



**ORDINARY MEETING OF COUNCIL
MONDAY, 11 AUGUST 2025**

AGENDA

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AGENDA

REPORTS

**TECHNICAL SERVICES COMMITTEE MEETING
HELD ON 4 AUGUST 2025**

**COMMUNITY SERVICES COMMITTEE MEETING
HELD ON 5 AUGUST 2025**

CHIEF EXECUTIVE OFFICER'S REPORT

NOTICE OF MEETING AND AGENDA

CR _____

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

MONDAY, 11 AUGUST 2025

**JOANNE ABBISS
CHIEF EXECUTIVE OFFICER**

7 August 2025

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Leave of Absence previously granted to Cr M J Hancock

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

Nil

4 PUBLIC QUESTION TIME

Public Question Time is allocated for the asking of and responding to questions raised by members of the public. Minimum time to be provided – 15 minutes (unless not required)

A Public Question Time Policy has been adopted by Council outlining the procedures to ensure the orderly conduct of Public Question time and a copy of these procedures can be found at

<https://my.armadale.wa.gov.au/service/about-council/publications-and-governance/delegations-and-council-policies>

It is also available in the public gallery.

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

5 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Request for Leave of Absence – Cr Kerry Busby

Request for leave of absence received from Cr Kerry Busby for the period:

- Sunday, 5th October to Sunday, 12th October 2025 inclusive (does not include any Council meetings); and
- Saturday, 14th November to Friday, 21st November 2025 inclusive (does not include any Council meetings).

RECOMMEND

That Council grant leave of absence to Cr Kerry Busby for the period:

- Sunday, 5th October to Sunday, 12th October 2025 inclusive (does not include any Council meetings); and
- Saturday, 15th November to Friday, 21st November 2025 inclusive (does not include any Council meetings).

6 PETITIONS

7 CONFIRMATION OF MINUTES

- 7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 28 JULY 2025. (ATTACHED)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

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

Nil

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BUSINESS ARISING FROM REPORT

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BUSINESS ARISING FROM REPORT

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Allocation of Funds - Drinking Fountain - Villatella Park, Piara Waters

The following motion has been proposed by Cr Virk in accordance with Clause 3.8 of the Standing Orders Local Law:

That Council allocate the required funds from the 2024/25 budget surplus for installing a drinking fountain at Villatella Park, Piara Waters.

COMMENT FROM CR VIRK

The request for a water fountain at Villatella Park, Villatella Gardens, Piara Waters has been ongoing for many years. This is the only main park for Riva Estate, kids and dogs walk around the park in the mornings and evenings. It is a busy park for Riva residents with no facilities.

BACKGROUND

At the Council meeting held on 24 September 2024, Cr S Virk referred the following matter to Technical Services Committee.

That the matter of drinking water fountain at Villatella Park in Piara Waters be referred to the Technical Services Committee.

Council subsequently considered this referral item on 11 November 2024 (T1/11/24) and decided to give consideration as part of the budget review.

That Council request that consideration is given as part of the mid year Budget review to allocating funds for the installation of a water fountain at Villatella Park.

The item was again noted in the Budget Review report submitted to Council in March 2025 (CS3/3/25), along with a number of other items that Council had previously referred to the Budget Review under the heading “Other Items – Not Currently Included – For Consideration”.

Council did not include any of the items referred to above in the Amended Budget. Instead, during discussions some Councillors expressed the view that they would like to consider all items once the budget surplus was confirmed. However, no further guidance or directive was provided by Council.

OFFICER COMMENT

Policy

There are no Policy Matters relevant to this Notice of Motion.

Law

Standing Orders Local Law Clause 3.8 of the Standing Orders Local Law deals with Motions of which previous Notice has been made.

Budget

Advice previously provided to Council stipulates:

A drink fountain including connection can cost up to \$15,000 to supply and install. Drink fountains are a high maintenance item and are limited in provision under the Strategy to areas that are adjacent to BBQ picnic hubs, sporting spaces and dog parks.

The Amended Budget for FY25 forecast \$838,931, which Council decided to transfer to the Future Projects Reserve to ensure a balanced budget (CS2/6/25).

Officers have indicated to Council they expect to issue advice on the final end of year surplus around October this year, at which point a report will be submitted for consideration of the surplus.

Additional Information

For context, the City currently has 82 drink fountains under its current control, with more coming into the system, as parks are handed over from developers. Refer to the image below, the purple dots represent the locations of the drink fountains.



MOTION AS PROPOSED BY CR VIRK

That Council allocate the required funds from the 2024/25 budget surplus for installing a drinking fountain at Villatella Park, Piara Waters.

**12 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR
BY DECISION**

**13 MATTERS FOR REFERRAL TO STANDING COMMITTEES –
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14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

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15 CLOSURE

CITY OF ARMADALE

MINUTES

OF TECHNICAL SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 4
AUGUST 2025 AT 7.00PM.

OFFICIAL OPENING & ACKNOWLEDGEMENT OF COUNTRY

Read by Cr J Mosey

The City respectfully acknowledges the past and present traditional custodians of this land on which we are meeting, the Wadjuk people of the Noongar nation. The City pays its respects to the Aboriginal Elders past, present and always, and to extend that respect to any Aboriginal people in the room.

PRESENT:

Cr K Busby (Chair)
Cr S S Virk (Deputy Chair)
Mayor R Butterfield
Cr P A Hetherington
Cr J Joy JP
Cr S J Mosey
Cr S Peter (deputy to Cr K Kamdar)

APOLOGIES:

Cr C M Wielinga (Leave of Absence)
Cr M J Hancock (Leave of Absence)
Cr K Kamdar

OBSERVERS:

Cr J Keogh
Cr L Sargeson
Cr G Smith

IN ATTENDANCE:

Mr M Southern	Executive Director Technical Service
Mr J Lyon	Executive Director Corporate Services
Mrs S van Aswegen	Executive Director Community Services (via Teams)
Ms A Luobikis	Head of Service Delivery
Ms Michelle Bell	Head City Legal
Ms A Lazaroo	Executive Assistant Technical Services

PUBLIC:

Nil

DISCLAIMER

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

DECLARATION OF MEMBERS' INTERESTS

Nil

QUESTION TIME

Nil

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Technical Services Committee Meeting held on 4 June 2025 be confirmed.

Moved Cr S J Mosey
MOTION CARRIED

7/0

ITEMS REFERRED FROM INFORMATION BULLETIN

Outstanding Matters and Information Items

Various Items

Monthly Departmental Reports

Technical Services Works Programme

No items were raised for clarification or report.

.

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TECHNICAL SERVICES COMMITTEE

4 AUGUST 2025

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1.1 - PARKING CONTROLS ASSOCIATED WITH ELECTRIC VEHICLE CHARGING BAYS

WARD : ALL
FILE No. : M/408/25
DATE : 2 July 2025
REF : AL/DC
RESPONSIBLE : Executive Director
MANAGER : Technical Services

In Brief:

- Ten Electric Vehicle (EV) charging parking bays in total were installed at two separate locations in the City in November 2024. Six parking bays are within the City's carpark along Jull Street and four parking bays at Armadale Fitness and Aquatic Centre (AFAC).
- Recommend that Council approve the parking control signage that has been installed as indicated on the attached plans.

Tabled Items

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

- 1.2 Improve Community Wellbeing
- 1.2.1 Advocate for the delivery of services and programs as well as increased resources to contribute to improvements in community safety

Legal Implications

Assessment of legislation indicates that the following apply:

- *Local Government Act 1995 – Part 3, Division 3, Subdivision 1*

Council Policy/Local Law Implications

General assessment indicates that the following provisions of the *City of Armadale Parking and Parking Facilities Local Law* are applicable in establishing the proposed parking control signage:

1.8 Powers of the local government

The local government may, by resolution, prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this Local Law.

2.1 Determination of parking stalls and parking stations

The local government may by resolution constitute, determine and vary and also indicate by signs:

- (a) parking stalls;
- (b) parking stations;
- (c) permitted time and conditions of parking in parking stalls and parking stations which may vary with the locality;
- (d) permitted classes of vehicles which may park in parking stalls and parking stations;
- (e) permitted classes of persons who may park in specified parking stalls or parking stations; and
- (f) the manner of parking in parking stalls and parking stations.

Budget/Financial Implications

The costs associated with the installation of the EV charging bays were grant funded from the ARENA Future Fuels Program.

Consultation

1. Intra Directorate
2. Executive Leadership Team

BACKGROUND

The City through its Corporate Greenhouse Action Plan 2020/21 to 2029/30 – Recommendation 15 and Corporate Business Plan – Aspiration 2 – Outcome 2.1.4.4. is committed to develop options to transition its vehicle fleet to electric and / or non-hydrocarbon vehicles to align with the State and Federal Government’s target to achieve net-zero greenhouse gas emissions by 2050.

In support of the above the City during 2022 applied for a grant from the ARENA Future Fuels Program for the installation of electric vehicle chargers at the main administration precinct and AFAC. Approval was received in February 2023 to proceed with the installation of 1 dual DC and 2 dual AC chargers at the main administration precinct and 2 dual AC chargers at the city’s AFAC.

The installation took place in November 2024, inclusive of parking control signage indicating a two-hour parking provision for electric vehicles only. Council approval for the parking control signage was not obtained at the time.

Since installation the City has received ongoing complaints of non-electric vehicles parking in these bays, the most reported being for the parking bays located at AFAC. The City's Ranger Services are unable to enforce the parking control within these bays without the signage being approved by Council as per the City's *Parking and Parking Facilities Local Law*.

COMMENT

Council approval is required for the installed parking control signage associated with the EV charging bays in order for the signage to be enforceable.

CONCLUSION

It is recommended to approve the parking control signage as shown in Attachment 1 and Attachment 2.

ATTACHMENTS

1. [Attachment 1 - E23-111-01 Jull St Armadale](#)
2. Attachment 2 - E23-111-02 AFAC

RECOMMEND

T1/8/25

That Council:

1. Approve the installed parking control signage as identified in Attachment 1 and Attachment 2.

Moved Cr S J Mosey
MOTION CARRIED

7/0

2.1 - TENDER 40 OF 2024 - ELECTRICAL MAINTENANCE SERVICES

MEETING CLOSED TO THE PUBLIC

Moved Cr S Peter that that the meeting be closed to members of the public as the matter to be discussed, if disclosed, would reveal information that has a commercial value to a person.

(Section 5.23(2)(c) of the *Local Government Act 1995*)

Motion Carried (7/0)

Meeting declared closed to the public at 7.04pm.

WARD : ALL

FILE No. : M/427/25

DATE : 9 July 2025

REF : AL

RESPONSIBLE : Executive Director
MANAGER Technical Services

In Brief:

- A confidential report is presented at Attachment B-1 to this Agenda.

Strategic Implications

2.2 Attractive, inclusive and functional Public Places

2.3.3 Assets are to be effectively maintained in order to meet service levels throughout their life cycle.

Legal Implications

Assessment of legislation indicates that the following apply:

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

Council Policy/Local Law Implications

- Procurement Policy

Budget/Financial Implications

The proposed expenditure can be accommodated in the 2025/2026 Budget and Long Term Financial Plan estimates commensurate with the successful tenderer recommended in this report.

Consultation

- Intra Directorate

A Confidential Report is presented at Attachment B-1 to this Agenda. The matter is considered confidential under S5.23(2)(c) of the Local Government Act 1995 as the matter relates to a contract entered into or which maybe entered into, by the City of Armadale.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

T2/8/25

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

**Moved Cr S Peter
MOTION CARRIED**

7/0

MEETING OPENED TO THE PUBLIC

MOVED Mayor Butterfield that the meeting be opened to members of the public.
Motion Carried (7/0)

Meeting declared open to the public at 7.19 pm.

2.2 - TENDER 33 OF 2024 - CLEANING ANCILLIARY SERVICES

MEETING CLOSED TO PUBLIC

Moved Mayor Butterfield that that the meeting be closed to members of the public as the matter to be discussed, if disclosed, would reveal information that has a commercial value to a person. (Section 5.23(2)(c) of the *Local Government Act 1995*)

Motion Carried (7/0)

Meeting declared closed to the public at 7.19 pm.

WARD : ALL
FILE No. : M/456/25
DATE : 23 July 2025
REF : GM
RESPONSIBLE : Executive Director
MANAGER : Technical Services

In Brief:

- A confidential report is presented at Attachment B-1 to this Agenda.

Tabled Items

Nil.

Decision Type

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

Officer Interest Declaration

Nil.

Strategic Implications

- 2.3.12 Ensure that the City's assets are appropriately maintained, functional, affordable, safe and sustainable for current and future generations

Legal Implications

Assessment of legislation indicates that the following apply:

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

Council Policy/Local Law Implications

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

- Procurement Policy

Budget/Financial Implications

The proposed expenditure can be accommodated in the 2025/2026 Budget and Long Term Financial Plan estimates commensurate with the successful respondent recommended in this report.

Consultation

- Intra Directorate

A Confidential Report is presented separately to this Agenda. The matter is considered confidential under S5.23(2)(c) of the Local Government Act 1995 as the matter relates to a contract entered into or which maybe entered into, by the City of Armadale.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

T3/8/25

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

**Moved Cr S S Virk
MOTION CARRIED**

7/0

MEETING OPENED TO PUBLIC

MOVED Mayor Butterfield that the meeting be opened to members of the public.
Motion Carried (7/0)

Meeting declared open to the public at 7.23 pm.

2.3 - TENDER 2 OF 2025 - LIVING STREAMS AND DRAINAGE

MEETING CLOSED TO PUBLIC

Moved Mayor Butterfield that that the meeting be closed to members of the public as the matter to be discussed, if disclosed, would reveal information that has a commercial value to a person. (Section 5.23(2)(c) of the *Local Government Act 1995*)

Motion Carried (7/0)

Meeting declared closed to the public at 7.23 pm.

WARD : ALL
FILE No. : M/464/25
DATE : 23 July 2025
REF : AL/GM
RESPONSIBLE : Executive Director
MANAGER : Technical Services

In Brief:

- A confidential report is presented at Attachment B-1 to this Agenda.

Strategic Implications

- 2.3.2 - Protect and enhance natural environments and biodiversity
- 2.3.3 - Promote and implement water-sensitive urban design principles across the City
- 2.4.1 - Ensure effective and safe stormwater drainage infrastructure that supports community safety and environmental health
- 2.4.3 - Maintain and improve stormwater infrastructure to reduce flooding and improve water quality
- 4.4.2 - Enhance the City's operational efficiency and asset management through proactive maintenance and long-term sustainability planning.

Legal Implications

Assessment of legislation indicates that the following apply:

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

Council Policy/Local Law Implications

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

- Procurement Policy

Budget/Financial Implications

The proposed expenditure can be accommodated in the Budget and Long Term Financial Plan estimates commensurate with the successful respondent recommended in this report.

