossing points on Alex Wood Drive has been considered on a number of occasions. The road design of this development provides for two lanes, one in each direction separated by a median containing a drainage swale, with a series of roundabouts, which require that vehicles exiting properties on this road would have to adhere to the “left-in, left-out” principle, but then drive a very short distance to the nearest roundabout, where they have the choice to travel in any direction. All the roundabouts are designed for “as-of-right” vehicles and no vehicles using these routes should have difficulty making up to 180° full turns at these points.

The median also serves the function as a drainage element for the Business Park, as no piped drainage was originally provided, apart for road crossings, and is required to ensure that the development is adequately served with drainage during periods of peak rainfall. It is further the intention to address the long outstanding re-landscaping of this median from the Ranford Road intersection to the Armadale Road intersection during the 2018 winter planting season. This will significantly improve the aesthetic and drainage qualities of this section of road.

Given the above the suggested officer recommendation is as follows:

That Council note the contents of the Officers report relating to the traffic management arrangements on Alex Wood Drive in Forrestdale Business Park East and that no further action be considered at this time.

ATTACHMENTS

There are no attachments for this report.

Committee Discussion

As Cr Munn was an apology for this meeting, Cr Wielinga spoke to this item on his behalf. Committee agreed to adopt the suggested officer recommendation as presented in this report.

RECOMMEND

T42/5/18

That Council note the contents of the Officers report relating to the traffic management arrangements on Alex Wood Drive in Forrestdale Business Park East and that no further action be considered at this time.

**Moved Cr C Wielinga
MOTION CARRIED**

(5/0)

6.2 - FOOTPATHS ON KERB SIDE (REFERRAL ITEM)

At the Council meeting held on 26 February 2018, Cr J Munn referred the following matter to the Technical Services Committee.

That the matter of footpaths being aligned on kerb side and the progress with developers in relation to this be referred to the Technical Services Committee.

At the Technical Services Committee meeting of 16 April 2018, consideration of the matter was deferred to the May Technical Services Committee meeting in order that Councillor Munn Could address the item (T32/4/18 refers).

Comment from Cr J Munn

We are often told how dangerous it is to build footpaths directly on the kerb line, however I am not aware of any recorded incidents between pedestrians and vehicles in these situations. The perceived danger could possibly be addressed by barrier kerbs; Main Roads Western Australia state the following:

“3.1 Barrier Kerb

Barrier kerbs are steep-faced and are designed to prevent vehicle encroachment on the roadside. Their main functions are:

- *to discourage vehicles from using areas outside the travelled way, not intended for vehicular travel*
- *to control drainage*
- *to control parking of vehicles*
- *to reduce the risk to pedestrians*

The typical barrier kerb is 150mm high. This height is effective to prevent vehicle encroachment into the roadside at low to moderate speeds.

Barrier and semi-barrier kerbing should generally be avoided on freeways or highways with design speeds of over 70 km/h because impact with kerbing on high-speed roads may overturn a vehicle or result in a vehicle becoming airborne.

Barrier-type kerbs may be used on sections of road where separation of opposing traffic is essential due to the high safety risks associated with traffic volumes, percentage of heavy vehicles, speed, crash history etc.”

Most of the City’s roads have low to moderate speed limits. There seems to be no policy regarding the placing of footpaths, as in the newer estates placement of footpaths varies from area to area.

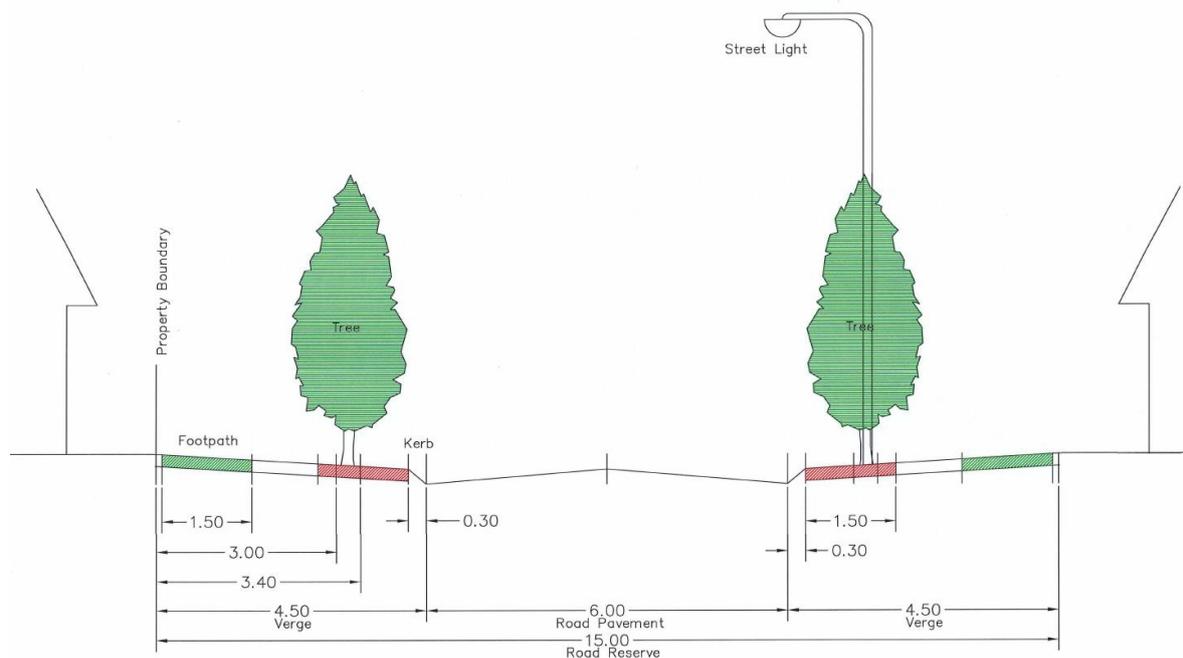
A consistent policy throughout the City could alleviate some of the issues which could possibly be solved at the design stage before development starts as well as assist in reducing the occurrence of unkempt strips of land between the footpath and the roadside kerb.

Officer Comment

Footpaths within new subdivisions are generally located adjacent to the property boundary for lower order residential streets. The lower order road reserve width of 15m is made up of a 6m wide road pavement and 4.5m wide verge on each side.

The verge then is to accommodate the installation of underground services and surface services, each with a specific alignment as recommended in the Utilities Providers Code of Practice. The Code prescribes that street lights and street trees are located between 3m to 3.4m from the property boundary, which means that these are to be located close to the kerb line. The minimum footpath width is 1.5m and were the footpaths placed at the back of the kerb, there would be no place for street trees to be planted on their designated alignment. Therefore, of necessity, the footpath must be located away from the kerb, and in most cases the most appropriate location is against the property boundary, which creates a larger area for planting, as opposed to two small areas for planting.

Footpaths can be placed at the back of kerb on wider verge areas, usually on higher order roads, where this is considered suitable and where street trees can still be installed. However, many requests for footpaths not to be placed along kerbs are received from residents, in order to provide a safer pedestrian passage, particularly for children.



Typical 15 metre wide Road Reserve
Not to scale

Main Roads design criteria for kerbing refers to their arterial road system. Kerbing within residential streets is defined by the City's Subdivisional and Development Guidelines and the IPWEA Local Government Guidelines for Subdivisional Development as adopted by the Western Australian Planning Commission and the Department of Planning, Landscape and Heritage. Kerbs in residential streets are mountable type to allow the resident the flexibility in the location of their vehicle crossovers. Were a barrier type kerb to be installed in residential streets then unnecessary additional works and costs would be incurred in the provision of crossovers to service the lots.

Given the above, the suggested officer recommendation is as follows:

That the contents of the report on the location of footpaths on lower order residential streets be noted.

ATTACHMENTS

There are no attachments for this report.

Committee Discussion

As Cr Munn was an apology for this meeting, Cr Frost spoke to this item on his behalf. Committee agreed to adopt the suggested officer recommendation as presented in this report.

RECOMMEND

T43/5/18

That Council note the contents of the report on the location of footpaths on lower order residential streets be noted.

**Moved Cr R Butterfield
MOTION CARRIED**

(5/0)

6.3 - LACK OF PARKING BAYS (REFERRAL ITEM)

At the Council meeting held on 26 February 2018, Cr J Munn referred the following matter to the Technical Services Committee.

That the matter of lack of parking bays in the intensely developed areas be reviewed and referred to the Technical Services Committee.

At the Technical Services Committee meeting of 16 April 2018, consideration of the matter was deferred to the May Technical Services Committee meeting in order that Councillor Munn Could address the item (T33/4/18 refers).

Comment from Cr J Munn

Concerns have been expressed that insufficient numbers of parking bays in the new areas, especially with the very small frontages, are being provided by developers.

Many of the residents have two or three cars and vehicles are being parked over footpaths or parked in drive ways with part of the vehicle protruding onto the footpath. At times, vehicles are parked along the footpath.

Similarly with Local Parks, three or four parking bays are insufficient, especially when there is a group gathering/function. Car parking bays could be created all around the park to alleviate the problem.

It is suggested that investigations be conducted to consider policy changes to encourage developers to provide more street parking.

Officer Comment

The City is required to apply standards and norms relating to the provision of parking in urban areas. These are in essence as follows:

- a. Parking for large lots - on site, normally two in garage and two on driveway
- b. Parking for smaller lots (<350m²) – 1/2 garage parking plus one visitor parking bay for every two lots in new subdivisions
- c. Laneway lots - 1/2 garage parking plus one visitor parking bay for every two lots

These requirements are expressed to the developers and their planning consultants at all stages of the development process from structure planning to subdivision. The Western Australian Planning Commission (WAPC) accepts that the provision of parking can be anywhere within the pedestrian walkable catchment of 400m.

- d. There is no specific requirement for provision of parking bays adjacent to Public Open Space (POS) areas unless it is an active POS, then parking is generally provided within the site based on standard parking ratios for such facilities.

General expectation is that local use will be from a pedestrian walkable catchment of 400m. It is however recognised that parks such as Robot Park and Shipwreck Park will attract visitors from further afield and that additional parking should be provided at such facilities. At this stage this has been done and all indications are that immediately following the opening such facilities, the parking provided seems to be well short of requirements. However, after the initial period of usage has stabilised, the parking is only placed under stress during peak usage times and for short periods only. This is deemed acceptable from a facility provision aspect. The City requests provision of some parking bays adjacent to POS areas irrespective of the POS use.

