



ORDINARY MEETING OF COUNCIL
MONDAY, 28 APRIL 2025

AGENDA

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AGENDA

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HELD ON 7 APRIL 2025

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HELD ON 14 APRIL 2025

CORPORATE SERVICES COMMITTEE MEETING
HELD ON 15 APRIL 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, 28 APRIL 2025

**JOANNE ABBISS
CHIEF EXECUTIVE OFFICER**

24 April 2025

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

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

Nil

4 PUBLIC QUESTION TIME

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

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

It is also available in the public gallery.

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

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PETITIONS

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**8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT
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Nil

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BUSINESS ARISING FROM REPORT

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Polyphagous Shot Hole Borer - Roleystone Greenwaste Site

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

That Council requests a report on new procedures, services or infrastructure that may be required in regard to quarantine for Polyphagous Shot Hole Borer at the Roleystone Green Waste Facility.

Comment from Dr Wielinga on her proposed motion

Polyphagous shot hole borer (PSHB) presents a risk to the urban forest, the native forest and the agricultural/botanical forest. The risk to the native forest canopy and associated dependent ecosystems is particularly significant given limited vehicle access for assessment, low levels of monitoring and the difficulty in being able to monitor effectively with trees with rough bark concealing infestations. The Roleystone Green Waste Facility is located within native forest. Prevention of infection is the best control and the best prevention of infection is timely and appropriate handling and disposal of infested material.

Officer Comment

Since last year residents can no longer take mulch left on site at the Roleystone Green Waste Facility. Residents can access mulch at the City's Hopkinson Road landfill facility, which has been processed at Postans by Western Tree Services (the Department of Primary Industries and Regional Development (DPRID) preferred contractor).

In addition, the City will engage contractors to chip on-site green waste that is taken to the Roleystone Green Waste Facility, by local residents, on the following the weekend openings:

Month	Weekend Dates
May 2025	Saturday 17 May only
June 2025	Saturday 21 June only
July 2025	Saturday 19 July only
August 2025	Open every weekend in August (2&3, 9&10, 16&17, 23&24 and 30&31)
September 2025	Open 13&14, 20&21, 27&28

The current verge collection of green waste has been completed for Roleystone, Karragullen and Bedfordale. The material has been stored at the Roleystone Green Waste Facility and is in the process of being chipped and will then be transported to either the Armadale Landfill or the Postans facility.

PSHB generally does not live in material less than 2.5cm and can fly from 40m up to 400m (wind assisted). Female PSHB usually fly after maturity and mating when conditions are favourable, they will generally disperse to find a new host tree or escape fire. The City will be communicating PSHB awareness measures to every resident through City Views in next couple of weeks. The City will also be facilitating a DPIRD Community focussed education workshop in May which will include the impacts of burning.

DPIRD have requested that the City sign the PSHB Confidentiality Deed Poll (see Confidential Attachment). This will allow the City to access heat maps which provide a geographical representation of PSHB infestations and PSHB positive traps. It is recommended that the CEO is given authority to sign the PSHB Confidentiality Deed Poll.

The latest detection of PSHB in the City was on private property in Roleystone. The City does not know the location. Even if the City does sign the PSHB Confidentiality Deed Poll with DPIRD it will not be given the locations of detections on private property. The City would receive a heat map of infestations for localities at the scale of census-mesh blocks used by the Australian Bureau of Statistics. **The City would not be able to share these maps with the public as it will be bound by the Confidentiality Deed.** The City already receives information on infestations on City owned or managed land and these details can be made public specifically for public health and safety purposes.

DPIRD currently advise the City within 24 - 48 hours after an infestation has been confirmed. The City's Communications and Environmental Services Officers meet with DPIRD monthly.

All trapping and monitoring within the City is undertaken by DPIRD. 216 surveillance traps have been deployed, with 4731 trap samples collected. DPIRD have inspected 8286 locations and 219,747 host trees.

DPIRD currently have four traps surrounding the Roleystone Green Waste Facility. These traps have been sampled every ~2 weeks starting on 08/12/2021, and most recently on 15/04/2025. There has never been a positive PSHB result on any of the four traps in that time.

It is noted that there is a large coral tree (*Erythrina*) at the site, which is a preferred host for PSHB. This tree was most recently inspected 4 months ago with no signs of PSHB, and is in the planning stage for removal.

Potential Report Content

A further report to Council could contain an outline of the following:

- The costs and feasibility of transferring green waste to the Avertas Waste to Energy facility, including any contractual considerations.
- The costs and feasibility of transferring green waste to the Hopkinson Road Landfill facility to be processed using the same method as Western Tree Services (if not commercial in confidence), including any amendments required to the City's operating licence, additional infrastructure requirements, as well as human and financial resourcing.
- The costs and feasibility of alternate options for treatment of green waste at the Roleystone Green Waste Facility including chipping and sealing in sea containers or covering the piles.
- The costs and implications of closing the Roleystone Green Waste Facility.
- Review of collection zones, collection method, and potential alternate collection locations with large vegetation breaks for the City's verge side green waste collection including the use of additional contractors to reduce time spent on verge and additional chippers.
- The potential to restrict the use of the Roleystone Greenwaste Facility to Hills Ward residents and the costs and implications of making it free for their use.
- The impact of any options on the following contracts:
 - Greenwaste Contract - Contract for the Supervision of the Roleystone Green Waste Facility (TEN/29/21)
 - Greenwaste Collection Contract - Contract for Bulk Verge Collection Services (TEN/35/18)
 - WtE Contract – Agreement for the Receipt and Processing of Waste for Resource Recovery (or Waste Services Agreement – WSA)
 - Green Waste processing - Contract for Green Waste Processing (TEN/14/17)
- Details of an inspection regime by City staff for the Coral tree onsite at the Roleystone Green Waste Facility and whether it could be used as an indicator tree.
- A response from Department of Biodiversity Conservation and Attractions as to the risk proposed to the spread of PSHB from prescribed burns
- When will DPRID be rolling out their education plan for burning and what is the potential for the State to restrict burning on private land for biosecurity protection?
- The potential for Officers to work with DPIRD to confirm or ensure traps are installed near the Hopkinson Road Landfill Facility, Wirra Willa, Memorial Park, Minnowarra Park, Borello Park and sites of melaleucas along the Canning River.

Officers would recommend that the Notice of Motion be amended so that the report includes all of the City's green waste services and the authority to sign the PSHB Confidentiality Deed Poll as outlined below.

That Council

- 1. Requests a report on new procedures, services or infrastructure that may be required in regard to quarantine for Polyphagus Shot Hole Borer for all of the City's green waste services and at the Roleystone Green Waste Facility.*
- 2. Authorises the CEO to sign the PSHB Confidentiality Deed Poll.*

RECOMMEND

That Council:

To be considered

ATTACHMENTS

1. Deed of Poll – Confidentiality – LGA – Polyphagous Shot Hole Borer – Council Meeting 28 April 2025 - *This matter is considered to be confidential under Section 5.23(2) (c) of the Local Government Act, as the matter relates to a contract entered into or which may be entered into by the City of Armadale*
2. PSHB Confidentiality Deed Poll FAQs – Council Meeting 28 April 2025 - *This matter is considered to be confidential under Section 5.23(2) (c) of the Local Government Act, as the matter relates to a contract entered into or which may be entered into by the City of Armadale*

12	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION
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13	MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION
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14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

- 14.1 Technical Services - Item 1.1 - TEN/27/24 - Parks Landscape Maintenance
- 14.2 Development Services - Item 4.1 - Outcome of DevelopmentWA's Major Review of the Wungong Urban Water Developer Contribution Plan
- 14.3 Corporate Services - Item 8.1 - Rates Exemption Applications - s6.26(2)(g) Charitable Purposes Residential and Crisis Accommodation

15 CLOSURE

CITY OF ARMADALE

MINUTES

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

Official Opening and Acknowledgement of Country read by Cr S J Mosey

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 emerging.

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

APOLOGIES:

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

OBSERVERS:

Cr G Smith
Cr L Sargeson
Cr J Keogh

IN ATTENDANCE:

Mr J Lyon	Executive Director Corporate Services
Mr P Balley PhD	Executive Director Technical Services
Ms S van Aswegan	Executive Director Community Services (via Teams)
Ms A Luobikis	Head of Service Delivery
Mr G Taylor	Head of Environment & Sustainability
Ms N Mathieson	Senior Administration Officer Technical Services

PUBLIC:

3

DISCLAIMER

The Disclaimer for protecting Councillors and staff from liability of information and advice given at Committee meetings was read as there were members of the public present.

DECLARATION OF MEMBERS' INTERESTS

Nil

QUESTION TIME

Cost Feasibility for Bedforddale CWA Anzac Day Monument (Referral Item)

Ms Veronica Hansen – 8 Protector Grove, Roleystone

Q1: Are Councillors aware that the proposal to install a permanent memorial at Churchman Brook Oval has the full support of the Armadale Sub-Branch of the RSL and that two letters of support from the RSL were included with our original submission from the 20 September 2024 for consideration by the Unbudgeted Capital works expenditure committee?

Response: The Chair advised that he was not aware but other Councillors may be aware of that information.

Q2: Are Councillors aware that a significant proportion of those attending the 2024 Anzac Day Dawn Service at Churchman Brook Community Centre were local residents who gathered and parked at nearby friends' homes so they could walk to the service together with their families as a mark of respect for the sacrifices made by their forebears?

Response: The Chair advised that this will be taken on notice, and that we will need a further detailed report and then discuss the matter.

Q3: Will the Councillors and the City of Armadale support the Bedforddale CWA in undertaking this great community project to help remember our fallen, not just on Anzac Day, but every day by having this memorial for all to see and reflect upon?

Response: The Chair advised that this will be taken on notice, and that we will need a further detailed report and then discuss the matter.

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Technical Services Committee Meeting held on 5 March 2025 be confirmed.

Moved Cr S S Virk

MOTION CARRIED

6/0

ITEMS REFERRED FROM INFORMATION BULLETIN

Outstanding Matters and Information Items

Various Items

Monthly Departmental Reports

Technical Services Works Programme

No items were raised for further investigation or report.

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TECHNICAL SERVICES COMMITTEE

7 APRIL 2025

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**3.1 - COST FEASIBILITY FOR BEDFORDALE CWA ANZAC DAY MONUMENT
(REFERRAL ITEM)**

Moved Mayor R Butterfield

Item 3.1 be brought forward to this junction of the meeting in the interests of the public gallery

CARRIED 6/0

At the Council meeting held on 10 March 2025, Cr S Stoneham referred the following matter to Technical Services Committee.

That the matter of a report on the cost feasibility of allowing the Bedfordale CWA to have a monument for ANZAC day be erected at Churchman Brook Community Centre Park be referred to the Technical Services Committee.

Comment from Cr S Stoneham

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

The purpose of this referral is to investigate the costs and feasibility of erecting such a monument.

Officer Comment

Officers understand that the request is limited to investigating the cost and feasibility of erecting a stone monument at the Churchman Brook Community Centre.

The overall cost of constructing the stone memorial is contingent with the feasibility of its installation at the proposed location. The primary intent of the stone memorial is to serve as a focal point for commemorating significant events such as Anzac Day and Remembrance Day, which draws large crowds. Therefore, it is essential to consider accessibility to the stone memorial, particularly in relation to the number of participants and the existing parking constraints at the site.

To effectively address this matter and provide comprehensive information for Council's decision making, a detailed report will need to be prepared for the Technical Service Committee. This report will facilitate a decision by the Council regarding the suitability of the site and allocation of a capital budget for implementation and could be submitted to the May Technical Services Committee meeting.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

T1/4/25

That Council request a detailed report to be provided.

**Moved Cr S J Mosey
MOTION CARRIED**

6/0

1.1 - ACROD PARKING BAYS - COMMERCE AVENUE AND GREEN AVENUE, ARMADALE

WARD : MINNAWARRA
FILE No. : M/182/25
DATE : 11 March 2025
REF : PB
RESPONSIBLE : Executive Director
MANAGER : Technical Services

In Brief:

- As part of the Byford Rail Extension project, Metronet will design and deliver two new ACROD parking bays on Commerce Avenue and two on Green Avenue, for a total of four bays.
- The installation of the four ACROD parking bays is essential to ensure accessibility and inclusion for everyone in the public recreation space that will be Armadale Central Park upon its completion.
- Recommend that Council approves the installation of two new ACROD parking bays on Commerce Avenue and two new on Green Avenue, Armadale, for a total of four bays.

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. Community

1.4 An inclusive and engaged community.

1.4.2 Encourage the provision of inclusive and accessible facilities, services and programs with the community.

1.4.2.1 Implement the Access and Inclusion Plan.

Legal Implications

Local Government Act 1995

- Schedule 9.1(1)(2)

Road Traffic Code 2000

- Regulation. 171

The Road Traffic Code 2000 by way of Regulation 171 creates an offence for stopping or parking in a disabled parking space, however there is no mechanism available in that statute to allow a local government to enforce it. It defers to the Regulations for this purpose.

The City's Rangers are appointed by the CEO pursuant to s. 9.10(2) of the *Local Government Act 1995* for the purposes of enforcement of the specified laws, being the aforementioned Regulations, and Schedule 9.16(1) of the LGA for the power to issue infringement notices for an offence of those Regulations.

Council Policy/Local Law Implications

Parking and Parking Facilities Local law:

- Clause 1.8 Powers of the local government
- Clause 2.1 Determination of parking stalls and parking stations
- Clause 3.1(1)(b); 3.1(2)(a)(i)(ii), and (b) Restrictions on parking in particular areas.

The local law by way of Clause 1.8 provides the head of power to install a sign to regulate the stopping or parking of any vehicle or any class of vehicles in the parking region prescribed by the local law.

Budget/Financial Implications

Nil

Consultation

1. Metronet to deliver the bays within the City road reserve for the benefit of the City as part of the Byford Rail Extension project.
2. Intra Departmental.

BACKGROUND

As part of Metronet's Byford Rail Extension project, the Armadale Train Station is being reconstructed as a new elevated station, with extensive areas of the rail reserve land transformed into public recreational spaces.

The redevelopment aims to create approximately eight hectares of new public open space, providing new green areas and community amenities, while connecting Armadale to the upcoming Armadale West development.

The centre piece of the new public space network is Armadale Central Park Project, a recreation space situated between the new Armadale Train Station and the City Centre. The City is advocating for the park to serve as a vibrant and active station forecourt, featuring destination play areas, fitness zones, and public amenities designed to accommodate all demographics and abilities.

The proposed park will fully realise Metronet's vision of elevated rail reconnecting the community, enhancing active transport participation, and activating the local communities surrounding the stations.

To ensure accessibility for all individuals, regardless of their ability, the City recognises the need for vehicle parking bays, including ACROD parking bays. Although this responsibility falls within the City's jurisdiction, an agreement was reached with Metronet to design and deliver two new ACROD parking bays on Commerce Avenue and two on Green Avenue, totaling four bays. Those bays are in addition to six (6) ACROD parking bays PTA proposed in their car park.

DETAILS OF PROPOSAL

As part of the Byford Rail Extension project, Metronet will design and deliver two new ACROD parking bays on Commerce Avenue and two on Green Avenue, for a total of four bays.

ANALYSIS

The installation of the four ACROD parking bays is essential to ensure accessibility and inclusion for everyone in the public recreation space that will be Armadale Central Park upon its completion.

These bays will be designed and constructed according to the specifications and standards for on-street parking bays for people with disabilities.

OPTIONS

1. Approve the installation of two new ACROD parking bays on Commerce Avenue and two on Green Avenue, totaling four bays.
2. Do not approve the installation of two new ACROD parking bays on Commerce Avenue and two on Green Avenue, resulting in a total of four bays. This option would lead to not adhering to the City's Accessibility and Inclusion Plan and could restrict access to the park for individuals with disabilities who wish to drive there.

CONCLUSION

The installation of two new ACROD parking bays on Commerce Avenue and two on Green Avenue will make the public recreation space accessible to everyone, regardless of their physical abilities. This will create an inclusive environment where all individuals can come together to enjoy recreational activities and engage with one another as part of the City's facilities.

ATTACHMENTS

1. [↓](#) ACROD Parking Bay Plan

T2/4/25

RECOMMEND

That Council:

Approve the installation of two new ACROD parking bays on Commerce Avenue and two new bays on Green Avenue, Armadale for a total of four bays.

**Moved Cr K Busby
MOTION CARRIED**

6/0

3.2 - LIVE BIN AUDIT AND COMMUNITY ENGAGEMENT (REFERRAL ITEM)

At the Council meeting held on 9 September 2024, Cr S J Mosey referred the following matter to Technical Services Committee.

That the matter of a Live Bin Audit and Community Engagement be referred to the Technical Services Committee.

Comment from Cr S J Mosey

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

This referral item is to request officers to investigate and report back to Council on what we are currently doing in terms of Bin Audits and providing us with options to do more in this space going forward.

Officer Comment

Officers are currently undertaking a review and revision of the Strategic Waste Management Plan which will address the following matters:

- Achieving improved waste avoidance outcomes at Events through Community involvement, engagement, and education.
- Fulfill the requirement for the City to have consistent and transparent data collection systems to measure success against the targets.

A Councillor workshop is planned during Q4 of fiscal year 2024/25, and a finalised Strategic Resource Recovery Plan (formerly Strategic Waste Management Plan) will then be presented to Council during Q4 of fiscal year 2024/25 for consideration and approval.

Options

It is recommended that Council note the Officers comment, and that the matter of bin audits will be presented at the Councillor Workshop on the Strategic Resource Recovery Plan in May/June, with a report to Council to follow.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

T3/4/25

That Council note the Officers comment, and that the matter of bin audits will be presented at a Councillor Workshop on the Strategic Resource Recovery Plan in May/June, with a report to Council to follow.

**Moved Cr S J Mosey
MOTION CARRIED**

6/0

3.3 - WASTE AVOIDANCE EDUCATION (REFERRAL ITEM)

At the Council meeting held on 9 September 2024, Cr S J Mosey referred the following matter to Technical Services Committee.

That the matter of Waste Avoidance Education be referred to the Technical Services Committee.

Comment from Cr S J Mosey

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

This referral item is to request officers to investigate and report back to Council on what we are currently doing in terms of Waste Avoidance Education and providing us with options to do more in this space going forward.

Officer Comment

Officers are currently undertaking a review and revision of the Strategic Waste Management Plan which will address the following matters:

- Waste Avoidance Education through enhanced Community engagement
- Achieving improved waste avoidance outcomes through Community involvement and
- Community Education to consider business as usual activities such as kerbside general and recycling collections, bulk verge waste collections and drop off opportunities.

A Councillor workshop is planned during Q4 of fiscal year 2024/25, and a finalised Strategic Resource Recovery Plan (formerly Strategic Waste Management Plan) will then be presented to Council during Q4 of fiscal year 2024/25 for consideration and approval.

Options

It is recommended that Council note the Officers comment, and that the matter of waste avoidance education will be presented at a Councillor Workshop on the Strategic Resource Recovery Plan in May/June, with a report to Council to follow.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

T4/4/25

That Council note the Officers comment, and that the matter of waste avoidance education will be presented at a Councillor Workshop on the Strategic Resource Recovery Plan in May/June, with a report to Council to follow.

**Moved Cr S J Mosey
MOTION CARRIED**

6/0

2.1 - TEN/27/24 - PARKS LANDSCAPE MAINTENANCE

Moved Cr S J Mosey

Item 2.1 be moved to the last item of this meeting in the interests of the public gallery

CARRIED 6/0

MEETING CLOSED TO PUBLIC

MOVED Cr S J Mosey 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 (6/0)

Meeting declared closed at 7.14pm

WARD : ALL

FILE No. : M/166/25

DATE : 5 MARCH 2025

REF : NM

RESPONSIBLE MANAGER : Executive Director
Technical Services

In Brief:

- Recommend that Council adopt the recommendation as detailed in the Confidential 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

- 2.2.4 Develop, improve and maintain quality parks, playgrounds and public open spaces throughout the City.

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:

- Council Policy ADM 19 – Procurement of Goods or Services

Budget/Financial Implications

The proposed expenditure can be accommodated in the financial year 2024/2025 budget and Long-Term Financial Plan estimates commensurate with the successful tenderer 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

T5/4/25

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

**Moved Cr K Busby, Seconded Mayor R Butterfield
Opposed Cr S J Mosey
MOTION CARRIED**

4/2

MEETING OPENED TO PUBLIC

MOVED Cr K Busby that the meeting be opened to members of the public at 7.45pm.
Motion Carried (6/0)

COUNCILLORS' ITEMS

1. Tree Festival 2025 (Mayor R Butterfield)

Mayor Butterfield attended the 2025 WA Tree Festival which was launched at the popular River Guardians Festival on Saturday 5 April, emphasising the synergies between biodiversity, neighbourhood greening and river health. Mayor Butterfield was interviewed on the ABC Morning radio live broadcast from the site. The interview focussed on the benefits of Local Governments joining forces to engage the community on the value of trees in urban areas, the role we can all play in addressing Perth's declining tree canopy.