Consultation

- Intra Directorate

A Confidential Report is presented at Attachment B-1 to this Agenda. The matter is considered confidential under S5.23(2)(c) of the Local Government Act 1995 as the matter relates to a contract entered into or which maybe entered into, by the City of Armadale.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

T4/8/25

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

**Moved Cr R Butterfield
MOTION CARRIED**

7/0

MEETING OPENED TO PUBLIC

MOVED Cr S Peter that the meeting be opened to members of the public.
Motion Carried (7/0)

Meeting declared open to the public at 7.24 pm.

3.1 - BROOKTON HIGHWAY/HILL STREET INTERSECTION (REFERRAL ITEM)

At the Council meeting held on 28 April 2025, Cr S Mosey referred the following matter to Technical Services Committee.

That the matter of Brookton Highway/Hill Street intersection be referred to the Technical Services Committee.

Comment from Cr S Mosey

I raise this Councillor Item as I have real concerns and questions I believe need to be answered, in particular so that we can learn lessons so that we can do better going forward.

Full details of the referral by Cr Mosey have been provided to Councillors under separate cover.

Officer Comment

Subsequently to the referral item, information was provided in a memo to Councillors on 26 May 2025 as well as the Corporate Services Committees on 18 March and 20 May 2025. The advice provided responds to the matters raised in the referral. It is therefore suggested a further report is not required.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

T5/8/25

That Council:

- 1. Note the contents of the memo dated 26 May 2025 as a response to the Councillor referral item.**

**Moved Cr S J Mosey
MOTION CARRIED**

7/0

COUNCILLORS' ITEMS

Nil

This refers to any brief updates from Councillors from their attendance at Working Group or Advisory Group meetings on which they represent Council.

EXECUTIVE DIRECTOR TECHNICAL SERVICES REPORT

Nil

MEETING DECLARED CLOSED AT 7.28 PM

TECHNICAL SERVICES COMMITTEE		
SUMMARY OF ATTACHMENTS		
4 AUGUST 2025		
ATT NO.	SUBJECT	
1.1	PARKING CONTROLS ASSOCIATED WITH ELECTRIC VEHICLE CHARGING BAYS	
1.1.1	Attachment 1 - E23-111-01 Jull St Armadale	
1.1.2	Attachment 2 - E23-111-02 AFAC	

The above attachments can be accessed from the Minutes of the Technical Services Committee meeting of 4 August available on the City's website

CITY OF ARMADALE

MINUTES

OF COMMUNITY SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY, 5
AUGUST 2025 AT 7:00PM.

Opening and Acknowledgement Of Country *read by Cr P Hetherington*

The City respectfully acknowledges the Traditional Custodians of the land upon which we are meeting tonight, the Wadjuk people of the Noongar nation and pay my respects to the Aboriginal Elders past, present and always, and to extend that respect to any Aboriginal people in the room.

PRESENT: Cr P A Hetherington (Deputy Chair)
Cr K Busby
Cr J Keogh
Cr S Stoneham

APOLOGIES: Dr C M Wielinga (Leave of Absence)
Cr M J Hancock (Leave of Absence)(Deputy to Dr Wielinga)
Cr M Silver (Chair)
Cr K Kamdar

OBSERVERS: Mayor R Butterfield
Cr G Smith
Cr S Mosey
Cr L Sargeson

IN ATTENDANCE:	Mrs S van Aswegen	Executive Director Community Services
	Mr J Lyon	Executive Director Corporate Services (<i>via Teams</i>)
	Mr M Southern	Executive Director Technical Services
	Ms M Bell	Head of City Legal (<i>via Teams 7.19pm</i>)
	Ms R Milnes	Manager Community Development
	Mr R Porter	Manager Ranger Emergency Services
	Mr C O'Brien	A/Community Facilities & Recreation Coordinator
	Ms A Dunsmore	Community Facilities Officer - Agreements
	Mrs N Mathieson	Executive Assistant Development Services

PUBLIC: 0

DISCLAIMER

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

DECLARATION OF MEMBERS' INTERESTS

Nil

QUESTION TIME

Nil

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Community Services Committee Meeting held on 8 July 2025 be confirmed.

Moved Cr J Keogh

MOTION CARRIED

4/0

ITEMS REFERRED FROM INFORMATION BULLETIN

Report on Outstanding Matters – Community Services Committee

Items referred from the Information Bulletin – Issue 11 – July 2025

No items were raised for further investigation or report.

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COMMUNITY SERVICES COMMITTEE

5 AUGUST 2025

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1.1 - AMENDMENT TO THE PERTH KILT RUN 2025

WARD : ALL
FILE No. : M/448/25
DATE : 21 July 2025
REF : RM
RESPONSIBLE : Executive Director
MANAGER : Community Services

In Brief:

- This report presents the option of offering the 2.5km route only at the Perth Kilt Run to be held on 5 October 2025. This amendment is due to safety concerns based on recent advice from Metconnx regarding the continuation of the Metronet Project works and the impact on the 5km run route.
- Recommend that Council:
Endorse the presentation of the 2.5km route of the Perth Kilt Run and not hold the 5km route for 2025.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

Strategic Community Plan

Community

1.1 Foster and strengthen community spirit

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

Risk Management

The City's commitment to effective risk management is defined in the City's Risk Management Policy. The City's Risk Management Framework guides the organisation in the application of risk management practices which mitigate the adverse impacts of risk upon the achievement of strategic objectives and the quality of service delivery.

The City's risks are managed at the Strategic, Business Area and Operational level and are closely aligned with the City Corporate Business Plan objectives as well as the City's services and activities.

Legal Implications

Nil

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

The budget allocation of the Perth Kilt Run is \$25,000.

Consultation

1. Metconnx
2. QTM Traffic Management

BACKGROUND

The Armadale Highland Gathering and the Perth Kilt Run Event

The City has delivered the Highland Gathering event in the Armadale city centre since 1994, with the Perth Kilt Run component introduced in 2013. This event is one of the City's most iconic and popular annual events and is Western Australia's largest celebration of Scottish culture.

The various components of the event are overseen by the Highland Gathering Committee to ensure that Scottish traditions remain the cornerstone of the event. The core Scottish elements comprise Pipe Bands, Highland Dancing, Heavy Events, Medieval Fair, Clan Village, Tavern, and Scottish Dogs. Alongside the components overseen by the Committee, the event also presents children's activities, food vendors and live music, and activities that vary each year such as mini golf, Highland cattle and Scottish manufactured vintage cars.

In 2024, the Highland Gathering/Perth Kilt Run was not held in the Armadale city centre due to the Byford Rail Extension works carried out by Metconnx, but was held at the Champion Lakes Regatta Centre as per Council's resolution (C10/5/24):

That Council:

1. *Endorse the temporary relocation of the Armadale Highland Gathering and Perth Kilt Run to Champion Lakes Regatta Centre.*

In 2025, the Highland Gathering event site will be extended to include Memorial Park due to the compromised Frog Hollow area due to the Metronet project works.

The Perth Kilt Run

The City of Perth was originally approached regarding hosting the Perth Kilt Run, however it was offered to the City of Armadale due to the success of the Highland Gathering and the event's synergies with the Kilt Run. The City's registrations generally comprise approximately 600 participants. Two run options have historically been available – 2.5km and a 5km length.

The running routes of the Perth Kilt Run have changed over the years to continue to improve safety and accessibility, generally in response to feedback from runners and the Kilt Run contractor. The attached map indicates the current Perth Kilt Run Route. However, whilst the blue route (2.5km = two laps) is viable, the orange route (5km = two laps) is not viable due to the Metronet project works on Neerigen Street and Commerce Avenue needing to be undertaken.

Previous running routes have been revisited due to limited route options, however, the same hazards were identified including pedestrian/shopper and runner impact, impact to the Emergency Access route, and uneven and/or slippery ground. It is not considered safe to use the blue 2.5km route for the 5km runners as the route would become congested and pose risks of runner impact especially as many people take their children (some in prams), as well as dogs. Most people who use wheelchairs choose the 2.5km route. Staggering the start times of the two cohorts to run the route consecutively was considered. However, due to the impact on pedestrians, event patrons and runners, the Kilt Run must conclude by 9.30am which makes it unfeasible for both cohorts to complete the single route within the required timeframe.

Of note is the fact that the Highland Gathering Committee's top consideration for the temporary relocation of the event in 2024 at Champion Lakes Regatta Centre, including the Perth Kilt Run, was that the "venue needed to be safe and accessible." The parking arrangements at the 2024 Highland Gathering at the Champion Lakes Regatta Centre drew negative feedback from some event patrons. The City's risk attributes of Services and Reputation need to be considered, as further negative feedback or adverse incidents associated with the event, particularly from a safety perspective, may have a damaging impact.

DETAILS OF PROPOSAL

It is proposed that the City presents the 2.5km route of the Perth Kilt Run and not hold the 5km route for 2025. This recommendation is based on the issues raised by Metconnx and the contracted traffic management company due to the Metronet project works extending beyond 30 August 2025.

Officers have assessed alternative routes and have found the identified hazards render these as unsafe options.

ANALYSIS

The Perth Kilt Run is a popular, long-standing event within the iconic Armadale Highland Gathering. Both events were temporarily relocated to the Champion Lakes Regatta Centre in October 2024 due to the Metronet project works being undertaken in the city centre.

Whilst the imminent completion of most of the Metronet project works allows for the events to be held in the city centre in October 2025, officers have recently been advised by Metconnx and the City's traffic management contractor that the Perth Kilt Run will be impacted by the continuation of works on the streets proximate to the 5km route.

Officers have investigated 5km route options, including allowing both cohorts of runners to share the 2.5km route. It has been determined that it would be unsafe to continue with the 5km route. To minimise the City Services and Reputation risks to the City, the option of presenting the 2.5km route only is recommended.

OPTIONS

Council has the following options:

1. The City presents the 2.5km route of the Perth Kilt Run and not hold the 5km route for 2025.
2. The City cancels the Perth Kilt Run in its entirety for 2025.

Option 1 is recommended.

CONCLUSION

The Armadale Highland Gathering and Perth Kilt Run are long standing events held in high regard by the local community and visitors to the City. Whilst the delivery of the events can now revert to the city centre, the continuation of some of the Metronet project works will impact the 5km route of the Perth Kilt Run. A review of the possible alternative routes indicate that the safest option is to not hold the 5km route for 2025 and present the 2.5km route only.

Committee Discussion

Committee requested for more information to be provided prior to the Council Meeting for further consideration, including the 5km run.

ATTACHMENTS

1. [↓](#) Perth Kilt Run 2019 - Route Map

Officer Recommendation

That Council endorse the presentation of the 2.5km route of the Perth Kilt Run and not hold the 5km route for 2025.

Cr J Keogh moved an alternate recommendation.

COMMITTEE RECOMMENDATION

C1/8/25

That Council endorse the presentation of the 2.5km and 5km route of the Perth Kilt Run for 2025, to be run on the 2.5km course.

MOVED Cr J Keogh, OPPOSED Cr P A Hetherington

SECONDED Cr K Busby

MOTION CARRIED

3/1

2.1 - OCCUPANCY AT WILLIAM SKEET PAVILION

WARD : ALL

FILE No. : M/400/25

DATE : 18 July 2025

REF : LA/AD/CO

RESPONSIBLE : Executive Director
MANAGER : Community Services

In Brief:

- In December 2021, Council endorsed Officers to negotiate directly with the Forrestdale Sporting Association for a lease over the new William Skeet Pavilion (C39/12/21).
- Given the level of City investment into the new William Skeet Pavilion, there is opportunity to review the most effective management model for the facility.
- Recommend that Council endorse the recommendation as outlined in the report.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

- 1.1 Foster and strengthen community spirit
- 1.1.2 Cultivate the sense of place generate by the City's heritage, vegetation and escarpment, wetlands and waterways as well as the participation in vibrant community hubs.
- 1.1.3 Support the development and sustainability of a diverse range of community groups.

- 1.2 Improve community wellbeing
 - 1.2.2 Facilitate the alignment of service and program delivery to identified social priorities within the community.
 - 1.2.3 Provide for a diverse range of active and passive recreational pursuits within the City
- 1.4 An inclusive and engaged community
 - 1.4.2 Encourage the provision of inclusive and accessible facilities, services and programs within the community.
 - 1.4.4 Facilitate the provision of facilities, services and programs to meet the needs of the City's current and future demographics

Legal Implications

Local Government Act 1995, Section 3.58 – Disposing of Property

Council Policy/Local Law Implications

Policy – *Lease and Licence*

Budget/Financial Implications

The current build budget for the new William Skeet Pavilion is currently \$6.3 million.

As Forrestdale Sporting Association has not yet completed the pre-leasing requirements through an evidence-based business case, the City does not have the required financial information to estimate the rent that the group may be subject to for a lease of the whole or portion of the facility under Policy – *Lease and Licence*. It is anticipated that Forrestdale Sporting Association may meet the criteria in the Policy – *Lease and Licence* for subsidised rent.

Should Council endorse the facility as a hireable space it would likely result in higher revenue however the City would have 100% responsibility for all maintenance and outgoings. Although exact figures can't be determined without exact usage numbers, cleaning, maintenance etc – Service Delivery advise that the overall subsidy by the City to maintain a hireable facility is higher than a leased facility.

Consultation

- 1. Program Delivery
- 2. Community Infrastructure Planning
- 3. City Legal
- 4. Service Delivery
- 5. Elected Members

BACKGROUND

Any reference in this report to William Skeet Pavilion is the new pavilion, Forrestdale Sporting Pavilion is referencing the old pavilion. Prior to the Ian Pratt Pavillion being demolished it was accessible to the groups and members of the public for use as toilets and changeroom facilities as it was separate to the Forrestdale Sporting Pavillion.

Forrestdale Sporting Association (FSA) are the current tenants of Forrestdale Sporting Pavilion located on a portion of Reserve 27131, Commercial Road Forrestdale. Online records demonstrate that FSA became an associated incorporation in 1989. The City

currently have a lease, which expired in 2020, with FSA for the occupancy of Forrestdale Sporting Pavilion. The lease includes a holding over clause and all terms of the lease are currently still in effect.

FSA have a number of separately incorporated sporting clubs within their structure. These clubs include: Forrestdale Cricket Club, Forrestdale Junior Football Club, Forrestdale Senior Football Club and Diamondbacks Softball Club. Forrestdale Darts Club and FSA Pool club also operate out of the facility.

In December 2021, officers presented a report to Council with the proposed occupancy arrangements for a number of community facilities. Council endorsed officers to negotiate directly with FSA for a new lease over the newly constructed pavilion at William Skeet Oval (C39/12/21). The implementation of this Council decision has been delayed with the recent review of the Policy – *Lease and Licence* (the Policy).