While noting the above advice, the City will further investigate this referral item particularly with regard to potential amendments to the design standards relating to the provision of parking for new subdivision areas and the possible inclusion of additional parking bays in existing POS areas, where a need for these has been identified. Accordingly, it is proposed that a report be presented to a future Technical Services Committee meeting for Council's consideration.

A suggested recommendation is as follows:

“That Council:

- 1. Note the advice provided regarding the existing design standards for the provision of parking bays in new subdivision areas.*
- 2. Request a report to be presented at a future Technical Services Committee meeting regarding:*
 - a. potential amendments to the existing design standards to address the desired parking requirements at POS areas*
 - b. the possible provision of additional parking bays adjoining existing POS areas where a need has been identified.”*

ATTACHMENTS

There are no attachments for this report.

Committee Discussion

As Cr Munn was an apology for this meeting, Cr Butterfield spoke to this item on his behalf. Committee discussed the design standards as presented in this report and parking options in general. It was noted that an upcoming report to the Technical Services Committee regarding the Parks Facilities Strategy will address parking at Public Open spaces and parks.

Committee agreed on the following recommendation:

That Council

1. *Note the contents of the officer's report and advice provided.*
2. *Note that the review of the Parks Facilities Strategy will be submitted to a future Technical Services Committee meeting which will include parking.*

MOVED: Cr Butterfield

Seconded: Cr Frost

CARRIED (5/0)

RECOMMEND

T44/5/18

That Council:

1. **Note the contents of the officer's report and advice provided.**
2. **Note that a review of the Parks Facilities Strategy will be submitted to a future Technical Services Committee meeting which will include parking at Public Open Spaces and parks.**

Moved Cr C Wielinga

MOTION CARRIED

(5/0)

COUNCILLORS' ITEMS

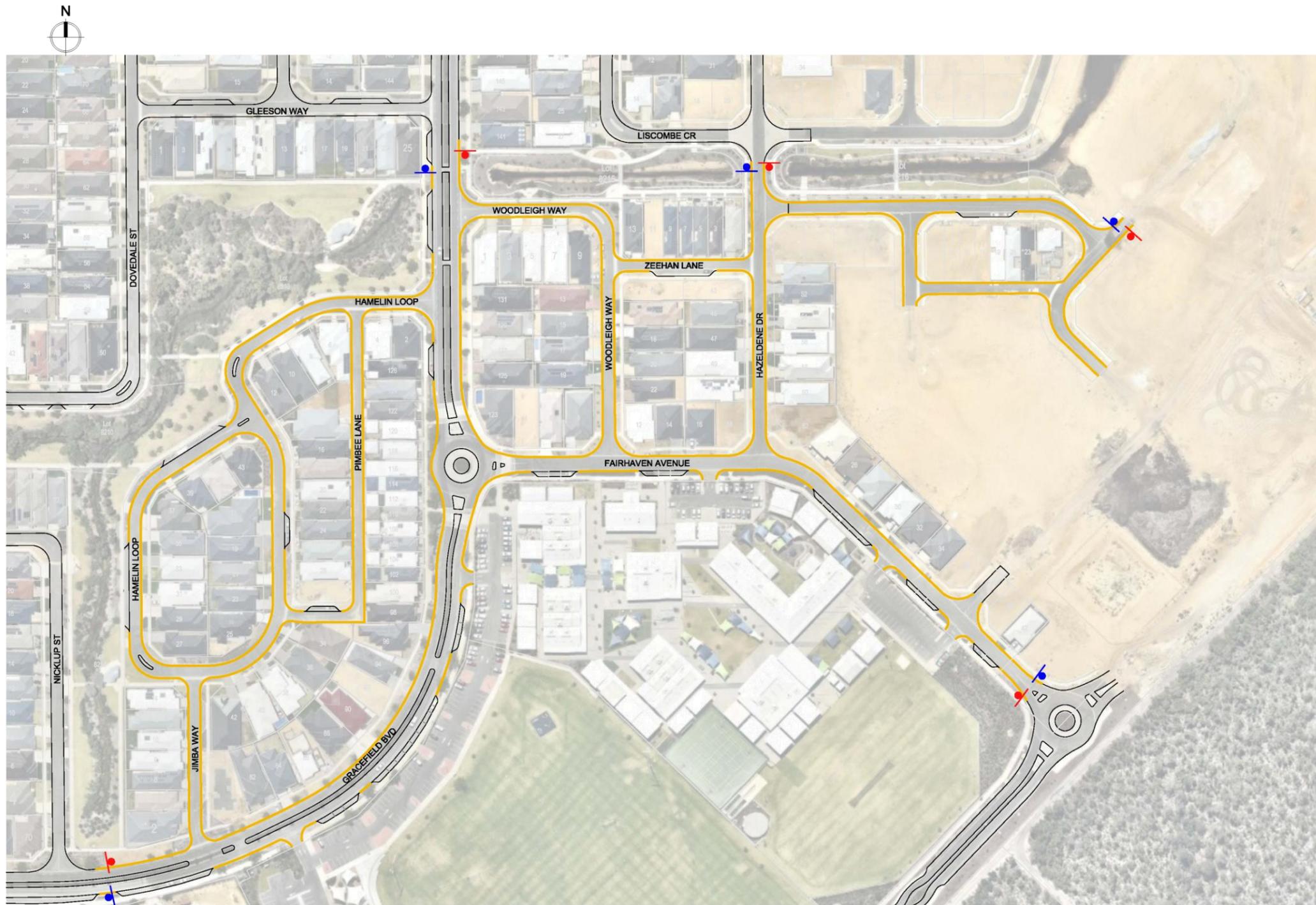
Nil.

EXECUTIVE DIRECTOR TECHNICAL SERVICES REPORT

Nil.

MEETING DECLARED CLOSED AT 8.07 PM

TECHNICAL SERVICES COMMITTEE		
SUMMARY OF ATTACHMENTS		
7 MAY 2018		
ATT NO.	SUBJECT	PAGE
1.1 SCHOOL PARKING RESTRICTIONS - HARRISDALE AND PIARA WATERS PRIMARY SCHOOLS		
1.1.1	E18-01 Harrisdale Primary School - Parking Restriction Area	46
1.1.2	E18-02 Piara Waters Primary School - Parking Restriction Area	47
1.1.3	E18-35 Piara Waters Primary School - Kiss and Drive	48
2.1 EXPANSION OF THE SWITCH YOUR THINKING INTELLECTUAL PROPERTY LICENSE AGREEMENT		
2.1.1	Draft Intellectual Property Licence Agreement	49
2.2 ENDORSEMENT OF THE ROLEY POOLS HERITAGE WALK TRAIL MANAGEMENT PLAN		
2.2.1	Roley Pools Management Trails Location Plan	72
2.2.2	Comments Table Roley Pools	73



STAGE ONE

- 
INSTALL ENTRY SIGN

- 
INSTALL END SIGN


STAGE TWO

- 
INSTALL YELLOW 'NO STOPPING' LINES
- 
INSTALL 'NO STOPPING AT YELLOW LINES' ON ALL ENTRY SIGNS


PLAN VIEW
SCALE 1:1000

SCHEDULE OF QUANTITIES		
DESCRIPTION	UNIT	QUANTITY
ENTRY SIGNS	No.	5
END SIGNS	No.	5



No	Date	Revision	By	Approved

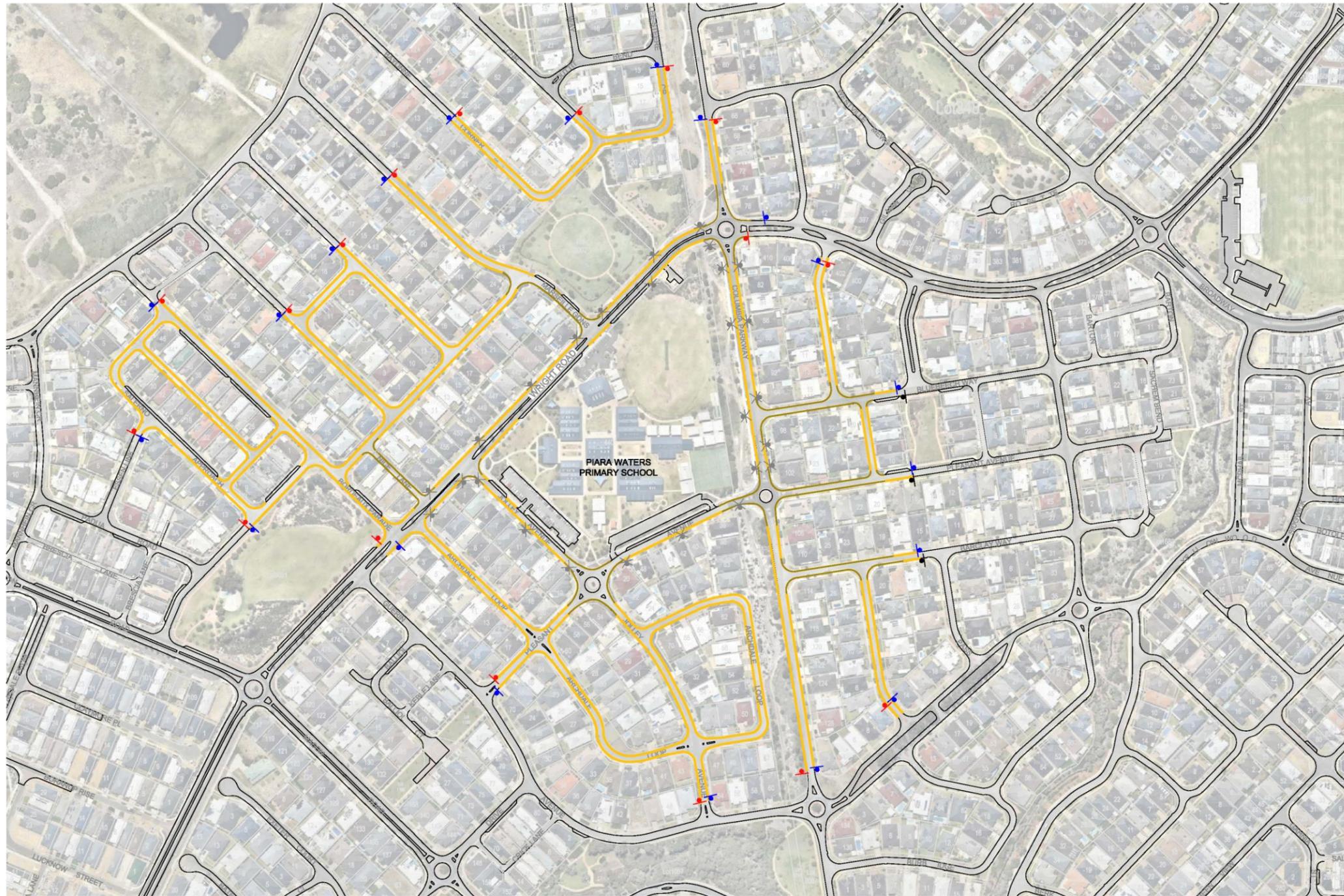
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Datum:	Old
Surveyed:	AHD MG44
Date:	