EXECUTIVE DIRECTOR TECHNICAL SERVICES REPORT

Nil

MEETING DECLARED CLOSED AT 7.49pm

TECHNICAL SERVICES COMMITTEE		
SUMMARY OF ATTACHMENTS		
7 APRIL 2025		
ATT NO.	SUBJECT	
1.1	ACROD PARKING BAYS - COMMERCE AVENUE AND GREEN AVENUE, ARMADALE	
1.1.1	ACROD Parking Bay Plan	

The above attachments can be accessed from the Minutes of the Technical Services Committee meeting of 7 April 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, 8
APRIL 2025 AT 7:00PM.**

Cr Silver declared the meeting open at 7:00pm

The City of Armadale acknowledge the Traditional Owners and the Custodians of the land upon which we stand, work and play. We acknowledge Aboriginal people as the First Peoples of this land and their connection to the lands and the waters, as they are part of them spiritually and culturally. We acknowledge their ancestors, the Elders past and present, who had led the way for us to follow in their footsteps and the emerging leaders of today and tomorrow.

PRESENT:

- Cr M Silver (Chair)
- Cr P A Hetherington (Deputy Chair)
- Cr K Busby
- Cr J Keogh
- Cr S J Mosey (Deputy to Cr Stoneham)

APOLOGIES:

- Cr S Stoneham (Leave of Absence)
- Cr K Kamdar
- Dr C M Wielinga

OBSERVERS:

- Cr L Sargeson
- Cr G J Smith

IN ATTENDANCE:

Mrs S van Aswegen	Executive Director Community Services
Mr J Lyon	Executive Director Corporate Services (<i>via Teams</i>)
Mr P Balley	A/Executive Director Technical Services (<i>via Teams</i>)
Mrs R Milnes	Manager Community Development
M C Halpin	Manager Recreation Services
Mr L Annese	Community Facilities & Recreation Coordinator
Ms J Cranston	Executive Assistant Community 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 there were no members of the public present.

DECLARATION OF MEMBERS' INTERESTS

Nil

QUESTION TIME

Nil

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Community Services Committee Meeting held on 4 March 2025 be confirmed.

Moved Cr P A Hetherington

MOTION CARRIED

5/0

ITEMS REFERRED FROM INFORMATION BULLETIN

Report on Outstanding Matters – Community Services Committee

Items referred from the Information Bulletin – Issue 4 – March 2025

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

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COMMUNITY SERVICES COMMITTEE

8 APRIL 2025

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1.1 - RECONCILIATION ACTION PLAN - ANNUAL PROGRESS REPORT

WARD : ALL
FILE No. : M/146/25
DATE : 26 February 2025
REF : RM
RESPONSIBLE : Executive Director
MANAGER : Community Services

In Brief:

- This report presents an update on strategies to address the actions in the City's Reconciliation Action Plan.
- Recommend that Council note the update on strategies to address the actions in the City's Reconciliation Action Plan detailed in 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

Strategic Community Plan Community

1.2 *Improve Community Wellbeing*

- 1.2.2 Facilitate the alignment of service and program delivery to identify social priorities within the community.

1.4 *An Inclusive and Engaged Community*

- 1.4.4 Encourage the provision of culturally appropriate services and programs in the City.

Leadership

4.2 *A Culture of Innovation*

- 4.2.2 Drive innovation and develop an inclusive culture that supports diverse perspectives and 'outside the box' thinking across the organisation.

Reconciliation Action Plan

Governance

Action 3: Build accountability and transparency through reporting RAP achievements, challenges and learnings both internally and externally.

- Report RAP progress to all staff and senior members quarterly.

Public Health and Wellbeing Plan

11.3 *Improve and Maintain Aboriginal and Torres Strait Islander Health and Wellbeing*

11.3.1.1 Consider developing a Reconciliation Action Plan for the City of Armadale.

- Improve health and wellbeing outcomes for the local Aboriginal and Torres Strait Islander community.

Legal Implications

Nil

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Nil

Consultation

1. Reconciliation Action Plan Working Group

BACKGROUND

On 16 October 2023 at the Ordinary Council Meeting, Council endorsed the draft Reconciliation Action Plan 2023 – 2025 with the following resolution (C25/10/23):

That Council endorse the proposed draft Reconciliation Action Plan 2023 – 2025.

The City's Reconciliation Action Plan (RAP) Working Group was established in December 2022 and comprises Councillors, City staff and community members. The initial primary purpose of the RAP Working Group was to oversee and direct the development of the RAP. Upon the endorsement of the RAP by Reconciliation Australia and Council, the RAP Working Group's role is to now have oversight of the RAP's implementation and evaluation and currently meets on a quarterly basis.

The Reconciliation Action Plan (RAP) comprises the following discrete sections:

- Our vision for reconciliation
- Our business
- The City's approach to reconciliation
- Area 1: Relationships
- Area 2: Respect
- Area 3: Opportunities
- Area 4: Governance

Under the four areas, the RAP comprises a total of 14 actions and under those actions, 71 deliverables are assigned to eight City of Armadale business units.

DETAILS OF PROPOSAL

The attached tables comprise the responses to date that address the actions of each of the RAP's four areas: Relationships, Respect, Opportunities and Governance. The updated information is presented in a similar format to the RAP Working Group at each quarterly meeting.

There are a number of deliverables within the actions that have not yet been addressed. This is recognised and expected by Reconciliation Australia, and any incomplete deliverables may be carried forward to the next iteration of the RAP. The work to review the current RAP will commence this calendar year.

ANALYSIS

The City's RAP is a formal document to ensure the City's actions in the reconciliation area are appropriate, at a high standard and are held accountable by the RAP Working Group.

The City will continue to work on addressing the actions in the current RAP and subsequent iterations to progress meaningful reconciliation with the Aboriginal community.

OPTIONS

Council has the following options:

1. Note the update on strategies to address the actions in the City's Reconciliation Action Plan detailed in this report.
2. Request further information on strategies to address the actions in the City's Reconciliation Action Plan detailed in this report.

Option 1 is recommended.

CONCLUSION

Progressing the actions in the RAP will further solidify the ongoing positive relationship between the City and the local Aboriginal community. Under the guidance of the RAP Working Group and in consultation with the local Aboriginal community, its implementation is conducive to ensuring reconciliation is a long-term focus of the City.

ATTACHMENTS

1. [Reconciliation Action Plan update - April 2025](#)

RECOMMEND

C1/4/25

That Council note the update on strategies to address the actions in the City's Reconciliation Action Plan detailed in this report.

Moved Cr P A Hetherington
MOTION CARRIED

5/0

2.1 - WAIVER OF FEES - ROYAL ASSOCIATION OF JUSTICES - ARMADALE & SOUTH EAST DISTRICTS BRANCH

WARD : ALL

FILE No. : M/138/25

DATE : 21 February 2025

REF : LA

RESPONSIBLE MANAGER : Executive Director
Community Services

In Brief:

- The Royal Association of Justices – Armadale and South East Districts Branch have requested a waiver of fees for use of community facilities.
- Council endorsement is required as the the Chief Executive Officer has already previously provided a waiver of fees through Council Delegation 1.1.22 – *Defer, write off, grant a concession or authorise a waiver for monies owing.*
- Recommend that Council do not authorise the waiver of the hire fees and bond for the Royal Association of Justices Inc – Armadale and South East Districts Branch.

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 2020-2030

- 1.3.1 Ensure the equitable provision of Community Facilities throughout the City of Armadale.

Legal Implications

- *Local Government Act 1995*, section 6.12

Council Policy/Local Law Implications

- Policy – Community Facilities and Reserves Fees and Charges
- Council Delegation 1.1.22 – *Defer, write off, grant a concession or authorise a waiver for monies owing*

Budget/Financial Implications

If Council resolves to waive the hire fees and/or bond for the Royal Association of Justices Armadale and South East District Branch (the Branch), it will result in a decrease to the hall hire revenue for the City. Based on the 2024/25 Schedule of Fees and Charges, the Kim Fletcher Gallery at Armadale District Hall is a Category 2 room at \$19 per hour. In addition, a community facility bond for casual hire is \$500 is applicable for all casual bookings, this is refundable at the conclusion of the final booking (provided that there are no breaches of terms and conditions for hire or damage to the facility).

Based on the Branch's request of four meetings at two hours each per year, this would equate to total hire fees of \$152 in addition to the \$500 bond under the 2024/25 Schedule of Fees and Charges. This cost is subject to change each financial year based on Council's adoption the Schedule of Fees and Charges.

Consultation

1. Royal Association of Justices Armadale and South East District Branch
2. Local Government Authorities
 - a. City of Cockburn
 - b. City of Mandurah
 - c. City of Rockingham
 - d. City of Swan
 - e. City of Stirling
 - f. City of Wanneroo
 - g. Shire of Serpentine Jarrahdale

BACKGROUND

The Royal Association of Justices Armadale and South East District Branch (the Branch) have historically and on occasion hired City facilities since 2015. Based on available records and prior to 2021, the Branch have paid hire fees for use of community facilities. The Branch was not active for a period of time prior to recommencing their requests for hire from 2021.

In 2021, Councillor Peter requested for the Chief Executive Officer (CEO) to consider the waiving of the Branches hire fees for the use of Rossiter Pavilion and Armadale District Hall for their bi-monthly meetings between September 2021 and December 2022. The hire cost was \$202 in addition to a \$500 bond. The CEO approved this request for waiver of hire fees within delegation 1.1.22 – *Defer, write off, grant a concession or authorise a waiver for monies owing* to assist with the group's re-establishment.

In 2022, the Branch requested for the CEO to waive bi-monthly meetings at Armadale District Hall for the duration of 2023.

The hire cost was \$288 in addition to a \$500 bond. The CEO endorsed the request with a view that it was the last time, and that in fairness to all other groups who pay hire fees that the group will need to start paying for the hire from 2024.

DETAILS OF PROPOSAL

The Branch have requested for the City to waive hire fees and bond requirements for a meeting room for up to four times per year and two hours on each occurrence. This usage is reduced compared to previous years. Additional information on the Branch's request can be viewed in the attachment.

The fees associated with this request would include total hire fees of \$152 (based on a Category 2 facility) in addition to the \$500 bond under the 2024/25 Schedule of Fees and Charges. This cost is subject to change each financial year based on Council's adoption the Schedule of Fees and Charges.

COMMENT

Justice of the Peace Functions

The administration and training of Justices of the Peace (JPs) are managed by the Department of Justice. Independent JP Member Associations have been established to promote and support JP services to the community. The Branch have identified that the Department of Justice does not provide any financial support to any JP and membership fees paid to the state office do not contribute to supporting the Branches.

As demonstrated in the attachment, JPs provide a voluntary community service and the Branch does not generate income. The Branch provide valuable services to the community including but not limited to signing centre services. The administrative duties within these signing centres include issuing search warrants, witnessing affidavits, statutory declarations and certifying documents. In 2023/24, the Branch provided services to 4,085 clients, signed/witnessed 13,034 documents involving over 1,169 voluntary hours within the City. The Branch's signing centre locations include Armadale Library, Kelmscott Library and Piara Waters Library which are City operated facilities. The City does not charge the Branch for operation of these signing centres for their core administrative functions.

The Branch's request for a meeting room is for supplementary functions to assist the operation of the Branch and its members. The Branch have outlined that they are requesting free use of a meeting room for the purposes of professional development, networking of JPs, opportunities to raise and discuss issues of concerns regarding roles and activities of a JP, assist with mentoring new JPs and Branch activities, discussion and information distribution.

Policy – Community Facilities and Reserves Fees and Charges

The City have a range of users who utilise facilities and reserves through hire arrangements. These users include private hirers, community organisations, commercial organisations, clubs and schools.

The Policy's objective is to establish a sound and equitable basis of setting fees and charges for the use of City's community facilities and reserves. The Policy outlines guiding principles to determine fees and charges, considering a balance between:

- Recognising the value in providing community facilities for a variety of activities, which enhance community, social, health and wellbeing outcomes
- A fair and reasonable contribution from users of community facilities.

The Policy does include the following principles:

- Junior sporting clubs receive a subsidy which includes receiving one free committee per month
- Resident Associations that have been in existence for a period of 12 months and have been approved by the CEO, are eligible for free use of a facility or reserve for one booking per month for a maximum of two hours on each occasion.

All other community and volunteer organisations are required to pay for the hire of City community facilities and reserves. The City recognises the limited revenue raising ability of these organisations and provides support by offering a discounted “Community Rate” for these groups.

Consultation with other Local Governments

The City of Cockburn, City of Mandurah, City of Rockingham, City of Swan, City of Wanneroo and Shire of Serpentine and Jarrahdale have all confirmed that they do not provide community facilities free of charge for additional functions to JPs or Branches. Similar to the City of Armadale, some of these local governments provide space for signing centres in libraries or other operated facilities at no cost. The City of Stirling responded that they allow JPs to operate out of the Civic Centre free of charge however would charge them if they hired community facilities, and stated they don’t have a policy specifically on JP’s.

CEO’s Delegated Authority

Under delegation 1.1.22 *Defer, write off, grant a concession or authorise a waiver for monies owing*, Council has delegated the power to the CEO to waive or grant a concession in relation to money owed. However, any grant of concession or waiver cannot exceed \$2,000 per occurrence. It is important to note that the term “per occurrence” is not defined within delegation 1.1.22 *Defer, write off, grant a concession or authorise a waiver for monies owing*. Therefore, officers are seeking Council’s guidance on the Branch’s latest request for waiver of fees

Referring to delegation 1.1.31 *Free use of local government facilities* provides some insight into Council’s intent with relation to defining “per occurrence”. This delegation only grants free use of a facility in certain circumstances, and to certain entities, given that it is a “one off” in nature when granted to a not-for-profit entity that benefits the residents of the City, and that the term does not exceed twelve months.

OPTIONS

Option 1

Authorise the waiver of the hire fees and bond for the Royal Association of Justices Inc – Armadale and South East Districts Branch for 2025 to a value of \$652.

Option 2

Authorise the waiver of the hire fees and bond for the Royal Association of Justices Inc – Armadale and South East Districts Branch for the next five years until 2030. The value will be subject to the annual adoption of the City’s Schedule of Fees and Charges.

Option 3

Do not authorise the waiver of the hire fees and bond for the Royal Association of Justices Inc – Armadale and South East Districts Branch.

CONCLUSION

The Branch have requested for the City to waive hire fees and bond requirements for a meeting room for up to four times per year and two hours on each occurrence. The CEO has waived the Branches hire fees previously for two years. The Branch have limited income generating capabilities and provide valuable services to the community through issuing search warrants, witnessing affidavits, statutory declarations and certifying documents. Other local governments that were contacted confirmed that they do not provide free use of facilities for JP or branch supplementary functions. The Policy - Community Facilities and Reserves Fees and Charges aims for users to provide a fair and reasonable contribution to utilise community facilities and reserves. Option 3 is recommended for reasons outlined in this report.

ATTACHMENTS

1. Question From Mr D Carbonell - Ordinary Meeting of Council - 10 February 2025

RECOMMEND

C2/4/25

That Council do not authorise the waiver of the hire fees and bond for the Royal Association of Justices Inc – Armadale and South East Districts Branch.

Moved Cr K Busby, Opposed Cr S J Mosey

Seconded Cr P A Hetherington

MOTION CARRIED

4/1

COUNCILLORS' ITEMS

1. Opening of Medical Facility (Cr Kerry Busby)

Cr Busby was invited to attend the opening of an Aboriginal Doctor's medical facility in Church Avenue. The facility will offer bulk billing, taking of bloods and general GP services and will be open to the whole community.

2. Community Meetings (Cr John Keogh)

Cr Keogh thanked the Councillors and staff who attended the community meetings that were facilitated by himself and the Mayor, and thanked staff for the preparation and provision of information beforehand.

EXECUTIVE DIRECTOR COMMUNITY SERVICES REPORT

1. Reconciliation Week

The EDCS advised that Reconciliation Week is coming up and invited Councillors to a breakfast being held at the Champion Centre on Tuesday 27 May. As the City's RAP Champion, the EDCS encouraged Councillors to attend the breakfast and join in any other Reconciliation Week activities.

MEETING DECLARED CLOSED AT 7:14PM

COMMUNITY SERVICES COMMITTEE SUMMARY OF ATTACHMENTS 8 APRIL 2025		
ATT NO.	SUBJECT	
1.1 RECONCILIATION ACTION PLAN - ANNUAL PROGRESS REPORT		
1.1.1	Reconciliation Action Plan update - April 2025	
2.1 WAIVER OF FEES - ROYAL ASSOCIATION OF JUSTICES - ARMADALE & SOUTH EAST DISTRICTS BRANCH		
2.1.1	Question From Mr D Carbonell - Ordinary Meeting of Council - 10 February 2025	

The above attachments can be accessed from the Minutes of the Community Services Committee meeting of 8 April available on the City's website

CITY OF ARMADALE

MINUTES

OF DEVELOPMENT SERVICES COMMITTEE HELD IN THE FUNCTION ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON **MONDAY, 14
APRIL 2025 AT 7:00PM.**

Official Opening and Acknowledgement of Country *read by Cr S Stoneham*

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 emerging.

PRESENT: Dr C M Wielinga(Chair)
Cr M Silver (Deputy Chair)
Cr S Peter JP
Cr L Sargeson
Cr G J Smith
Cr S Stoneham

APOLOGIES: Mayor R Butterfield
Cr J Keogh

OBSERVERS: Nil

IN ATTENDANCE: Mr E van Heyningen A/Executive Director Development
Services
Mr J Lyon Executive Director Corporate Services
Mr R Sklarski Project Manager Contribution
Arrangements
(left the meeting at 7.53pm)
Mr A Beales Building Services Manager
Ms D Dagostino Manager Health Services (via Teams)
Ms N Mathieson A/Executive Assistant Development
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 Development Services Committee Meeting held on 17 March 2025 be confirmed.

Moved Cr L Sargeson

MOTION CARRIED

6/0

ITEMS REFERRED FROM INFORMATION BULLETIN - ISSUE 4 – MARCH 2025

No items were raised for further investigation or report.

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DEVELOPMENT SERVICES COMMITTEE

14 APRIL 2025

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1.1 - OUTCOME OF DEVELOPMENTWA'S MAJOR REVIEW OF THE WUNGONG URBAN WATER DEVELOPMENT CONTRIBUTION PLAN

MEETING CLOSED TO PUBLIC

MOVED Cr S Peter that that the meeting be closed to members of the public as the matter to be discussed, if disclosed, deals with other matters as may be prescribed. (*Section 5.23(2)(h) of the Local Government Act 1995*)

Motion Carried (6/0)

Meeting declared closed at 7.04pm

Grounds for : Section 5.23(2) (h):

Closure

Public Interest : Discussion of this matter in an open meeting would on balance be contrary to the public interest because it deals with other matters as may be prescribed.

WARD : MINNAWARRA
RANFORD

FILE No. : M/206/25

DATE : 7 April 2025

REF : RS

RESPONSIBLE : Executive Director
MANAGER Development Services

In Brief:

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

Strategic Implications

- 1.3.1 Ensure the equitable provision of Community Facilities throughout the City.
- 2.5.4.1 Work with the DevelopmentWA and developers to resolve the transition of Development Contribution Plan to the City as part of the normalisation process.
- 2.5.4.2 Advocate for the State to address any legacy shortfall in contributions from the normalisation process.

Legal Implications

Metropolitan Redevelopment Authority Act 2011

Metropolitan Redevelopment Authority Regulations 2011

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

State Planning Policy 3.6 – Infrastructure Contributions (SPP 3.6)

Armadale Redevelopment Scheme 2

City of Armadale Town Planning Scheme No.4 (TPS 4)

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

See report.

Consultation

DWA commenced advertising of the Wungong DCP Review on 17 November 2022 to all major landowners and developers within the Redevelopment area and other key stakeholders including the City and relevant State Government agencies.

A Confidential Report is attached for consideration.

RECOMMEND

D1/4/25

That Council adopt the **amended recommendation contained in the Confidential Report.**

**Moved Cr S Stoneham, Seconder Dr C Wielinga
MOTION CARRIED**

6/0

MEETING OPENED TO PUBLIC

MOVED Cr S Stoneham that that the meeting be opened to members of the public at 7.52pm.
Motion Carried (6/0)

*****2.1 - REVIEW OF DELEGATIONS FOR BUILDING ACT 2011, FOOD ACT 2008 AND PUBLIC HEALTH ACT 2016 FUNCTIONS***

WARD : ALL
FILE No. : M/707/24
DATE : 7 April 2025
REF : DB
RESPONSIBLE : Executive Director
MANAGER : Development Services

In Brief:

- On 25 July 2022 Council commenced a process to review all delegations of authority to the CEO, to be undertaken in two tranches (Tranche 1 and Tranche 2)
- All Council to CEO delegations in Tranche 1 (*Local Government Act 1995, Dog Act 1976 and Cat Act 2011*) were reviewed by Council in June 2023.
- Tranche 2 delegations relevant to Development Services Directorate are presented for adoption by Council, for functions arising from the *Building Act 2011, Food Act 2008* and the *Public Health Act 2016*.

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 aspiration of the City's Strategic Community Plan 2020-2030 is relevant:

Aspiration 4 - Leadership

- 4.1. *Develop organisational frameworks to achieve consistency, transparency and clarity of decision making processes.*

Legal Implications

Delegations of authority are made using enabling legislation, which in this case is the –

Building Act 2011

Public Health Act 2016

Food Act 2008

– to allow Officers to exercise functions and powers that would otherwise be required to be exercised by Council. Unlike Tranche 1 delegations, the delegations made under these statutes do not contain an annual review requirement.