DETAILS OF PROPOSAL

Given that considerable time has passed since Council's initial decision and the timing of the construction of the new facility, it's an opportunity for Council to review and determine an optimal management model for ~~Forrestdale Sporting~~ William Skeet Pavilion. Given the substantial City investment in this facility, officers are presenting various management models for consideration.

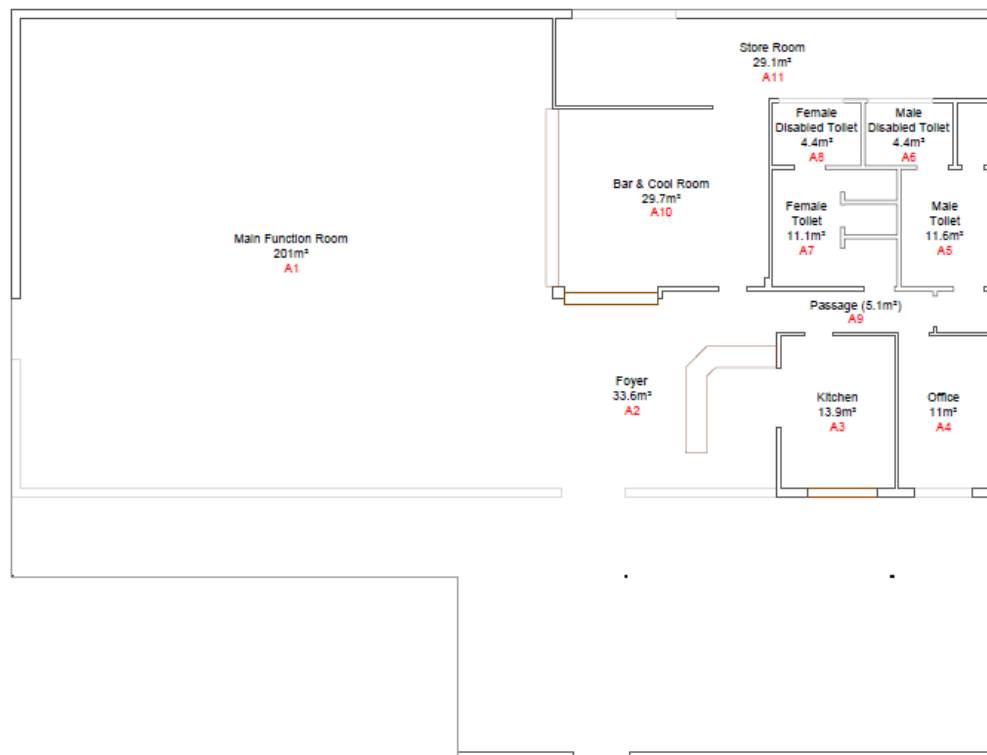
This report seeks Council direction on the occupancy and management model of the William Skeet Pavilion. In particular, whether:

1. Officers negotiate directly with Forrestdale Sporting Association for the entirety of the newly constructed William Skeet Pavilion as resolved in December 2021 (C39/12/21);
2. Officers negotiate with Forrestdale Sporting Association for a portion of the newly constructed William Skeet Pavilion; or
3. The entire newly constructed William Skeet Pavilion becomes a hireable community facility managed by the City.

COMMENT

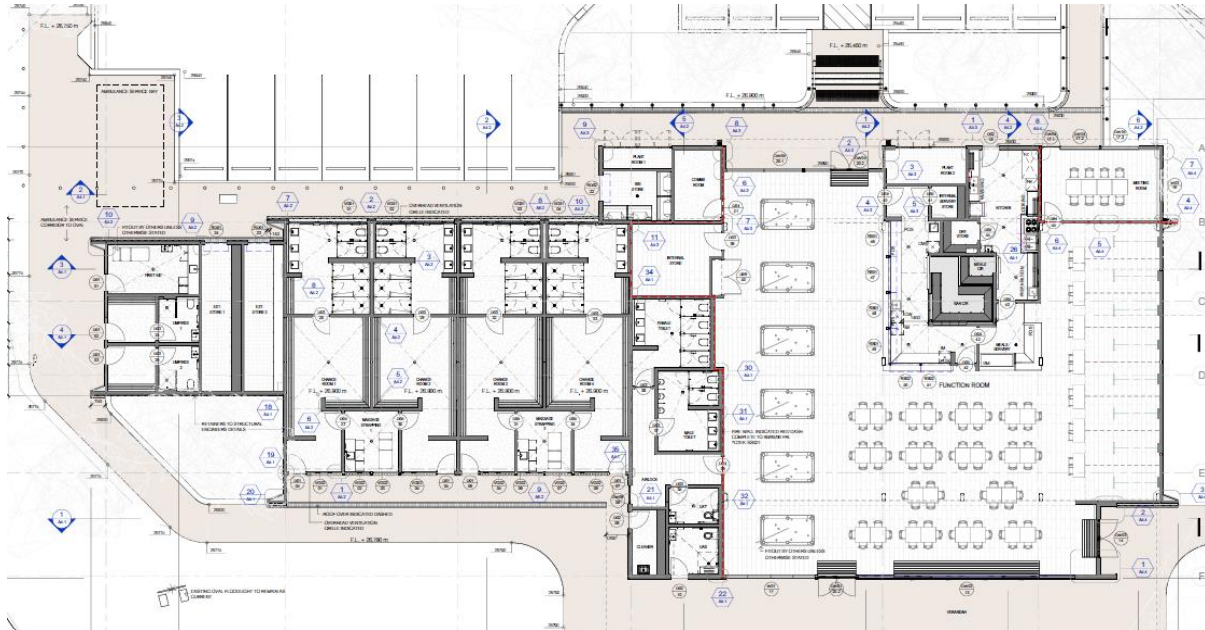
Forrestdale Sporting Pavilion Usage

FSA currently have the following member clubs who utilise the Forrestdale Sporting Pavilion: Forrestdale Junior Football Club, Forrestdale Senior Football Club, Forrestdale Cricket Club, Forrestdale Darts Club and FSA Pool Club. The existing facility floor plan can be seen below:



Some of FSA's member clubs have expressed concerns to officers about accessing and utilising the existing Forrestdale Sporting Pavilion over the past 18 months. This has led to requests to hire other City facilities, such as Forrestdale Hall, to be able to deliver some club activities and operations. Officers have accepted 17 requests for use of Forrestdale Hall since March 2024 (noting a number of requests have not been accommodated). Officers have been cognisant that Forrestdale Hall is a hireable community facility for the wider community and have ensured that it remains available for bookings for non-sporting purposes. This is especially pertinent given that the Forrestdale Sporting Pavilion is at the same site, the lease's permitted purpose is for "sporting club and recreational use" and is occupied by the member club's overarching association. Some club members have also enquired about future City facility and reserve developments and **made** requests for consideration when they become available. Some member clubs have also raised concerns of their financial viability and sustainability based on their desired access/profit sharing arrange with Forrestdale Sporting Association. Officers are mindful that if member club concerns persist, they will cease to exist or they will continue to request use of other hireable facilities (even once the new building is constructed) to remain sustainable and potentially impact the availability of these facilities for the wider community.

The new William Skeet Pavilion floor plan, which has commenced construction, can be seen below:



Use of William Skeet Oval

William Skeet Oval is a hireable oval and the City accepts bookings made by seasonal clubs (who are also the member clubs of FSA) as well as the wider community. Ian Pratt Pavilion (change rooms and storage), which has recently been demolished as a part of the Forrestdale Sporting Precinct Works, was also a hireable space to support the community's usage of the oval. Trends across the City's hireable facilities demonstrate that activation of ovals rely on associated infrastructure being available, including but not limited to toilets, change rooms and floodlights. It is important that change rooms and other amenities related to use of ovals remain available to hire by the wider community once the new William Skeet Pavilion is built to ensure activation of the oval.

Occupancy and Management Models

The following occupancy and management models are available for Council's consideration:

- 1. Officers negotiate a lease directly with Forrestdale Sporting Association for the entirety of the newly constructed William Skeet Pavilion as resolved in December 2021 (C39/12/21)***

Benefits

- FSA would have access to the entire newly constructed facility
- Access to the Change Rooms, Umpires Room and First Aid room may be less expensive for the member clubs to access through FSA compared to hiring through the City. Activating the reserve isn't the primary focus of a sporting association potentially leading to less overall usage

Considerations

- Given that the design for the new pavilion includes the Change Rooms, External Store Rooms, Umpires Room and First Aid Room within the same facility, this will impact the wider community's access and usage to these spaces to support usage of the oval. This will likely lead to less William Skeet Oval bookings by the wider community. This is due to Forrestdale Sporting Club being responsible for managing the pavilion and related sports and not necessarily to activate City spaces such as the reserve
- Access and usage of the Change Rooms, External Store Rooms, Umpires Room and First Aid Room by the wider community would need to be organised directly through FSA
- Access and usage of the function room, kitchen and other areas may still prove to be a challenge for some member clubs to access
- Dependent on which rent category FSA is eligible for, occupying the entire facility may lead to a higher rent rate for FSA compared to FSA occupying a portion of the building
- Entering into a lease with FSA is subject to FSA's ability to successfully demonstrate the pre-leasing requirements through an evidence-based business case which is consistent with Policy – *Lease and Licence*
- Council has the option to consider a short term lease in the initial instance (for example a one year term) to monitor some of the concerns raised by the member clubs.

2. Officers negotiate a lease directly with Forrestdale Sporting Association for a portion of the newly constructed William Skeet Pavilion

Benefits

- The Change Rooms, External Store Rooms, Umpires Room and First Aid Room become available to be booked by the wider community and would be managed by the City
- FSA and their member clubs can still access the Change Rooms, External Store Rooms, Umpires Room and First Aid Room not included in the lease through hiring from the City when required
- Promotes multi-use design principles
- Ensures greater accountability to rate payers with greater access to the facilities' amenities (required to support usage of the hireable oval) by the wider community considering the significant investment by the City to construct the new facility
- Reserve bookings and revenue would be forecasted to increase
- The External Store Rooms would be made available to FSA's member clubs (who are also City seasonal hirers) through a hire arrangement with the City
- This arrangement would be similar to the operation of Ian Pratt Pavilion (prior to demolition) prior to the commencement of the Forrestdale Sporting Precinct project.

Considerations

- Access to the Change Rooms, Umpires Room and First Aid room may be less expensive for the member clubs to access through FSA compared to hiring through the City. This is subject to FSA's management
- The City would have increased maintenance, cleaning, utilities and other outgoing expenses which would offset some of the increase in hire revenue
- Dependent on which rent category FSA is eligible, occupying a portion of the facility may lead to a lower rent rate for FSA compared to FSA occupying the entire building
- Entering into a lease with FSA for a portion of the facility is subject to FSA's ability to successfully demonstrate the pre-leasing requirements through an evidence-based business case which is consistent with Policy – *Lease and Licence*

- Council has the option to consider a short term lease in the initial instance (for example a one year term) to monitor some of the concerns raised by the member clubs.
3. *The entire newly constructed William Skeet Pavilion becomes a hireable community facility managed by the City*

Benefits

- The FSA and member clubs would still be able to hire spaces within the facility. This would be consistent with other facilities where clubs hire on a seasonal basis and receive a level of priority for bookings
- The City would be able to maximise the activation of the entire facility ensuring access and opportunity for the wider community
- Promotes multi-use design principles
- Ensures greater accountability to rate payers with greater access to the facility by the wider community considering the significant investment by the City to construct a new facility
- Forecasted increase in bookings for the City with a new function space and meeting room available
- There would be an increase to the City's hiring revenue.

Considerations

- FSA's viability may be significantly impacted
- FSA have been a long-standing tenant with the City for the Forrestdale Sporting Pavilion providing services to the community
- This may result in unintended consequences to member clubs, including but not limited to, volunteer capacity and financial viability. These impacts would not be completely realised until engagement is conducted with stakeholders
- The current usage of the facility by member clubs will likely be required to be altered. It is unlikely that the preferences of all member clubs' access will be able to be accommodated
- The design of the new facility has been informed by FSA's usage and requirements including provision of dart boards, pool tables and other specific requirements for their occupancy. Transitioning the facility to a hireable facility may not be entirely fit for purpose without further City investment following the completion of the project. For example, provision of one cool room, meeting room not being accessible via fob from outside of the facility, meeting room not having internal access to toilets and lack of internal storage spaces
- The City would have increased maintenance, cleaning, utilities and other outgoing expenses which would offset some of the increase in hire revenue
- FSA and member clubs will not be able to leave equipment or equipment in situ within the hireable spaces which is consistent with other hireable facilities. The current facility currently has dart boards, memorabilia, pool tables, kitchen equipment and other equipment within the spaces which would be hireable
- As a part of the Forrestdale Sporting Precinct project, a new community building (to replace Forrestdale Hall) will be constructed in a later stage which the wider community will also be able to hire a portion of
- Whilst this option could be implemented at any time, the most desirable scenario for a smoother transition would align with the opening of a new building.
- A seasonal licence is not practical as there is more than one club per season

OPTIONS

1. Authorise the Chief Executive Officer to negotiate the key terms of the lease directly with Forrestdale Sporting Association for the entirety of the newly constructed William Skeet Pavilion as resolved in December 2021 (C39/12/21) for a five year term with a five year renewal option.
2. Authorise the Chief Executive Officer to negotiate the key terms of the lease directly with Forrestdale Sporting Association for the entirety of the newly constructed William Skeet Pavilion as resolved in December 2021 (C39/12/21) for a one-year term with a five year renewal option.
3. Authorise the Chief Executive Officer to negotiate the key terms of the lease directly with Forrestdale Sporting Association for a portion of the newly constructed William Skeet Pavilion for a five year term with a five year renewal option including the following spaces: Function Room, Meeting Room, Kitchen, Meals Served, Meals Cool Room, Bar Cool Room, Dry Store, Internal Served Store, Plant Room 2, Internal Store, Female Toilet, Male Toilet and UAT.
4. Authorise the Chief Executive Officer to negotiate the key terms of the lease directly with Forrestdale Sporting Association for a portion of the newly constructed William Skeet Pavilion for a one year term with a five year renewal option including the following spaces: Function Room, Meeting Room, Kitchen, Meals Served, Meals Cool Room, Bar Cool Room, Dry Store, Internal Served Store, Plant Room 2, Internal Store, Female Toilet, Male Toilet and UAT.
5. Endorse the entire newly constructed William Skeet Pavilion to become a hireable community facility managed by the City.

CONCLUSION

The City is investing significant funds into constructing the new William Skeet Pavilion and consideration should be provided to the most effective management model. The wider community would benefit if the spaces that support the usage of the oval remain hireable, consistent with the management of the previous Ian Pratt Pavilion. This would ensure greater accountability to all ratepayers.