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Drawn:	MC	Date:	01/2018	Signed:	
Design:	MC	Date:	01/2018	Signed:	
Checked:		Date:		Signed:	
Manager Engineering & Design:	E.V.	Date:		Signed:	

Project:	HARRISDALE PRIMARY SCHOOL PARKING BAY MARKING
Title:	FAIRHAVEN AVENUE
PC No:	
TRM No:	
Sheet No:	1
Revision No:	
DWG No:	E18-01



PLAN VIEW
SCALE 1:2000

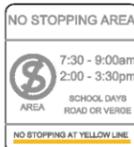
STAGE ONE

-  **INSTALL ENTRY SIGN**
NO STOPPING AREA

-  **INSTALL END SIGN**

-  **EXISTING ENTRY SIGN TO BE REPLACED WITH UPDATED**
-  **EXISTING YELLOW 'NO STOPPING' LINES TO REMAIN**
-  **REMOVE ALL EXISTING NO STOPPING SIGNS**


STAGE TWO

-  **INSTALL NEW YELLOW 'NO STOPPING' LINES**
-  **INSTALL 'NO STOPPING AT YELLOW LINES' ON ALL ENTRY SIGNS**


SCHEDULE OF QUANTITIES		
DESCRIPTION	UNIT	QUANTITY
ENTRY SIGNS	Nc.	20
END SIGNS	Nc.	20



No	Date	Revision	By	Approved

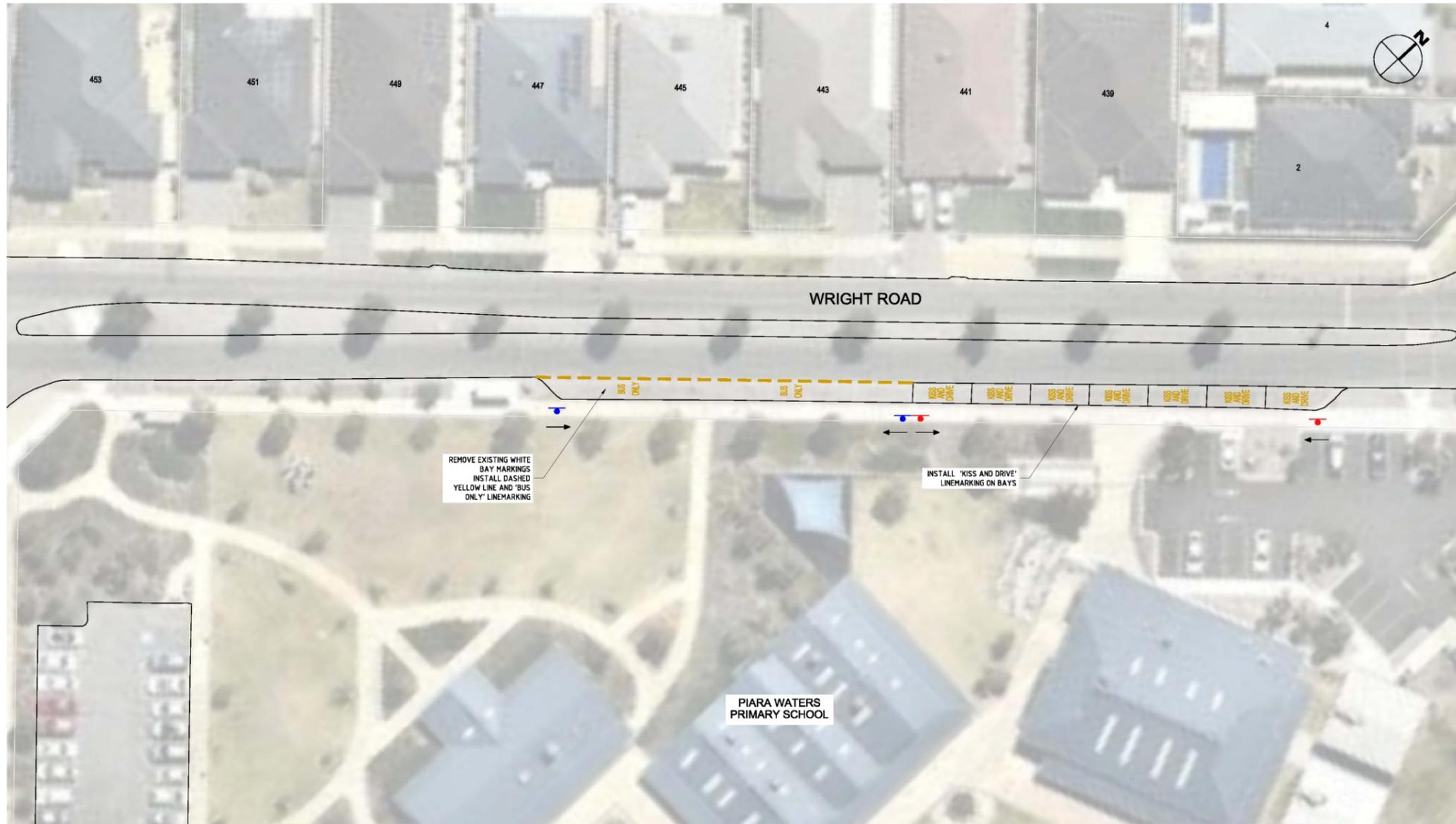
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Surveyed: MG494
Date:



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Drawn: MC Date: 09/2017
Designed: MC Date: 09/2017
Checked: W.O. Date:
Manager Engineering & Design:

Project: **PIARA WATERS PRIMARY SCHOOL PARKING RESTRICTION AREA**
Title: **WRIGHT ROAD**
PC No:
Title No:
Sheet No: 1
Revision No:
DWG No: **E18-02**



PLAN VIEW
SCALE 1:250

LEGEND

- 

RELOCATE EXISTING KISS AND DRIVE DOUBLE SIGNS


- 

INSTALL NO STOPPING BUS EXCEPTED SIGNS



SCHOOL DAYS


- KISS AND DRIVE

KISS AND DRIVE PAINTED ROAD MARKING
- BUS ONLY

BUS ONLY PAINTED ROAD MARKING
- DASHED YELLOW LINE MARKING

NOTES:

1. IF EXISTING SIGNS TO BE RELOCATED ARE NOT IN SUITABLE CONDITION REPLACE WITH NEW.



No	Date	Revision	By	Approved

Scale:	1:250 (A1)
Drawn:	AHD
Checked:	MGAS4
Surveyed:	



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Drawn:	MC	Date:	04/2018	Signat:	
Designat:	MC	Date:	04/2018	Signat:	
Checked:		Date:		Signat:	
Manager Engineering & Design:		Date:		Signat:	

Project:	PIARA WATERS PRIMARY SCHOOL BUS ONLY AND KISS AND RIDE PARKING
Title:	WRIGHT ROAD

PC No:	
Titn No:	
Sheet No:	1
Revision No:	
DWG No:	E18-35

THIS DEED is made the day of 2017

B E T W E E N:

CITY OF GOSNELLS of 2120 Albany Highway, Gosnells in the State of Western Australia (**Licensor**).

- AND -

The party or parties described in Item 1 of Schedule 1 (**Licensee**).

W H E R E A S:

- A. Armadale, Gosnells and Serpentine-Jarrahdale collectively carry on a partnership known as the South East Regional Energy Group for the purposes of developing, implementing and distributing programmes related to the Objectives.
- B. The said partnership has developed the Intellectual Property, which is jointly owned by Armadale, Gosnells and Serpentine-Jarrahdale. Armadale and Serpentine-Jarrahdale have each duly authorised Gosnells to act on their behalf as Licensor to grant licenses in relation to the use and exploitation of the Intellectual Property.
- C. The Licensee has requested the Licensor to permit the Licensee to use and exploit the Intellectual Property and the Licensor has agreed to grant the Licensee an exclusive licence to use and exploit the Intellectual Property in the Territory subject to the terms and conditions set out in this Agreement.

NOW THIS DEED WITNESSES:

1. DEFINITIONS AND INTERPRETATIONS

- 1.1 **“Agreement”** means this document, duly executed by the Licensor and the Licensee.
- 1.2 **“Armadale”** means the City of Armadale of 7 Orchard Avenue, Armadale in the State of Western Australia.
- 1.3 **“Commencement Date”** means the date specified in Item 2 of Schedule 1.
- 1.4 **“Brand Names”** means any name, word or phrase associated, created, or used by the Licensor in connection with or to identify the Intellectual Property and includes:
- (a) “Switch your thinking!”;
 - (b) “A small change can make a big difference”; and
 - (c) “Syt!”.
- 1.5 **“Confidential Information”** means all information passing from the Licensor to the Licensee relating to the use, reproduction, implementation, marketing and distribution of the Programme from the Commencement Date including but not limited to trade secrets, drawings, know-how, techniques, instructions, business and marketing plans, software, arrangements, customer information and lists, concepts, designs, plans, models and formulae.
- 1.6 **“Get-Up”** means the get-up used in relation to the Trade Marks.
- 1.7 **“Gosnells”** means the Licensor.