Council Policy/Local Law Implications

New and revised delegations should not alter the ability of the City to use local laws or policies. Some policies may require an administrative amendment to reflect a change in the name of a delegation; however, the heads of power remain the same.

Budget/Financial Implications

Nil.

Consultation

1. Directorate Managers
2. Chief Executive Officer
3. Executive Leadership Team

BACKGROUND

At the OCM of 25 July 2022, Council commenced a process to review all of its delegations of authority to the CEO (CS36/7/22). Due to the substantial amount of work involved in the undertaking it was split into two tranches:

Tranche 1 consisted of all delegations that required an annual review. This encompassed those delegations for *Local Government Act 1995*, *Dog Act 1976* and *Cat Act 2011* powers and functions.

Tranche 2 consisted of all other delegations, specifically those made for *Public Health Act 2016*, *Building Act 2011*, *Bush Fires Act 1954* and *Food Act 2008* powers and functions.

Review of all Tranche 1 delegations is complete, with the results reported to Council for adoption on 12 June and 24 June 2023. Council performed a subsequent review of those delegations on 24 June 2024 to satisfy annual review requirements prescribed by the relevant legislation that provided the heads of power to delegate.

This left the remaining delegations in Tranche 2 for review. A wide-ranging assessment of the City's remaining existing delegations that had not been subject to a detailed review has now been conducted and benchmarked against other local governments in the Perth metropolitan area, as well as against templates provided by the Western Australian Local Government Association (WALGA). Legislative requirements were reviewed, and where necessary, internal legal review on particular powers and the delegable status of those powers.

DETAILS OF PROPOSAL

The Tranche 2 delegations detailed in this report require updating to stay abreast of changes to legislation, current industry practices and better transparency around the functions provided.

In addition, the system administrators of the cloud-based Attain system, which the City uses to manage its delegations (amongst other functions) have provided an updated and improved delegated authority template to better demonstrate functions and powers that have been delegated, in detail. This was in response to requests from the City for a better template to serve a more contemporary approach to making and managing instruments of delegated authority. It was viewed as an opportunity to make changes to the City's instruments of delegation and improve their utility.

Where more than one delegation is identified that has the same head of power, generally a single replacement is proposed combining them. The remaining delegations are proposed to be replaced like-for-like with a version using the updated format.

Draft delegations for the Health Services and Building Services are attached to this report numbering 9 in total, which are proposed to replace 10 existing. The attachments are organised as follows:

1. The proposed delegation is marked up with green and struck-out text showing the modifications to compare with what currently exists.
2. The proposed delegation without any mark up showing its final form (if Council adopts it).
3. The existing delegation(s), to be repealed, is appended last.

The order of each individual package of attachments corresponds to that listed below.

1. Building Services Delegation

3.1.1 Building Act 2011 – Powers and duties. Replaces “NEW TBC *Building Act 2011 – Powers and Duties*”. Essentially a carry over of the existing delegation into the new format and delegates the local government's permit authority functions.

2. Health Services Delegations (Food Act 2008)

7.1.1 Food Act 2008 - appoint Authorised Officers and Designated Officers. Replaces “DS 34.0 Appoint Authorised Officers and Designated Officers (*Food Act 2008*)” with additional clarity provided around the specific power to appoint officers of these prescribed classes.

7.1.2 Food Act 2008 - Prohibition Orders. The functions/powers of an enforcement agency pertaining to food businesses and issuing of prohibition orders (with associated functions) is not expressly covered by an existing delegation, rather it is encompassed as part of the overall enforcement agency functions delegated by “DS 36.0 Functions of enforcement agency”. Given the function/power in respect of prohibition orders is expressly provided by the *Food Act 2008*, it is recommended a dedicated delegation is made to encompass the relevant functions.

7.1.3 Food Act 2008 - food business registrations. Replaces “DS 35.0 Food List – Public Access” and likely part of the broad functions of DS 36.0 with an instrument that is specific to dealing with the functions around registration of food businesses, as well as the ability to make a list of food businesses available to the public.

7.1.4 Food Act 2008 - enforcement agency powers. This is a new instrument, however it is likely that it was encompassed by “DS 36.0 Functions of enforcement agency”. This delegation is specifically intended to deal with the ability to undertake proceedings for breaches of the *Food Act 2008*.

3. Health Services Delegations (*Public Health Act 2016*)

8.1.1 Public Health Act 2016 – enforcement agency functions. This proposes to replace –

- DS 30.0 Enforcement Agency Reports to the Chief Health Officer
- DS 32.0 Commence Proceedings (*Public Health Act 2016*) and
- DS 37.0 *Public Health Act 2016* and Health (*Miscellaneous Provisions Act 1911* – Power or duty of the local government (enforcement agency) under these Acts”.

The purpose of combining these delegations is to place all relevant enforcement agency functions and powers into one instrument.

DS 32.0 is proposed to be revoked without replacement. This is because the power conveyed by it (section 280 - commencing proceedings under the *Public Health Act 2016*) has been given directly to the CEO of a local government or an authorised person, thus making the delegation redundant. This change was created by an amendment to section 280 of the *Public Health Act 2016*, by way of the *Public Health Amendment (Immunisation Requirements for Enrolment) Act 2019*.

DS 37.0 is carried over, in part. References to the *Health (Miscellaneous Provisions) Act 1911* are no longer considered to be required because the *Public Health Act 2016*, by way of the transitional provisions and section 309, provides that “...A reference in a written law or document to the *Health Act 1911* or the *Health (Miscellaneous Provisions) Act 1911* may, if the context permits, be taken to be a reference to this Act.” (i.e. the *Public Health Act 2016*).

Additionally, Council has previously appointed employees of the City to ‘deputise’ specific residual functions of the *Health (Miscellaneous Provisions) Act 1911* on 24 July 2023 (D19/7/23). The deputisation power of section 26 of this legislation is the only remaining mechanism to nominate persons to perform the powers and duties of the local government and is not a function or power that can be delegated.

In a similar fashion, DS 37.0 refers to delegating an unnamed function of the Health Local Law. The powers of this local law are provided to Authorised Officers appointed by the CEO, hence a delegation is not required.

8.1.2 Public Health Act 2016 – appointment of Environmental Health Officers. Replaces “DS 33.0 Appointment of Environmental Health Officers” with additional

clarity provided around the specific power to appoint Environmental Health Officers arising from this legislation.

8.1.3 Health (Asbestos) Regulations 1992 – appointments. A like-for-like replacement of “DS 29.0 Appointment of Authorised or Approved Officer (*Asbestos Regs*).”

8.1.4 Public Health Act 2016 – Designation of authorised officers. Replaces “DS 28.0 Designate Authorised Officers (*Public Health Act 2016*)” with additional clarity provided to better reflect the legislation around this function.

COMMENT

With the passage of time, changes to relevant legislation and some of the City’s policies, it is important that these delegations are reviewed for suitability and updated.

Council will note the proposed new and replacement delegations have new designator numbers as well. This is consistent with the previous delegations of authority that were presented to Council in the Tranche 1 phase of the review of delegations.

Once all delegations have been adopted, they will all form part of a revised Register of Delegations that will be structured like a piece of legislation, with the delegated powers being separated by their respective heads of power. All will be numbered sequentially with sub-delegations similarly separated by head of power.

OPTIONS

Council has the following options:

1. Adopt the draft delegations attached and revoke the existing delegations as recommended.
2. Not adopt the delegations and request additional information or explanation.

CONCLUSION

The assessment and revision of the attached delegations and the overarching process involved represents a significant body of work to improve the City’s delegation structure and bring about a contemporary change to how the City makes and exercises its functions and powers.

For all practical purposes, little will change for Officers in the course of their day-to-day duties and the powers delegated are the same as those used currently. What these changes will do is improve transparency around how Council delegates, and what specific legislative functions are delegated, whilst creating a clear and unambiguous link between the legislation through to the proper exercise of a power.

ATTACHMENTS

1. [Building Services delegation - attachment package](#)
2. Health Services delegations - Food Act 2008 - attachment package
3. Health Services delegations - Public Health Act 2016 - attachment package

D2/4/25

RECOMMEND

That Council –

- 1. Make the following delegations of authority to the Chief Executive Officer and Officers*, for the powers and functions prescribed in the respective instruments –**
 - a) 3.1.1 *Building Act 2011* – Powers and duties.**
 - b) 7.1.1 *Food Act 2008* - appoint Authorised Officers and Designated Officers.**
 - c) 7.1.2 *Food Act 2008* - Prohibition Orders*.**
 - d) 7.1.3 *Food Act 2008* - food business registrations*.**
 - e) 7.1.4 *Food Act 2008* - enforcement agency powers*.**
 - f) 8.1.1 *Public Health Act 2016* – enforcement agency functions*.**
 - g) 8.1.2 *Public Health Act 2016* – appointment of Environmental Health Officers.**
 - h) 8.1.3 *Health (Asbestos) Regulations 1992* – appointments.**
 - i) 8.1.4 *Public Health Act 2016* – Designation of authorised officers.**
- 2. Repeal the following delegations of authority to the Chief Executive Officer and Officers –**
 - a) NEW TBC *Building Act 2011* – Powers and duties**
 - b) DS 34.0 Appoint Authorised Officers and Designated Officers (*Food Act 2008*).**
 - c) DS 35.0 Food List – Public Access.**
 - d) DS 36.0 Functions of enforcement agency.**
 - e) DS 28.0 Designate Authorised Officers (*Public Health Act 2016*).**
 - f) DS 29.0 Appointment of Authorised or Approved Officer (*Asbestos Regs*).**
 - g) DS 30.0 Enforcement Agency Reports to the Chief Health Officer.**
 - h) DS 32.0 Commence Proceedings (*Public Health Act 2016*).**
 - i) DS 33.0 Appointment of Environmental Health Officers.**
 - j) DS 37.0 *Public Health Act 2016* and *Health (Miscellaneous Provisions Act 1911* – Power or duty of the local government (enforcement agency) under these Acts.**
- 3. 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.**

ABSOLUTE MAJORITY RESOLUTION REQUIRED

Moved Cr S Peter
MOTION CARRIED

6/0

COUNCILLORS' ITEMS

Nil

EXECUTIVE DIRECTOR DEVELOPMENT SERVICES REPORT

Nil

MEETING DECLARED CLOSED AT 7.56pm

DEVELOPMENT SERVICES COMMITTEE		
SUMMARY OF ATTACHMENTS		
14 APRIL 2025		
ATT NO.	SUBJECT	
2.1	REVIEW OF DELEGATIONS FOR BUILDING ACT 2011, FOOD ACT 2008 AND PUBLIC HEALTH ACT 2016 FUNCTIONS	
2.1.1	Building Services delegation - attachment package	
2.1.2	Health Services delegations - Food Act 2008 - attachment package	
2.1.3	Health Services delegations - Public Health Act 2016 - attachment package	

The above attachments can be accessed from the Minutes of the Development Services Committee meeting of 14 April available on the City's website

CITY OF ARMADALE

MINUTES

**OF CORPORATE SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY,
15 APRIL 2025 AT 7.00PM.**

OFFICIAL OPENING & ACKNOWLEDGEMENT OF COUNTRY

Read by Cr S J Mosey

I would like to respectfully acknowledge the traditional owners of the land on which we meet today the Wadjuk people of the Noongar nation and pay my respects to their Elders past, present and emerging and thank them for the custodianship within the City of Armadale.

PRESENT:

Cr S J Mosey	(Chair)
Cr S Peter JP	(Deputy Chair)
Cr J Joy JP	
Cr L Sargeson	
Cr G J Smith	
Cr S S Virk	

APOLOGIES:

Cr M J Hancock (Leave of Absence)

OBSERVERS:

Cr J Keogh
Cr S Stoneham
Mayor R Butterfield

IN ATTENDANCE:

Mr J Lyon	Executive Director Corporate Services
Mr P Balley	Executive Director Technical Services (Teams)
Mr M Hnatojko	Executive Manager Corporate Services
Mr D Baker	Senior Governance Advisor (Teams)
Mrs A Owen-Brown	Executive Assistant Corporate Services

PUBLIC:

Nil.

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

DISCLAIMER

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

DECLARATION OF MEMBERS' INTERESTS

Nil.

QUESTION TIME

Nil.

DEPUTATION

Nil.

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Corporate Services Committee Meeting held on 18 March 2025 be confirmed.

Moved Cr J Joy

MOTION CARRIED

6/0

ITEMS REFERRED FROM INFORMATION BULLETIN

Items in Issue No. 5

Progress Report

Progress Report on Contingency, Operational & Strategic Projects

Outstanding Matters & Information Items

Report on Outstanding Matters – Corporate Services Committee

Economic Development

Tourism & Visitor Centre Report

Report of the Common Seal

No items were raised for further investigation or report.

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CORPORATE SERVICES COMMITTEE

15 APRIL 2025

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1.1 - LIST OF ACCOUNTS PAID - FEBRUARY 2025

WARD : ALL
FILE No. : M/186/25

DATE : March 2025
REF : MH
RESPONSIBLE : Executive Director
MANAGER : Corporate Services

In Brief:

- The report presents, pursuant to Regulation 13(1), (2) and (3) and 13A (1) and (2) of the *Local Government (Financial Management) Regulations 1996*, the List of Accounts paid for the period 1 February to 28 February 2025 as well as the credit card and fuel card statements for the month of February 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

4. Leadership
- 4.3 Financial Sustainability
- 4.3.2 Undertake active financial management to ensure that the annual budget is achieved and any variances are promptly identified and addressed.

Legal Implications

Section 6.10 (d) of the *Local Government Act 1995* refers, ie.

6.10 Financial management regulations

Regulations may provide for —

- (d) *the general management of, and the authorisation of payments out of —*
 - (i) *the municipal fund; and*
 - (ii) *the trust fund, of a local government.*

Regulation 13(1), (2) & (3) and 13A (1) and (2) of the *Local Government (Financial Management) Regulations 1996* refers, ie.

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
 - (a) *the payee's name;*
 - (b) *the amount of the payment;*
 - (c) *the date of the payment; and*
 - (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing -*
 - (a) *for each account which requires council authorization in that month —*
 - (i) *the payee's name; and*
 - (ii) *the amount of the payment; and*
 - (iii) *sufficient information to identify the transaction;*
 - and*
 - (b) *the date of the meeting of the Council to which the list is to be presented.*
- (3) *A list prepared under subregulation (1) or (2) is to be —*
 - (a) *presented to the Council at the next ordinary meeting of the Council after the list is prepared; and*
 - (b) *recorded in the minutes of that meeting.*

13A Payments by employees via purchasing cards ¹

- (1) *If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared -*
 - (a) *the payee's name;*
 - (b) *the amount of the payment;*
 - (c) *the date of the payment; and*
 - (d) *sufficient information to identify the payment*
- (2) *A list prepared under subregulation (1) is to be —*
 - (a) *presented to the Council at the next ordinary meeting of the Council after the list is prepared; and*
 - (b) *recorded in the minutes of that meeting.*

¹ [Regulation 13A inserted: SL 2023/106 r. 6.]

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

All accounts paid have been duly incurred and authorised for payment as per approved payment procedures.

Consultation

Nil.

BACKGROUND

Pursuant to Section 5.42 of the *Local Government Act 1995 (Delegation of some powers and duties to CEO)*, Council has resolved to delegate to the CEO (*Delegation Payment from Municipal and Trust Funds refers*) the exercise of its powers to make payments from the municipal and trust funds.

COMMENT

The List of Accounts paid for the period 1 February to 28 February 2025 is presented as an attachment to this report as well as the credit card statements for the period ended 25 February 2025 and the monthly fuel card statements for the period ended 28 February 2025.

ATTACHMENTS

1. [1](#) Monthly Cheque and Credit Card Report - February 2025
2. Monthly Fuel Card Transactions - Period Ending 28 February 2025

RECOMMEND

CS1/4/25

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

Municipal Fund

Accounts paid totaling \$9,505,738.12, including direct debit payments, cheque numbers 451 to 461, transactions 28034 to 28744 and Payrolls dated 2 February and 16 February 2025.

Credit Cards

Accounts paid totalling \$13,168.74 for the period ended 25 February 2025.

Fuel Cards

Accounts paid totalling \$16,542.28 for the month ended 28 February 2025.

**Moved Cr S Peter
MOTION CARRIED**

6/0

****1.2 - STATEMENT OF FINANCIAL ACTIVITY - FEBRUARY 2025**

WARD : ALL
FILE No. : M/187/25

DATE : March 2025
REF : MH
RESPONSIBLE : Executive Director
MANAGER : Corporate Services

In Brief:

- This report presents the City's Monthly Financial Report for the eighth (8) month period ended 28 February 2025.
- This report recommends accepting the Financial Report for the eighth (8) month period ended 28 February 2025, noting there are reportable actual to budget material variances for the period.

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

4. Leadership
- 4.3 Financial Sustainability
- 4.3.2 Undertake active financial management to ensure that the annual budget is achieved, and any variances are promptly identified and addressed.

Legal Implications

*Local Government Act 1995 – Part 6 – Division 3 – Reporting on Activities and Finance
Local Government (Financial Management) Regulations – Part 4 – Financial Reports.*

Local Government Act 1995 – s.6.11 Reserve accounts

- (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.*
- (2) Subject to subsection (3), before a local government —*
 - (a) changes* the purpose of a reserve account; or*
 - (b) uses* the money in a reserve account for another purpose, it must give one month's local public notice of the proposed change of purpose or proposed use.*

** Absolute majority required.*
- (3) A local government is not required to give local public notice under subsection (2) -*
 - (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or*
 - (b) in such other circumstances as are prescribed.*
- (4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.*
- (5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.*

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

The Statement of Financial Activity, as presented, refers and explains.

Consultation

Nil.

BACKGROUND

A local government is required to prepare a statement of financial activity reporting on the revenue and expenditure as set out in the annual budget for that month. The details in the statement are those as prescribed and the statement is to be reported to Council.

COMMENTS

Presented as an attachment this month, is the eighth monthly financial statement for the new financial year (presented in nature and type format) prepared from information posted in the OneCouncil system.

For the purposes of reporting other material variances from the Statement of Financial Activity, the following indicators, as resolved by Council, have been applied.

Revenue

Material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$100,000 and in these instances an explanatory comment has been provided.

Expense

Material variances are identified where, for the period being reported, the actual varies to the budget by an amount of (+) or (-) \$100,000 and in these instances an explanatory comment has been provided.

For the purposes of explaining each Material Variance, a three part approach has been taken.

The parts are:

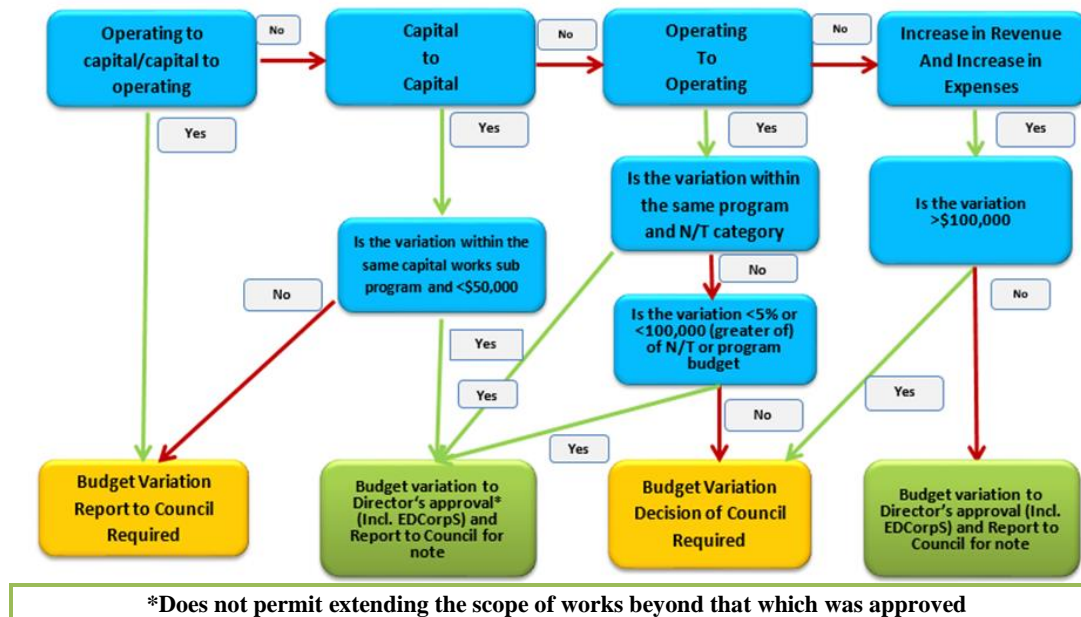
1. **Period Variation**
Relates specifically to the value of the Variance between the Budget and Actual figures for the period of the report.
2. **Primary Reason**
Explains the primary reasons for the period Variance. As the report is aimed at a higher level analysis, minor contributing factors are not reported.
3. **Budget Impact**
Forecasts the likely dollar impact on the Annual Budget position. It is important to note that figures in this part are 'indicative only' at the time of reporting, for circumstances may subsequently change.

At the 24 June 2024 Ordinary Meeting, Council adopted the Budget Variations Process Map which kept the Capital variation at \$50,000 and the Operating to Operating variation at \$100,000 to align with the overall adopted material variation threshold. Budget variations are presented to Council for authorisation by 'Absolute Majority' in circumstances where a forecast variation requires a movement from:

- Operating to Capital.
- Capital to Capital over \$50,000.
- Capital to Operating.
- Operating to Operating for amounts greater than 5% or \$100,000 (whichever is greater).