Option 4 is recommended for reasons outlined in the report.

ATTACHMENTS

1. William Skeet Pavilion - Managed Spaces

RECOMMEND

C2/8/25

That Council:

1. Authorise the Chief Executive Officer to negotiate the key terms of the lease directly with Forrestdale Sporting Association for exclusive use of a portion of the newly constructed William Skeet Pavilion for a one year term with a five year renewal option including the following spaces:
 - Function Room
 - Meeting Room
 - Kitchen
 - Meals Servery
 - Meals Cool Room
 - Bar Cool Room
 - Dry Store
 - Internal Servery Store
 - Plant Room 2
 - Internal Store
 - Female Toilet
 - Male Toilet
 - UAT

~~subject to meeting the pre-leasing requirements as per Policy — Lease and Licence.~~
2. Endorse the following areas to be managed by the City as hireable spaces:
 - a) Change Room 1 - 4
 - b) First Aid Room
 - c) Umpire Room 1 - 2
 - d) External Store 1 - 2
 - e) Cleaner
 - f) Bin Store
 - g) Comms Room
 - h) Plant Room 1
 - i) UAB
3. Request a further report be presented to Council with the key terms of the lease for the newly constructed William Skeet Pavilion

Moved Cr K Busby
MOTION CARRIED

4/0

2.2 - OCCUPANCY AT GWYNNE PARK PAVILION

WARD : ALL
FILE No. : M/442/25
DATE : 17 July 2025
REF : LA/AD
RESPONSIBLE : Executive Director
MANAGER : Community Services

In Brief:

- In December 2021, Council endorsed officers to negotiate directly with the Armadale Sporting Club for a lease over the redeveloped pavilion at Gwynne Park (C39/12/21).
- Given the level of City investment in the redevelopment of the Gwynne Park Pavilion, there is opportunity to review the most effective management model for the facility.
- Recommend that Council endorse the recommendation as outlined in the report.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

- 1.1 Foster and strengthen community spirit
- 1.1.2 Cultivate the sense of place generate by the City's heritage, vegetation and escarpment, wetlands and waterways as well as the participation in vibrant community hubs.
- 1.1.3 Support the development and sustainability of a diverse range of community groups.
- 1.2 Improve community wellbeing
- 1.2.2 Facilitate the alignment of service and program delivery to identified social priorities within the community.

- 1.2.3 Provide for a diverse range of active and passive recreational pursuits within the City.
- 1.4 An inclusive and engaged community
 - 1.4.2 Encourage the provision of inclusive and accessible facilities, services and programs within the community.
 - 1.4.4 Facilitate the provision of facilities, services and programs to meet the needs of the City's current and future demographic.

Legal Implications

Local Government Act 1995, Section 3.58 – Disposing of Property

Council Policy/Local Law ImplicationsPolicy – *Lease and Licence*

Budget/Financial Implications

The current build budget is \$8.94 million for construction.

Noting that below figures are estimates and are subject to financial information being provided by Armadale Sporting Club. As detailed later in the report, the City has experienced challenges in receiving the required financial information from the tenant. The estimates below are based on unaudited figures provided by the club for FY 2022/23.

Please see below budget and financial implications for each of the options outlined in the report.

Officers negotiate a lease directly with Armadale Sporting Club for the entirety of the redeveloped Gwynne Park Pavilion as resolved in December 2021 (C39/12/21)

The Armadale Sporting Club may be subject to Subsidised Rent (subject to updated financial and other information being provided in accordance with Policy – *Lease and Licence*). The approximate rent amount for the entire facility would be \$42,000. This would increase the City's leasing revenue.

Officers negotiate a lease directly with Armadale Sporting Club for a portion of the redeveloped Gwynne Park Pavilion

The Armadale Sporting Club may be subject to subsidised rent (subject to updated financial and other information being provided in accordance with Policy – *Lease and Licence*). This would increase the City's leasing revenue. The below table outlines approximate subsidised rent that the City may receive dependent on the areas that may be included within the lease.

Areas	Approximate Rent per annum
Club Room, Club Room Store, Club Room Cool Room, Club Room Kitchen, Club Room Servery, Cleaner Room 2, Club Additional Store, Meeting Room, Office and Game Day Room	\$24,000
As the above row with the addition of the Main Hall, Main Hall Kitchen, Main Hall Servery, Main Hall Store 1, Main Hall Store 2, Table and Chair Store	\$31,000

The entire redeveloped Gwynne Park Pavilion becomes a hireable community facility managed by the City.

Should Council endorse the facility as a hireable space it would likely result in higher revenue, however, the City would have 100% responsibility for all maintenance and outgoings. Although exact figures can't be determined without exact usage numbers, cleaning, maintenance etc – Service Delivery advise that the overall subsidy to the City to maintain a hireable facility is higher than a leased facility.

Consultation

1. Program Delivery
2. Community Infrastructure Planning
3. City Legal
4. Service Delivery
5. Elected members

BACKGROUND

Armada Sporting Club Incorporated (the Club) are the current tenants of the Gwynne Park Pavilion located at a portion of Gwynne Park Reserve (Reserve 21152, Seventh Road, Armadale). Online records demonstrate that the Club became an incorporated association in 1979. The City currently has a management agreement, which expired in 2019, with the Club for the occupancy and management of the Gwynne Park Pavilion. Although the agreement has expired with no holding over clause, it is reasonable to assume that the agreement is still in effect by operation of conduct (for example, the Club is still paying annual rent).

The Club are similar to an association which have a number of separately incorporated sporting clubs within their structure. These clubs include: Armadale Junior Cricket Club, Armadale Senior Cricket Club, Armadale Junior Football Club, Armadale Senior Football Club and Armadale Darts Club. The Lions Club also utilise the facility, but the City is not aware of any formal agreement with Armadale Sporting Club.

In December 2021, officers presented a report to Council with the proposed occupancy arrangements for a number of community facilities. Council endorsed officers to negotiate directly with the Club for a new lease over the redeveloped pavilion at Gwynne Park (C39/12/21). The implementation of this Council decision has been delayed with the recent review of the Policy – *Lease and Licence* (the Policy).

Redevelopment of Gwynne Park Pavilion

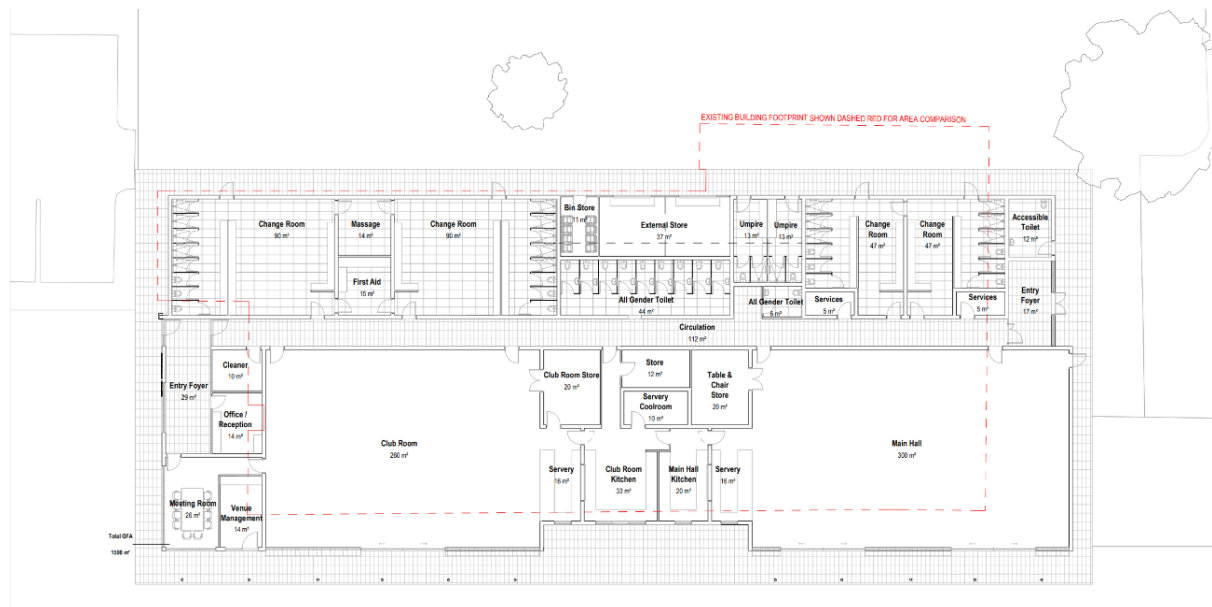
A Council Workshop was held on 29 March 2021 to discuss the Gwynne Park Facility Review which covered Armadale Recreation Centre, Gwynne Park Badminton Centre, Gwynne Park Tennis Pavilion and Gwynne Park Pavilion. The notes from the workshop included the following regarding Gwynne Park Pavilion:

Could the proposed function space be a City hireable space and not included in the lease.

In April 2022, a report was presented to Council surrounding the Gwynne Park Facilities Review – Pavilion Concept and Costings outlined that the consensus of the 2021 Council Workshop for the Gwynne Park Pavilion was:

Officers progress planning of the Pavilion, with consideration given to layout options, opportunities for leasable space, multi-use design principles and an appropriate space for the Sports Association.

In October 2024, a report was presented to Council with updates to the initial concept design to ensure that both function spaces can be used together as well as independently. This involved adding an additional kitchen space. The updated concept plan can be seen below:



The Gwynne Park Pavilion is scheduled to be redeveloped with the construction currently anticipated to commence in FY 2025/26.

In recent years, officers have experienced challenges in their interactions with the Club, which includes some non-compliance with the management agreement for the facility. This is detailed later in the report.

DETAILS OF PROPOSAL

Given that considerable time has passed since Council's initial decision and the timing of the construction of the redeveloped facility, it's an opportunity for Council to review and

determine an optimal management model for Gwynne Park Pavilion. Given the substantial City investment in this facility, officers are presenting various management models for consideration.

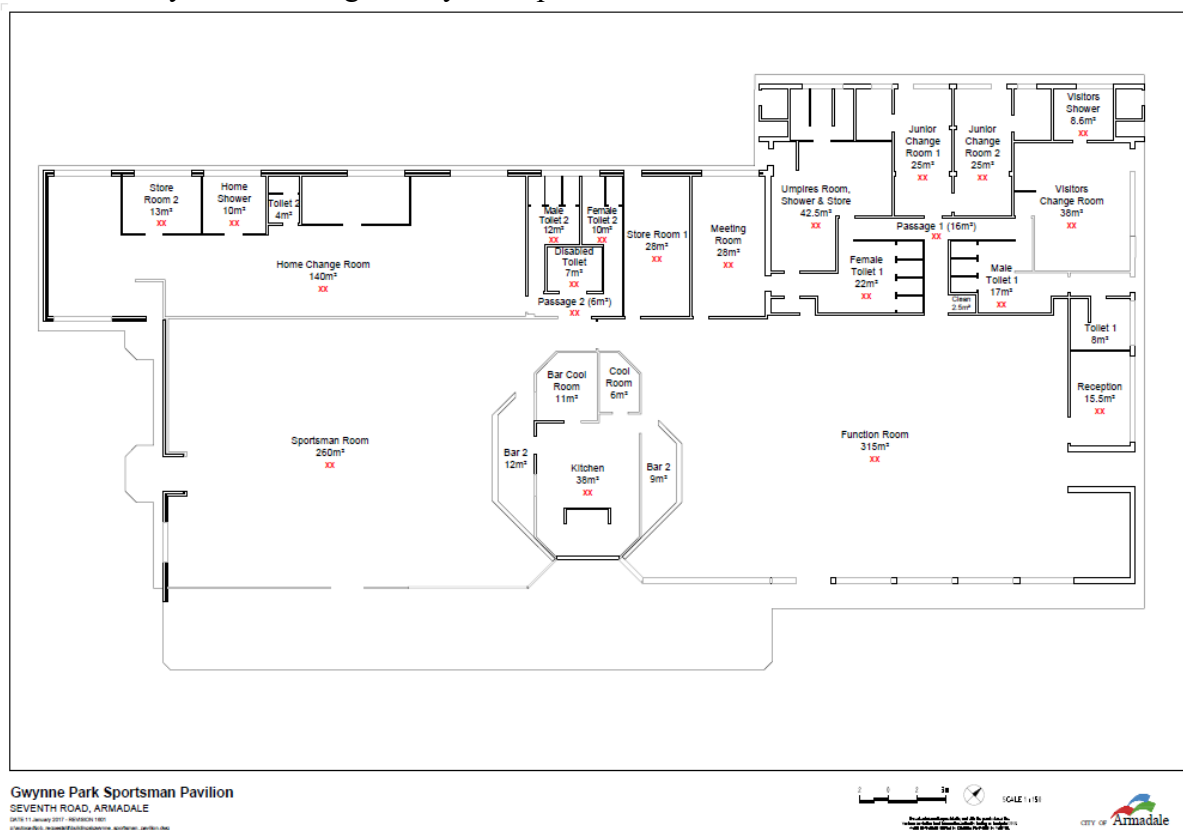
This report seeks Council direction on the occupancy and management model of Gwynne Park Pavilion. In particular, whether:

1. Officers negotiate a lease directly with Armadale Sporting Club for the entirety of the redeveloped Gwynne Park Pavilion as resolved in December 2021 (C39/12/21);
2. Officers negotiate a lease directly with Armadale Sporting Club for a portion of the redeveloped Gwynne Park Pavilion; or
3. The entire redeveloped Gwynne Park Pavilion becomes a hireable community facility managed by the City.

COMMENT

Armadale Sporting Club Usage

The Club currently have the following member clubs who also utilise Gwynne Park Pavilion: Armadale Junior Cricket Club, Armadale Cricket Club, Armadale Junior Football Club, Armadale Senior Football Club and Armadale Darts Club. The Lions Club also utilise the current facility. The existing facility floor plan can be seen below:



Over the last 12 months, officers have experienced challenges with Armadale Sporting Club providing information requested in accordance with their Management Agreement including but not limited to usage and financial information. The club have provided reasons for lack of compliance due to transitional arrangements of the committee in recent years.

Please see below summary of usage for the existing facility:

- Sportsman Room
 - Heavily utilised room and used daily. Usage is mostly during the evenings on weekdays and all day on weekends
- Change Rooms
 - Usage is linked with seasonal club training and fixtures. Generally utilised in the evenings on Tuesdays and Thursdays. The change rooms are used for a fixtures on Saturdays and Sundays
- Function Room
 - Hireable for private functions for Armadale Sporting Club members
 - Used on Tuesday and Thursday afternoons between April and October for the junior football club. This usage is predominantly for additional change rooms, storage and selling merchandise
 - Used on Saturday between April and October for both football clubs predominantly for additional change rooms, storage and selling merchandise
 - Used by the Armadale Darts Club on Tuesday and Friday nights as overflow space from the Sportsman Room (as required). The Armadale Darts Club also utilise this space on an ad hoc basis throughout the year on Saturday when large competitions are held
 - The Lions Club utilise this space on Thursday evenings. The method is unknown.