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- 1.8 **“Intellectual Property”** includes but is not limited to:
- (a) the Brand Names;
 - (b) the Programme;
 - (c) the Projects;
 - (d) the Trade Marks; and
 - (e) all patents, copyrights, processes, confidential know-how, registered designs, operation manuals, equipment, advertising and promotional materials of which the Licensor is the author, proprietor, owner or licensee.
- 1.9 **“Licence Fee”** means the amount agreed to be paid by the Licensee to the Licensor as and in the manner specified in Item 3 of Schedule 1.
- 1.10 **“Schedule”** means the Schedule annexed to this document and incorporated into this Agreement.
- 1.11 **“Objectives”** includes the following objectives of the Licensor, to:
- (a) encourage efficient energy and water use behaviour;
 - (b) encourage waste minimisation and recycling behaviour;
 - (c) implement measures that reduce greenhouse gas emissions;
 - (d) promote and demonstrate sustainable technologies;
- 1.12 **“Party”** means either the Licensor or the Licensee.
- 1.13 **“Programme”** means the programme created, developed and owned by the Licensor for the purposes of achieving, implementing, encouraging, facilitating or performing the Objectives and includes:
- (a) the Projects;
 - (b) the Brand Name; and
 - (c) the Trade Marks.
- 1.14 **“Programme Materials”** means the materials provided by the Licensor to the Licensee to use, reproduce, implement, market and distribute for the purposes of this Agreement.

- 1.15 **"Projects"** means the projects that form a part of the Programme that are specified in Item 5 of Schedule 1.
- 1.16 **"Serpentine-Jarrahdale"** means the Serpentine Jarrahdale Shire of 6 Paterson Street, Mundijong in the State of Western Australia.
- 1.17 **"Term"** means the term of this Agreement specified in Clause 2 of this Agreement.
- 1.18 **"Territory"** means the geographical locations described in Item 6 of Schedule 1.
- 1.19 **"Trade Marks"** means the Trade Marks specified in Item 7 of Schedule 1.
- 1.20 In this Agreement unless the context otherwise requires:
- (a) every covenant or agreement express or implied in which more than one person covenants or agrees shall bind, be observed or performed by such persons jointly and each of them severally;
 - (b) reference to any Party shall mean and include a reference to that Party his or its successors or personal representatives (as the case may be) and transferees;
 - (c) the word "Person" shall include a corporation;
 - (d) words importing the masculine gender shall include the feminine and neuter genders;
 - (e) the singular shall include the plural and vice versa;
 - (f) reference to any statute shall include all statutes referred to;
 - (g) a reference to a recital clause or schedule is a reference to a recital clause or schedule to this Agreement; and
 - (h) except in the Schedule headings shall not effect the interpretation of this Agreement.

2. **COMMENCEMENT AND TERM**

This Agreement commences on the Commencement Date and continues in effect from year to year unless or until terminated by either of the parties giving THIRTY (30) days notice in writing to the other party.

3. **LICENCE**

The Licensor grants to the Licensee an exclusive licence, with no right to grant sub-licences, for the Term to reproduce, use and exploit the Intellectual Property, the Trade Marks and the Confidential Information in the Territory.

4. **LICENCE FEE**

4.1 In consideration of the Licence granted the Licensee must pay the Licence Fee.

4.2 All payments referred to in Clause 4.1 are GST exclusive.

5. **REGISTRATION OF LICENSEE**

The Licensor may join with the Licensee in applying promptly after the execution of this Agreement to the Registrar of Trade Marks in Australia to record the Licensee's interest as an authorised user of the Trade Marks in relation to the Programme.

6. **COVENANTS OF THE LICENSEE**

6.1 The Licensee acknowledges that ownership of the Intellectual Property or any part thereof is and remains the property of the Licensor and that the Intellectual Property must only be used or dealt with by the Licensee as provided in this Agreement.

6.2 The Licensee agrees that it must:

- (a) give prominence to the Trade Marks and Brand Names used by the Licensor in connection with the Programme in all displays and catalogues and other promotional material referring to the Programme undertaken or published by the Licensee;

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- (b) not disclose any of the Confidential Information to any third parties except employees of the Licensee who require the Confidential Information to use, reproduce, implement, market or distribute the Programme. In that event, the Confidential Information is disclosed on the basis that the employees agree to preserve the confidentiality of the Confidential Information;
- (c) comply with all reasonable directions of the Licensor as to quality control of the Programme including each direction set out in Schedule 2;
- (d) not hold itself out or engage in any conduct or make any representation which may suggest to any person that the Licensee is for any purposes the agent of the Licensor.
- (e) not submit the Intellectual Property, or any part thereof, to a third party for the dominant purpose of receiving an accreditation, award, prize or recognition without the prior written consent of the Licensor.

7. COVENANTS OF THE LICENSOR

- 7.1 The Licensor, during the Term, must not grant any other licence for the use, reproduction, implementation, marketing or distribution of the Intellectual Property in the Territory without the prior written consent of the Licensee.
- 7.2 Nothing in this Agreement is deemed to restrict or prevent the right of the Licensor to grant licenses to use, reproduce, implement, market or distribute the Intellectual Property outside the Territory to any other party.

8. **MARKETING AND STANDARDS**

- 8.1 The Licensee acknowledges that it will endeavour to create, promote and retain goodwill in the business of, reproduction, implementation, marketing or distribution of the Intellectual Property.
- 8.2 The Licensor must provide the Licensee with such marketing and sales materials as are in its possession when reasonably requested by the Licensee, and will otherwise assist the Licensee to use, reproduce, market, implement and promote the Intellectual Property, the Programme or the Projects in the Territory.
- 8.3 The Licensee must ensure that the Intellectual Property and the Programme is used, reproduced, marketed, implemented and distributed by the Licensee in accordance with the Licensor's directions and that they comply with the standards of quality, production and processing set by the Licensor from time to time, including each direction set out in Schedule 2.
- 8.4 The Licensee is only entitled to exercise the rights licensed under this Agreement given in respect of the Intellectual Property and the Trade Marks unless the Licensee obtains the prior written consent of the Licensor.
- 8.5 The Licensee must give prominence to the Brand Names and the Trade Marks in all advertising and displays and literature undertaken or published by or on behalf of the Licensee upon or in relation to the Intellectual Property, or any part thereof including the Programme, or any matter or issue in connection with the Objectives.
- 8.6 The Licensee must provide the Licensor with a summary report on or before each annual anniversary after the Commencement Date, specifying:

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- (a) its use, or the extent of its use of the Intellectual Property, including the Programme and each and every Project used, reproduced, marketed, implemented or distributed;
- (b) the results, impact and general community and industry response to the details required above in (a); and
- (c) its proposed use of the Intellectual Property in the immediate future annual period.

8.7 Nothing in this clause is deemed to require either party to furnish information or technical data which is not suitable for commercial use or for which it does not have the right (but only to the extent that it does not have the right) to disclose for use within the Territory.

9. **INFRINGEMENT PROCEEDINGS**

9.1 The Licensee undertakes to the Licensor that it must do all things reasonably necessary for the protection of the Intellectual Property against infringement or threatened infringement or the Trade Marks against deregistration.

9.2 In the event that:

- (a) the Licensee receives notice of:
 - (i) any infringement or threatened infringement of any of the Intellectual Property or the Trade Marks; or
 - (ii) any common law passing off by reason of imitations of get up or otherwise;
- (b) any third party alleges or claims that any of the Trade Marks are liable to cause deception or confusion to the public,

the Licensee must notify the Licensor giving particulars and provide all information and assistance to the Licensor in the event that the Licensor commences or defends proceedings in relation to the above claims or infringements. Any such proceedings will be under the control and at the expense of the Licensor.

- 9.3 The proceeds from any judgment or settlement made by the Licensor in any action brought by it under Clause 9.2 must reimburse the Licensee of all expenses incurred by it or them in assisting the Licensor in prosecuting the action and to pay the Licensor's costs and expenses. The remainder of the proceeds are to be shared by the Licensor and the Licensee equally.
- 9.4 In the event that the Licensor does not commence or defend proceedings in relation to claims or infringements of the Intellectual Property or Trade Marks within TWO (2) months of receiving notification of them from the Licensee, the Licensee may institute proceedings in its own name as if it were the Licensor (joining the Licensor as a defendant) and the Licensor is not liable for any cost unless it takes part in the proceedings.

10. **LIABILITY AND INDEMNITY**

- 10.1 The Licensee acknowledges that it uses the Intellectual Property at its own risk and acts on the basis of any advice given by the Licensor at its own risk.
- 10.2 The Licensee agrees that any employee or agent of the Licensor providing advice on behalf of the Licensor is not liable for any loss, damage or injury occasioned to the Licensee arising from or caused by the use, implementation or provision of the Intellectual Property, advice or support under this Agreement or the use made of them by the Licensee or from any other reason whatsoever.
- 10.3 The Licensee indemnifies and agrees to keep the Licensor indemnified against any actions, suits, claims, demands, proceedings, losses, damages, compensation, sums of money, costs (including solicitor and client costs), charges and expenses arising out of the use, reproduction, marketing or implementation of the Programme by the Licensee, its servants or agents. The defence of any litigation to which

this clause applies is under the control of the Licensee, its solicitors and counsel and all legal costs and expenses of any such litigation are borne by the Licensee. The Licensor, its solicitors and counsel may participate in such litigation at the expense of the Licensor.

10.4 The Licensor warrants that the use of any or all of the Intellectual Property according to the Terms and conditions of this Agreement will not result in the infringements of proprietary rights of Armadale, Serpentine-Jarrahdale or third parties.

10.5 The Licensor indemnifies the Licensee against any losses, costs, actions, claims, demands, expenses, judgments, court orders or other liabilities arising directly or indirectly out of or in connection with any claim made or threatened, whether by legal proceedings or otherwise, against the Licensee by Armadale, Serpentine-Jarrahdale or a third party on the grounds that by virtue of rights to which such third party lays claim, under letters patent or copyright (whether registered as a design or not) or any other similar right or claim including (but without limitation) rights arising from the disclosure under cover of confidence, such third party is entitled to prevent or interfere with the free use of any or all of the Intellectual Property by the Licensee pursuant to this Agreement.

11. **TRADE MARKS**

11.1 The Licensee acknowledges the Licensor's title to the Trade Marks and each of them in Australia and elsewhere and the validity of the Licensor as proprietor and undertakes not to do any act which would or might:

- (a) invalidate or dispute the said title;
- (b) invalidate registration of any of the Trade Marks subject to Trade Mark application by the Licensor;

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- (c) support an application to remove the Trade Marks or any of them as Trade Mark applications or registered Trade Marks;
- (d) cause any Registrar of Trade Marks to require a disclaimer of a monopoly in the Trade Marks or any of them or assist any other corporation or any persons directly or indirectly in any such act.