Budget Variation Process Map



The June 2024 decision of Council also permitted the Chief Executive Officer to amend a grant funded capital works budget, if there was a corresponding increase in the grant funding.

The Chief Executive Officer is authorised to approve amendments to capital budgets that are fully funded by external sources and that require an increase cost, commensurate with an increase in funding, but do not necessarily change scope. This caters for circumstances where Developer Contribution Works (which are pre-approved by Council) can be varied in terms of timing of delivery, if required.

DETAILS

Presented as an attachment is the Monthly Statement of Financial Activity for the eighth (8) month period ended 28 February 2025. The Monthly Statements are based on the model statements provided to the sector, which have been developed by Moore Australia, in conjunction with the Department of Local Government, Sport and Cultural Industries.

Capital Program Update

Included in the monthly report as an attachment is the list of the capital program as at the end for February 2025. Attachments are provided separately for projects above \$250K and projects under \$250K. At the end of January, actual spend plus commitments totalled \$12.6M.

	Budget (incl C/Fwds)	Actuals (Feb 2025)	Commitments (Feb 2025)	Total (Spend plus commitments)
Under \$250k	\$7,631,000	\$2,597,688	\$685,895	\$3,283,583
Over \$250K	\$46,123,000	\$4,499,075	\$4,854,081	\$9,353,156
Total	\$53,754,000	\$7,096,763	\$5,539,976	\$12,636,739

Noteable Variations

The variations noted in the Attachment – *Statement of Financial Activity* present the February YTD Budget and Actuals. The preparation of the February Monthly Financial Statements also coincides with the preparation of the Budget Review, which was submitted to and decided by Council at the Ordinary Meeting in March. As such, an additional column has been listed in this edition of the Financial Statements to indicate the Budget as amended in March.

Commentary on the variations for YTD to February was detailed in the Budget Review report.

Rates Debtors

Outstanding rate debtors over one year, greater than \$250 outstanding and without any form of payment arrangement is summarised below.

Feb-25		Non Pensioner							
		One Year		Two Years		Three + Years		TOTAL	
		#	\$	#	\$	#	\$	#	\$
ALL	Year One	420	560,904	150	342,945	176	519,516	746	1,423,365
ALL	Year Two				196,228		338,333		534,561
ALL	Year Three						0		0
TOTAL		420	560,904	150	539,173	176	857,849	746	1,957,926

Change from last month -39 -\$90,266 -34 -\$147,970 -40 -\$340,878 -113 -\$579,114

YTD Change -1,021 -\$1,699,317 -203 -\$1,038,496 -163 -\$1,303,879 -1,387 -\$4,041,692

Another strong collection month in February has seen a further \$579k collected from debtors who are currently not on payment arrangements. \$4m has now been collected since July 1 and the focus remains on collection of these before the next rates strike in July.

A separate report in this agenda on the actions recommended for the oldest and largest of these debts is provided.

Sundry Debtors

The total of Sundry Debtors 120+days has remained the same at \$0.84M. The breakdown for the 120 day plus category is:

- \$676K is with Fines Enforcement Registry for collection
- \$36K relate to Waste commercial customers which is currently under review
- A further \$47K relate to Planning and Building debtors, which should be collected
- A number of community organisations make up the balance.

ATTACHMENTS

1. Monthly Financial Report - February 2025
2. Capital Program Update - February 2025 (\$250k plus)
3. Capital Program Update - February 2025 (\$250k and under)
4. Small Balance Write Off - Rates - February 2025

RECOMMEND

CS2/4/25

That Council:

1. Pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* accept the Statement of Financial Activity for the eighth (8) month period ended 28 February 2025.
2. Note that there are reportable actual to budget material variances for the year-to-date period ending 28 February 2025.
3. Note the \$312.32 small rates debts written off under Delegation 1.1.22 and Sub Delegation 1.2.22.

ABSOLUTE MAJORITY RESOLUTION REQUIRED

Moved Cr S Peter
MOTION CARRIED

6/0

1.3 - NOTICE OF INTENTION TO IMPOSE DIFFERENTIAL RATES 2025

WARD : ALL
FILE No. : M/184/25
DATE : 13 March 2025
REF : MH
RESPONSIBLE : Executive Director
MANAGER : Corporate Services

In Brief:

- The report presents the draft Statement of Rating Objects and Reasons, including the proposed General, Differential and Specified Area Rates.
- The proposed rates were originally formulated on the LTFP adopted by Council in February, and more recently after a review of the latest Local Government Cost Index (released December 2024).
- A Councillor workshop held in April informed Councillors of the current Rating Strategy and matters for consideration.
- The Report recommendation is to give local public notice (21 days) of Council's intention to impose differential rates in the gross rental value area of the district, based on a 3.6% increase and balanced budget, seeking comments on the information contained in the Statement of Rating Objects and Reasons.

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

This Report is informed by:

- The Long Term Financial Plan (LTFP) adopted in February 2025
- The Strategic Community Plan 2020-2030 and the FY24 to FY27 Corporate Business Plan.

Legal Implications

6.32. Rates and service charges

- (1) *When adopting the annual budget, a local government —*
 - (a) *in order to make up the budget deficiency, is to impose* a general rate on rateable land within its district, which rate may be imposed either —*
 - (i) *uniformly; or*
 - (ii) *differentially;*
 - (b) *may impose* on rateable land within its district —*
 - (i) *a minimum payment;*

** Absolute majority required.*
- (2) *Where a local government resolves to impose a rate it is required to —*
 - (a) *set a rate which is expressed as a rate in the dollar of the gross rental value of rateable land within its district to be rated on gross rental value; and*
 - (b) *set a rate which is expressed as a rate in the dollar of the unimproved value of rateable land within its district to be rated on unimproved value.*

6.33. Differential general rates

- (1) *A local government may impose differential general rates according to any, or a combination, of the following characteristics —*
 - (a) *the purpose for which the land is zoned, whether or not under a local planning scheme in force under the Planning and Development Act 2005;*
 - (b) *a purpose for which the land is held or used as determined by the local government;*
 - (c) *whether or not the land is vacant land; or*
 - (d) *any other characteristic or combination of characteristics prescribed.*
- (3) *In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.*

6.35. Minimum payment

- (1) *Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.*
- (2) *A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.*
- (3) *In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —*
 - (a) *50% of the total number of separately rated properties in the district; or*

- (b) 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.
- (4) A minimum payment is not to be imposed on more than the prescribed percentage of —
 - (a) the number of separately rated properties in the district; or
 - (b) the number of properties in each category referred to in subsection (6), unless the general minimum does not exceed the prescribed amount.
- (5) If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.
- (6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —
 - (a) to land rated on gross rental value;
 - (b) to land rated on unimproved value; and
 - (c) to each differential rating category where a differential general rate is imposed.

6.36. Local government to give notice of certain rates

- (1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.
- (3) A notice referred to in subsection (1) —
 - (a) may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government's estimate of the budget deficiency;
 - (b) is to contain —
 - (i) details of each rate or minimum payment the local government intends to impose;
 - (ii) an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and
 - (iii) any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed;and
 - (c) is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.
- (4) The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

In this report, rate revenue is indexed by 3.6%, based on the projected Local Government Cost Index (LGCI) for FY25.

The total rate revenue for general rates is projected to be \$93.2M, plus \$1.3M in interim rates, a total of \$94.5M in general rate revenue.

Coupled with grants, contributions, fees and charges, the rate revenue contributes to the City's total budget, enabling the delivery of City services, the provision of community facilities, the undertaking of capital works projects, the repayment of debt and transfers to cash reserves for future asset renewal and new projects.

The proposed differential rates, the subject of this report have been prepared following the rates workshop which looked at the impact of indexing. The calculation of the projected rate revenue on which the differential rates are based:

1. factors in an estimate of +800 new rateable properties in the developing areas of the City; and
2. applies an index of 3.6%, reflecting the FY25 forecast of the Local Government Cost Index (LGCI) issued by the West Australian Local Government Association in December 2024. The LGCI, including the components is discussed later in this report.

Consistent with the LGCI, the components of this index have been applied to the same components in the latest version of the LTFP to inform, the draft FY26 budget.

Higher than expected Gross Rental Value (GRV) in new commercial and industrial developments have yielded a further \$1.5M in growth revenue than that which is provided in the LTFP. The Council's Financial and Rating Strategies guide the allocation of growth funds to growing services and facilities in developing areas. This year, the growth revenue has been allocated to a number of service areas across the City to keep pace with the increased need for those services.

Consultation

- Councillors and Officers
- This report proposes that public submissions be sought on the proposed rates set out in the Statement of Rating Objects and Reasons.

BACKGROUND

Rate revenue constitutes around 62% of the City's total operating revenue of \$149M. Forecast to be \$94.5M in FY26, rate revenue enables the City to provide a range of services and facilities to the Community.

Last year, Council determined a rate increase of 3.9% based on the forecast LGCI. The actual LGCI finished the year at 3.6%.

Rating Strategy

The rating strategy adopted by Council takes into account a number of factors including equity, efficiency, capacity to pay and the benefit derived. These factors are articulated in the City's LTFP as guiding principles for deciding on the provision of services, the level of fees and charges, the extent of borrowings and cash reserves and the level of rates.

Key elements of the City's current rating strategy are:

- 1) **Differential Rating** – apply differential rating to reflect the cost/benefit of services provided to rating groups. For example, a high rate is charged to commercial properties, reflecting a higher level of amenity services in the metropolitan and district centres. (Beneficiary Principle)
- 2) **Specified Area Rates** – a specified rate is applied to fund a higher level of service in certain areas. (Beneficiary Principle)
- 3) **Diversified non-residential land use** – Facilitating economic development for land uses that are commercial, or industrial in nature, or otherwise generates economic activity, and contributes direct or indirectly towards rates. This lessens the burden on residential ratepayers to fund City services and infrastructure, which is utilised by residents, commercial, industrial entities and visitors. (Beneficiary and Affordability Principle)
- 4) **Rates growth** – Rates growth (new rateable properties in developing areas) is separately identified to ensure the rate growth revenue derived is applied to the increase in cost of providing City services and facilities to growing communities in the developing areas (Beneficiary, Reasonableness, Fairness principles)
- 5) **Level of Rates** – Council is provided with comparative information on the level of rates between suburbs and also in comparison with other Local Governments to assess the reasonableness of the rating effort. (Affordability, Reasonableness and Fairness principles)
- 6) **Level of Service** – The nature and level of service is considered in strategy, planning and budget documentation (Reasonableness)
- 7) **Fees and Charges** – Fees and charges are reviewed with respect to the Beneficiary and Affordability principle. (Beneficiary and Affordability principles)
- 8) **Other funding sources** – certain services are provided through grants and contributions, with the City allocating only a set portion of rates. (Reasonableness, Uniqueness, Efficiency, Affordability and Fairness principles)

- 9) **Rates as a portion of total operating revenue** – Council is provided with an indicator of the reliance on rates to fund services contrasted with other funding sources including grants, fees and charges. This portion is benchmarked with other local governments and ensures there is not an over-reliance on rates and conversely and under-reliance on the other funding sources. (Affordability, Beneficiary and Fairness principles)
- 10) **Cost indexing** – Council has generally adopted the approach of increasing rates in accordance with the Local Government Cost Index, or reviewing services to reduce service costs and level of rates, where a lower-than-LGCI approach is taken. (Reasonableness and Fairness principles)
- 11) **Cash Reserves** – a portion of rates raised are set aside in future works reserves to reflect consumption of the asset/facilities now and ensure the City has sufficient funds to renew the asset when required (Beneficiary and Fairness/Intergeneration Equity principles).

Rating Effort and the Level of Rates

The “rating effort”, described as the level of rates required to provide a Local Government’s range of services after deducting all other revenue streams, is a function of both the characteristics of a Local Government district and the level and range of services a Local Government provides.

In the first instance, the range of services provided, the level of service and the user pays policies will generate a funding requirement, to be supplemented by rates. However, rates are also affected by the Local Government area itself – its urban density and the proportion of residential properties to commercial and industrial properties. Put simply, if a district has a higher density or a greater proportion of commercial or industrial development, then the average residential rates will be lower.

In Armadale’s case, certain areas of the district are still developing, and the City does not have the benefit of the urban density and commercial/industrial development that are a feature in other Metropolitan Local Government districts, which assist to keep the residential rate lower. Cognisant of this fact, Council has been informed, through benchmarking against other medium to large Local Government districts of the comparative level of rates, which helps Council to form a view on the reasonableness of the required rate revenue.

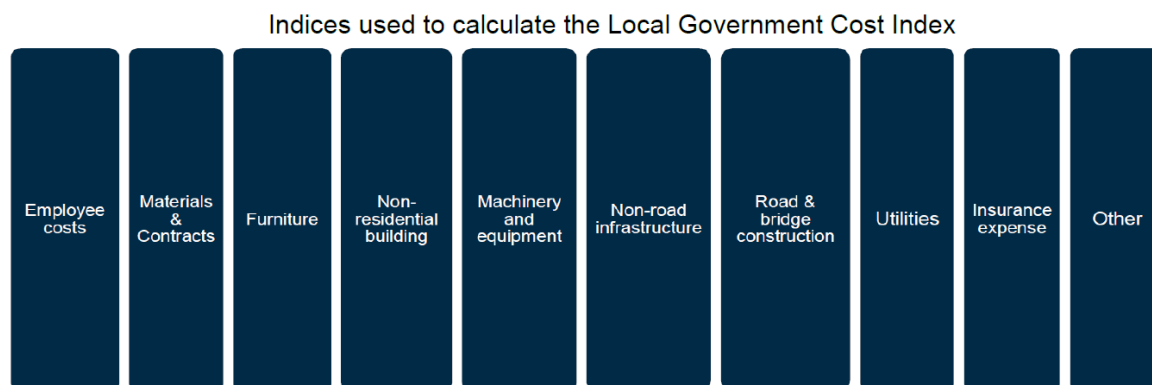
As development progresses, and in particular future commercial and industrial developments, it is likely that Council will have the ability to reduce the level of residential rates.

DETAILS OF PROPOSAL

Local Government Cost Index

The Local Government Cost Index (LGCI) is the City's "CPI" indicator. Provided by WALGA, it provides an indication of those changes in the WA economy that relate more closely to the functions of Local Government and has been used as a guide to inform Council decisions on rate and cost increases.

The LGCI is calculated on the weighted average of a number of component indices, published by the Australian Bureau of Statistics and forecast by State Treasury.



In its Economic Briefing, WALGA provides:

- a) The Actual LGCI (previous year)
- b) The Projected² LGCI (current year)
- c) The Forecast LGCI (future year).

Local Government Cost Index Table (issued December 2024)

LGCI Table

Component	Weighting	2022-23 (actual)	2023-24 (actual)	2024-25 (forecast)	2025-26 (forecast)	2026-27 (forecast)
Employee costs	35%	4.2	4.2	3.8	3.5	3.0
Materials and contracts	28%	4.3	3.2	4.0	3.8	3.5
Furniture	1%	5.8	4.7	3.7	3.5	3.2
Non-residential building	5%	1.0	4.6	3.5	3.0	2.3
Machinery and Equipment	5%	11.5	2.0	4.0	2.5	1.4
Non-road infrastructure	9%	3.3	3.2	2.8	2.7	2.6
Road and bridge construction	10%	3.8	2.1	2.8	2.7	2.8
Utilities	3%	2.5	2.5	3.0	3.0	3.0
Insurance	1%	12.4	13.1	8.6	6.0	4.0
Other	3%	6.2	4.6	3.5	3.0	2.8
LGCI	100%	4.4	3.6	3.6	3.3	3.0

Council has generally taken into account the projected LGCI for the current year (ie. FY25), mindful of the forecast (future years) LGCI, when deciding on rate increases. This is projected to be **3.6%** at the end of FY25.

In 2022 and 2023, the variability between WALGA's projected and forecast was significant due to the economic factors at the time. More recently, the variance has lessened albeit there remains uncertainty in the global economic outlook.

Council adopted a 3.9% increase for FY25 based on WALGA's projections at the time. The actual LGCI for FY24 finished the year at 3.6%³.

² Projected LGCI is differentiated from Forecast LGCI as it is calculated in part on actual economic data issued by the ABS each quarter, whilst forecast LGCI is based entirely on economic predictions. WALGA uses the term forecast for both "projected" and "forecast".

³ Confirmed in October 2024 with the release of economic data for the end of June 2024.

The Long Term Financial Plan

The Long Term Financial Plan, prepared in 2024 and adopted in February 2025 sets the basis for the preparation of the draft FY26 Annual Budget (FY26 Budget). The FY26 Budget continues City services at the same levels of service, and funded capital investment in asset renewal and new facilities utilizing borrowings, cash reserves and a fixed amount of Municipal funds. The LTFP also factored in growth in new rateable properties of 800, equating to \$1.5M, allocating those funds to growing services in developing areas and setting aside funds for future asset renewal of ‘gifted assets’ from new development.

Guided by the Budget Principles and Financial Strategies, Council was satisfied that the provision of services, the level of capital investment, and the extent of borrowings and cash reserves in the LTFP was both reasonable and sustainable.

Strategic Considerations

Council has set out a number of key objectives in the Strategic Community Plan and Corporate Business Plan that will deliver significant benefits to the community. The Long-Term Financial Plan has built capacity to deliver on these objectives, in a sustainable and balanced approach.

Noting that not all key projects were able to be catered for in the medium term, Council has decided on the priorities for the next four years. There remains a number of projects related to the City’s strategic objectives, which are yet to be funded. These include but are not limited to:

- Civic Precinct Projects
- The Armadale Regional Recreation Reserve Stages 2 onwards, which includes development of ovals and playing fields
- The Armadale and Kelmscott Public Realm projects
- Viaduct Projects outside of the Central Park project
- Other City Centre Investment Framework projects

If the Council is to maintain the financial capacity to deliver on strategic objectives and community outcomes, then it will be important to consider the impacts of Council’s strategic financial decisions over the medium to long term. The financial strategies and indicators set out in the Long Term Financial Plan provide Council with this insight, and the ability to maintain the strategic direction. The Rating Strategy ensures that the funding from rates is fair and reasonable. Decisions on the levels of rates for example should be discussed in conjunction with the Long-Term Financial Plan, and with strategic objectives and risk in mind.

Risk title	Risk Description
Operational impacts	The operating impacts of the Capital Investment requires a greater portion of Municipal funds to operate the service, maintain and renew the assets
Opportunity costs	Limited financial resources are invested in current projects, restricting available funds over the medium term for other projects in development. Investment is not optimised. A lower community value is returned on the investment.
Capacity to deliver	The timing and scheduling of the program is beyond the organisation's capacity to deliver. Projects are delayed, grant funding is jeopardised, costs escalate through project overruns.
Reputational risks (community/grant funding bodies)	Expectations of Grant Funding bodies and/or the community are not met due to delays in delivery of the program.
Economic risks	Cost escalations jeopardise service and project delivery; market supply issues delay project delivery, adding to costs.
Political risks	The City does not maximise the potential to secure grant funding from other tiers of government. Grant funding opportunities are foregone.

A final point for Council to consider is that historically, Armadale has general increased rates on or around the LGCI. It has, through prudent financial planning and budget management, avoided the 'rate shock' that has occurred in other Local Government's where rates have not necessarily kept pace with changing community expectations, inflationary costs and a higher provision of services, facilities and assets.

Growth

At the beginning of FY25 (ie. 1 July 2024), the City had 40,662 GRV rateable properties. During the year to early March 2025, a total of 1,033 (+2.6%) new rateable properties were added, through the creation of new lots.

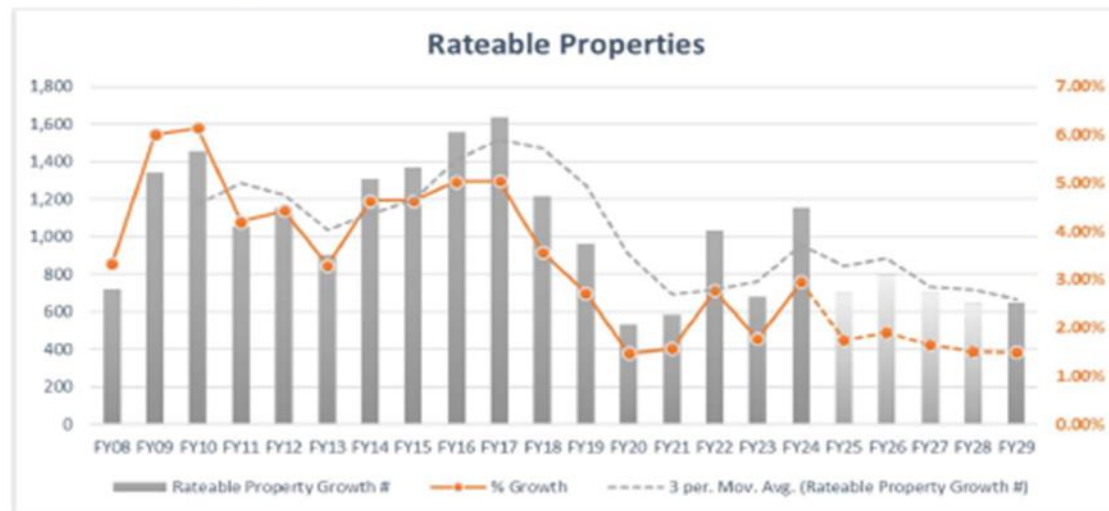
Growth in the total GRV across the City over the period has been \$23.8M, or 2.5%. Note that this is the total number of properties as at 15 March 2025, and interim rates will continue to be processed for the next two months. Therefore an additional provision of 100 properties has been included which increases the total to 1,133 for the financial year.