The information above demonstrates that the Sportsman Room is used significantly and is crucial for the Armadale Sporting Club's operations. There is opportunity for further activation and usage of the Function Room, Change Rooms and other areas.

Use of Ovals at Gwynne Park

Gwynne Park is the City's largest active recreation reserves. The Gwynne Park Pavilion is surrounded by four sports ovals which is currently the only site of this scale within the City. Trends across the City's hireable facilities demonstrate that activation of ovals rely on associated infrastructure being available, including but not limited to toilets, change rooms and floodlights. The change rooms and toilets at the current Gwynne Park Pavilion are not accessible to the public through the City and must be arranged directly with Armadale Sporting Club as these are included in their exclusive use area. Despite Gwynne Park being the largest recreation reserve within the City with four ovals that are hireable, the City receives limited booking applications which officers believe is due to toilets and change rooms also not being hireable. The City does direct interested hirers to the Club to request use of toilets and change rooms. The closest publicly accessible or hireable toilets to these ovals are the UAT at the Gwynne Park Skate Park or the change rooms at Armadale Recreation Centre.

In FY 2023/24, there were a total of 2061 bookings at the Gwynne Park Ovals equating to a total of 5920 hours. Only 1.8% of these bookings were from hirers who are not member clubs of Armadale Sporting Club equating to 57 hours. These bookings were placed by John Calvin Christian School, Xavier Catholic School, Gwynne Park Primary School and Stephen Michael Foundation.

In FY 2024/25, there has been a total of 1511 bookings at the Gwynne Park Ovals equating to a total of 5595 hours. 6% of these bookings were from hirers who are not member clubs of Armadale Sporting Club equating to 211 hours. A majority of these bookings were placed by the Forrestdale Junior Football Club.

For comparison in FY 2024/25, 15% of reserve hire bookings at Rossiter Playing Fields were not seasonal hirers. In addition, 12% of reserve hire bookings at Piara Waters Oval were not seasonal hirers. Both of these sites have higher percentage of usage from non seasonal hirers despite only have one oval available for hire in comparison to the four ovals available at Gwynne Park. Both Rossiter Playing Fields and Piara Waters Oval have change rooms and toilets available and accessible to support usage of the reserve.

Hireable Community Facilities

The demand for and number of bookings accepted for hireable spaces continues to increase year on year with approved bookings in FY 24/25 increasing by 8% compared to FY 2023/24. In the South Armadale area, the only two community facilities available for hire are the Armadale Recreation Centre and the Evelyn Gribble Community Centre. The Armadale Recreation Centre is a high-demand venue with limited availability and does not offer a main hall for hire which limits its suitability for larger functions. Evelyn Gribble Community Centre operates as a partially-leased facility, with its main hall predominantly booked by regular hirers every weekend and on three to four weekdays, resulting in minimal availability for casual or new bookings. There is an opportunity for additional high quality multi-purpose facilities which can cater for a range of functions across the City.

Additional hireable facilities within this area would also be conducive to supporting the delivery of the City's Social Priorities (Access to Essential Supports, Home and Community Safety and Children Young People and Families) by providing additional available spaces for the City and its partners to access and run programs and services within Armadale South.

Occupancy and Management Models

The following occupancy and management models are available for Council's consideration:

1. Officers negotiate a lease directly with Armadale Sporting Club for the entirety of the redeveloped Gwynne Park Pavilion as resolved in December 2021 (C39/12/21)

Benefits

- Continue with the status quo
- No impacts to Armadale Sporting Club's member clubs.

Considerations

- Access to the Main Hall and Change Rooms for the wider community will need to be organised directly through the Club. Activating the reserve and the main hall isn't the primary focus of a sporting association, potentially leading to less overall community usage
- Activation of the Main Hall may be limited and primarily used for purposes such as selling merchandise and storage (based on current facility usage trends of the function room)
- Occupying the whole facility would lead to a higher rent rate for the Club compared to the Club occupying a portion of the building
- Entering into a lease with the Club is subject to the Club's ability to successfully demonstrate the pre-leasing requirements through an evidence-based business case which is consistent with Policy – *Lease and Licence*
- The City has the option to consider a short term lease in the initial instance (for example a one year term) to ensure its satisfaction with the Club's management and compliance with the terms of the lease.

2. *Officers negotiate a lease directly with Armadale Sporting Club for a portion of the redeveloped Gwynne Park Pavilion*

Benefits

- The Main Hall, Change Rooms, First Aid Room, Massage Room and Umpire Rooms becomes available to the wider community to book and would be managed by the City.
- The Club and their member clubs can still access the Main Hall, Change Rooms, First Aid Room, Massage Room and Umpire Rooms through hiring from the City when required
- The City can ensure the activation of the Main Hall
- Promotes multi-use design principles
- Ensures greater accountability to rate payers with greater access to the facility by the wider community considering the significant investment by the City to redevelop the facility.
- The External Store Rooms would be made available to the Club's member clubs (who are also City seasonal hirers) through a hire arrangement with the City
- Forecasted increase in reserve bookings and revenue as change rooms will be able to be booked with usage of the reserves.

Considerations

- There would be less flexibility for the Club and its member clubs to utilise the Main Hall at any time
- The current usage of the facility by member clubs will likely be required to be altered to be able to accommodate usage within the Club Room. Noting that the Main Hall would be able to be hired if required
- Potential impacts to how the Club operates with its liquor licence with all member clubs primarily using and being based out of the Club Room – in particular the junior clubs
- This may impact the Club's revenue as they won't be able to hire out the Main Hall for other users. Officers understand that all members of the Club are not required to pay for hire of the current Function Room
- Occupying a portion of the facility would lead to a lower rent rate for the Club compared to the Club occupying the whole building
- Entering into a lease with the Club for a portion of the facility is subject to the Club's ability to successfully demonstrate the pre-leasing requirements through an evidence-based business case which is consistent with Policy – *Lease and Licence*.
- The City has the option to consider a short term lease in the initial instance (for example a one year term) to ensure its satisfaction with the Armadale Sporting Club's management and compliance with the terms of the lease.

3. *The entire redeveloped Gwynne Park Pavilion becomes a hireable community facility managed by the City.*

Benefits

- The Club and member clubs would still be able to be hire spaces within the facility. This would be consistent with other facilities where clubs hire on a seasonal basis and receive a level of priority for bookings
- The City would be able to maximise the activation of the entire facility ensuring access and opportunity for the wider community
- Promotes multi-use design principles
- Ensures greater accountability to rate payers with greater access to the facility by the wider community considering the significant investment by the City to redevelop the facility
- Forecasted increase in bookings for the City as multiple function spaces and change rooms will be able to be booked with usage of the reserves
- There would be an increase to the City's hiring revenue.

Considerations

- The Club's viability may be significantly impacted, noting that individual member clubs would be able to continue as they are separately incorporated associations
- The Club have been a long-standing tenant with the City for the Gwynne Park Pavilion
- There may be unintended consequences that this has on member clubs including but not limited to impacts to volunteer capacity and financial viability. These impacts would not be completely realised until engagement is conducted with stakeholders
- The current usage of the facility by member clubs will likely be required to be altered. It is unlikely that the preferences of all member clubs' access will be able to be accommodated
- The City would have increased maintenance, cleaning, utilities and other outgoing expenses which would offset some of the increase in hire revenue
- The Club and member clubs will not be able to leave equipment or equipment in situ within the hireable spaces which is consistent with other hireable facilities. The current facility currently has dart boards, memorabilia, pool tables, kitchen equipment and other equipment within the spaces which would be hireable
- This model would be ideal to be implemented and launched to the community as soon as the new facility is redeveloped. It is still possible to implement in the future dependent on circumstances and compliance by the Club with any new lease, however, this would be less ideal.

Armada Sporting Club Non-Compliance with Management Agreement

The Armada Sporting Club have repeatedly failed to provide their audited financial statements in accordance with clause 9.2 of their management agreement.

The Policy outlines that the term for occupancy arrangements shall be five years with a five year renewal option at the sole and absolute discretion of the City. However, Council may consider shorter terms for transitional arrangements. Based on the challenges that the City has experienced with the Club and their compliance with the management agreement, a shorter term of one year with a renewal option of five years may be suitable.

OPTIONS

1. Authorise the Chief Executive Officer to negotiate the key terms of the lease directly with Armada Sporting Club for the entirety of the redeveloped Gwynne Park Pavilion

as resolved in December 2021 (C39/12/21) with a five year term with a five year renewal option.

2. Authorise the Chief Executive Officer to negotiate the key terms of the lease directly with Armadale Sporting Club for the entirety of the redeveloped Gwynne Park Pavilion as resolved in December 2021 (C39/12/21) with a one year term with a five year renewal option.
3. Authorise the Chief Executive Officer to negotiate the key terms of the lease directly with Armadale Sporting Club for a portion of the redeveloped Gwynne Park Pavilion with a five year term with a five year renewal option for the following spaces: Club Room, Club Room Store, Club Room Cool Room, Club Room Kitchen, Club Room Servery, Cleaner Room 2, Club Additional Store, Meeting Room, Office and Game Day Room.
4. Authorise the Chief Executive Officer to negotiate the key terms of the lease directly with Armadale Sporting Club for a portion of the redeveloped Gwynne Park Pavilion with a one year term with a five year renewal option for the following spaces: Club Room, Club Room Store, Club Room Cool Room, Club Room Kitchen, Club Room Servery, Cleaner Room 2, Club Additional Store, Meeting Room, Office and Game Day Room.
5. Authorise the Chief Executive Officer to negotiate the key terms of the lease directly with Armadale Sporting Club for a portion of the redeveloped Gwynne Park Pavilion with a five year term with a five year renewal option for the following spaces: Main Hall, Main Hall Kitchen, Main Hall Servery, Main Hall Store 1, Main Hall Store 2, Table and Chair Store, Club Room, Club Room Store, Club Room Cool Room, Club Room Kitchen, Club Room Servery, Cleaner Room 2, Club Additional Store, Meeting Room, Office and Game Day Room.
6. Authorise the Chief Executive Officer to negotiate the key terms of the lease directly with Armadale Sporting Club for a portion of the redeveloped Gwynne Park Pavilion with a one year term with a five year renewal option for the following spaces: Main Hall, Main Hall Kitchen, Main Hall Servery, Main Hall Store 1, Main Hall Store 2, Table and Chair Store, Club Room, Club Room Store, Club Room Cool Room, Club Room Kitchen, Club Room Servery, Cleaner Room 2, Club Additional Store, Meeting Room, Office and Game Day Room.
7. Endorse the entire redeveloped Gwynne Park Pavilion to become a hireable community facility managed by the City.

CONCLUSION

The City is investing significant funds into the redevelopment of the Gwynne Park Pavilion and consideration should be provided to the most effective management model. Accessibility to the facility and reserves is somewhat limited under the current management model. There have been some challenges with the Club in recent times with relation to compliance with their respective management agreement. Council may consider alternative management models to activate the usage of the facility, reserves and ensure accountability and access to all ratepayers.

Option 4 is recommended for reasons outlined in the report.

ATTACHMENTS

1. Gwynne Park Pavilion - Managed Spaces

Officer Recommendation

That Council:

1. Authorise the Chief Executive Officer to negotiate the key terms of the lease with Armadale Sporting Club for a portion of the redeveloped Gwynne Park Pavilion with a one year term with a five year renewal option for the following spaces:
 - Club Room
 - Club Room Store
 - Club Room Cool Room
 - Club Room Kitchen
 - Club Room Served
 - Cleaner Room 2
 - Club Additional Store
 - Meeting Room
 - Office
 - Game Day Room.
2. Endorse the following areas to be managed by the City as hireable spaces:
 - a) Main Hall
 - b) Main Hall Kitchen
 - c) Main Hall Served
 - d) Main Hall Store 1 - 2
 - e) Table and Chair Store
 - f) Change Room 1 - 4
 - g) First Aid Room
 - h) Massage Room
 - i) Umpire Room 1 - 2
 - j) External Store 1 - 2
 - k) Cleaner Room 2
 - l) Female and Male WC
 - m) UAT and UAT Shower
 - n) Electric HWU
 - o) DB and Comms Room
 - p) FHR and Comms Room.
3. Request a further report be presented to Council with the key terms of the lease for Gwynne Park Pavilion.

Cr K Busby moved an alternate recommendation.

COMMITTEE RECOMMENDATION

C3/8/25

That Council be provided with a report on the financial health, sustainability and compliance with the current Management Agreement of the Armadale Sporting Club; and the matter of leased area and hireable spaces of the new Pavilion be deferred until the aforementioned report is received and considered by Council.

**Moved Cr K Busby
MOTION CARRIED**

4/0

2.3 - VARIATION TO ROLEYSTONE THEATRE LEASE

WARD : ALL
FILE No. : M/407/25
DATE : 1 July 2025
REF : AD/LA
RESPONSIBLE : Executive Director
MANAGER : Community Services

In Brief:

- In October 2023 Council endorsed (C/26/10/23) the key terms for the lease for Roleystone Theatre to Roleystone Theatre Incorporated (RTI).
- The official opening was in early April 2024 where the lease was executed by all parties.
- Approve and authorise the Chief Executive Officer to execute a Deed of Variation to the Lease with the Roleystone Theatre Inc located at the Roleystone Theatre situated 587 Brookton Highway, Roleystone as follows:
 - Updated fixtures and fittings Annexure as attached to this report.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

- 1.1.3 Support the development and sustainability of a diverse range of community groups.
1.3.1 Ensure the equitable provision of Community Facilities throughout the City.

Legal Implications

- The *Local Government Act* 1995 Section 3.58 – Disposing of Property

- *Local Government (Functions and General) Regulations 1996, Regulation 30 – Dispositions of property to which section 3.58 of the Local Government Act 1995 does not apply i.e. exempt dispositions.*

Council Policy/Local Law Implications

Policy – Lease and Licence

Budget/Financial Implications

Nil

Consultation

1. Roleystone Theatre Incorporated (RTI)
2. City Departments
 - a. Recreation Services
 - b. City Legal
 - c. Program Delivery

BACKGROUND

The City of Armadale (the City) closed the Roleystone Theatre in February 2018 to ensure the safety of the public following identification of structural issues with the building. This was reported to Council in February 2018 (T5/2/18).

In December 2018 a preliminary needs and feasibility analysis on future options for the Roleystone Theatre was presented to Council (C37/12/18).

In October 2023, Council endorsed the key terms of the lease for with Roleystone Theatre Inc. for the Roleystone Theatre (CE/26/10/23). The official reopening of the Roleystone Theatre was held in early April 2024 and the lease document was signed by all parties.