11.2 The Licensee will not use in its business any other Trade Mark or logo which is similar to or substantially similar to or so nearly resembles any of the Trade Marks as to be likely to cause deception or confusion.

11.3 The Licensee will use its best endeavours to preserve the value and validity of the Trade Marks and in particular will:

- (a) use each of the Trade Marks in the manner appearing in Schedule 2 and as provided in this Agreement;
- (b) not use the Trade Marks accompanied by words describing the Programme unless the Trade Marks are capitalised or otherwise distinguished from surrounding and adjacent text.

12. **TERMINATION**

12.1 This Agreement may be terminated by the Licensor upon the happening of any of the following events:

- (a) the Licensee refuses or neglects to pay promptly any sum payable under this Agreement, including the Licence Fee and any moneys payable for the Programme pursuant to the Licensor's invoices on their due dates;
- (b) the Licensee fails to use, reproduce, market, implement or distribute the Intellectual Property, Programme, or Trade Marks in accordance with this Agreement or fails to maintain quality

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control in respect of the same in accordance with Clause 8 or in accordance with the directions of the Licensor from time to time;

- (c) the Licensee fails to observe and perform any other provisions of this Agreement; and
- (d) the Licensee fails to rectify and make good such refusal, neglect, failure or default within TWENTY-ONE (21) days after the Licensor has given to the Licensee written notice requiring same to be rectified and made good.

12.2 This Agreement may be terminated by the Licensee if the Licensor fails to observe and perform any provision of this Agreement and fails to rectify and make good such failure within TWENTY-ONE (21) days after receiving written notice requiring the same to be rectified and made good.

12.3 Waiver by either party of a breach of any provision of this Agreement does not constitute the waiver of any subsequent breach of the provision or waiver of the provision itself.

13. CONSEQUENCES OF TERMINATION

13.1 In the event of termination the Licensee must:

- (a) cease to use the Trade Marks and Get-Up in relation to the Premises, hold out that the Licensee or the Premises has any connection, association or affiliation with the Licensor or the Programme and immediately on termination cease;
- (b) deliver up to the Licensor the Intellectual Property and other and all copies of in the possession, custody or control of the Licensee;

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- (c) deliver up to the Licensor all Confidential Information and copies within the possession, custody or control of the Licensee;
- (d) cease to use all Confidential information provided by the Licensor during the Term of this Agreement or at any time whether Confidential Information or otherwise, it being acknowledged by the Licensee that such Confidential information is part of the goodwill and reputation of the Licensor. Neither the Licensee, nor any company or organisation associated with or controlled by the Licensee can thereafter use the Trade Marks, Get-Up or Confidential Information.

13.2 The Licensor must repay the Licensee within THIRTY (30) days of termination, the portion of the Licence Fee that corresponds to the unexpired time in the relevant annual period.

14. GENERAL CONDITIONS

14.1 Waiver

Any waiver or forbearance in regard to the performance of this Agreement operates only if in writing and applies only to the specified instance, and does not affect the existence and continued applicability of the Terms of it thereafter.

14.2 Entire agreement

This Agreement embodies all the Terms binding between the Parties and replaces all previous representations or proposals not embodied in the Agreement.

14.3 Assignment

- (a) The Licensee must not assign all or any of its rights contained in this Agreement without the prior written consent of the Licensor,

which consent the Licensor may grant or not in its absolute discretion;

- (b) the Licensor may at its discretion assign all or any of its rights contained in this Agreement.

14.4 Applicable Law

This Agreement must be read and construed according to the laws of the State of Western Australia and the parties submit to the jurisdiction of that State.

14.5 Amendment

This Agreement may not be varied except in writing signed by the parties.

14.6 Severability

If any provision of this Agreement is held by a court to be unlawful, invalid, unenforceable or in conflict with any rule of law, statute, ordinance or regulation, the validity and enforceability of the remaining provisions are not affected.

14.7 Notices

- (a) All notices must be in writing and given by any one of the following means:
 - (i) by sending it to the email address of the party;
 - (ii) by delivering it to the address of the party on a business day during normal business hours;
 - (iii) by sending it to the address of the party by pre-paid airmail post or if airmail post is not available by ordinary post; or
 - (iv) by sending it by facsimile transmission to the facsimile number of the party and on the next business day giving it by either of the means set forth in para (i), (ii) or (iii) above.

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- (b) A notice is deemed to be given and received:
 - (i) if given in accordance with Clause 14.7(a)(i) on the next business day after transmission in the place of delivery.
 - (ii) if given in accordance with Clause 14.7(a)(ii) on the next business day after the day of delivery in the place of delivery;
 - (iii) if given in accordance with Clause 14.7(a)(iii) five clear business days after the day of posting in the place of delivery.

- (c) The address and facsimile numbers referred to in item 4 of Schedule 1.

14.8 Further agreements

Each party must execute such agreements, deeds and documents and do or cause to be executed or done all such acts and things as necessary to give effect to this Agreement.

14.9 GST

- (a) GST means a goods and services tax as defined in A New Tax System (Goods and Services) Act 1999.

- (b) In respect of a taxable supply, the Licensee must pay to the Licensor an additional amount equal to the Licence Fee multiplied by one (1) plus the prevailing GST rate. The additional amount referred to in this clause is payable at the same time and in the same manner as the License Fee made under Clause 4.

- (c) All stamp duties and governmental charges arising out of or incidental to this Agreement are the responsibility of and must be paid by the Licensee.

14.10 Time of the Essence

Time shall be of the essence of this Agreement in all respects.

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EXECUTED as a Deed.

Mayor

Chief Executive Officer

Mayor

Chief Executive Officer

SCHEDULE 1

1. The Licensee

The XX of XX in the State of Western Australia.

2. Commencement Date

The Commencement Date of this Agreement is xx of xx xx.

3. Licence Fee

- (a) The Licensee must:
 - (i) pay the Licensor the sum of FIVE THOUSAND DOLLARS (\$5000.00) on or before the Commencement Date; and
 - (ii) thereafter, during the Term, pay the Licensor the Sum of FIVE THOUSAND DOLLARS (\$5000.00) on or before each yearly anniversary of the Commencement Date (the **Ongoing Fee**).
- (b) The Ongoing Fee is reviewable by the Licensor in its absolute discretion on each and every year anniversary of the Commencement Date and at this time the Licensee Licensor may set an Adjusted Ongoing Fee (the **Adjusted Ongoing Fee**).
- (c) The Licensor must advise the Licensee whether the Adjusted Ongoing Fee is payable within TWO (2) MONTHS of the start of the relevant annual period.
- (d) If the Adjusted Ongoing Fee is payable and is:
 - (i) an increase of more than 11% of the Ongoing Fee, then the Licensee may terminate this Agreement in its absolute discretion.
 - (ii) an increase of less than or equal to 10% of the Ongoing Fee, then the Licensee must pay the Licensor within THIRTY (30) days of notice by the Licensor of the Ongoing Fee, the difference between any monies paid and the Adjusted Ongoing Fee for the relevant annual period;

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(iii) a decrease of the Ongoing Fee, then the Licensor must pay the Licensee within THIRTY (30) days, the difference between any monies paid and the Adjusted Ongoing Fee for the relevant annual period.

(e) If an Adjusted Ongoing Fee is declared pursuant to Item 3(c), the Licensee must continue to pay the Adjusted Ongoing Fee on or before each yearly anniversary of the Commencement Date thereafter, unless otherwise varied by Item 3(b) herein.

4. Address for Notices

Licensor Contact name: Chief Executive Officer,
City of Gosnells
Address: PO Box 662, Gosnells, Western
Australia 6990
Facsimile: 9397 3333
Email Address: council@gosnells.wa.gov.au

Licensee Contact name:
Address:
Facsimile:
Email Address:

5. Projects

"Projects" includes and is not limited to the following Projects, authored, designed, owned or Licensed by the Licensor:

PROJECTS	TARGET SECTORS
Young Re-inventor of the Year	Residential (young people) and Educational
"Switched on Schools"	Educational
"Switched on Staff"	Council Employees
"Switched on Business"	Commercial Sector
<i>Switch your thinking</i> Rewards for Residents	Residential and Commercial Sectors
<i>Switch your thinking</i> Rewards for Businesses	Commercial Sector
"Switched on Bikes"	Council Employees
"Switched on Homes"	Residential (Existing & New)

6. Territory

The “**Territory**” means the geographical area contained by the municipal boundaries of **XX** as delineated by the Minister for Local Government pursuant to the *Local Government Act 1995*.

7. Trade Marks

Trade Marks means the following trade marks that are owned, registered or a licence held by the Licensor or that have been submitted for registration by the Licensor and which are currently pending registration:

- (a) The ***Switch your thinking!*** logo (Registration number:1157574) vertically arranged:



- (b) The ***Switch your thinking!*** logo (Registration number:1157574) horizontally arranged:



SCHEDULE 2

THE STYLE GUIDELINES

1. About this guide

This guide identifies the distinctive properties of the Trade Marks and Brand Names and contains directions relating to their correct use and reproduction.

The Trade Marks and Brand Names are the valuable property of Armadale, Gosnells and Serpentine-Jarrahdale and are used to identify the source of the Intellectual Property. Misuse of the Trade Marks or Brand Names will diminish their distinctive nature and may eventually destroy their ability to identify the source of the Intellectual Property. This may lead to confusion and deception in the market place as to who actually stands behind the quality of the products or services that relate to the Trade Marks or Brand Names.

The Style Guidelines are designed to preserve the value of the Trade Marks and Brand Names by their uniform application in the market place. Performance of the Style Guidelines is a mandatory requirement for the Licensee's use of the Intellectual Property pursuant to the Agreement.

Licensees should immediately contact the Licensor if they have any questions in relation to the use of a Trade Mark or Brand Name.

2. The Trade Marks

The ***Switch your thinking!*** logo (the **Logo**) consists of two elements: the "image" and the accompanying text, "***Switch your thinking!*** a small change can make a big difference."

The image must not be reproduced without the accompanying text, which must not be repositioned, altered or amended.

(a) Qualities

The Logo has been custom typeset and spaced and must never be redrawn.

The Logo must not be modified or distorted by any means, including by dropshadows, bevels, 3-D effects, embosses, glows, or outlines. The Logo must not be placed over a "busy" or patterned background that may interfere with its presentation clarity.