Of interest is the increase in the GRV and thus rates attributed to the growth properties. At an average of \$2,091 for residential and \$22,629 for commercial/industrial, it is significantly higher than the assumed average rate for growth properties in the LTFP. This has resulted in an additional \$1.5M for the commencement of FY26. A cautionary note however that this result is above the usual trend and reflects a number of large commercial/industrial developments being completed during the year. Consistent with the Financial and Rating Strategies, it is recommended that these funds be allocated to growing City Services and Facilities as a result of urban development.

The chart below illustrates property growth within the City.

Rateable Property Growth (GRV)	# Rateable Properties	Gross Rental Valuation \$'000	Rate Yield Annualised \$'000	Avg Rates Per Prop \$
Beginning of Year	40,538	844,603	86,328	2,130
Additions during the Year *	1,133	27,023	4,065	3,588
End of Year	41,671	871,626	90,392	2,172

* Additions				
Vacant & Residential	1,078	26,508	3,990	2193
Business Improved	55	615	75	22629
	1,133	27,123	4,065	



COMMENT

This report proposes that Council invite submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters in accordance with s6.36 of the *Local Government Act 1995* (the Act), for properties rated on a Gross Rental Valuation (GRV) basis.

These properties are differentiated on:

- Whether or not the land is vacant land (section 6.33(1)(c) of the Act refers), and
- The purpose for which land is zoned under the planning schemes in use within the district (section 6.33(1)(a) of the Act refers).

It is proposed that the three (3) differential rate categories that applied in the 2024/25 year be applied in the 2025/26 year, ie.

- **Category 1 – Vacant Land:** all vacant land
- **Category 2 – Residential Improved:** all improved land that is NOT zoned for business purposes (i.e. primarily residential land)
- **Category 3 – Business Improved:** all improved land that is zoned (pursuant to the City's Town Planning Scheme No.4, the Armadale Redevelopment Scheme 2004 and the Wungong Urban Water Redevelopment Scheme 2007) for business purposes.

The *Draft 2025/26 Statement of Rating Objects and Reasons*, the subject of this report is presented as an attachment. The document explains the Council's rating strategy and approach and proposes differential rates be imposed as follows based on a **3.6% increase**:

Differential Rate Category	Rate in the \$ (cents)	Minimum Rate
1. Vacant Land	15.6916c	\$1,265
2. Residential Improved	10.1225c	\$1,460
3. Business Improved	10.5632c	\$1,698

Note that growth in rateable properties (in FY25) accounts for +\$4.1M, and the 3.9% index (in FY25) accounts for around +\$3.3M (refer table below).

2024/2025 Financial Year Actual	
1 July 2024	\$87.1M
Plus YTD growth in rateable properties of 1033 (annualised) ⁴	\$3.9M
Plus Provision for 100 additional growth in rateable properties by year end (annualised)	\$0.2M
30 June 2025 End of Year Forecast	\$91.2M⁵
2025/2026 Financial Year Budget	
1 July 2025 (before increase)	\$91.2M
Plus Rates Increase for LGCI of 3.6%	\$3.3M
1 July 2025 (after increase)	\$94.5M
TOTAL Rate Revenue	\$94.5M⁶

Specified Area Rates

Specified Area Rates enable the enhancement of the general amenity of an area by way of increased service levels in ways like litter control, verge and streetscape maintenance, verge mowing etc.

The authority to impose specified area rates is set out in section 6.37 of the *Local Government Act 1995*. This section requires that the money raised from a SAR be used for the purpose for which the rate was imposed, with any residual amount remaining being placed in a reserve for that same purpose. If an amount is not used, a refund or credit must be made.

⁴ The LTFP anticipated \$1.4M growth in rate revenue from new rateable properties

⁵ Includes the interim rate budget, provisioned each year at \$1.1M

⁶ Includes the interim rate budget, provisioned each year at \$1.1M

The City has two categories of SARs – Townscape and Residential. Within those categories fall the following SARs localities:

The Townscape Amenity Service business/commercial areas:

- Specified Area A – Armadale Town Centre
- Specified Area B – Kelmscott Town Centre
- Specified Area C – Kelmscott Industrial Area
- Specified Area D - South Armadale Industrial Area.

The Residential Amenity Service:

- Specified Area F – North Forrestdale (Harrisdale and Piara Waters)
- Specified Area G – Champion Lakes.

For FY26, SARs costs have been indexed by 3.6% representing the estimated general increase in Local Government costs over the course of 2024/25.

Vacant Land Minimum Rates

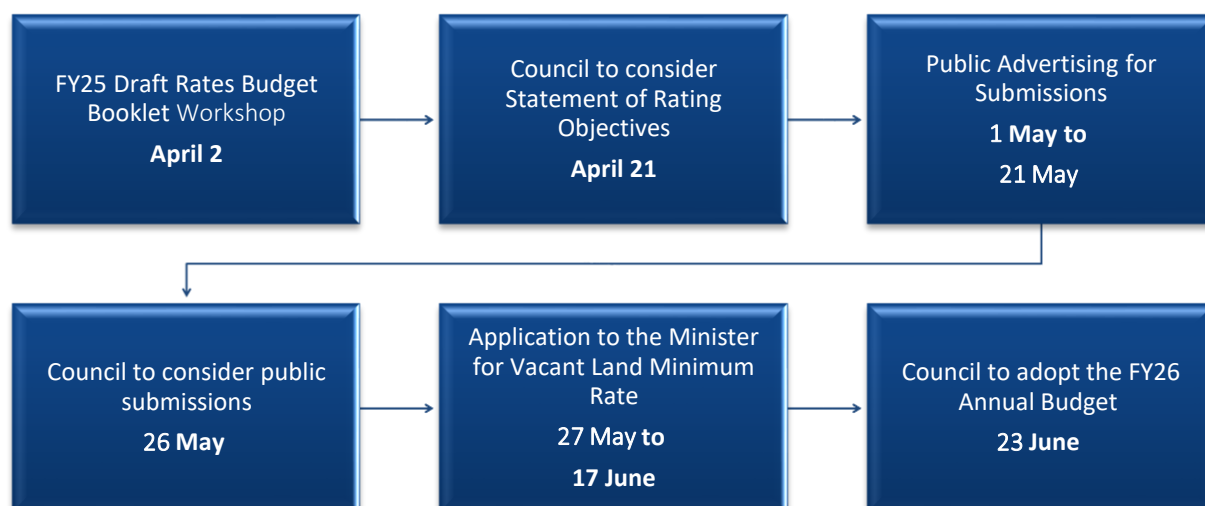
Due to continuing residential growth, the number of small to medium vacant lots on minimum rates has decreased to 1,812. This represents 51% of the total vacant lot properties, which means the Minister's approval will be required for imposing the Vacant Land differential rate.

Process

Establishing the required rate revenue for FY26 has been undertaken through a review of the Corporate Business Plan, City services and the LTFP scenarios and indexing, culminating in the production of the draft Rates Budget.

The imposition of differential rates follows a statutory process that involves the opportunity for the public to make submissions on the proposed rates, and in the case of the Vacant Land minimum rate, the approval of the Minister for Local Government.

A decision of Council in April will enable the Statement of Rating Objects and Reasons to be publicly advertised, concluding around late May. Council will consider submissions (if any) in May, before lodging an application to the Minister to impose the Vacant Land differential rate. The process concludes late June with the adoption of the annual budget.



Further Matters

Other matters pertaining to the proposed differential rates process to note include:

- Giving local public notice of the proposed differential rates does not prevent Council from subsequently imposing rates that differ from those advertised, however should that occur, there is understandably a legislative requirement upon Council to explain in the annual budget document and the rating information accompanying the rates notice, the reasons for the change.
- Local public notice of the proposed differential rates is planned to appear in the West Australian and the Examiner on Thursday 1 May 2025.
- Electors and ratepayers will have until 5pm on **Wednesday, 21 May 2025** to make written submission on the proposed rates.

CONCLUSION

Based upon the considerations and findings of the Councillor Workshop, the information presented in this Report and the attached *Statement of Rating Objects and Reasons*, it is recommended that Council invite public submissions on the following proposed differential rates which is an increase of 3.6% in order to match the expected LGCI general increase:

Differential Rate Category	Rate in the \$ (cents)	Minimum Rate
1. Vacant Land	15.6916c	\$1,265
2. Residential Improved	10.1225c	\$1,460
3. Business Improved	10.5632c	\$1,698

ATTACHMENTS

1. Draft Statement of Rating Objects and Reasons FY25-26

RECOMMEND

CS3/4/25

That Council:

1. Endorse the rating strategy, objects and reasons for each differential rating category and each minimum payment contained in the attachment to this report.
2. Pursuant to section 6.36 of the *Local Government Act 1995*, agree to provide local public notice of its intention to impose differential rates and minimum payments for the 2025/26 financial year (FY26) in accordance with the attached *Statement of Rating Objects and Reasons*, and as outlined below:

Differential Rate Category	Rate in the \$ (cents)	Minimum Rate
1. Vacant Land	15.6916c	\$1,265
2. Residential Improved	10.1225c	\$1,460
3. Business Improved	10.5632c	\$1,698

3. Prepare the draft FY26 budget with the revised cost indices outlined in this report, and an increase the project contingencies budget to balance the draft FY26 budget set out in the Statement of Financial Activity, and for further consideration by Council.

Moved Cr L Sargeson
Seconded Cr G Smith
Opposed Cr S Peter, Cr S Virk
MOTION CARRIED

4/2

2.1 - DLGSC DISCUSSION PAPER - LOCAL GOVERNMENT REFORMS

WARD : ALL

FILE No. : M/43/25

DATE : 21 January 2025

REF : DB/MBL

RESPONSIBLE : Head of City Legal
MANAGER

In Brief:

- On 18 December 2024 the Department of Local Government, Sport and Cultural Industries released a discussion paper to the sector proposing regulatory amendments around CEO Key Performance Indicators and online registers to be published.
- Recommend that Council provide a response to the discussion paper, as presented in 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

The City's Strategic Community Plan 2020 – 2030 contains the following relevant aspirations:

Aspiration 4 – Leadership

Outcome 4.1: Strategic Leadership and Effective Management

The recommendation of the report supports Council's objectives expressed in the Aspirations of the Strategic Community Plan.

Legal Implications

The discussion paper proposes amendments to the *Local Government (Administration) Regulations 1996*. If brought into effect, the proposals will result in more legislative compliance tasks for local governments.

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

Generally none, however officer time will be required to establish new business processes and registers of the kind contemplated by the discussion paper.

Consultation

- Executive Leadership Team.

BACKGROUND

On 18 May 2023 Assent was given to the *Local Government Amendment Act 2023* (Amendment Act), with substantial portions of the Amendment Act coming into effect on days that are yet to be proclaimed.

Numerous parts of the Amendment Act have come into effect already, examples being electoral reforms and other reforms relating to roles and responsibilities of council members and Chief Executive Officers.

The Amendment Act also contained heads of power in the *Local Government Act 1995* that have not yet come into effect, relating to:

- Requirements for local government CEO's performance criteria and performance reviews to be published.
- A requirement for local governments to publish and maintain registers on their website.

The discussion paper proposes giving effect to these heads of power by way of draft *Local Government Regulations Amendment Regulations 2024*. These draft regulations are attached to this report.

DETAILS OF PROPOSAL

The Department of Local Government, Sport and Cultural Industries (DLGSC) released a discussion paper to the sector on 18 December 2024, inviting submissions on proposed amendments to the *Local Government (Administration) Regulations 1996* (Regulations), that are proposed relating to:

- CEO employment standards (amending regulations 4, 7 to 14)
- CEO KPIs (amending regulations 5, 6 and 13)
- Online registers:
 1. Leasing register (draft regulation 29F)
 2. Grants and sponsorship register (draft regulation 29G)
 3. Applicant contributions register (draft regulation 29H)
 4. Good and services contracts register (draft regulation 29I).

This report deals with the discussion paper proposals as they relate to CEO employment standards and CEO KPIs. The DLGSC has requested feedback from the sector by 7 May 2025 and intends for the proposed changes to come into effect on 1 July 2025. The discussion paper is attached to this report. Officers generally support the reforms, qualified as detailed in the officer assessment against each proposed proposal.

PROPOSAL 1: CEO EMPLOYMENT STANDARDS

Officer assessment: supported (in part)

The discussion paper proposes amendments to the Regulations relating to local government CEOs. This will revise the existing local government CEO employment standards and allow for the publication of key performance indicators (KPIs) in relation to a CEO.

The Regulations contain the model standards for CEO recruitment, performance and termination. The following is proposed:

- The independent member of a CEO selection panel cannot be a council member of another local government; and must be drawn from the list prepared by the Departmental CEO (Director General of DLGSC).
- Clarifying the requirement that if a CEO has held their position for 10 years or more, that their contract may not be varied to extend their term and may not be renewed unless a selection process for a CEO is undertaken and they are the successful candidate.
- Requiring a local government in addition to certifying that a recruitment or termination process was consistent with the CEO standards, that a CEO contract renewal was consistent with the standards.
- In order to facilitate the publication of CEO performance criteria and reviews, providing standards in respect of performance criteria.
- Inserting provisions to clarify the application of the standards to terminations during a probationary period.

Officers have identified a range of issues with this proposal.

A panel of independent persons eligible for appointment to CEO selection committees is proposed. The proposed regulatory change is ambiguous in terms of whether an independent person on a CEO selection panel is required. The proposed amendment as it is currently written states:

“(3) If a local government is establishing a selection panel, it is for the local government (and not the Departmental CEO) to select and appoint 1 or more members of the independent persons panel to serve as an independent person on the selection panel (subject to subregulation (4) and regulation 18FAC).”

The drafting used here could be interpreted in different ways. It could be taken to mean that an independent person is required, or is optional, but is the local government’s responsibility to make the necessary arrangements. The drafting should be revised to make this clearer.

Notwithstanding the above, the basis of appointment of a person to the independent member’s panel appears to be at the discretion of the Director General of the DLGSC. In the case of other appointments to local government-specific panels and boards, the qualification and expertise requirements are expressed in the Schedules of the *Local Government Act 1995*, thus providing transparency around who is eligible to be admitted to the panel/board, and the circumstances in which they can be removed in the event of a problem. The local government will also be required to remunerate the person. The regulations should also stipulate that a candidate/interviewee must have access to a selection panel interview process that contains the independent member by default, ensuring equal consideration of the capabilities of the candidate.

Further, it is not clear if information relating to the qualifications and expertise of the panel members will be made available to local governments, the only commitment given in the proposed regulation is that the list of persons will be provided.

PROPOSAL 2: CEO CONTRACTS – 10 YEAR SUNSET CLAUSE

Officer assessment: supported

The maximum contract term of an incumbent CEO (via the CEO’s contract of employment) is already limited by the Regulations to two 5 year terms unless a recruitment process is conducted and the incumbent is the successful candidate at the expiry of the second 5 year term (Schedule 2 cl. 13 of the Regulations). An amendment to the Regulations is proposed that seeks to exclude the potential for a contract variation that would seek to extend the term of the second contract. It is understood this circumstance has occurred in the sector previously, with an objective of avoiding the 10 year sunset clause on CEO contract extensions.

Officers have no comment to make on this reform other than it appears to be a sensible measure to close what appears to be a loophole that currently exists.

PROPOSAL 3: CEO KEY PERFORMANCE INDICATORS

Officer assessment: not supported

The proposed amendment to the Regulations will require performance criteria of a CEO to be published with the minutes of the Council meeting where the criteria were approved, either as part of the CEO’s contract approval, or as an approval of additional criteria.

The proposed amendments will insert clause 15A(2) in Schedule 2 of the Regulations to provide that a CEO performance criterion must contain:

- “(a) the aspect of the CEO’s role to which the performance criterion applies;*
- (b) the indicator to be used to assess the CEO’s performance against the performance criterion;*
- (c) the target to be achieved in order for the performance criterion to be met;*
- (d) the evidence to be used for determining whether the target is achieved.”*

Given that the CEO’s role, for all practical purposes in a contemporary local government, is closely tied to actions and outcomes of Integrated Planning and Reporting frameworks (particularly the Corporate Business Plan), it would be preferable for proposed clause 15A(2)(a) referenced above, to contain some form of linkage to IPR outcomes in order to quantify the substance of the criterion. For example, instead it could read:

- “(a) the aspect of the local government’s plan for the future directly relevant to the CEO’s performance criterion”*

This would then make it a straightforward matter to determine the remainder of the requirements (b) through (d).

The DLGSC further proposes by way of new regulation 18AA to prescribe the content of a CEO’s performance review report, to contain the following against each criterion:

- “(a) the target that had to be achieved for the performance criterion to be met;*
- (b) whichever of the following applies —*
 - (i) the target was achieved;*
 - (ii) the target was not achieved;*
 - (iii) no determination could be made as to whether the target was achieved;*
- (c) if the target was not achieved — whether this was substantially because of circumstances beyond the CEO’s control and, if so, the circumstances;*
- (d) if no determination could be made as to whether the target was achieved — the reasons why this was the case.”*

A concern arises in respect of the above measures lacking balance between the target, and timeframes to meet the target. It is entirely foreseeable that a target could be met, but could be delayed because of a requirement for example, for a further report on a matter, a councillor’s workshop, or a Council decision.

PROPOSAL 4: TERMINATION IN A PROBATIONARY PERIOD

Officer assessment: not supported

Whilst the discussion paper does not present this proposed amendment, the draft regulations circulated with it (the draft *Local Government Regulations Amendment Regulations 2024*) contain the proposed insertion of clause 25 in Schedule 2 of the Regulations.

This will allow a local government to terminate the employment of a CEO without needing to comply with existing clauses 21(2) and 22 of the Regulations which effectively means, a local government can perform this action without extending procedural fairness to a CEO before termination if:

- “(a) before becoming CEO, the CEO was never an employee of the local government; and*
- (b) the CEO’s contract of employment provides —*
 - (i) for a probationary period; and*
 - (ii) for the review by the local government of the CEO’s performance during the probationary period with a view to determining whether the CEO’s employment should continue after the probationary period; and*
 - (iii) for the local government to have the option of terminating the CEO’s employment during the probationary period after reviewing the CEO’s performance as referred to in subparagraph (ii);*
- and*
- (c) the local government terminates the employment of the CEO during the probationary period —*
 - (i) after reviewing the CEO’s performance as referred to in paragraph (b)(ii); and*
 - (ii) otherwise in accordance with the contract of employment.”*

It is suggested further qualifying criteria is needed to support this measure. For example, it is foreseeable (and historical examples from the sector exist) that a Council could terminate a CEO’s employment following a local government election, if the person was on probation at the time. Such a circumstance would not be encompassed by the new caretaker provisions of the *Local Government Act 1995* as the caretaker period ends on the day the Returning Officer declares the result of the election (usually in the days after the election).

In addition, it is considered the proposed provision would be in conflict with established industrial relations case law, which courts may interpret as having precedent over the regulations.

PROPOSAL 5: PUBLICATION OF CEO PERFORMANCE CRITERIA

Officer assessment: not supported

Proposed regulation 18FAA requires that the performance criteria of a CEO must be published with the minutes of the meeting of the council where criteria was approved, either as part of the CEO’s contract approval, or as an approval of additional criteria.

Reports on the CEO’s performance, including the CEO’s response, are to be published with the minutes of the meeting at which that performance review was conducted. The City objected to this proposed reform previously in its initial response to the first round of proposed Tranche 1 amendments to the *Local Government Act 1995* (CEO1/12/21):

“This is not a current practice at any level of the public sector and the City seeks clarification on why it is proposed this practice be imposed on local governments.

A foreseeable consequence of this initiative is that CEO KPIs will become broad and vague, with the potential for unmeasurable or unworkable KPIs to be made. The Local Government Amendment Act 2019 removed the requirement for a CEO’s contract of employment to be available for public inspection. This proposal seems to contradict that.

The recent statutory changes to the CEO recruitment and performance management process has improved employment practices related to CEOs. The benefit to the publication of CEO KPIs does not appear to be a valuable benefit, and while the City will conditionally support the proposal, the requirement for this proposal is questioned. The City would welcome further detail on this proposal to make submissions.”

Officers have the view that the City’s position on this reform is unchanged. Noting that Directors General of State Government agencies are not required to publish KPIs for their own positions, the basis for this continues to be questionable and not supported by any legitimate evidence.

A further issue may potentially arise as a consequence of publishing the information, in that offensive or defamatory commentary around a person’s performance in the role may be published as it is recognised in the sector that not all performance reviews of CEOs by their respective local governments are constructive.

PROPOSAL 6: NEW ONLINE REGISTERS

As noted previously, the Amendment Acts amended the Local Government Act 1995, which provided a head of power to prescribe the content of new registers. These registers are to be maintained and published on the City’s website (prescribed via regulations), as follows:

- leases that the local government is party to
- grants of money that a local government makes to other persons or businesses
- contracts for goods and services the local government is a party to
- development applicant contributions, accounting for funds collected such as cash-in-lieu for public open space and car parking.