RTI raised some concerns with the accuracy of the Fixtures and Fittings annexure when they were presented with the lease. Due to the time sensitivities, a review was unable to be completed prior to the opening and execution of the lease. It was agreed that RTI wanted to complete a review, if CoA were satisfied with the changes, it would be able to progress to a deed of variation, so it was formally documented accurately.

RTI have reviewed the amended fixtures and fitting document and are satisfied that it is an accurate representation. The City's Program Delivery team have also reviewed the documentation and are also satisfied that it is an accurate representation of what is in the facility.

DETAILS OF PROPOSAL

This report seeks Council endorsement to vary the Roleystone Theatre Inc's lease to update the Fixtures and Fittings Annexure. Both the original executed Annexure and the updated Annexure have been attached to this report.

COMMENT

A detailed review and audit has been completed by the Program Delivery team on the fixtures and fittings which were included in the facility during the construction phase. Officers across internal departments as well as Roleystone Theatre Inc. are satisfied with the updated Annexure and its accuracy. As per delegated authority 1.1.3 and *Local Government Act 1995 – s9.49A(4) – Execution of Documents*, the CEO is required to sign the documentation, a deed of variation is required to update the lease and accurately reflect the fixtures and fittings which are included in the facility.

Failing to complete a variation results in an inaccurate representation of the fixtures and fittings owned by the City. This presents a significant risk, as the City lacks a clear and documented understanding of the assets currently located at Roleystone Theatre. Should RTI vacate the premises at any point, the absence of a variation could lead to disputes or confusion regarding the ownership and responsibility for these fixtures and fittings.

OPTIONS

1. Approve and authorise the Chief Executive Officer to execute a Deed of Variation to the Lease with the Roleystone Theatre Inc located at the Roleystone Theatre situated 587 Brookton Highway, Roleystone as follows:
 1. Updated fixtures and fittings Annexure as attached to this report.
2. Do not authorise the Chief Executive Officer to execute a deed of variation for the lease between the City of Armadale and Roleystone Theatre Inc.

CONCLUSION

The attached document is an accurate record of the fixtures and fittings located at Roleystone Theatre. This document has been reviewed by both City Officers and RTI.

Option 1 is recommended for the reasons outlined in the report.

ATTACHMENTS

1. Roleystone Theatre Fixtures and Fittings - Current
2. Proposed FFE for Roleystone Theatre Lease - July 2025

RECOMMEND

C4/8/25

That Council approve and authorise the Chief Executive Officer to execute a Deed of Variation to the Lease with the Roleystone Theatre Inc located at the Roleystone Theatre situated 587 Brookton Highway, Roleystone as follows:

- 1. Updated fixtures and fittings Annexure as attached to this report.**

**Moved Cr K Busby
MOTION CARRIED**

4/0

3.1 - CITY OF ARMADALE CAT AMENDMENT LOCAL LAW

WARD : ALL

FILE No. : M/439/25

DATE : 15 July 2025

REF : RP/DB

RESPONSIBLE : Executive Director
MANAGER Community Services

In Brief:

- The report presents recommended amendments to the Cat Local Law 2024 as required by an undertaking made to the Joint Standing Committee on Delegated Legislation (JSCDL).
- Recommend that Council confirm the proposed City of Armadale Cat Amendment Local Law as presented in this report and invite public comment as required under the *Local Government Act 1995*.

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

The following goal from the Strategic Community Plan 2020 – 2030 is relevant;

Aspiration 4 Leadership
Outcome 4.1 Strategic Leadership and Effective Management
Objective 4.1.3 Develop organisational frameworks to achieve consistency, transparency and clarity of decision-making processes.

Legal Implications

Local Government Act 1995

s3.12 Procedure for making local laws

The *Local Government Act 1995* sets out the process for the making of a local law, this process is the same for the making of an amendment local law.

Council Policy/Local Law Implications

The recommendation before Council will require amendment of the City of Armadale Cat Local Law 2024.

Budget/Financial Implications

There are costs associated with advertising the draft amendment Local Law to give effect to JSCDL undertakings should the recommendation be supported, however, this can be accommodated within existing budget provisions.

Consultation

1. City Legal (internal)
2. Executive Leadership Team
3. Joint Standing Committee of Delegated Legislation

BACKGROUND

At the Ordinary Council meeting on 24 April 2023 Council resolved to support a draft Cat Local Law being advertised for public notice in accordance with the *Local Government Act 1995* (C8/4/23).

That Council:

1. *Endorses Option 3 with the additional bushland areas as attached added to Schedule 3 as cat prohibited areas, and an amendment to the number of cats to be kept as four without a permit, as its preferred model of a proposed cat local law;*
2. *In accordance with section 3.12(3)(a) of the Local Government Act 1995, give local public notice of the proposed draft cat local law with the purpose and effect of the proposed local law to be summarised in the notice;*
3. *Note that any public and Ministerial responses will be reported to Council for consideration prior to making of the local law and publication in the Government Gazette; and*
4. *Authorise the CEO to undertake necessary administrative actions in order to give effect to (1) above.*
5. *Authorise the CEO to write to Minister John Carey and the Department of Local Government, Sport and Cultural Industries seeking immediate action to amend the State Cat Act 2011 to include the confinement of cats to premises.*

MOTION not opposed, DECLARED CARRIED

(11/0)

At the Ordinary Council meeting on the 16 December 2024 Council subsequently resolved to adopt the draft Cat Local Law (C3/12/24).

That Council:

1. *In accordance with section 3.12(4) of the Local Government Act 1995 and section 79(1) of the Cat Act 2011, make the Cat Local Law 2024 as attached to this report.*
2. *Authorise the Chief Executive Officer to –*
 - (a) *pursuant to section 3.12(5) of the Act, give a copy of the Cat Local Law 2024 to the Minister for Local Government, and publish the Cat Local Law 2024 in the Government Gazette;*
 - b) *pursuant to section 3.12(6) of the Act, give local public notice, with the purpose and the effect of the Cat Local Law 2024 summarised in the notice, specifying the date on which the Cat Local Law 2024 comes into operation, and where it may be viewed by the public; and*

- c) *pursuant to section 3.12(7) of the Act, give a signed Explanatory Memoranda and Explanatory Memoranda check list, copies of the Cat Local Law 2024 and any other materials required, to the Clerk of the Joint Standing Committee on Delegated Legislation.*

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

(12/0)

The City of Armadale Cat Local Law 2024 was published in the *Government Gazette* on 22 January 2025 (No. 8 of 2025 – Special) and took effect on the 5 February 2025.

As part of the local law-making process, the City was required to provide the gazetted version of the local law and supporting information to Parliament for review by the JSCDL in accordance with Directions of the Minister for Local Government.

The JSCDL subsequently wrote to the City on 23 June 2025 regarding the City's Cat Local Law seeking the following undertakings be provided:

1. *within 6 months amend the local law as follows:*
 - a) *delete the definition of 'effective control' in clause 1.4*
 - b) *delete clause 2.2*
 - c) *amend clauses 2.4(1) and (2) as follows:*
 - (1) *The owner of a cat, ~~or any other person responsible for a cat,~~ shall not allow the cat to create a nuisance.*
 - (2) *Where a cat is creating a nuisance, the local government may give a Notice to the owner of the cat ~~or any other person in control of the cat,~~ requiring that person to abate the nuisance.*
 - d) *amend clause 4.2(2)(c) by deleting the phrase 'veterinary clinic or veterinary hospital as defined under section 2 of the Veterinary Surgeons Act 1960' and replacing it with the equivalent places and definitions in the Veterinary Practice Act 2021*
 - e) *amend clause 4.4(g) as follows:*
 - (g) *accompanied by written evidence that either the applicant or another person who will have charge of the cats, will reside at the single or multiple dwelling or on the premises or, in the opinion of the local government, sufficiently close to the single or multiple dwelling or premises so as to ~~maintain effective control of the cats and~~ ensure ~~their~~ the health and welfare of the cats.*
 - f) *delete clause 4.8(1)(a)*
 - g) *delete clause 4.8(1)(f)*
 - h) *amend clause 8.2(1) by replacing the reference to section 84[sic 81] with a reference to section 62*
 - i) *delete Schedule 2, item 2*
 - j) *make all consequential amendments arising from the above amendments.*
2. *not enforce the local law to the contrary before it is amended in accordance with undertaking 1*
3. *ensure that a copy of these undertakings accompanies the local law wherever it is made publicly available by the City, whether in hard copy or electronic form.*

The undertakings should be given in the form of a letter signed by the Mayor, not the Chief Executive Officer or other officer of the City of Armadale. This is because, pursuant to section 2.8(1)(d) of the Local Government Act 1995, the 'Mayor or President speaks on behalf of the local government' to the Parliament of Western Australia.

At the Ordinary Council meeting on the 14 July 2025 Council subsequently resolved to provide an undertaking to the JSCDL, and proceed with the preparation of an amendment local law in accordance with section 3.12 of the *Local Government Act 1995*, to give effect to JSCDL undertakings. (C4/7/25).

That Council:

1. *Notes the letter from the Joint Standing Committee on Delegated Legislation.*
2. *Resolves to undertake to the Joint Standing Committee on Delegated Legislation that it will initiate the local law amendment process set out in section 3.12 of the Local Government Act 1995, with the purpose and intent to amend the City of Armadale Cat Local Law 2024 within eight months as follows;*
 - a) *delete the definition of 'effective control' in clause 1.4*
 - b) *delete clause 2.2*
 - c) *amend clauses 2.4(1) and (2) as follows:*
 - (1) *The owner of a cat, ~~or any other person responsible for a cat,~~ shall not allow the cat to create a nuisance.*
 - (2) *Where a cat is creating a nuisance, the local government may give a Notice to the owner of the cat ~~or any other person in control of the cat,~~ requiring that person to abate the nuisance.*
 - d) *amend clause 4.2(2)(c) by deleting the phrase 'veterinary clinic or veterinary hospital as defined under section 2 of the Veterinary Surgeons Act 1960' and replacing it with the equivalent places and definitions in the Veterinary Practice Act 2021*
 - e) *amend clause 4.4(g) as follows:*
 - (g) *accompanied by written evidence that either the applicant or another person who will have charge of the cats, will reside at the single or multiple dwelling or on the premises or, in the opinion of the local government, sufficiently close to the single or multiple dwelling or premises so as to ~~maintain effective control of the cats and ensure their~~ the health and welfare of the cats.*
 - f) *delete clause 4.8(1)(a)*
 - g) *delete clause 4.8(1)(f)*
 - h) *amend clause 8.2(1) by replacing the reference to section 84 with a reference to section 62*
 - i) *delete Schedule 2, item 2*
 - j) *make all consequential amendments arising from the above amendments.*
3. *Instructs the Chief Executive Officer not to enforce the City of Armadale Cat Local Law 2024 to the contrary before it is amended in accordance with the undertakings given in point 2 above.*

4. *Ensure that a copy of the undertakings, given in point 2 above, accompanies the City of Armadale Cat Local Law 2024 wherever it is made publicly available by the City, whether in hard copy or electronic form.*
5. *Instructs the Chief Executive Officer to prepare a letter to the Joint Standing Committee on Delegated Legislation advising of the Council resolution, for the Mayor's signature.*
6. *Instructs the Chief Executive Officer to prepare an Amendment Cat Local Law in accordance with section 3.12 of the Local Government Act 1995, to give effect to JSCDL undertakings.*

MOTION not opposed, DECLARED CARRIED

(12/0)

DETAILS OF PROPOSAL

It is proposed Council amend the Cat Local Law 2024 and the City commence the process to make an amendment local law in accordance with section 3.12 of the *Local Government Act 1995* (Act) in order to meet the conditions of the undertakings provided to the JSCDL.

It is proposed that the City of Armadale Cat Amendment Local Law, as presented in the attachment to this report, be endorsed by Council and public comment is invited as required under the Act.

Notwithstanding the undertaking given by Council to amend the Local Law at the request of the JSCDL, all of the procedural requirements of the Act in terms of local law making must be observed.

Once Council has resolved to give local public notice (not less than 6 weeks for submissions), it must also provide a copy of the proposed local law to the Minister, as well as to any person requesting it [Act, s. 3.12(3)]. This process allows the DLGSC to provide feedback to the City, and any requested amendments can be incorporated into the local law. This process will also allow the DLGSC to check the draft local law for compliance with JSCDL instructions.

After the last day for submissions, Council is to consider any submissions, and may make the local law as proposed, provided it is not significantly different from what was proposed [Act, s. 3.12(4)].

Caretaker Period

In 2025, Council's ability to make a local law is impacted by the local government election period, due to the caretaker provisions of the Act being in operation for the first time. Section 3.73(1) of the Act defines a significant act to include the making or amending of a local law:

"...significant act means any of the following —

- (a) making a local law (including making a local law to amend or repeal a local law).."*

Section 1.4A of the Act specifies that the caretaker period commences on the day of the close of nominations (4 September 2025) and ends on the day the Returning Officer of the City's election declares the election result. This is expected to be in the week after the local government election on 18 October 2025, but may be variable depending on any issues that may arise finalising the counting of ballots to determine the election result.

This means Council is prohibited from making or amending the local law in this approximately 2-month period.

After the expiry of the caretaker period, and the matter is to proceed, Council must resolve by absolute majority to make the local law [Act, s. 3.12(4)]. Once made, the City will be required to publish the local law in the *Gazette* and give a copy of it to the Minister. Local public notice is again required [Act, s. 3.12(5), (6)].

COMMENT

The proposed City of Armadale Cat Amendment Local Law as contained in **Attachment 1** has been drafted to amend the City of Armadale Cat Local Law 2024 (refer **Attachment 2**) as requested by the JSCDL.

For convenience, a tracked changes version of the City of Armadale Cat Local Law 2024 to demonstrate the amendments has been prepared as contained within **Attachment 3**.

OPTIONS

There are two (2) options available to Council:

1. Endorse the City of Armadale Cat Amendment Local Law as presented to Council herein, and endorse the commencement of the public notice period, and present a copy of the Amendment Local Law to the Minister; or
2. Amend the City of Armadale Cat Amendment Local Law prior to endorsing for public notice and presentation to the Minister. ~~or~~

Option 1 is recommended.

CONCLUSION

Whilst the City of Armadale Cat Amendment Local Law will see the removal of some beneficial provisions, it principally still meets the expectations and needs of the community, wildlife and the environment. Therefore, it is recommended that that Council confirm the proposed amendment local law as presented in this report and invite public comment as required under the *Local Government Act 1995*.