(b) Scaling

The Logo must always be resized proportionally and must not be reduced to a readable width of less than one-inch for the vertical version or one-and-one-half inches for the horizontal version.

(c) Placement

It is important that a minimum clear space be maintained around the Logo to maintain its integrity as a design element. As a general rule, the Logo should be located at least 1/4" from the trim or folds of any publication and should always be clearly distinguishable from any other text or design elements.

(d) Colour

The Logo appears in two colours, PMS 360 Green and Process Black. The green is to be matched using the PANTONE® Matching System (PMS) as a colour reference.

The green and black version of the Logo must always be used. If it is not possible or appropriate to use the colour green then, the Logo may appear exclusively in Process Black.

It is recognised that there may be circumstances where design features of practitioners' stationery, web sites or other publications incorporate a dark background. If the logo is not legible on the dark background and the colour

specifications can not be met, an 'artificial' white background should be employed. The artificial background surrounding the logo should not have a border.

3. Brand Names

Subject to the terms of this Agreement, the Brand Names may be used or incorporated into any document, written or electronic communication or publication in connection with the Intellectual Property.

Any use of the Brand Names, "***Switch your thinking***" must always appear in sentence case and in italics. The font used should be consistent with the surrounding text.

4. Updates and Revisions

Should the Licensor provide the Licensee with an updated version of the logo, get-up and Style Guidelines, the most recent version should be used by the Licensee.

- 2017 -

switch
your thinking!

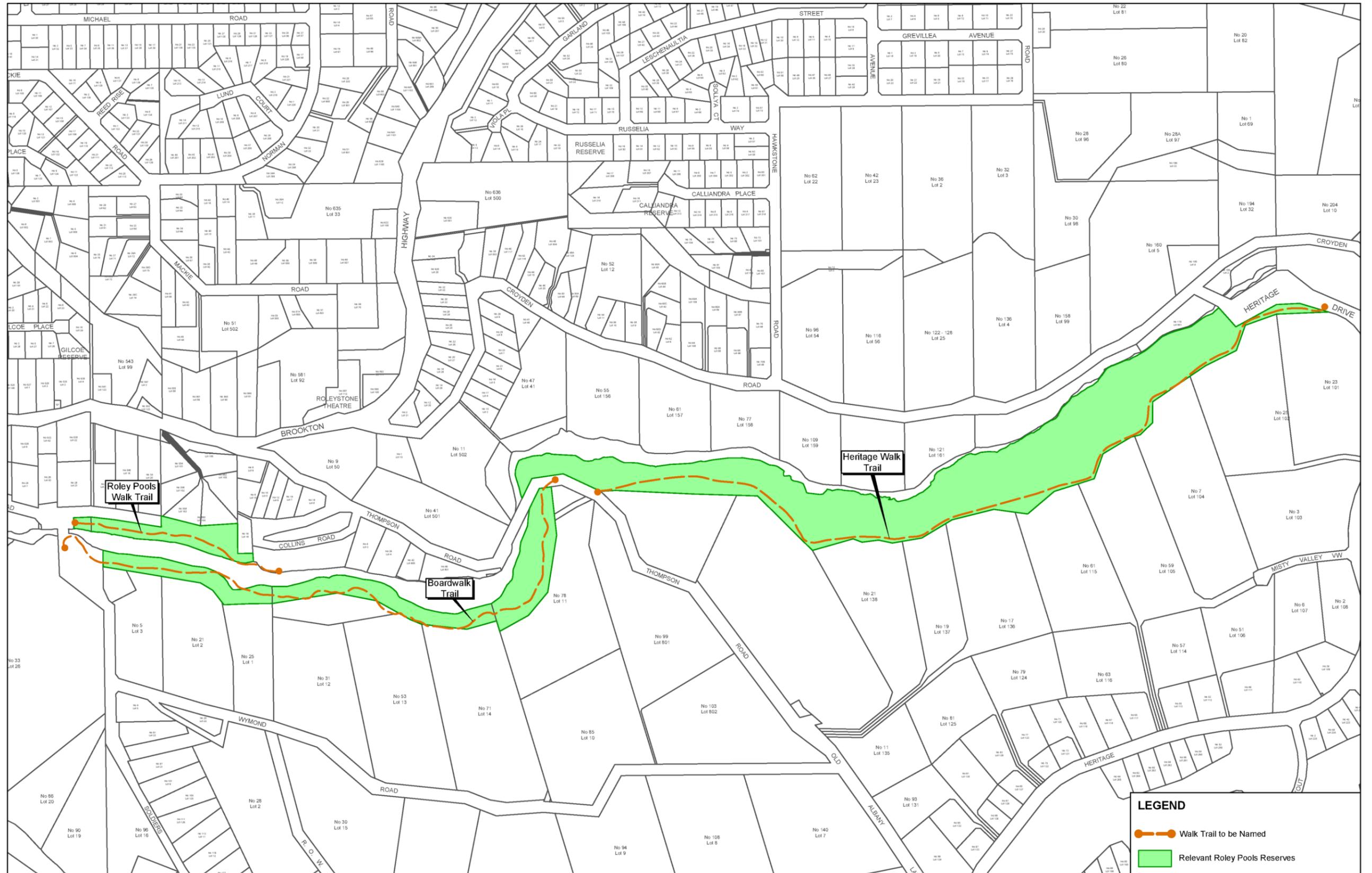
a small change can make a big difference.



INTELLECTUAL PROPERTY LICENCE AGREEMENT

Messrs Lewis Blyth & Hooper
Barristers & Solicitors
4th Floor
Garden City House
Riseley Street
BOORAGOON WA 6154

Telephone: 9364 9555
Facsimile: 9364 8812
Ref: SLH:SJB:S0726600



Roley Pools Heritage Walk Trail Management Plan
Location Plan and Proposed Nomenclature



Attachment 2: Summary of comment received and proposed modification to the Roley Pools Heritage Walk Trail Management Plan

Submission comment	Submission number	Comment reference number	Discussion	Proposed modifications to Roley Pools Heritage Walk Trail Management Plan.
Request increased recognition of the role of the Armadale Gosnell's Landcare Group in the previous rehabilitation of Roley Pools.	1, 2	1	<p>The contribution of the Armadale Gosnell's Landcare Group (AGLG) over an 18 year period has been fundamental in the Roley Pools Reserve management.</p> <p>The role of the Armadale Gosnell's Landcare Group has been identified in the introduction of the report, but not to an extent that is reflective of the groups contribution to the reserve.</p> <p>It is proposed to add additional text to the introduction of the report that highlights the contribution of AGLG to the management of Roley pools.</p>	<p>Former text section 1.1 Background. <i>The Reserves have been a focal point for ongoing environmental initiatives such as weed control, revegetation and interpretative trail development by community groups including Roleybushcare and the Armadale Gosnells Landcare Group. The reserves have been identified as possessing significant areas of native flora, fauna habitat and riverbank vegetation.</i></p> <p>New text section 1.1 Background. <i>The Reserves have been a focal point for ongoing environmental initiatives such as weed control and revegetation by the Armadale Gosnells Landcare Group, whose volunteers undertook environmental improvements on the site over a period of 18 years. These works included extensive weed control to remove impenetrable blackberry and watsonia from the site and revegetation works to restore the riverine areas to a more natural state. More recently, and in conjunction with the Armadale Gosnells Landcare Group, the Roleybushcare volunteers undertook an interpretative trail development and further enhanced the natural environment. The reserves have been identified as possessing significant areas of native flora, fauna habitat and riverbank vegetation.</i></p>
Support for the removal of some native sedge in the Roley Pool area to assist with water flow and allow public access to the water's edge including access for dogs.	Removal of vegetation in the pool (1, 2, 6) allow dog access (1).	2	<p>The removal of weeds from the Roley Pools area is already a recommendation in the management plan. The submission recommends extending this to some native species at the water's edge.</p> <p>The native sedge <i>Baumea atriculata</i> occurs in the pools and may at times restrict flow.</p> <p>The consideration of necessity of removal of native vegetation for the purpose of flow management is proposed to be considered at an operational level during the implementation of the management plan, following the removal of weed species (as the first step to increase flow).</p> <p>The proposal for the removal of native sedges for the purpose of dog access to the pools for swimming, is not supported.</p>	Nil.
Does not support planting of smaller groundcovers in the revegetation area between Soldiers Road and Collins Drive due to bushfire risk and recommends that foreshore planting with sedges and rushes be afforded a higher priority.	1	3	<p>The bushland area referred to (between Thompsons and Collins Road bushland northern bank) is mapped as "heavy fuel load". The riparian area adjacent to the river's edge is mapped as "Moderate fuel load" on Map 04A. These areas are collectively referred to as a Priority 1 area for understory revegetation of Map 07A. and in section 4.3 described as 3.05 hectares.</p> <p>Extensive revegetation on the "heavy fuel" load bushland area mapped as vegetation type RP01 on Map 01A is unlikely to be required as this bushland is mapped mostly as good and very good condition. However, small pockets of degraded vegetation do occur and are mapped.</p> <p>Revegetation is recommended with understory species in order to increase density in the areas that have previously been revegetated, for the purpose of increasing habitat. These area are mapped as vegetation type RP02 on Map 01A. This areas is mapped as moderate fuel load" and identified for revegetation for habitat value to Quenda.</p>	<p>New text section 4.3 amended for Area 1 revegetation area as follows.</p> <p><i>Requires infill planting for understory species throughout previously revegetated areas and in the degraded sections of bushland where weed control has been conducted. This area was identified as lacking native understory species and providing limited habitat for ground dwelling animals such as Quenda. The area should be infill planted with understory species indicated in Appendix Seven with a priority focus on sedges and rushes in the riparian zone of the RP02 vegetation type as shown on Map 01A.</i></p>

Attachment 2: Summary of comment received and proposed modification to the Roley Pools Heritage Walk Trail Management Plan