The City maintains registers for some of the subject matter listed above, however officers have a view that the implementation of some aspects of these registers may be unworkable. In brief, the new/modified registers will be required to display:

6.1 Leases (proposed r. 29F)

- type of agreement (lease/licence/commercial etc)
- name of the parties to the agreement
- if the local government is the lessee or lessor
- address of that property or other details that identify the property
- a summary of the permitted use under the lease
- date the lease or licence was entered into
- details about when that lease might end, such as the original fixed expiry date, details of any extensions, or the grounds for which it might be terminated
- amount of rent payable on an annual basis for that lease or licence.

Residential leases are to be excluded. The City does not possess any residential leases, however it is acknowledged in country and regional WA, local governments may be key providers of residential accommodation.

Officer assessment: supported (in part)

- In an administrative sense, straightforward to implement
- A lease register is already maintained for administrative purposes however it will require some adjustment to ensure the desired content is captured
- Officers assess that confidentiality will be an issue where mandated disclosure of names of groups leasing facilities could pose security risks for vulnerable or targeted communities
- Some leases contain confidentiality clauses – the proposed regulations could potentially result in the local government breaching these clauses

6.2 Grants and sponsorship (proposed r. 29G)

- the date the grant or sponsorship agreement was entered into
- a summary of the grant or sponsorship purpose
- the name of the grant or sponsorship recipient
- the total value of the grant or sponsorship, including monetary value and any in-kind support or waiver of fees and charges provided by the local government
- the final report date (if any) for the recipient to report on their spending
- if that date has passed, whether relevant reports or acquittals have been received.

In-kind grants or sponsorship are to be included. Grant or sponsorship agreements more than 5 years old or under \$500 are not required to be displayed.

Officer assessment: supported (in part)

- Potentially complicated given the disparate grant functions across the organisation – i.e., Economic Development, Community Development, Health Services etcetera – all for different purposes
- The \$500 threshold is considered too low – community grants (sports clubs, community groups etc) often result in grants in excess of \$500. This may occur multiple times in a week, especially if there is a new grant program running
- Publication of recipient's names – this would seemingly include publication of the name of an applicant who is a minor, which is totally unacceptable
- Lack of balance exists between improving transparency and administrative red tape, noting that one of the objectives of local government reform was reduction of red tape

6.3 Applicant contributions (proposed r. 29H)

- name of the party that gave the money
- address or description of the development location
- contribution purpose
- contribution amount
- date of payment
- date the local government must spend the money by (if applicable)
- amount of interest earned
- list of each item (infrastructure or facility) the money was spent on, including the amount or percentage of the contribution that was attributed to that infrastructure or facility.

A local government may remove the contribution amount from the register 5 years after the contribution is exhausted by the local government or refund to the contributor.

Officer assessment: supported (in part)

- Retrospective and broad drafting style of the proposed register is an issue. Some contributions in the past have been provided with limited information by developers which may not allow the register to contain the required information
- It would be more appropriate for the registers to only apply to future contributions to enable the new information required to be provided by developers and collected as the funding contribution is received.
- The proposed drafting implies that minor kerb and crossover bonds and other minor contributions are included, which would require the City to undertake additional tasks for small and common amounts, where the City is facilitating land development or housing construction. It makes sense to exclude contributions under \$5,000 and bonds for this reason.
- Road, landscape and other similar bonds should be excluded, as these are required to be undertaken by the subdivider/developer and the obligation is for the subdivider/developer to complete the works to obtain the bond. In most instances, the City can require the subdivider to undertake work before clearance, however this would delay land settlement and housing construction. Bonds are common practise proposed by the land development industry to assist in earlier release of land titles, which the Local Governments assist with facilitating.
- Contributions as part of Developer Contribution Plans should be excluded from the registers as the WAPC already has substantial reporting, templates and documentation (including audits) for the administration and management of DCPs.
- If these registers progress as proposed, similar requirements should be made for registers to be maintained for State Government agencies that collect developer contributions (including headworks).

6.4 Contracts register (proposed r. 29I)

- supplier name
- whether the contract arose from a tender process and if not, a summary of the method by which the supplier was chosen
- the contract start date
- a summary of the goods and services to be provided
- whether the contract has a fixed period, the date that period ends, including contract extensions
- contract variations, including when and for what purpose
- funds spent by the local government under that contract and the expected amount remaining to be paid.

Contracts worth less than \$50,000 are not intended to be included. However, contracts with the same supplier with a similar purpose that cumulatively exceed \$50,000 need to be listed. Contracts that have ended do not need to be listed.

Officer assessment: supported (in part)

- Already maintained by the City however will require some adjustment to ensure the desired content is captured
- The requirement to show a drawdown component is objectionable as there is currently no ability to provide this data and is not a function performed by the City
- “Contracts” above \$50,000 are not always a ‘long form’ contract (i.e. an actual contract document) and are often more involving routine purchases of goods and

services, the proposed regulations don't clearly define the term "contract" which will create ambiguity in terms of exactly what must go into the register

- There is some concern the publication of contract values and payments may make local governments and suppliers/contractors to be attractive targets for cyber attacks and scams – see the drawdown requirement in terms of how this could be exploited for scams
- Requirement to report variations needs to be clarified as some variations are non-financial
- As with other registers, there needs to be balance in terms of creating additional red tape for local governments and transparency. This balance appears to be missing

COMMENT

It is noted that the discussion paper does not present all the matters shown in the draft amendment regulations. The 'CEO termination on probation' example highlights this.

The discussion paper and proposed draft regulations will require an implementation date of 1 July 2025, with registers to be updated and published no later than every 3 months thereafter. It also appears, albeit with ambiguous drafting, that the registers are to apply retrospectively. That is, the content of the registers is to precede the implementation date.

Contrary to one of the stated intentions of the local government reforms to reduce red tape, the DLGSC has demonstrated the opposite and has shown that it is indifferent to local governments engaging with more complicated compliance requirements, for little demonstrable benefit.

The DLGSC does not appear to understand the nexus between creating additional complication for local governments and the flow on effect this has on delivering a more efficient service to residents and businesses. In short, less red tape for local governments means less red tape for residents and business to navigate.

Council is presented with this assessment of the discussion paper in order to assist it to make a submission to DLGSC on the proposals, by the 7 May due date. It is suggested that, if Council agrees, this report forms the basis of the City's submission.

Alternatively Council can decline to make a submission, or provide a submission alternative to the views expressed in this report.

ATTACHMENTS

1. DLGSC Discussion Paper - CEO KPI and online register proposals
2. Consultation draft - Local Government Regulations Amendment Regulations 2024

RECOMMEND

CS4/4/25

That Council request the CEO to make a submission to the Department of Local Government, Sport and Cultural Industries on its discussion paper pertaining to draft *Local Government Regulations Amendment Regulations 2024*, as ~~described~~ **amended** in the report **table below**:

Proposal	Committee Recommendation
1 CEO employment standards (amending regulations 4, 7 to 14)	<ul style="list-style-type: none">• Support (in part). Ambiguous wording isn't clear that an independent person is *required*• Appointment of persons to independent persons panel at the discretion of the DLGSC with no qualification or expertise requirements stated (like all other panel/board appointments under the Act)• Not clear if qualification/experience information about panel members will be made available to local governments
2 CEO contracts (10 year sunset clause)	<ul style="list-style-type: none">• Supported. Closing the 'CEO contract extension loophole by way of a contract variation' is sensible
3 CEO KPIs (amending regulations 5, 6 and 13)	<ul style="list-style-type: none">• Not supported. No linkage to IPR so that KPI can be quantified• No apparent flexibility to deal with a circumstance where failure to meet a KPI was beyond the CEO's control• Supported, in the interests of transparency
4 Termination in a probation period	<ul style="list-style-type: none">• Not supported. Not referenced in the discussion paper• Denies procedural fairness• Could be open to abuse• Likely conflicts with established case law
5 Publication of CEO performance criteria	<ul style="list-style-type: none">• Not supported. Not required at any other level of government in WA• Council has consistently objected to this reform• Inappropriate or defamatory remarks may end up getting published as part of the process which exposes the local government to risk and adds no value to the purpose of such a reform• Supported, in the interests of transparency
6 Leasing register (draft regulation 29F)	<ul style="list-style-type: none">• Supported (in part). The City already maintains a lease register which will not need a lot of work to reflect what is proposed• Confidentiality is an issue where the names of lessees is required to be disclosed• Some leases contain confidentiality clauses
7 Grants and sponsorship register (draft regulation 29G)	<ul style="list-style-type: none">• Supported (in part). Potentially complicated to implement• \$500 threshold is too low as most grants and sponsorship would be over this• Publication of recipient names not appropriate in

8 Applicant contributions register (draft regulation 29H)

some cases

- **Supported (in part).** Not clear from the ambiguous drafting whether it applies retrospectively for the previous 5 years or not
- Seems to imply minor kerb and crossover bonds are included which would increase administration significantly
- Bonds for works not conducted by the City should be excluded
- \$5000 threshold likely too low given the cost of works today. No empirical evidence given to support this amount

9 Good and services contracts register (draft regulation 29I)

- **Supported (in part).** The City already maintains a contracts register
- Drawdown requirement is unworkable and a point of objection
- Publication of contract values may make contractors attractive targets for scammers
- As with the other register proposals there is a lack of balance between reducing red tape and improving transparency

Moved Cr S J Mosey
MOTION CARRIED

6/0

2.2 - 2024 ANNUAL GENERAL MEETING OF ELECTORS - 26 MARCH 2025

WARD : ALL

FILE No. : M/213/25

DATE : 1 April 2025

REF : AO/DB/MBL

RESPONSIBLE : Executive Director
MANAGER Corporate Services

In Brief:

This Report:

- Presents the minutes of the AGM of Electors held on 26 March 2025 for confirmation by Council.
- Twelve (12) motions were submitted by the community at the meeting, all of which were carried by electors present.
- This report provides comment on the motions and presents recommendations for consideration by Council.

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

4 – Leadership & Innovation

4.4 - Effective community engagement and communications

4.4.1 – Strive to achieve best practice community engagement

Legal Implications

Section 5.27 of the *Local Government Act 1995* requires that:

- (1) *A general meeting of the electors of a district is to be held once every financial year.*
- (2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*
- (3) *The matters to be discussed at general electors' meeting are to be those prescribed."*

The *Local Government (Administration) Regulations 1996 – Regulation 15 Matters to be discussed at general meeting*, prescribes that:

"For the purposes of section 5.27(3), the matters to be discussed at a general electors meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business."

Subdivision 4, Section 5.33 of the *Local Government Act 1995* states:

- (1) *All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable –*
 - (a) *at the first ordinary council meeting after that meeting; or*
 - (b) *at a special meeting called for that purpose,**whichever happens first.*
- (2) *If at a meeting of the council a local government makes a decision in response to a decision made at an electors meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.*

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

Nil.

Consultation

Nil.

BACKGROUND

Council at its meeting on 10 February 2025 (CEO1/2/25) accepted the Annual Report for the year ending 30 June 2024 and resolved to hold its Annual General Meeting of Electors on Wednesday, 26 March 2025.

A public notice was placed in the Examiner on 27 February 2025 advertising the Annual General Meeting and inviting persons who may be seeking information that may require research, being requested to give at least 2 days notice to the Chief Executive Officer.

COMMENT

The City of Armadale Annual General Meeting of Electors was held on Wednesday 26 March 2025 for the community to receive the 2023/2024 Annual Report and discuss any items of general business.

Minutes of the Annual General Meeting (AGM) of Electors held on 26 March 2025 are attached to this report for Council to receive, consider and determine as appropriate.

Also attached to this report are the Questions that were taken on notice. City officers are currently in the process of compiling responses.

Questions Taken on Notice

Responses to the questions that were taken on notice are currently in the process of being compiled City officers. Responses will be completed as soon as reasonably practicable and an update provided to Council through the Council Agenda.

Motions Received from the Floor

Twelve (12) motions were submitted to the meeting, all of which were carried.

These motions are now presented for Council to consider as follows, with the intent that the Officer Comment and Council's decision be communicated to the Electors attending the Electors Meeting.

<u>Motion-1</u>
<p>The City of Armadale collaborate with the Hills Ward community during the 2025-2026 financial year to initiate a pilot program for the acquisition of 20 park benches. These benches to be installed in and around active playing areas, close to playground equipment in parks, along frequently used walking trails and footpaths, as well as at bus stops that lack seating.</p>
<p><u>Officer's Comments/Reasons for Recommendation</u></p> <p>The City has taken a strategic approach to reviewing and prioritising investment in Parks improvement, both from an infrastructure point of view and a parks amenity (green assets) point of view. The City's Parks Facilities Strategy is the key strategy utilised to prioritise the investment in infrastructure upgrades in recreational parks.</p> <p>The Parks Facilities Strategy is being reviewed and was the subject of a recent community engagement program 'make your mark on our parks'. Through Facebook and Instagram, local newspaper ads, parkland signage and a community pop up event, residents were invited</p>

Motion-1

to participate in a survey. The survey was designed to explore the reasons people choose to visit specific parks in their neighbourhoods and what factors / facilities are most important to them when visiting recreational parklands. The survey was recently closed, and the review of the Strategy and subsequent Parks Improvement Program is underway.

Officer's Recommendation

That that Council consider this item as a submission, and in conjunction with other community feedback, when it considers the feedback on the Parks Facilities Strategy and subsequently, the Parks Improvement Program.

Motion-2

That Council advise the public what percentage of those policies have been reviewed and adopted and further to provide feedback to the public on the timeframe to complete a review of all outstanding policies.

Officer's Comments/Reasons for Recommendation

Council has adopted a Policy Framework on 24 September 2024 (CS3/9/24) to guide the development and review of policies. This instrument is intended to guide Council's policy-making function, with specific development instructions for officers, linking to the City's Strategic Community Plan.

Policies are prioritised for review by Council's Standing Orders and House Advisory Group (SOHAG).

Officer's Recommendation

That Council receive a report on the status of policy reviews and options to progress policy reviews, to be submitted via the Corporate Services Committee.

Motion-3

The City of Armadale investigate and partner with the Department of Education to provide a public library facility with Roleystone Community College.

Officer's Comments/Reasons for Recommendation

The City's strategic approach to library services is established in the Library Strategic Plan, which was last reviewed in 2022. Libraries are located in key population centres and, where possible, co-located with other attractors for the broader community.

The City's four libraries provide a number of opportunities for Schools to visit and utilise Public Library facilities and resources. Further, the Council has prioritised its future investment in public libraries through the strategy, with a new library service to be delivered in Hilbert in approximately five years time.

It has been noted that for the few Local Government's that have entered into arrangements partnering with the Education Department, there has been a number of challenges and issues experienced. These include:

- limited funding from the Department of Education for facility maintenance, resourcing and programs
- a reluctance to adapt spaces to changing public library usage needs

Motion-3

- Department of Education having different objectives, policies and priorities, which run contrary to those of public libraries
- public libraries operate for the community with a variety of programs and resources which might not be deemed suitable by the Department of Education for school premises
- facilities being used predominantly for the benefit of students and not public, resulting in public library programs being sidelined, particularly during term time.

Officer's Recommendation

That Council continue to use the Libraries Strategy as a guide to current and future Library programs and services, and that no further action be taken on the motion at this point in time.

Motion-4

Given the lengthy time taken already and the effect on the community groups being experienced, I put the motion forward to Council to commit to progressing the review of the lease and licence policy, as well as the Community Group leases ASAP, at a minimum, finalised by the end of this financial year, enabling community groups to move forward with some surety.

Officer's Comments/Reasons for Recommendation

The Council's Standing Orders and House Advisory Group (SOHAG) reviews draft policy items before they progress to Council. Council has directed the SOHAG to prioritise the Lease and Licence Policy review.

It is a complex policy and funding model with many intersecting criteria to consider. Council is committed to concluding the review as soon as possible but is also committed to ensuring the review is properly conducted with due diligence.

Officer's Recommendation

That Council note the motion from the Annual Electors Meeting regarding the Lease and Licence Policy review.

Motion-5

That the Council as part of its 2025-26 budget deliberations to include funding to investigate and clear any blockages from the storm water drainage system on Araluen Golf Estate.

Officer's Comments/Reasons for Recommendation

The Council's program for the piped drainage assets in this area includes routine jetting and educting the drainage lines and pits under ownership of the City twice a year. Given the environment, this is programmed ahead of and upon conclusion of the wet season.

Ahead of the predicted intense storm events, teams are mobilised to inspect this area to ensure that the streets are swept, and the pits are clear of debris and there have even been instances of clearing verges of materials that can potentially be mobilised in rain events.

Last year, following a hydraulic review a larger capacity side entry pit was installed along Heritage Drive near the Old Albany Lane intersection. Subsequently, the area will be monitored to evaluate the performance of the drainage system.

If it transpires that the drainage performance is affected by (and originates from) the golf

Motion-5

course infrastructure, City Officers will work with the golf course to investigate improvements.

Officer's Recommendation

That Council note the further works undertaken and the approach to monitoring the drainage system performance.

Motion-6

That the council as part of its 2025-26 budget deliberations to include funding to upgrade play equipment at Cross Park.

Officer's Comments/Reasons for Recommendation

The City has taken a strategic approach to reviewing and prioritising investment in Parks improvement, both from an infrastructure point of view and a parks amenity (green assets) point of view. The City's Parks Facilities Strategy is the key strategy utilised to prioritise the investment in infrastructure upgrades in recreational parks.

The Parks Facilities Strategy is being reviewed and was the subject of a recent community engagement program 'make your mark on our parks'. Through Facebook and Instagram, local newspaper ads, parkland signage and a community pop up event, residents were invited to participate in a survey. The survey was designed to explore the reasons people choose to visit specific parks in their neighbourhoods and what factors / facilities are most important to them when visiting recreational parklands. The survey was recently closed, and the review of the Strategy and subsequent Parks Improvement Program is underway.

In terms of renewal, the playground was installed in 2009 and is in good condition. The playground is currently scheduled for asset renewal in financial year 2026-27.

Officer's Recommendation

That that Council consider this item as a submission, and in conjunction with other community feedback, when it considers the feedback on the Parks Facilities Strategy and subsequently, the Parks Improvement Program.

Motion-7

That the Council as part of its 2025-26 budget deliberation to include funding to formalise the gravel parking area at Roleystone District Hall.

Officer's Comments/Reasons for Recommendation

The City has taken a strategic approach to its car park new and renewal works program. Presently, this program does not include the formalisation of the gravel parking at the Roleystone Hall. The gravel area is not considered a formal car parking asset. For it to become a new asset it will need to be considered in the next iteration of the Capital Investment Program informing the Long Term Financial Plan.

Whilst this matter may be considered by Council through the next iteration of the Long Term Financial Plan, Council has a Financial Strategy to limit the municipal funds allocated to new infrastructure to \$2.7M per annum, ensuring that sufficient funds are available for renewing existing infrastructure.

Motion-7

The LTFP plans a higher than average investment in capital infrastructure over the next five years, including major arterial roads. Both the financial and resourcing capacity of the City would be a consideration with this request.

Officer's Recommendation

That Council consider this item when it considers the next iteration of the Capital Investment Program informing the Long-Term Financial Plan.

Motion-8

That replacement of the Roleystone Football Pavilion at Cross Park be included in community infrastructure projects schedule for planning in 2025-26, design in 2026-27 and construction in 2027-28.

Officer's Comments/Reasons for Recommendation

The LTFP adopted in February sets out the capital investment program and priorities for key projects for the next ten years. This did not include the replacement of the Cross Park Football Pavillion.

Council is due to consider both the Assessment Management Strategy and the Building Asset Management Plan later this year. It is recommended that this matter be considered at that point in time.

Officer's Recommendation

That Council:

1. Note that the review and update of the City's Asset Management Strategy and the Building Asset Management Plan is in progress, scheduled to be completed later this year
2. Consider this matter in conjunction with the Building Asset Management Plan.

Motion-9

The Council initiate the restoration of the former St. Francis Xavier Church and pursue a collaboration with local service clubs, the WA Police and other non-profit organisations to repurpose the building for community use.

Officer's Comments/Reasons for Recommendation

The WA Police are still in the process of connecting services and liaising with the Department of Planning, Housing and Lands (DPHL) for the excision of the land from the Justice Precinct lot to create a new Crown Reserve containing just the former St. Francis Xavier Church.

The WA Police will also be required to remove all of the graffiti. Once the Crown Reserve is created and services connected, then DPHL will seek to create a Management Oder for the City to manage the land.

The City will then commence the processes for the scope of works to stabilise the building and its heritage values. Funding has not been allocated for the full upgrade to the building at this stage, so it would be premature to consider engagement with potential users.

Officer's Recommendation

That Council note the City's update regarding the status of the former St. Francis Xavier Church.

Motion-10

Council investigate and develop one or two community events to compliment the Highland Gathering and Perth Kilt Run.

Officer's Comments/Reasons for Recommendation

The City's current Events Program is extensive and consists of the following:

- Australia Day
- Movies in March
- Armadale Arts Festival
- Minnawarra Art Award
- NAIDOC
- Outside the Frame Youth Art Awards
- Highland Gathering and the Perth Kilt Run
- Christmas Parade and Carols by Candlelight

The current budget (2025/26 FY) for the events on the current Events Program is \$922,000. This amount does not include staff salaries. To deliver one additional event on the same scale as the Highland Gathering, municipal funds of \$265,000 would be required as well as an additional full time staff member.