ATTACHMENTS

1. City of Armadale Cat Amendment Local Law
2. City of Armadale Cat Local Law 2024
3. City of Armadale Cat Local Law 2024 - Track Change - Inclusive of City of Armadale Cat Amendment Local Law Changes

RECOMMEND

That Council:

1. In accordance with section 3.12(3)(a) of the *Local Government Act 1995*, give local public notice that it proposes to make the City of Armadale Cat Amendment Local Law with the purpose and effect of the proposed local law to be summarised in the notice as follows:
 - (a) the *purpose* of the proposed amendment local law is to implement the Undertaking given by the **City of Armadale Council** on 14 July 2025 to the Joint Standing Committee for Delegated Legislation, in respect of amendments required to the City of Armadale Cat Local Law 2024; and
 - (b) the *effect* of the proposed local law is that the Cat Local Law 2024 will be amended in the manner required by the Undertaking.
2. Further that the notice advise that copies of the City of Armadale Cat Amendment Local Law, as attached, may be inspected or obtained at places specified in the notice, with submissions about the proposed amendments able to be made on a day to be specified not less than 6 weeks after the notice is given;
3. Pursuant to Section 3.12(3)(b) of the *Local Government Act 1995*, give a copy of the proposed City of Armadale Cat Amendment Local Law and a copy of the notice to the Minister and provide a copy of the proposed local law, in accordance with the notice, to any person requesting it;
4. Note that any public and Ministerial responses will be reported to Council for consideration prior to making of the City of Armadale Cat Amendment Local Law and publication in the *Government Gazette*; and
5. Authorise the CEO to undertake any necessary administrative actions in order to give effect to (1-4) above.

COUNCILLORS' ITEMS

Nil

EXECUTIVE DIRECTOR COMMUNITY SERVICES REPORT

Nil

MEETING DECLARED CLOSED AT 8.09pm

COMMUNITY SERVICES COMMITTEE SUMMARY OF ATTACHMENTS 5 AUGUST 2025		
ATT NO.	SUBJECT	
1.1 AMENDMENT TO THE PERTH KILT RUN 2025		
1.1.1	Perth Kilt Run 2019 - Route Map	
2.1 OCCUPANCY AT WILLIAM SKEET PAVILION		
2.1.1	William Skeet Pavilion - Managed Spaces	
2.2 OCCUPANCY AT GWYNNE PARK PAVILION		
2.2.1	Gwynne Park Pavilion - Managed Spaces	
2.3 VARIATION TO ROLEYSTONE THEATRE LEASE		
2.3.1	Roleystone Theatre Fixtures and Fittings - Current	
2.3.2	Proposed FFE for Roleystone Theatre Lease - July 2025	
3.1 CITY OF ARMADALE CAT AMENDMENT LOCAL LAW		
3.1.1	City of Armadale Cat Amendment Local Law	
3.1.2	City of Armadale Cat Local Law 2024	
3.1.3	City of Armadale Cat Local Law 2024 - Track Change - Inclusive of City of Armadale Cat Amendment Local Law Changes	

The above attachments can be accessed from the Minutes of the Community Services Committee meeting of 5 August available on the City's website

CHIEF EXECUTIVE OFFICER’S REPORT

11 AUGUST 2025

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1.1 - CONTRACT OF EMPLOYMENT - SENIOR EMPLOYEE

WARD : ALL

FILE No. : M/476/25

DATE : 6 August 2025

REF : SD

RESPONSIBLE MANAGER : Chief Executive Officer

In Brief:

- A confidential report is presented as an attachment to this Agenda

Tabled Items

Nil

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

Leadership and Innovation

4.1 Strategic Leadership and effective management

Legal Implications

Sections 5.36, 5.38 and 5.39 of the *Local Government Act 1995*

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

The Executive Director Development Services' salary is incorporated into the Corporate Services Directorate's salaries Budget.

COMMENT

This matter is subject of a Confidential report by the CEO pertaining to the employment and performance of a senior employee. In terms of Section 5.23(2)(a) of the Local Government Act 1995, the matter is to be discussed behind closed doors.

ATTACHMENTS

1. Confidential Report - Contract of Employment - Executive Director Development Services - 11 August 2025 - *This matter is considered to be confidential under Section 5.23(2) (a) of the Local Government Act, as the matter affects an employee of Council*

RECOMMEND

CEO1/8/25

Refer confidential Report

1.2 - COUNCILLORS INFORMATION BULLETIN - ISSUE NO 12/2025

WARD : ALL

FILE No. : M/91/25

DATE : 7 August 2025

REF : MC

RESPONSIBLE : Chief Executive Officer
MANAGER

In Brief:

- Councillor's Information Bulletin – Councillors are advised to take note of the information submitted in Issue No. 12/2025 to be received by Council

The following general information and memorandums were circulated in Issue No 12/2025 on 7 August 2025.

COMMENT

Correspondence & Papers

NIL

Information from CEO Office

Employee Movements
Upcoming Social Media Posts

Information from Technical Services

NIL

Information from Community Services

NIL

Information from Corporate Services

Outstanding Matters & Information Items

Report on Outstanding Matters – Corporate Services Committee

Economic Development

Tourism & Visitor Centre Report

Report of the Common Seal

Information from Development Services

Outstanding Matters & Information Items

Report on Outstanding Matters - Development Services Committee

Review before the State Administrative Tribunal (SAT)

Health

Health Services Manager's Report – January 2025

Planning

Planning Applications Report – January 2025

Schedule of current Town Planning Scheme No.4 Amendments

Subdivision Applications - WAPC Approvals/Refusals – Dec 24 - January 2025

Subdivision Applications - Report on Lots Registered 2024/2025

Compliance Officer's Report – January 2025

Building

Building Services Manager's Report - January 2025

Building Health/Compliance Officer's Report – January 2025

Building Services – Reviews before SAT – January 2025

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

CEO2/8/25

That Council acknowledge receipt of Issue 12/2025 of the Information Bulletin



ORDINARY MEETING OF COUNCIL
MONDAY, 28 JULY 2025

MINUTES

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CITY OF ARMADALE

MINUTES

OF ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 28
JULY 2025 AT 7.03PM.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Mayor Butterfield, declared the meeting open at 7.03 pm.

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

PRESENT:

Her Worship, Mayor R Butterfield presided over

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

IN ATTENDANCE:

Mr J Lyon	A/Chief Executive Officer
Mr P Sanders	Executive Director Development Services
Mr M Southern	Executive Director Technical Services
Mrs S Van Aswegen	Executive Director Community Services
Mrs S D'Souza	CEO's Executive Assistant

Public: Nil

LEAVE OF ABSENCE:

Leave of Absence previously granted to Dr C M Wielinga and Cr M J Hancock

APOLOGIES:

Apology received from Cr S J Mosey

4 PUBLIC QUESTION TIME

Nil

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 14 JULY 2025.

MOVED Cr L Sargeson that the Minutes of the Ordinary Council Meeting held on 14 July 2025 be confirmed as a true and accurate record.

MOTION not opposed, DECLARED CARRIED

12/0

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

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1 Mayor's Announcements - 15 July to 28 July 2025

Wednesday 16 July 2025

Attended the Department of Communities (DoC) Tree Planting event outside of Orchard House. This event was part of the NAIDOC week celebrations where the DoC staff would assist with planting in the City garden bed. Great opportunity to meet the staff from the DoC.

Thursday 17 July 2025

Presided over a Public Citizenship Ceremony held in the City's Function Room where we welcomed 50 new citizens. We were pleased to be joined by Matt Keogh, (Federal) Member for Burt; Minister for Defence Personnel; Minister for Veterans' Affairs and Trish Cook MP (Federal) Member for Bullwinkel on this occasion. Deputy Mayor John Keogh and Councillors Smith, Sargeson and Peter also attended the ceremony.

Friday 18 July 2025

Attended the funeral of Irene Morcombe, a long-time volunteer for The Wildflower Society of WA. Irene was a founding member in 1961 of the Armadale-Kelmscott Wildflower Society (now Armadale branch), and served on the committee in various roles. She was also a founding member of the Bungendore Park Management Committee, where she served as secretary until recently. Irene also wrote and published many books and publications with her husband Michael Morcombe AM, who sadly passed away less than three weeks before Irene .

Sunday 20 July 2025

Attended the Champion Lakes Residents Association grand opening morning tea. Special guests included Dr Tony Buti MLA and members of the CLRA committee. I was joined by Councillor Smith.

Friday 25 July 2025

Deputy Mayor John Keogh hosted the Hon Rita Saffioti MLA, Deputy Premier; Treasurer; Minister for Transport; Sport and Recreation and Hon Dr Tony Buti MLA, Attorney General; Minister for Commerce; Tertiary and International Education; Multicultural Interests at a Sod Turning event at Morgan Park. The sod turning marks the beginning of the \$5.8M construction of a new pavilion at Morgan Park. Councillors Peter, Smith, Silver and Mosey, were also in attendance, along with members of City's staff.

Sunday 27th July 2025

The announcement was made (by Rita Saffioti) that the Armadale train line would reopen to passengers on Monday 13th October 2025. The commute from Byford to Perth is expected to take 46 minutes and cost \$2.80 with an autoload Smartrider. The reopening of the rail line will be very welcome news to our community and we look forward to less congestion on our roads as residents choose public transport rather than cars.

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

Nil

10 REPORTS

10.1 DEVELOPMENT SERVICES COMMITTEE MEETING

Report of the Development Services Committee held on 21 July 2025.

MOVED Cr M Silver that the report be received.

MOTION not opposed, DECLARED CARRIED

12/0

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

BUSINESS ARISING FROM REPORT

Recommendation D1/7/25 - Roleystone Community Garden Security Update

MOVED Cr M Silver

That Council:

- 1. Note the contents of this report and the results of the trial use of the Mobile Closed-Circuit Television (MCCTV) trailer at the Roleystone Community Garden.**

MOTION not opposed, DECLARED CARRIED

12/0

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

Recommendation D2/7/25 - Review of delegations - Development Services Directorate

MOVED Cr M Silver

That Council:

- 1. In accordance with clause 82 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and section 5.42(1)(b) of the *Local Government Act 1995*, make the following delegations of authority to the Chief Executive Officer, for the powers and functions prescribed in the respective instruments –**
 - a) 9.1.1 Developer Contribution Plans – acquisition of land, credit offsets contributions**
 - b) 9.1.2 Town Planning Scheme No. 4 – development control**
 - c) 9.1.3 Determine applications involving properties listed on the Municipal Heritage Inventory or Local Heritage Survey**
 - d) 9.1.5 Issue, refuse and rescind Tree Preservation Notices**
 - e) 9.1.6 Exercise discretion on behalf of Council to reach determination, where appropriate, of appeals processed by mediation**
 - f) 9.1.7 Structure Plans and Local Development Plans**
 - g) 9.1.8 Enforcement and Direction Notices – *Planning and Development Act 2005***
- 2. Repeal the following delegations of authority to the Chief Executive Officer –**
 - a) DS 1.0 Planning powers and duties**
 - b) DS 4.0 Strata title certificates**
 - c) DS 7.0 Exercise Powers under the Town Planning Scheme Policies, and provide advice/recommendations to the WAPC for Subdivisions, Amalgamations, Strata and Survey Strata applications for all areas of the City**
 - d) DS 8.0 Exercise discretion on behalf of Council to reach determination, where appropriate, of appeals processed by mediation**
 - e) DS 9.0 Determine applications involving properties listed on the municipal heritage inventory or Local Heritage Survey**
 - f) DS 10.0 Determine the necessity, duration and extent of advertising of development services applications**

- g) **DS 11.0 Determine requests for tree removal or maintenance**
 - h) **DS 12.0 Make Decisions, Recommendations and Determine Structure Plans, Activity Centre Plans and Local Development Plans Under Parts 4.5 and 6 of the Deemed Provisions.**
 - i) **DS 13.0 Authority to implement works or grant Credit offsets for infrastructure works in a Development Contribution Plan included in Town Planning Scheme No. 4**
 - j) **DS 14.0 Issue, Refuse, and Rescind Tree Preservation Notices**
3. **Review, for the purposes of compliance with section 5.46(2) of the *Local Government Act 1995*, delegation '1.1.15 Notices requiring certain things to be done by owner or occupier of land'; and**
4. **Authorise the Chief Executive Officer to correct any minor formatting or grammatical errors that may be identified in the above instruments, provided any such corrections do not alter the content of the delegation.**

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

12/0

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

10.2 CORPORATE SERVICES COMMITTEE MEETING

Report of the Corporate Services Committee held on 22 July 2025.

MOVED Cr S Peter that the report be received.

MOTION not opposed, DECLARED CARRIED

12/0

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

BUSINESS ARISING FROM REPORT

Recommendation CS1/7/25 - List of Accounts Paid - May 2025

MOVED Cr S Peter

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

Municipal Fund

Accounts and direct debits paid totaling \$11,412,512.25, cheque numbers 484 to 493, transactions 30438 to 31364 and Payrolls dated 11 May and 25 May 2025.

Credit Cards

Accounts paid totalling \$7,408.63 for the period ended 26 May 2025.

Fuel Cards

Accounts paid totalling \$14,364.40 for the month ended 31 May 2025.

MOTION not opposed, DECLARED CARRIED

12/0

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

Recommendation CS2/7/25 - Statement of Financial Activity - May 2025

MOVED Cr S Peter

That Council:

- 1. Pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* accept the Statement of Financial Activity for the eleventh (11) month period ended 31 May 2025.**
- 2. Note that there are reportable actual to budget material variances for the year-to-date period ending 31 May 2025.**
- 3. Note the \$59.51 small rates debts written off under Delegation 1.1.22 and Sub Delegation 1.2.22.**

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

12/0

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

Recommendation CS3/7/25 - Debt Write Offs

MOVED Cr S Peter

That Council, pursuant to Section 6.12 of the *Local Government 1995*, write off the following debts owed to the City:

- 1. Estate of E A Martin - \$24,068.00**
- 2. Messy Mats \$3,585.75.**

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

12/0

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

Recommendation CS4/7/25 - Strategic Community Plan (SCP) Review - Update

MOVED Cr S Peter, SECONDED Cr M Silver

OPPOSED Mayor Butterfield

That Council approve the draft Strategic Community Plan (SCP) Aspirations, Outcomes and Objectives as attached, to be used in further community engagement, with the following amendments:

- 1. Amend:– achieve the corporate Target of net Zero by 2030 and reduce the city's carbon footprint; to:- plan to achieve the corporate Target of net Zero by 2030 and reduce the city's carbon footprint; and**
- 2. Add back 3.1.6 [Advocate for investment in industrial precincts and form strategic partnerships for development.]**

MOTION LOST

4/8

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

MOVED Cr L Sargeson

That Council approve the Draft Strategic Community Plan (SCP) Aspirations, Outcomes and Objectives as attached to be used in further community engagement.