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			<p>It is proposed to modify the Priority 1 revegetation area description to:</p> <ol style="list-style-type: none"> 1) reflect the intent to revegetate Community type RP01 (as shown on Map 01A) in degraded areas as coupled with weed control (as shown on vegetation condition map 02A) rather than broadly across the whole area. 2) Revegetate community type RP02 (as shown on Map 01A) with understory but with a focus on sedges and rushes as priority. <p>The revegetation plan for the reserve was developed by the consultant in consideration and conjunction with the bushfire management plan. The consultant expressed no concerns associated with increased fire risk associated with the proposed revegetation works.</p>	
Support the retrofit on the pipeline at Roley Pools critical for public safety and effective recreation due to lack of safe crossing at Soldiers Road bridge.	1, 2	4	Support for proposal noted.	Nil.
Request a sign at Collins Road section of Roley Pools that recognises the history of the area with regards to public swimming.	1, 2	5	The development of a recreational strategy for the reserve is included in the management plan. The resultant output would be a signage and infrastructure plan. The significance of the history of the area with regards to public swimming could be included to be considered in this plans development. It is proposed to add additional detail to section 4.5 Access and Recreation plan to include signage relating to the local history of the reserve including the history of the area with regards to public swimming.	<p>Additional text added to section 4.5</p> <p><i>Recognise in local signage the historical significance of the area including the use of the area for public swimming.</i></p>
Supported the proposed nomenclature.	1, 2	6	Support for proposal noted.	Nil.
General support for the plan.	1, 2, 4, 6	7	Support noted.	Nil.
Request to include deep pool mapping undertaken by the former Swan River Trust into the plan.	1	8	<p>Pools mapping undertaken by consultant Ecoscape during the plans development is shown on Map series 05A to 05C.</p> <p>Department of Biodiversity, Conservation and Attractions 2018 dataset has been received by the City but with a disclaimer restricting publication.</p> <p>It is proposed that the management plan be altered in section 2.4.1.2 to reflect the existence of the report and note the occurrence of 25 river pools mapped in the reserve.</p>	<p>Additional text to section 2.4.1- fauna habitat.</p> <p><i>Unpublished studies by the Department of Biodiversity Conservation and Attractions mapped 25 pools in the reserves in 2012 and 2013. Each pool has been mapped for length width and depth with information recoded on the presence of sediment.</i></p>
Request to include in report recognition that catchment scale sedimentation can affect the reserve (including firebreak construction as a potentially sediment causing activity).	1	9	The impact of erosion and sedimentation is identified in section 4.8. However the risks are limited to trail development and runoff from roads. It is proposed to expand this section to recognise the impact of catchment based sedimentation.	<p>Additional text to section 4.8 Water Management</p> <p><i>Broader scale catchment management to reduce the incidence of erosion and sediment entering the reserve will further contribute to the maintenance of flows and protection of river pools.</i></p>
Request for bins in car parks at Natures Spa location that is regularly emptied.	5	10	The development of a recreational strategy for the reserve is included in the plan. The resultant output would be a signage and infrastructure plan. It is proposed to expand text in section 4.5 to include consideration of infrastructure such as bins at car park locations.	<p>Former text Section 4.5 Access and recreation concept plan</p> <ul style="list-style-type: none"> • <i>define a consistent strategy for wayfinding and interpretation including signage with a standardised design language map graphics and names using interpretation themes already developed by the Roleybushcare. This may incorporate DPAW regional signage standards with approval from the regional reserves unit.</i>

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				<p>Proposed new text – Section 4.5 Access and recreation concept plan</p> <ul style="list-style-type: none"> Develop a recreational strategy for the reserve which develops a standard signage style across the area to present it as a regional destination. Include consideration of infrastructure provision such as the provision of bins in car parks, informal access points such as northern bank access to Natures Spa and code of conduct signage. <p>Former text - executive summary</p> <ul style="list-style-type: none"> Develop a recreational strategy for the reserve which develops a standard signage style across the area to present it as a regional destination. <p>Proposed new text – executive summary</p> <ul style="list-style-type: none"> Develop a recreational strategy for the reserve which develops a standard signage style across the area to present it as a regional destination. Include consideration of infrastructure provision such as the provision of bins in car parks, informal access points such as northern bank access to Natures Spa and code of conduct signage.
Request the City purchase a portion of the owners land adjacent to Natures spa or the City of Armadale assist the owner fence their private property adjacent to natures spa to restrict public access across their land.	5	11	<p>Access to Natures Spa via the private land on the north of the river was not identified during the development of the management plan.</p> <p>Access to the Natures Spa is possible via the northern bank of the river near Thompsons Road. The access has no signage or parking areas and consists of a dirt track to the river area of the reserve. There also appears to be a track to the area through a piece of private land.</p> <p>Mechanisms to restrict visitation to this area of the reserve are not proposed. Northern bank private access is not promoted. Increased and improved formal access to the area via the southern bank is one mechanism that may reduce northern bank access.</p> <p>Access to Natures spa on the southern side of the river is proposed to be improved in the management plan (infrastructure plan items I1-3 and J1-5).</p> <p>Proposals for the City to purchase land or install private land fencing are not supported.</p>	<p>Former text Section 4.5 Access and recreation concept plan</p> <ul style="list-style-type: none"> define a consistent strategy for wayfinding and interpretation including signage with a standardised design language map graphics and names using interpretation themes already developed by the Roleybushcare. This may incorporate DPAW regional signage standards with approval from the regional reserves unit. <p>Proposed new text – Section 4.5 Access and recreation concept plan</p> <ul style="list-style-type: none"> Develop a recreational strategy for the reserve which develops a standard signage style across the area to present it as a regional destination. Include consideration of infrastructure provision such as the provision of bins in car parks, informal access points such as northern bank access to Natures Spa and code of conduct signage. <p>Former text - executive summary</p> <ul style="list-style-type: none"> Develop a recreational strategy for the reserve which develops a standard signage style across the area to present it as a regional destination. <p>Proposed new text – executive summary</p> <ul style="list-style-type: none"> Develop a recreational strategy for the reserve which develops a standard signage style across the area to present it as a regional destination. Include consideration of infrastructure provision such as the provision of bins in car parks, informal access points such as northern bank access to Natures Spa and code of conduct signage.
Request for increased ranger presence due to antisocial behavior.	5	12	<p>The management plan identifies the importance of surveillance and the following action is included in executive summary of the plan “Conduct surveillance within the reserve to discourage antisocial behaviour.”</p>	Nil.

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Request for signage requesting visitors respect the adjacent residential land use by keeping noise to a minimum.	5	13	The development of a recreational strategy for the reserve is included in the plan. The resultant output would be a signage plan. It is proposed to add an additional detail to section 4.5 Access and Recreation plan to consider inclusion of visitor code of conduct message in signage.	<p>Former text Section 4.5 Access and recreation concept plan</p> <ul style="list-style-type: none"> Define a consistent strategy for wayfinding and interpretation including signage with a standardised design language, map graphics and names using interpretation themes already developed by the Roleybushcare. This may incorporate DPAW regional signage standards with approval from the regional reserves unit. <p>Proposed new text – Section 4.5 Access and recreation concept plan</p> <ul style="list-style-type: none"> Develop a recreational strategy for the reserve which develops a standard signage style across the area to present it as a regional destination. Include consideration of infrastructure provision such as the provision of bins in car parks, informal access points such as northern bank access to Natures Spa and code of conduct signage.
Request Thompsons Road speed limit be reduced to 40km per hour for safety concerns	5	14	An analysis of the available data shows that vehicle speeds and traffic volumes travelling along Thompson Road are within acceptable limits. In addition, the available crash statistics from Main Roads Western Australia (MRWA) do not indicate that the conditions on Thompson Road require modification. Given these factors, following assessment of the request, the City does not propose to recommend to Main Roads Western Australia (MRWA) that the speed limit be changed.	Nil
Alert to potential new caterpillar species being identified and request for further fauna study including invertebrates in the reserve.	3	15	Further fauna research in the reserve can assist in managing native fauna, feral animals and general ecosystem health. Further fauna survey in the reserve is recommended to be added to the management plan.	<p>Executive summary action added text:</p> <ul style="list-style-type: none"> Undertake fauna monitoring (such as camera survey) where opportunities arise. <p>Addition of the following text to section 4.4.1 – native fauna conservation</p> <ul style="list-style-type: none"> “Fauna motoring, including invertebrates, could be undertaken to establish baseline information.”
Fauna List (Section 2.4.1 p26). A monotreme was listed as being identified in the 2016 survey, but no Monotreme was listed in the Appendix 8 species list in the management plan.	6	17	Mistake in species list is noted.	Appendix 8 modified to include the Echidna.
The vegetation type RP01 is quite broad, and one area with a particularly high density of remnant vegetation has not been separated out.	6	18	The vegetation type mapping provided in Map 01A distinguishes vegetation type RP01 as <i>Trymalium odartissimum</i> Tall Open Shrubland on slopes and rocky outcrops. Vegetation is mapped using an industry wide technique, as described on page 20 of the Management Plan. This technique does not distinguish vegetation type based on changes in plant density.	Nil.
The remanent vegetation areas mapped as "very good" is the rarest vegetation type and most prized in the reserve. It is however unfortunately even more restricted than Map 2a indicates as the area mapped as "very good" to the south of the river is entirely planted species.	6	19	The vegetation condition mapping is undertaken using the industry accepted 'Keighery 1994' method. This method considers primarily: <ul style="list-style-type: none"> - disturbances such as weed, and; - structural layers of vegetation as contributors to the measured vegetation condition. Other vegetation condition rating methods (such as the Kassenhagen method)	Nil.