At the Ordinary Council Meeting (C43/12/20), Council endorsed the Events Strategy 2021-2026 for the purpose of evaluate funding options. Council decided not to allocate funds for an uplift in the events program to run more events, due to the other priorities of the Council at the time, and the impacts on the City's financial sustainability. Instead, Council allocated funds to ensure that the City's current events had sufficient resources to run those events well and to accommodate growth in patronage of those events.

Officer's Recommendation

That Council note the motion from the Annual Electors Meeting and continues to support the strategic intent and recommendations of the Events Strategy 2021—2026, focussing on existing events.

Motion-11

Establish a policy that enables a representative from a community group to fully engage in both committee and full council meetings when the agenda includes an item relating to that group being discussed by the council.

Officer's Comments/Reasons for Recommendation

Community engagement and participation in the process of Committee Meetings and Council is governed by the *Local Government Act 1995* and Regulations. The Council has four committees established under section 5.8 of the Act, which are open to the public, as follows:

1. Community Services Committee
2. Corporate Services Committee
3. Development Services Committee
4. Technical Services Committee.

Committee meetings are held monthly and Council meetings are held twice monthly.

Community group engagement in Committee and Council meetings is governed by the *Local Government Act 1995 (Administration) Regulations 1996*, and the City's Standing Orders

Motion-11

Local Law.

Through that legislative framework, community groups and community members have the opportunity to make deputations to the Committees and Council, and to ask questions during Public Question Time.

A policy of the kind proposed by the motion is likely beyond Council's lawful power to make, as only persons elected and sworn to a position (a civic office) of the Council in accordance with the *Local Government Act 1995* can engage in the deliberative process and decision making of an elected Council.

It is worth noting that the City's Community Engagement Framework 2023 sets out the mechanisms for the Community to engage with and participate in the decision making of Council. This spans the spectrum of International Association for Public Participation Standards (IAP2).

Community groups also engage with their Ward councillors directly, as is often the case and Council maintains a range of subject matter working groups that consist of community members and Councillors.

Officer's Recommendation

That Council note the electors motion and Officer's Comments.

Motion-12

To fulfill the obligations under the Local Government Act to liaise with the community and represent the community, that Councillors commit to having regular or periodic meetings with constituents in a forum like manner.

Officer's Comments/Reasons for Recommendation

The City regularly engages with the community on strategies, plans or other matters of interest to solicit community views, refer Engage Armadale website.

Councillors commit significant time to Council business, including reviewing strategies, plans, reports and advice issued weekly, attending Council meetings, Committee meetings and workshops two to three evenings per week. Councillors also commit time in their role to engage with the community and represent community views. Councillors also regularly attend community events. It is a matter for each Councillor to determine the most effective ways to consult and engage with their community.

It is also noted that the City and individual elected members, commensurate with community expectations in the modern digital age, provide opportunities for community engagement via social media which provides ratepayers the ability to engage with elected members in a manner that was not possible in the past. This is in addition to the issue-specific community engagement the City performs on a routine basis throughout the year.

The points above demonstrate how Councillors are fulfilling their obligations under section 2.10 of the *Local Government Act 1995*. It is not recommended that regular or periodic open forums be established, due to the many other engagement activities occurring.

Officer's Recommendation

Motion-12

That Council note the elector's motion and Officer's Comments.

ATTACHMENTS

1. Minutes - Annual General Meeting of Electors - 26 March 2025
2. Questions Taken on Notice - AGM 26 March 2025

RECOMMEND

CS5/4/25

That Council:

1. **Receives the Minutes of the Annual General Meeting of Electors held on 26 March 2025 as presented in the attachment to this report.**
2. **Pursuant to the requirements of Section 5.33 of the *Local Government Act 1995*, adopt the following actions and supporting reasons made in response to the decisions made at the Annual General Meeting of Electors held on 26 March 2025.**

Decisions Made at the AGM of Electors	Council's decision in response to the decision made at the AGM of Electors
<p><u>Motion-1</u></p> <p>The City of Armadale collaborate with the Hills Ward community during the 2025-2026 financial year to initiate a pilot program for the acquisition of 20 park benches. These benches to be installed in and around active playing areas, close to playground equipment in parks, along frequently used walking trails and footpaths, as well as at bus stops that lack seating.</p>	<p>That Council considers this item as a submission, and in conjunction with other community feedback, when it considers the feedback on the Parks Facilities Strategy and subsequently, the Parks Improvement Program; and</p> <p>that this position be communicated to the Electors attending the Electors Meeting.</p>
<p><u>Motion-2</u></p> <p>That Council advise the public what percentage of those policies have been reviewed and adopted and further to provide feedback to the public on the timeframe to complete a review of all outstanding policies.</p>	<p>That Council receives a report on the status of policy reviews and options to progress policy reviews, to be submitted via the Corporate Services Committee.; and</p> <p>that this position be communicated to the Electors attending the Electors Meeting.</p>
<p><u>Motion-3</u></p> <p>The City of Armadale investigate and partner with the Department of Education to provide a public library facility with Roleystone Community College.</p>	<p>That Council continues to use the Libraries Strategy as a guide to current and future Library programs and services, and that no further action be taken on the motion at this point in time; and</p> <p>that this position be communicated to the Electors attending the Electors Meeting.</p>
<p><u>Motion-4</u></p>	

<p>Given the lengthy time taken already and the effect on the community groups being experienced, I put the motion forward to Council to commit to progressing the review of the lease and licence policy, as well as the Community Group leases ASAP, at a minimum, finalised by the end of this financial year, enabling community groups to move forward with some surety.</p>	<p>That Council notes the motion from the Annual Electors Meeting regarding the Lease and Licence Policy review; and</p> <p>that this position be communicated to the Electors attending the Electors Meeting.</p>
<p><u>Motion-5</u></p> <p>That the Council as part of its 2025-26 budget deliberations to include funding to investigate and clear any blockages from the storm water drainage system on Araluen Golf Estate.</p>	<p>That Council notes the motion from the Annual Electors Meeting regarding the Lease and Licence Policy review; and</p> <p>that this be communicated to the Electors attending the Electors Meeting.</p>
<p><u>Motion-6</u></p> <p>That the council as part of its 2025-26 budget deliberations to include funding to upgrade play equipment at Cross Park.</p>	<p>That that Council considers this item as a submission, and in conjunction with other community feedback, when it considers the feedback on the Parks Facilities Strategy and subsequently, the Parks Improvement Program; and</p> <p>that this position be communicated to the Electors attending the Electors Meeting.</p>
<p><u>Motion-7</u></p> <p>That the Council as part of its 2025-26 budget deliberation to include funding to formalise the gravel parking area at Roleystone District Hall.</p>	<p>That Council considers this item when it considers the next iteration of the Capital Investment Program informing the Long-Term Financial Plan; and</p> <p>that this position be communicated to the Electors attending the Electors Meeting.</p>
<p><u>Motion-8</u></p> <p>That replacement of the Roleystone Football Pavilion at Cross Park be included in community infrastructure projects schedule for planning in 2025-26, design in 2026-27 and construction in 2027-28.</p>	<p>That Council:</p> <p>Note that the review and update of the City's Asset Management Strategy and the Building Asset Management Plan is in progress, scheduled to be completed later this year; and</p> <p>Consider this matter in conjunction with the Building Asset Management Plan; and</p> <p>that this position be communicated to the Electors attending the Electors Meeting.</p>
<p><u>Motion-9</u></p>	

The Council initiate the restoration of the former St. Francis Xavier Church and pursue a collaboration with local service clubs, the WA Police and other non-profit organisations to repurpose the building for community use.	That Council note the City's update regarding the status of the former St. Francis Xavier Church; and the information be communicated to the Electors attending the Electors Meeting.
<u>Motion-10</u> Council investigate and develop one or two community events to compliment the Highland Gathering and Perth Kilt Run.	That Council note the motion from the Annual Electors Meeting and continues to support the strategic intent and recommendations of the Events Strategy 2021—2026, focussing on existing events; and that this position be communicated to the Electors attending the Electors Meeting.
<u>Motion-11</u> Establish a policy that enables a representative from a community group to fully engage in both committee and full council meetings when the agenda includes an item relating to that group being discussed by the council.	That Council note the electors motion and Officer's Comments; and that the information be communicated to the Electors attending the Electors Meeting.
<u>Motion-12</u> To fulfill the obligations under the Local Government Act to liaise with the community and represent the community, that Councillors commit to having regular or periodic meetings with constituents in a forum like manner.	That Council note the electors motion and Officer's Comments; and that the information be communicated to the Electors attending the Electors Meeting.

Moved Cr L Sargeson
MOTION CARRIED

6/0

MEETING CLOSED TO PUBLIC

MOVED Cr Peter 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 (6/0)

Meeting declared closed at 7.46pm

3.1 - RATES EXEMPTION APPLICATIONS - S6.26(2)(G) CHARITABLE PURPOSES RESIDENTIAL AND CRISIS ACCOMMODATION

WARD : MINNAWARRA
HERON
LAKE
PALOMINO
RIVER
FILE No. : M/232/25
DATE : 9 April 2025
REF : AO
RESPONSIBLE : Executive Director
MANAGER : Corporate Services

In Brief:

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

Strategic Implications

4. Leadership
 - 4.1.2 Make decisions that are sound, transparent and strategic

Legal Implications

- *Local Government Act 1995* (as outlined in the confidential report attachment)

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

As outlined in the confidential report attachment.

Consultation

As outlined in the confidential report attachment

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

This matter is considered to be confidential under Section 5.23(2)(c) of the Local Government Act, as the matter relates to a contract entered into or which may be entered into by the City of Armadale.

RECOMMEND

CS6/4/25

That the Recommendation in the attached confidential report be adopted.

Moved Cr L Sargeson

Seconded Cr S S Virk

Opposed Cr S Peter

MOTION CARRIED

5/1

MEETING OPENED TO PUBLIC

MOVED Cr Peter that the meeting be opened to members of the public.

Motion Carried (6/0)

Meeting declared open at 7.58pm

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.

CHIEF EXECUTIVE OFFICER'S REPORT

Nil.

EXECUTIVE DIRECTOR'S REPORT

Nil.

MEETING DECLARED CLOSED AT 7.59pm

CORPORATE SERVICES COMMITTEE		
SUMMARY OF ATTACHMENTS		
15 APRIL 2025		
ATT NO.	SUBJECT	
1.1 LIST OF ACCOUNTS PAID - FEBRUARY 2025		
1.1.1	Monthly Cheque and Credit Card Report - February 2025	
1.1.2	Monthly Fuel Card Transactions - Period Ending 28 February 2025	
1.2 STATEMENT OF FINANCIAL ACTIVITY - FEBRUARY 2025		
1.2.1	Monthly Financial Report - February 2025	
1.2.2	Capital Program Update - February 2025 (\$250k plus)	
1.2.3	Capital Program Update - February 2025 (\$250k and under)	
1.2.4	Small Balance Write Off - Rates - February 2025	
1.3 NOTICE OF INTENTION TO IMPOSE DIFFERENTIAL RATES 2025		
1.3.1	Draft Statement of Rating Objects and Reasons FY25-26	
2.1 DLGSC DISCUSSION PAPER - LOCAL GOVERNMENT REFORMS		
2.1.1	DLGSC Discussion Paper - CEO KPI and online register proposals	
2.1.2	Consultation draft - Local Government Regulations Amendment Regulations 2024	
2.2 2024 ANNUAL GENERAL MEETING OF ELECTORS - 26 MARCH 2025		
2.2.1	Minutes - Annual General Meeting of Electors - 26 March 2025	
2.2.2	Questions Taken on Notice - AGM 26 March 2025	

The above attachments can be accessed from the Minutes of the Corporate Services Committee meeting of 15 April available on the City's website

CHIEF EXECUTIVE OFFICER’S REPORT

28 APRIL 2025

INDEX

1. REPORTS	
1.1 AMENDED DRAFT POLICY: HOMELESSNESS	105
1.2 COUNCILLORS INFORMATION BULLETIN - ISSUE NO 5/2025	109
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1.1 - AMENDED DRAFT POLICY: HOMELESSNESS

WARD : ALL

FILE No. : M/260/25

DATE : 22 April 2025

REF : RM

RESPONSIBLE : Chief Executive Officer
MANAGER

In Brief:

- This report presents an amended draft Policy: *Homelessness*
- Recommend that Council:
Endorse the amended draft Policy:
Homelessness

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 *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.
- 1.4 *An Inclusive and Engaged Community*
- 1.4.4 Facilitate the provision of facilities, services and programs to meet the needs of the City's current and future demographics
- 4.1 *Strategic Leadership and Effective Management*
- 4.1.5 Establish comprehensive governance policies and processes

Legal Implications

- *Local Government Act 1995* (WA) sections 3.1(1A) and 2.7(2)(b)
- *Public Health Act 2016*
- *Dog Act 1976*
- *Litter Act 1979*

- *Caravan and Camping Grounds Act 1995*
- *Criminal Code Act 1913*
- *Lands Administration Act 1997*
- City of Armadale Property Local Law
- Activities and Trading in Thoroughfares and Public Places Local Law

Council Policy/Local Law Implications

Policy: *Homelessness*

Budget/Financial Implications

Nil

Consultation

1. City of Armadale Homelessness Working Group
2. Ranger and Emergency Services
3. Community Development

BACKGROUND

Council policies are an essential part of Council's governance framework. They provide and guide Council and officers in the context of Council's decision making. Policies can be developed to respond to legislative requirements, discretionary legislated powers and/or non-legislated functions/activities of Council.

The objective of the amended draft Policy: *Homelessness* is to define the approach of the City of Armadale to the issue of primary homelessness in the community.

Similar to the existing Policy, the amended draft Policy comprises the following structure:

- Scope
- Introduction
 - Causes of homelessness
- Approach
 - Direct services
 - City of Armadale employees and contractors
 - Advocacy
 - Support to sector organisations
- Influencing strategies or plans
- Applicable legislation
- Definitions
- References

This amended draft Policy is responding to the review of the existing Policy by the City's Homelessness Working Group and the Standing Order House Advisory Group (SOHAG).

DETAILS OF PROPOSAL

It is proposed that Council adopt the amended draft Policy: *Homelessness* with the following amendments under the Approach section:

The City, in conjunction with the WA Police, may move individual/s on from land under the care and control of the City where, in the opinion of City officers:

- those experiencing homelessness are not proactively seeking alternative accommodation and are not engaging with relevant organisations to secure alternative accommodation
- they are residing in public facilities including public toilets.

The City will issue a prohibition notice applying to the place, to individual/s on land under the care and control of the City, where, in the opinion of City officers:

- there are no sanitary facilities available or accessible; or
- their actions, activities or behaviour are disturbing the peace or amenity of the area by way of noise, or refuse, or public drinking or unseemly acts or verbal abuse of members of the public including antisocial behaviour⁷; or
- there is a reasonable belief or evidence that individual/s are defecating or urinating in a place that is not a sanitary facility; or
- there is a reasonable belief or evidence of any excrement from animals accompanying the individual/s which is not being collected and disposed of appropriately.

and will seek the cooperation of the WA Police to give effect to the notice by moving the individual/s on.

The City will issue a prohibition notice applying to the whole of the City to individual/s on land under the care and control of the City, where, in the opinion of City Officers:

- there has been a breach of any provision of any Act of Parliament that the City administers, or any local law of the City; or
- there has been a subsequent breach of a prohibition notice for a place; or
- there is a reasonable belief or evidence that criminal or illegal activities are being undertaken; or
- they are camping within 200m of any children's playground, Primary School, Early Learning Centre or Childcare facility.

and will seek the cooperation of the WA Police to give effect to the notice by moving the individual/s on.

⁷ For the purpose of this Policy, the term anti-social behaviour does not include sleeping in a public area.

The amendments also include source references for the content cited in the Introduction section.

COMMENT

The proposed amendments to the draft Policy: *Homelessness* reflect the review of the existing Policy by the Homelessness Working Group and SOHAG.

OPTIONS

Council has the following options:

1. Endorse the amended draft Policy: *Homelessness*
2. Do not endorse the amended draft Policy: *Homelessness*

Option 1 is recommended.

CONCLUSION

The amended draft Policy: *Homelessness* contains amendments under the Approach section in response to review of the existing Policy by the Homelessness Working Group and SOHAG. Outlining the City's actions based on specific circumstances of people experiencing primary homelessness helps clarify the intended implementation of the Policy.

ATTACHMENTS

1. [📄](#) Draft Policy - Homelessness - old template
2. [📄](#) Draft Policy - Homelessness - new template

RECOMMEND

CEO1/4/25

That Council:

Endorse the amended draft Policy: *Homelessness*.

1.2 - COUNCILLORS INFORMATION BULLETIN - ISSUE NO 5/2025

WARD : ALL

FILE No. : M/162/25

DATE : 5 March 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. 5/2025 to be received by Council

The following general information and memorandums were circulated in Issue No 5/2025 on 24 April 2025.

Correspondence & Papers

Nil

Information from CEO Office

Employee Movements
Upcoming Social Media Posts

Information from Technical Services

Outstanding Matters and Information Items

Various Items

Monthly Departmental Reports

Technical Services Works Program

Information from Community Services

Outstanding Matters & Information Items

Report on Outstanding Matters

Upcoming Events

Library Upcoming Events

Community Development

Recreation Services

Library and Heritage Services

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)

Design Review Panel Meetings – March 2025

Health

Health Services Manager's Report – March 2025

Planning

Planning Applications Report – March 2025

Schedule of current Town Planning Scheme No.4 Amendments

Subdivision Applications - WAPC Approvals/Refusals – March 2025

Subdivision Applications - Report on Lots Registered 2024/2025

Compliance Officer's Report – March 2025

Building

Building Services Manager's Report - March 2025

Building Health/Compliance Officer's Report – March 2025

Building Services – Reviews before SAT – March 2025

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

CEO2/4/25

That Council acknowledge receipt of Issue 5/2025 of the Information Bulletin

CHIEF EXECUTIVE OFFICER'S REPORT ATTACHMENTS 28 APRIL 2025		
ATT NO.	SUBJECT	PAGE
1.1 AMENDED DRAFT POLICY: HOMELESSNESS		
1.1.1	Draft Policy - Homelessness - old template	112
1.1.2	Draft Policy - Homelessness - new template	117



Homelessness

Objective

This policy is to define the approach of the City of Armadale to the issue of primary homelessness in the community.

Scope

This policy applies to City staff and contractors who are delivering services in the community who come into contact with people at risk of, or are experiencing, primary homelessness. It also applies to how City staff support external organisations to deliver services to people at risk of, or are experiencing, primary homelessness. This guides all enforcement measures considered to be in the best interests of public health and safety, including the person experiencing homelessness.

Policy Definitions and Terms

Homelessness:

The Australian Bureau of Statistics define a person as homeless if they do not have suitable accommodation alternatives and their current living arrangement:

- is in a dwelling that is inadequate;
- has no tenure, or if their initial tenure is short and not extendable; or
- does not allow them to, have control of, and access to space for social relations.

This includes persons living in; improvised dwellings, tents, sleeping out, in cars, buses, trains, and buildings not designed for housing (rough sleeping); supported accommodation for the homeless; temporarily with other households; boarding houses; other temporary lodging; and living in severely crowded dwellings.

Primary Homelessness

People in the sleeping rough or the sleeping out category are considered to be experiencing **primary homelessness**. This policy is focused on addressing this category of homelessness.

Policy

Introduction

Causes of homelessness

The main drivers of adult homelessness are family and domestic violence, leaving prison, low incomes, housing affordability or access, physical or mental health problems, and relationship breakdown ([Kaleveld et al. 2018](#)).

Risk of homelessness is increasing for low income older person households, particularly older women, which is driven by a lack of social housing, high rents, and absence of retirement savings ([Australian Institute of Health and Welfare \[AIHW\] 2025; Thom 2024](#)).

Homeless children are also a large and growing group; they become homeless with their families due to poverty or because of family violence or abuse in the home. Early experiences of homelessness are highly correlated with adult homelessness ([Kaleveld et al. 2018](#)). Children placed in out-of-home care have a much higher incidence of homelessness after exiting care than for other young Australians ([AIHW 2025](#)).

There is an overrepresentation of Aboriginal people seeking homelessness and social housing services compared with non-Aboriginal people ([Salvation Army 2025](#)). This relates to complex and interrelated factors including exposure to family violence, substance disorders, unemployment, low education levels, and poor health. These factors are both contributors to, and outcomes of, insecure housing circumstances

Approach

The City of Armadale will take a compassionate approach to the issue of primary homelessness by its support and when possible, coordination of the relevant departments, sector organisations and service agencies involved in this area. City staff and its contractors who interact with people experiencing **primary homelessness** will do so with an attitude of empathy and a disposition to assist.

It is not illegal to beg or sleep rough. However there are some circumstances where the WA Police, the Rangers and Health Services can, using their discretion, deal with associated issues under their respective legislation.

The City will:

Direct services

- Provide ongoing support to vulnerable community members who access the Champion Centre, including people experiencing primary homelessness, through the informal drop-in service offered, the Food Relief Program, direct access to external organisations based at the Centre and referrals to other local service providers offering emergency relief.