MOTION not opposed, DECLARED CARRIED 12/0

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

Recommendation CS5/7/25 - Revoke Policy ADM3 Conferences, Seminars and Training

MOVED Cr S Peter

That Council revoke Council Policy ADM 3 Conferences, Seminars and Training.

MOTION not opposed, DECLARED CARRIED 12/0

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

Recommendation CS6/7/25 - DLGSC Consultation Paper - Mandatory Communications Agreements

MOVED Cr S Peter

That Council:

- 1. Conditionally support the reforms proposed by the Department of Local Government, Sport and Cultural Industries in respect of proposed amendments to the *Local Government (Administration) Regulations 1996* for the implementation of mandatory communications agreements, and the proposed Local Government (Default Communications Order) 2025.**
- 2. That the basis of Council's submission is that set out in Table 1 of this report.**

MOTION not opposed, DECLARED CARRIED 12/0

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

Recommendation CS7/7/25 – National Economic Development Conference 2025

RECOMMEND

That Council:

Nominates Cr S Peter and Cr M Silver to attend the National Economic Development Conference to be held in Newcastle, NSW on 28-30 October 2025.

MOTION not opposed, DECLARED CARRIED 12/0

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

Recommendation CS8/7/25 - Consultant and Contractor Cost (Referral Item)

MOVED Cr L Sargeson, SECONDED Cr J Keogh
OPPOSED Cr K Busby

That a separate list of payments to contractors and consultants be provided to Council on a monthly basis.

MOTION LOST

3/9

FOR: Cr Sargeson, Cr Silver, Cr Virk

AGAINST: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Hetherington, Cr Smith, Cr Busby, Cr Stoneham

MOVED Cr S Peter

That Council note the Officer Comment.

MOTION not opposed, DECLARED CARRIED

12/0

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

Recommendation CS9/7/25 - Mayor's Announcements (Referral Item)

MOVED Cr S Peter

That Council note the Officer Comment.

MOTION not opposed, DECLARED CARRIED

12/0

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

Recommendation CS10/7/25 - Information Communication Technology (ICT) Strategic Plan - Update - Confidential Item Cover Report

MOVED Cr S Peter

That the Recommendation in the attached Confidential Report be adopted.

MOTION not opposed, DECLARED CARRIED

12/0

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

10.3 CHIEF EXECUTIVE OFFICER'S REPORT
Report of the Chief Executive Officer.

MOVED Cr S Peter that the report be received.

MOTION not opposed, DECLARED CARRIED

12/0

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

BUSINESS ARISING FROM REPORT

Mayor declared that under Clause 10.6 of the Standing Orders Local Law, the meeting will deal with Recommendation CEO1/7/25 in parts.

Recommendation CEO1/7/25 - Annual Budget - Financial Year 2025/26

MOVED Cr K Busby that part (1) of Recommendation CEO1/7/25 be adopted.

That Council:

- 1. Pursuant to Section 6/11 (1) of the *Local Government Act 1995*, establishes an Urban Forest Strategy Reserve Account for the purpose of delivery of urban forest strategy initiatives.**

MOTION not OPPOSED, DECLARED CARRIED

12/0

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

MOVED Cr K Busby that part (2) of Recommendation CEO1/7/25 be adopted.

- 2. NOTE the approval of the Minister for Local Government provided on 24 July 2025 under s.6.35(5) of the *Local Government Act 1995*, to impose a minimum payment on vacant land of \$1,221, that does not comply with subsections (2), (3) or (4) of Section 6.35 of the *Local Government Act 1995*.**

MOTION not OPPOSED, DECLARED CARRIED

12/0

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

MOVED Cr K Busby that part (3) of Recommendation CEO1/7/25 be adopted.

- 3. Pursuant to sections 6.32, 6.33 and 6.35 of the *Local Government Act 1995*, IMPOSE differential rates for the 25/26 financial year, based on whether the land is vacant land or the zoning of the land, in accordance with the following table:**

Gross Rental Value Properties

<i>Differential Rate Category</i>	<i>Rate in the \$</i>	<i>Minimum Rate</i>
<i>Vacant Land</i>	<i>15.6916c</i>	<i>\$1,265</i>
<i>Residential Improved</i>	<i>10.1225c</i>	<i>\$1,460</i>
<i>Business Improved</i>	<i>10.5632c</i>	<i>\$1,698</i>

Unimproved Value Properties

<i>General & Minimum Rate</i>	<i>0.5118c</i>	<i>\$1,748</i>
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**MOTION DECLARED CARRIED BY AN ABSOLUTE
MAJORITY RESOLUTION OF COUNCIL**

(12/0)

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

MOVED Cr K Busby That parts (4) to (7) of Recommendation CEO/1/7/25 be adopted.

4. Pursuant to sections 6.32 and 6.37 of the *Local Government Act 1995*, IMPOSE specified area rates for the 2025/26 financial year in accordance with the following table and as set out in Note 2 of the Annual Budget:

Specified Area	Rate in \$/ (Cents)	No. of Properties	Rateable Value (\$GRV)	SAR to be Levied
A- Armadale Town Centre	0.4617	89	29,499,479	\$136,200
B- Kelmscott Town Centre	0.9329	80	8,264,649	\$77,100
C- Kelmscott Industrial Area	0.1800	348	12,555,777	\$22,600
D- South Armadale Industrial Area	0.3713	142	6,950,798	\$26,000
F - Harrisdale/Piara Waters	0.2848	5,100	120,793,474	\$344,000
G - Champion Lakes	0.2435	333	6,154,340	\$15,000

5. In accordance with the provisions of 36B and 36L of the *Fire and Emergency Services Authority of Western Australia Act 1998*, IMPOSE the 2025/26 State Government Emergency Services Levy Rates and Minimum and Maximum Payments on Residential, Vacant Land, Commercial, Industrial and Miscellaneous Lots as follows:

ESL Category	ESL Rate (Per \$GRV)	Minimum and Maximum ESL Charges By Property Use			
		Residential, Farming, and Vacant Land		Commercial, Industrial, and Miscellaneous	
		Minimum	Maximum	Minimum	Maximum
1	0.015216	\$108	\$533	\$108	\$305,000
2	0.011412	\$108	\$400	\$108	\$229,000
3	0.007608	\$108	\$267	\$108	\$153,000
4	0.005325	\$108	\$187	\$108	\$107,000
5	Fixed Charge \$108				
Mining Tenements	Fixed Charge \$108				

6. In accordance with the provisions of section 67, Division 3, Part 6 of the *Waste Avoidance and Recovery Act 2007*, IMPOSE the following domestic and commercial waste charges for the 2025/26 financial year:

Residential Waste Charge (weekly rubbish and fortnightly recycling)	Per Annum	\$449
Commercial Waste Charge (weekly rubbish and fortnightly recycling)	Per Annum	\$447.50
Additional Waste Refuse Service	Per Annum	\$320
Additional Recycling Service	Per Annum	\$102.50

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

One instalment:

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

Two Instalments:

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

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

Four Instalments:

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

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

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

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

(12/0)

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

MOVED Cr K Busby that part (8) of Recommendation CEO1/7/25 be adopted.

8. In accordance with *section 6.45(b) of the Local Government Act 1995*, OFFERS A Smarter Way To Pay in accordance with the City's Policy and as a further alternative option for the payment of rates.

MOTION not OPPOSED, DECLARED CARRIED

12/0

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

MOVED Cr K Busby that parts (9) to (15) of Recommendation CEO1/7/25 be adopted.

9. In accordance with the provisions of section 36S of the *Fire and Emergency Services Authority of Western Australia Act 1998*, IMPOSES the State Government's interest on all current and arrears amounts of Emergency Services Levy at the rate of 7% per annum, calculated on a simple interest basis on amounts which remain unpaid after 35 days from the issue date of the original rate notice, or the due date of an instalment and continues until the arrears is fully paid. Excluded are instalment current amounts not yet due under the two or four payment instalment option, registered pensioner portions and current government pensioner rebate amounts. Interest is calculated daily on the outstanding balance.
10. In accordance with the provisions of section 6.45 of the *Local Government Act 1995*, for the 2025-26 financial year, IMPOSES the following administration fees and interest charges for payment of rates (including specified area rates), refuse charge and private swimming pool inspection fees:
Two Instalment Option:
Interest on instalments of 5.5% *
An administration fee of \$nil;
Four Instalment Option:
Interest on instalments of 5.5%*
An administration fee of \$nil;
Special Payment Arrangements:
An administration fee of \$59.50 for non-direct debit is charged on each special payment arrangement. Interest of 7% may be charged on overdue amounts.

*calculated in accordance with Regulation 69 of the *Local Government (Financial Management) Regulations 1996*
11. In accordance with the provisions of section 6.13 and 6.51 of the *Local Government Act 1995*, IMPOSE interest on all current and arrears of rates, specified area rates (where applicable), current and arrears of refuse charges, current and arrears of private swimming pool inspection fees at a rate of 7% per annum, calculated on a simple interest basis on arrears amounts which remain unpaid and current amounts which remain unpaid after 35 days from the issue date of the original rate notice, or the due date of the instalment as the case may be and continues until the instalment is paid in full. Excluded are deferred rates and approved City payment arrangements. Interest is calculated daily on the outstanding balance.
12. In accordance with the provisions of section 6.49 of the *Local Government Act 1995*, AUTHORISE the Chief Executive Officer to enter into special payment arrangements with ratepayers for the payment of general rates, specified area rates (where applicable), emergency services levy, refuse charges and private swimming pool inspection fees during the 2025/26 financial year.
13. Pursuant to section 245A (8) of the *Local Government (Miscellaneous Provisions) Act 1960*, and regulation 53 of the *Building Regulations 2012*, IMPOSE a fee of \$38 per annum, to cover the actual costs of mandatory swimming pool inspections, which occur every four years.

14. Following a review by the Western Australian Salaries and Allowances Tribunal, ADOPT the following:

- a) Set the annual attendance fee at \$35,478 for 2025/26, to be paid quarterly in advance to Councillors, or at such intervals as determined by individual Councillors, pursuant to section 5.99 of the *Local Government Act 1995* and regulation 30 of the *Local Government (Administration) Regulations 1996*;
- b) Set the annual attendance fee at \$53,200 for 2025/26, to be paid quarterly in advance to the Mayor, pursuant to section 5.99 of the *Local Government Act 1995* and regulation 30 of the *Local Government (Administration) Regulations 1996*;
- c) Set the annual Mayoral Allowance at \$100,500 for 2025/26, to be paid quarterly in advance, pursuant to section 5.98(5) of the *Local Government Act 1995* and the Western Australia Salaries and Allowances Tribunal Determination pursuant to *Western Australia Salaries and Allowances Act 1975* section 7A and 7B;
- d) Set the annual Deputy Mayoral Allowance at \$25,200 for 2025/26, to be paid quarterly in advance, pursuant to section 5.98A of the *Local Government Act 1995* and the Western Australia Salaries and Allowances Tribunal Determination pursuant to *Western Australia Salaries and Allowances Act 1975* section 7A and 7B; and
- e) Set an annual Information and Communications Technology Allowance of \$4,207 for 2025/26, to be paid quarterly in advance, pursuant to section 5.99A of the *Local Government Act 1995* and the Western Australia Salaries and Allowances Tribunal Determination pursuant to *Western Australia Salaries and Allowances Act 1975* section 7A and 7B.

15. Pursuant to section 6.16 of the *Local Government Act 1995*, ADOPT the fees and charges set out in the Attachment.

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

(12/0)

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

MOVED Cr K Busby that part (16) of Recommendation CEO1/7/25 be adopted
SECONDED Cr P Hetherington
OPPOSED Cr S Peter

16. ADOPT the Annual Budget for the year ended 30 June 2026 as detailed in the Attachment, comprising the Statement of Comprehensive Income by Nature and Type, Statement of Comprehensive Income by Program, Statement of Cash Flows, Statement of Financial Activity and supporting notes to and forming part of the Statutory Budget.

MOVED Cr Peter that an amendment be made to the substantive motion by adding the following dot point to part 16 and adding a new part 17 as follows:

SECONDED Cr Kamdar, OPPOSED Cr J Keogh

16. **ADOPT the Annual Budget for the year ended 30 June 2026 as detailed in the Attachment, comprising the Statement of Comprehensive Income by Nature and Type, Statement of Comprehensive Income by Program, Statement of Cash Flows, Statement of Financial Activity and supporting notes to and forming part of the Statutory Budget, with the following change incorporated:**

- **Increase in the security incentive scheme budget by \$155,000 from \$25,000 to \$180,000;**

17. **That the resulting budget deficit of \$155,000 be considered in the FY26 mid-year budget review**

AMENDMENT LOST

4/8

FOR Cr Joy, Cr Kamdar, Cr Peter, Cr Virk

AGAINST: Mayor Butterfield, Cr Keogh, Cr Sargeson, Cr Hetherington, Cr Smith, Cr Busby, Cr Silver, Cr Stoneham

MOVED Cr K Busby that part (16) of Recommendation CEO1/7/25 be adopted

SECONDED Cr P Hetherington, OPPOSED Cr S Peter

16. **ADOPT the Annual Budget for the year ended 30 June 2026 as detailed in the Attachment, comprising the Statement of Comprehensive Income by Nature and Type, Statement of Comprehensive Income by Program, Statement of Cash Flows, Statement of Financial Activity and supporting notes to and forming part of the Statutory Budget.**

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

(9/3)

FOR Mayor Butterfield, Cr Keogh, Cr Joy, Cr Sargeson, Cr Hetherington, Cr Smith, Cr Busby, Cr Stoneham, Cr Silver

AGAINST: Cr Kamdar, Cr Peter, Cr Virk

MOVED Cr K Busby that part (17) of Recommendation CEO1/7/25 be adopted.

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

- (i) **all capital expenditure incurred from 1 July 2025 to 28 August 2025, which were provided for in the previous financial year's budget and commenced in the previous financial year;**
- and;**
- (ii) **non-recurrent operational projects, which were provided for in the previous financial year's budget and commenced in the previous financial year, under contract.**

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

(12/0)

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

Recommendation CEO2/7/25 - Councillors Information Bulletin - Issue No 11/2025

MOVED Cr S Peter

That Council acknowledge receipt of Issue 11/2025 of the Information Bulletin

MOTION not opposed, DECLARED CARRIED

12/0

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

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

13 MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION

1 Road Cleaning & Suburb Maintenance (Cr Keyur Kamdar)

That the matter of road cleaning and suburb maintenance be referred to the Technical Services Committee.

2 Kids Indoor Sports Centre - Advocacy (Cr Sartaj Virk)

That the matter of advocating the options and collaborating with developers to have a kids indoor sports centre in the western suburbs be referred to the Development Services Committee

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor Butterfield, declared the meeting closed at 8.28pm

MINUTES CONFIRMED THIS 11 AUGUST 2025

MAYOR