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			consider in more detail the expectant diversity of the vegetation and consider factors such as remnancy or revegetation in considering condition. The Kasenhagen scale was not used in this field assessment. Whilst it is recognised there is a difference in revegetation and remnant vegetation, using the Keighery scale, the mapping is considered accurate.	
Roley Pools Track is a preferred name for the walk trail to the west of the Thompson Road Bridge. The very popular rocky outcrop to the east of the bridge is known locally as "The Cascades", and this could be more alluring and attractive name than "Heritage" walk trail. The Araluen walk trail (or possibly Heritage) could refer to the walk trail on Lot 62 as it passes the old cottage which is a lot more Heritage orientated.	6	20	Nomenclature of the reserve is discussed further in the analysis section of this report.	Nil.
Does not support proposal to upgrade track to three meters for fire access due to narrow reserve width and visual integrity of area.	6	21	There is no proposal in the Management Plan to widen tracks to 3 meters. The preparedness measure states "improve vehicle access along tracks within the Reserve, tracks in the >3m class are currently suitable and do not require upgrading, tracks in the 2m class should have active pruning of vegetation conducted to maintain them at a width which allows vehicle access, walking only trails are not suitable for fire access and do not need to be modified as part of fire management activities." The 04A and 04B map series show 3 classes of access tracks, walking only 2 m small vehicle and 3 m access road. The only 3 meter access road is between Thompson Road and Heritage Drive. This area already has 3 meter access and the plan does not recommend any change rather than regular maintenance to this area.	Nil.
Supports the relocation of a track where it meanders into private property.	6	22	Table 18, Recommendation II is to re-route track where it is on private property.	Nil.
Request feral animal control including cats and carp.	6	23	The following recommendation is already included in the plan "Implement a feral cat and feral fox control program (physical removal) in the reserves". It is proposed to expand this to consider the inclusion of carp control options.	Management action added <ul style="list-style-type: none"> "Consider the feasibility of carp control."
Antisocial behaviour occasionally occurs at the end of Thompson Road and the Soldiers Road car parks. With the upgrading of the car parks this behaviour may increase and occasional video surveillance may be helpful.	6	24	The integration of video surveillance for the monitoring of antisocial behavior has been referred internally in the Technical Services directorate for response.	Nil.
Informative, educational signage is encouraged for the reserve. The signs on the Water Rat are very good. Similar signage on the importance of marron to the river with information about \ rules and regulations for marroning would be useful.	6	25	The development of a recreational strategy for the reserve is included in the plan. The resultant output would be a signage plan. It is proposed to add an additional detail to section 4.5 Access and Recreation plan to consider inclusion of visitor code of conduct message in signage.	Former text Section 4.5 Access and recreation concept plan <ul style="list-style-type: none"> define a consistent strategy for wayfinding and interpretation including signage with a standardised design language map graphics and names using interpretation themes already developed by the Roleybushcare. This may incorporate DPAW regional signage standards with approval from the regional reserves unit. Proposed new text – Section 4.5 Access and recreation concept plan <ul style="list-style-type: none"> Develop a recreational strategy for the reserve which develops a standard signage style across the area to present it as a regional destination. Include consideration of infrastructure provision such as the provision of bins in car parks, informal access points such as northern bank access to Natures

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				<i>Spa and code of conduct signage.</i>
The reserve is popular for walkers and joggers with dogs. Due to the irregular paths leashes would be very inconvenient and perhaps simple signage to inform dog owners to ensure pets do not harass wildlife is better.	6	26	<p>Pets in the reserve are considered in section 2.4.1.5 of the plan, Further to this, the potential impact of dogs on fauna in the reserve is identified in section 4.4.2 of the plan. The management plan notes an aim to encourage the community to retain close control over their pets while in the reserves.</p> <p>For fauna management reasons, no proposed change to the identification of the area as an on lead dog area is recommended.</p>	Nil.
Identifies habitat value of weeds such as Watsonia and Blackberry.	6, 4	27	<p>Section 4.4.1 identifies the importance of weed in fauna habitat “dense understory provides important habitat for native mammals, weed control and revegetation should aim to progress in an incremental fashion, with weeds being removed from a small section at a time prior to replanting with native species to replace habitat”.</p> <p>The weed management plan recognises the important role of weeds for fauna habitat in some areas for the reserve. For example, for weed control area 3 (described in section 4.2) it states “Removal of weeds in area three should be followed by revegetation efforts to replace habitat removed by weed control. These works should be conducted in a staggered manner to prevent large areas of habitat being removed before being replaced by revegetation.</p>	Nil.
Infrastructure to be considered at the Cascades should be low key and have minimal visual impact on the site.	6	28	<p>The cascades are identified as a key destination in the reserve. To facilitate community enjoyment, the following is recommended:</p> <ul style="list-style-type: none"> - Upgraded car park which allows safer parking configuration including fire access. - Steps from the cascades car park down to the trail - new trail surface off the main track to facilitate safe access down the hill towards the river - installation of one picnic shelter at the cascades site - wayfinding signage. <p>The proposed infrastructure is all considered to have low visual impact. The inclusion of a picnic shelter provides a shaded rest point, at a position which is unlikely to inhibit views. The rest point location is shown in Figure 4 (section 4.5.1) of the plan.</p>	Nil.
Suggest study into why revegetation efforts have in the past had higher than normal mortality rates of plants.	6	29	This suggestion is noted and will be considered at an operational level as high mortality rate of revegetation could be attributed to a number of factors.	Nil.
<p>Object to the notions that there needs to be "pattern burning" and think that this reserve is an exception to the typical forests that is otherwise present throughout most of the city of Armadale.</p> <p>Fire sensitivity of riparian environment not recognised.</p> <p>Concern control burn will impact sensitive receiving environment and specifically kill wandoo habitat trees.</p>	6	30	<p>Noted. The fire sensitive nature of the vegetation and risk of too frequent fire to the ecological values of the vegetation type has not been well documented in the plan.</p> <p>The proposal to undertake control burning in the reserve is one of multiple measures to reduce risk.</p> <p>The plan identifies areas where there is potential for hazard reduction burning activities to be undertaken. These areas were selected based on fuel load & risk assessment and are shown on Map 04.</p>	<p>The following text has been added to section 4.7 Fire Management.</p> <p><i>“Fire plays an important role in bushland management. It can promote and threaten biodiversity values especially when combined with other threatening factors. The small size of the bushland remnants and the riparian nature of the vegetation within the reserve contribute to the risks and impacts of fire on the areas biodiversity values. Studies suggest that the minimal interval between fires should be double the juvenile period of the slowest maturing species to replenish the seed bank (DEC 2012). However the juvenile period of many taxa is unknown.</i></p> <p><i>This Management Plan aims to reduce and manage fire risk using a number of</i></p>

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<p>Mosaic burns will only retain the existing biodiversity if there are large enough areas of the same vegetation type to allow multiple burns. This is not the case for the fire sensitive vegetation type that is limited in extent: Entire types will be affected by several burns.</p> <p>Substantial rocky outcrops that act as fire barriers and harbor the fire-sensitive plant communities.</p>			<p>Implementation of the management plan includes actions to continue to implement mechanical fuel control and to develop specific management plans for fuel mitigation works.</p> <p>The plan has not identified the benefits of mosaic style fuel ages.</p> <p>All properties within the COA are required to be compliant with the Bush Fires Act 1954 and this will pertain to this property. A recommended hazard reduction, small mosaic burn will ensure this property complies with the legal requirements as well as the installation of fire breaks.</p>	<p><i>measures. In recognition of the potential risks fire may pose to biodiversity values, fuel reduction measures such as mechanical slashing, are favored over hazard reduction burning, where deemed feasible and effective in management of risk. Where hazard reduction burning is deemed necessary, small mosaic cells should be considered, in order to reduce impact on biodiversity.</i></p>
<p>Fire Risk of reserve over estimated in Management Plan.</p> <p>The reserve does not contain any Jarrah trees and the vegetation type does not fall into any of the categories listed in Table 1 use in the report to assess fuel loads. Jarrah, Karri, mixed JKM, or Wandoo forest fuel loads are irrelevant to assess this reserve which is a riparian environment.</p> <p>There are acres of barren rock and rocky hillsides and pools throughout the reserve that have all been in this management plan classed as "heavy fuel load" (Map 4). The large pools, the 100% rocky spaces around Natures Spa and the Cascades are not flammable and would be ideal fire refuges in a bushfire. The fire retardation and fire protection that rocky outcrops provide throughout the reserve do not "amplify" (P35) the fire risk but rather reduce it.</p> <p>Due to the narrow nature of the reserve at the bottom of the valley, fire will not remain in the reserve for more than minutes before it exits uphill. The reserve is a relatively SAFE place to be in a fire situation.</p>	6	31	<p>A field assessment of fuel loads and other bushfire risk factors was conducted by Geoffrey Lush of Lush Fire and Planning in September and October 2016. Fuel load assessment was undertaken using the industry standard approach (Gould and Cruz 2012). This method required categorisation of vegetation types into set categories. Whilst the descriptive titles of these categories are not reflective of the riparian environment, the approach is applicable to a riparian environment for the analysis of risk based on consideration of vegetative structure and measured litter depth.</p> <p>Areas of rock are unlikely to be "heavy fuel Load" as shown on the mapping. However, their size was not considered large enough to show on the wider scale mapping.</p> <p>The claim that the fire will quickly exit the reserve upslope is noted but not supported. The City is considering the best approach to fire management for both within the reserve, and in terms of protecting adjacent areas.</p>	Nil.
<p>Locations are typically at low fire risk and rarely encounter fire.</p>	6	33	<p>A field assessment of fuel loads and other bushfire risk factors was conducted by Geoffrey Lush of Lush Fire and Planning in September and October 2016. Fuel load assessment was undertaken using the industry standard approach (Gould and Cruz 2012).</p> <p>The claim that the reserve is low risk and rarely encounters fire is not supported.</p>	Nil.
<p>Notes that the Plan includes proposals that will need to be referred to the Department of Biodiversity Conservation and Attractions for approval under the <i>Swan and Canning Rivers Management Act 2006 (SCRM Act 2006)</i>.</p>	4	34	<p>Noted for consideration during implementation.</p>	Nil.
<p>Recommend careful consideration of the downstream impacts of removal of Typha and Arundo, particularly with respect to mobilisation of sediments that might result in deposition in critical pools (both directly during disturbance of sediments during the act of</p>	4	35	<p>Noted. It is proposed to expand section 4.2 Weed Management to recognise the risk of downstream sedimentation when removing riverine weed species.</p>	<p>The following text is proposed to be added to Section 4.2 (aims)</p> <ul style="list-style-type: none"> • "Undertake weed control in a manner that is considerate of the activities potential impact on the sedimentation of downstream environments."

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removal, but also indirectly during the next high velocity flows following vegetation removal).				
Consideration could also be given to staging works in a downstream progression to reduce the bulk transport of weed seed in water flow.	4	36	Noted. The approach to weed management in the reserve is generally species based followed by site based control. It is proposed to modify the document to incorporate the consideration of bulk seed transport for consideration in implementation phases.	The following text is proposed in section 4.2 <i>“Bulk build-up of seed should be considered, with downstream progression a preferred approach for species based control in the riparian zone.”</i>
Under-representation of fish species in the fauna inventory.	4	37	Information from the department of Fisheries studies was provided.	Appendix 8 updated with fish species accordingly.
Request to note the Department of Biodiversity Conservation and Attractions published Mountain Bike Guidelines and notes the construction methods for trails also applies to walking trails.	4	38	The trail construction techniques will be considered at an operational level during implementation of the plan.	Nil.