City of Armadale employees and contractors

- Proactively provide options to people experiencing primary homelessness for example:
 - Provide a list of services available including accommodation options and organisations providing food/emergency relief services including the City's Champion Centre
 - Contact relevant departments who will take a collaborative approach to assist further if required and if possible, for example, making calls to support services on behalf of the person
- For issues that are deemed to be a potential health and/or safety risk (for example, dogs belonging to the person but classified as 'stray', fires the person may use to keep warm, littering, public drinking or engagement in anti-social behaviour), staff ~~will~~^{may} notify the City's Rangers and/or the WA Police for assistance. The implementation of local and State law may be required.

The City, in conjunction with the WA Police, may move individual/s on from land under the care and control of the City where, in the opinion of City officers:

- those experiencing homelessness are not proactively seeking alternative accommodation and are not engaging with relevant organisations to secure alternative accommodation
- they are residing in public facilities including public toilets

The City will issue a prohibition notice applying to the place, to, ~~in conjunction with the WA Police, may move individual/s on from~~ land under the care and control of the City, where, in the opinion of City Officers:

- there are no sanitary facilities available or accessible; or
- their actions, activities or behaviour are disturbing the peace or amenity of the area by way of noise, or refuse, or public drinking or unseemly acts or verbal abuse of members of the public including antisocial behaviour¹; or-
- there is a reasonable belief or evidence that individual/s are defecating or urinating in a place that is not a sanitary facility; or
- there is a reasonable belief or evidence of any excrement from animals accompanying the individual/s which is not being collected and disposed of appropriately

and will seek the cooperation of the WA Police to give effect to the notice by moving the individual/s on.

The City, ~~in conjunction with the WA Police, may~~ will issue a prohibition notice applying to the whole of the City to individual/s on land under the care and control of the City, where, in the opinion of City Officers:

- there has been a breach of any provision of any Act of Parliament that the City administers, or any local law of the City; or
- there has been subsequent breach of a prohibition notice for a place; or-
- ~~their actions, activities or behaviour are disturbing the peace or amenity of the area by way of noise, refuse, public drinking or drug taking, unseemly acts or verbal abuse of members of the public~~
- there is a reasonable belief or evidence that criminal or illegal activities are being undertaken
- they are camping located within 500m-200m of any children's playground, Primary School, Early Learning Centre or Childcare facility

and will seek the cooperation of the WA Police to give effect to the notice by moving the individual/s on.

Advocacy

- Align with the WA Government's Strategy on Homelessness where possible

Support to sector organisations

¹ For the purpose of this Policy, the term anti-social behaviour does not include sleeping in a public area.

Provide in-principle support to services assisting individuals to transition into housing and to maintain housing

- Provide financial assistance to organisations providing food/emergency relief services through Community Grants and contracts
- Assist organisations seeking to provide services for local people experiencing primary homelessness with the allocation of a suitable location and promotion of the service
- Lead the coordination of the South East Emergency Relief Forum

Applicable legislation

Act	<ul style="list-style-type: none">• <i>Public Health Act 2016</i>• <i>Dog Act 1976</i>• <i>Litter Act 1979</i>• <i>Caravan and Camping Grounds Act 1995</i>• <i>Criminal Code Act 1913</i>• <i>Lands Administration Act 1997</i>
Regulation	
Local law	<ul style="list-style-type: none">• City of Armadale Property Local Law• Activities and Trading in Thoroughfares and Public Places Local Law
Policy	

Delegation of Power

- CEO

Link to influencing strategies or plans

- NA

Link to procedure

- NA

Other implications

Financial/Budget Implications

- Staff resources

Asset Management Implications

Environmental Implications

Occupational Safety and Health Implications

References

Australian Institute of Health and Welfare. 2025. "Specialist homelessness services annual report 2023–24." Australian Government. Specialist homelessness services annual report 2023–24, Clients leaving care - Australian Institute of Health and Welfare

Kaleveld, Lisette, Ami Seivwright, Emily Box, Zoe Callis, and Paul Flatau. 2018. *Homelessness in Western Australia: A review of the research and statistical evidence*. Perth: Government of Western Australia, Department of Communities.

Salvation Army. 2025. "Aboriginal and Torres Strait Islander homelessness statistics." Salvation Army. Aboriginal Homelessness in Australia Statistics | The Salvation Army Australia

Thom, Greg. 2024. "Older women on the frontline of housing affordability crisis." Institute of Community Directors Australia. Institute of Community Directors Australia | Older women on the...

Administrative information

Adopted on	19 April 2021 - CS9/4/21
Reviewed or amended	28 November 2022 - CEO4/11/22
Responsible department	Community Development

POLICY HOMELESSNESS



ASPIRATION	Community
RESPONSIBLE DIRECTORATE	Community Services
RESPONSIBLE BUSINESS UNIT	Community Development/Ranger & Emergency Services
RELEVANT LEGISLATION	<ul style="list-style-type: none">• <i>Public Health Act 2016</i>• <i>Dog Act 1976</i>• <i>Litter Act 1979</i>• <i>Caravan and Camping Grounds Act 1995</i>• <i>Criminal Code Act 1913</i>• <i>Lands Administration Act 1997</i>• <i>City of Armadale Property Local Law</i>• <i>Activities and Trading in Thoroughfares and Public Places Local Law</i>

1. Objective

This policy is to define the approach of the City of Armadale to the issue of primary homelessness in the community.

2. Policy

Scope

This policy applies to City staff and contractors who are delivering services in the community who come into contact with people at risk of, or are experiencing, primary homelessness. It also applies to how City staff support external organisations to deliver services to people at risk of, or are experiencing, primary homelessness. This guides all enforcement measures considered to be in the best interests of public health and safety, including the person experiencing homelessness.

Introduction

Causes of homelessness

The main drivers of adult homelessness are family and domestic violence, leaving prison, low incomes, housing affordability or access, physical or mental health problems, and relationship breakdown (Kaleveld et al. 2018).

Risk of homelessness is increasing for low-income older person households, particularly older women, which is driven by a lack of social housing, high rents, and absence of retirement savings (Australian Institute of Health and Welfare [AIHW] 2025; Thom 2024).



Homeless children are also a large and growing group; they become homeless with their families due to poverty or because of family violence or abuse in the home. Early experiences of homelessness are highly correlated with adult homelessness (Kaleveld et al. 2018). Children placed in out-of-home care have a much higher incidence of homelessness after exiting care than for other young Australians (AIHW 2025).

There is an overrepresentation of Aboriginal people seeking homelessness and social housing services compared with non-Aboriginal people (Salvation Army 2025). This relates to complex and interrelated factors including exposure to family violence, substance disorders, unemployment, low education levels, and poor health. These factors are both contributors to, and outcomes of, insecure housing circumstances.

Approach

The City of Armadale will take a compassionate approach to the issue of primary homelessness by its support and when possible, coordination of the relevant departments, sector organisations and service agencies involved in this area. City staff and its contractors who interact with people experiencing **primary homelessness** will do so with an attitude of empathy and a disposition to assist.

It is not illegal to beg or sleep rough. However, there are some circumstances where the WA Police, the Rangers and Health Services can, using their discretion, deal with associated issues under their respective legislation.

The City will:

Direct Services

- Provide ongoing support to vulnerable community members who access the Champion Centre, including people experiencing primary homelessness, through the informal drop-in service offered, the Food Relief Program, direct access to external organisations based at the Centre and referrals to other local service providers offering emergency relief.

City of Armadale Employees and Contractors

- Proactively provide options to people experiencing primary homelessness for example:
 - Provide a list of services available including accommodation options and organisations providing food/emergency relief services including the City's Champion Centre
 - Contact relevant departments who will take a collaborative approach to assist further if required and if possible, for example, making calls to support services on behalf of the person.



- For issues that are deemed to be a potential health and/or safety risk (for example, dogs belonging to the person but classified as 'stray', fires the person may use to keep warm, littering, public drinking or engagement in anti-social behaviour), staff will notify the City's Rangers and/or the WA Police for assistance. The implementation of local and State law may be required.

The City, in conjunction with the WA Police, may move individual/s on from land under the care and control of the City where, in the opinion of City officers:

- those experiencing homelessness are not proactively seeking alternative accommodation and are not engaging with relevant organisations to secure alternative accommodation; or
- they are residing in public facilities including public toilets.

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- they are camping within 200m of any children's playground, Primary School, Early Learning Centre or Childcare facility.

and will seek the cooperation of the WA Police to give effect to the notice by moving the individual/s on.

¹ For the purpose of this Policy, the term anti-social behaviour does not include sleeping in a public area.

Advocacy

- Align with the WA Government's Strategy on Homelessness where possible.

Support to Sector Organisations

Provide in-principle support to services assisting individuals to transition into housing and to maintain housing

- Provide financial assistance to organisations providing food/emergency relief services through Community Grants and contracts
- Assist organisations seeking to provide services for local people experiencing primary homelessness with the allocation of a suitable location and promotion of the service
- Lead the coordination of the South East Emergency Relief Forum.

3. Influencing Strategies or Plans

NA

4. Applicable Legislation

- *Public Health Act 2016*
- *Dog Act 1976*
- *Litter Act 1979*
- *Caravan and Camping Grounds Act 1995*
- *Criminal Code Act 1913*
- *Lands Administration Act 1997*
- City of Armadale Property Local Law
- Activities and Trading in Thoroughfares and Public Places Local Law.

5. Definitions

Homelessness:

The Australian Bureau of Statistics define a person as homeless if they do not have suitable accommodation alternatives and their current living arrangement:

- is in a dwelling that is inadequate;
- has no tenure, or if their initial tenure is short and not extendable; or
- does not allow them to, have control of, and access to space for social relations.

This includes persons living in; improvised dwellings, tents, sleeping out, in cars, buses, trains, and buildings not designed for housing (rough sleeping); supported accommodation for the homeless; temporarily with other households; boarding houses; other temporary lodging; and living in severely crowded dwellings.



Primary Homelessness

People in the sleeping rough or the sleeping out category are considered to be experiencing **primary homelessness**. This policy is focused on addressing this category of homelessness.

References

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VERSION CONTROL			
RELEVANT DELEGATIONS	CEO		
INITIAL COUNCIL ADOPTION	19 April 2021	REFERENCE	CS9/4/21
LAST REVIEWED	28/11/2022	REFERENCE	CEO4/11/22
NEXT REVIEW DUE	Click or tap to enter a date.		



ORDINARY MEETING OF COUNCIL
MONDAY, 24 MARCH 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, 24
MARCH 2025 AT 7.00PM.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Mayor Butterfield, declared the meeting open at 7.02 pm.

Acknowledgement to Country

To begin I would like to pay my respects to the traditional custodians of this land, the Whadjuk people of the Noongar nation. The City pays its respects to the Aboriginal Elders past, present and always and extend that respect to any Aboriginal people in the room.

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 L Sargeson	Palomino Ward
Cr P A Hetherington	Palomino Ward
Cr M J Hancock	Heron Ward
Dr C M Wielinga	Heron 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 P Balley PhD	A/Executive Director Technical Services
Mrs S D'Souza	CEO's Executive Assistant

Public: Nil

LEAVE OF ABSENCE:

Leave of Absence previously granted to Cr S J Mosey and Cr S Peter

APOLOGIES:

Nil

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

Nil

4 PUBLIC QUESTION TIME

Nil

5 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Request for Leave of Absence – Michael Hancock

Request for leave of absence received from Cr Michael Hancock for the period Monday 6 April 2025 to Monday 21 April 2025 inclusive.

MOVED Cr K Kamdar

That Council grant leave of absence to Cr M Hancock for the period Monday 6 April 2025 to Monday 21 April 2025 inclusive (does not include an Ordinary Council Meeting).

MOTION not opposed, DECLARED CARRIED

13/0

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

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

**7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 10 MARCH 2025.**

MOVED Cr L Sargeson that the Minutes of the Ordinary Council Meeting held on 10 March 2025 be confirmed as a true and accurate record.

MOTION not opposed, DECLARED CARRIED

13/0

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

**8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT
DISCUSSION**

1. Mayor's Announcements

Tuesday 11 March 2025

Met with Terry Evans from Perth Hills Future regarding the services they provide and the potential of working together to promote a future event in the Armadale Hills.

Thursday 13 March 2025

Hosted a public citizenship ceremony at Kelmscott Hall along with Deputy Mayor Keogh. Just over 100 people received their Citizenship at the event. Matt Keogh, Federal Member for Burt, Dr Tony Buti MLA, Member for Armadale, Yaz Mubarak Member for Oakford and Councillors Smith, Sargeson and Peter also attended.

Friday 14 March 2025

Attended the Western Australian Multicultural Awards in Perth with Indrani Ginaratha (Member of the City of Armadale Multicultural Advisory Group. The City was nominated for the work done by the hard working community members from our Multicultural Advisory Group. Whilst we did not win the category, it was great to be recognised for the work being done in this space.

Wednesday 19 March 2025

Cr Joy attended the John Wollaston Anglican Community School's commissioning of Tim Russell (Principal), on my behalf.

The CEO, Cr Keogh and I hosted a Community Meeting at John Dunn Pavilion for the Kelmscott and Clifton Hills residents to address issues and sites in Kelmscott, nominated by locals. These topics included development sites, landscaping and amenity issues, the Station Master's House and homelessness. Dr Tony Buti also attended and spoke on a couple of the agenda items. Cr's Joy, Smith, Hetherington, Hancock, Sargeson and Mosey also attended. Another Community Meeting will be held on the 29 March at Frye Park Pavilion at 3pm.

Thursday 20 March 2025

Attended a South East Corridor Councils Alliance (SECCA) meeting of Mayor's and CEO's held at the City of Gosnells. The meeting included a briefing from Western Power CEO regarding the virtual power plant (Project Jupiter) and the underground power program. The phase in of LED lighting was also discussed and advocated for by SECCA.

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

Nil

10 REPORTS

10.1 CITY AUDIT COMMITTEE MEETING

Report of the City Audit Committee held on 12 March 2025.

MOVED Cr P A Hetherington that the report be received.

MOTION not opposed, DECLARED CARRIED 13/0

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

BUSINESS ARISING FROM REPORT

Recommendation CA1/3/25 - Audit Recommendation Follow Up Report - March 2025

MOVED Cr P A Hetherington

That Council note the Audit Recommendation Follow Up Report - March 2025.

MOTION not opposed, DECLARED CARRIED 13/0

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

Recommendation CA2/3/25 - 2024 Compliance Audit Return

MOVED Cr P A Hetherington

That Council:

- 1. Adopt the 2024 Compliance Audit Return, presented as an attachment.**
- 2. Note that the 2024 Compliance Audit Return, presented as an attachment, will be subsequently jointly certified by the Mayor and Chief Executive Officer for submission to the Department of Local Government, Sport and Cultural Industries by 31 March 2025.**

MOTION not opposed, DECLARED CARRIED 13/0

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

10.2 DEVELOPMENT SERVICES COMMITTEE MEETING

Report of the Development Services Committee held on 17 March 2025.

MOVED Dr C M Wielinga that the report be received.

MOTION not opposed, DECLARED CARRIED 13/0

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

BUSINESS ARISING FROM REPORT

Recommendation D1/3/25 - Draft Community Health and Wellbeing Plan 2025-2030

MOVED Dr C M Wielinga

That Council:

- 1. Endorse the Community Health and Wellbeing Plan 2025-2030 as attached, with the following amendments:**
 - a) Removal of figure 3 on page 8 of the attachment;**
 - b) Under the subtitle “Strategy - Foster supportive and healthier natural, built and social environments”:**
 - i. on page 37, under the Outcome “*Create a safe and inclusive transport network that efficiently connects people to places, encourages active and sustainable travel, supports growth and vitality of the community.*”, change ‘create’ to ‘contribute to’;**
 - ii. On page 38, under the Outcome “*Protect and preserve current and future green infrastructure and continue to increase the City’s urban forest*” in the “Action” column, 3rd dot point, change ‘continue to provide’ to ‘expand the City’s free native plant program’;**
 - iii. On page 39, under the Outcome “*Protect and preserve current and future green infrastructure and continue to increase the City’s urban forest*” in the “Action” column, 2nd dot point, change ‘continue to implement’ to ‘review’;**
 - iv. On page 39, under the Outcome “*Protect and preserve current and future green infrastructure and continue to increase the City’s urban forest*”, add a new dot point into the “Actions” column: ‘Encourage residents to uptake the States UFPP & promote the health and wellbeing benefits of the Urban Canopy.’**
 - c) Under the subtitle “Strategy - Protect and enhance human health by reducing exposure to environmental and public health risks”:**
 - i. On page 45, linked to the Outcome “*Promote resource recovery efficiency and continue to move towards a circular economy through waste avoidance education programs to achieve environmentally sensitive and economically sustainable resource recovery services*”, in the column “Actions” add a new dot point to include: ‘Promote the City’s Drop ‘n’ Shop’.**

MOTION not opposed, DECLARED CARRIED 13/0

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

Recommendation D2/3/25 - Request for Pre-Lodgement Comment on Proposed Metropolitan Region Scheme Amendment Lots 17, 18, 800, 5033 & 5034 Albany Highway Gosnells

MOVED Dr C M Wielinga

That Council:

- 1. Requires a submission be made in writing to the Department of Planning, Lands and Heritage (DPLH) in response to the referral from the DPLH requesting preliminary comments on a proposed Metropolitan Region Scheme Amendment for rezoning of Lots 17 & 18 Connell Avenue and Lots 800, 5033 and 5034 Albany Highway Gosnells from the Rural zone to the Urban zone advising as follows:**
 - a) That the initiation of an amendment to the Metropolitan Region Scheme is considered premature as the proposed amendment is not currently supported by any higher order strategic planning framework including:**
 - Perth and Peel @3.5 million – South Metropolitan Peel Sub-regional Framework;
 - City of Gosnells Local Planning Strategy 2022;
 - City of Armadale Local Planning Strategy 2016; and
 - City of Armadale Draft Local Planning Strategy 2024.
 - b) The City of Armadale Draft Local Planning Strategy 2024 did not include any additional parts of North Kelmscott in a Planning Area (including the portion of Lot 5034 Albany Highway that is within the City of Armadale) as it was determined that there is already sufficient appropriately zoned (and even already Structure Planned) land in the North Kelmscott area to cater for housing demand in that area for at least the next 10 years. This land has remained largely undeveloped since it was zoned Urban Development and structure planned approximately 10 years ago. Accordingly, the City did not include a Planning Area in the Draft Local Planning Strategy 2024 to add any future urban areas in the North Kelmscott area.**
 - c) The proposed Urban Area is isolated from the existing urban development fronts located to the north in City of Gosnells and to the south in the City of Armadale and if zoned for Urban development will result in a fragmented growth pattern remote from existing infrastructure (social, economic, utilities etc.) and the loss of a green belt between the urban development in the Cities of Armadale and Gosnells.**
 - d) The documentation lodged by the applicant in support of the proposed MRS Amendment does not adequately address constraints applying to the land. In particular, a Bushfire Hazard Assessment has not been completed and Environmental Assessment documentation is deficient with regard to issues such as bushland retention, extent of foreshore and other regional reserves required, buffers required to wetlands and waterways, ecological linkages, Aboriginal Cultural Heritage and other relevant matters.**

MOTION not opposed, DECLARED CARRIED

13/0

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

Recommendation D3/3/25 - Expenditure of Percent for Art funds in Forrestdale Business Park East

MOVED Dr C M Wielinga

That Council:

- 1. Approves the roundabout at the intersection of Ranford Road and Alex Wood Drive, as the location for the artwork to be provided as part of the expenditure of Percent for Art funds collected in the Forrestdale Business Park East.**
- 2. Approves the Public Art Policy theme of ‘Urban/Rural Gateway’ as the theme of the artwork.**
- 3. Lists for inclusion in the FY26 Budget the following:**
 - (a) \$192,587 in the FY26 Annual Budget being expenditure for public art in Forrestdale Business Park East;**
 - (b) A transfer from the DevelopmentWA Public Art Contribution Reserve of \$176,002 (plus any interest);**
 - (c) A transfer from the Public Art Contribution Reserve of \$16,585.**

MOTION not opposed, DECLARED CARRIED

13/0

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

Recommendation D4/3/25 - Councillor Referral - Business Case for a Plant Nursery

MOVED Dr C M Wielinga

That Council:

- 1. Request Officers to prepare a full report, including possible site locations and costings for consideration in the next Budget deliberations.**

MOTION not opposed, DECLARED CARRIED

13/0

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

10.3

CORPORATE SERVICES COMMITTEE MEETING

Report of the Corporate Services Committee held on 18 March 2025.

MOVED Cr M J Hancock that the report be received.

MOTION not opposed, DECLARED CARRIED

13/0

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

BUSINESS ARISING FROM REPORT

Recommendation CS1/3/25 - List of Accounts Paid - January 2025

MOVED Cr M J Hancock

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

Municipal Fund

Accounts paid totalling \$13,522,440.50, including direct debit payments, cheque numbers 432 to 450, transactions 26407 to 28033 and Payrolls dated 5 January and 19 January 2025.

Credit Cards

Accounts paid totalling \$6,547.95 for the period ended 24 January 2025.

Fuel Cards

Accounts paid totalling \$14,234.35 for the month ended 31 January 2025.

MOTION not opposed, DECLARED CARRIED 13/0

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

Recommendation CS2/3/25 - Statement of Financial Activity - January 2025

MOVED Cr M J Hancock

That Council:

- 1. Pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* accept the Statement of Financial Activity for the seventh (7) month period ended 31 January 2025.**
- 2. Note that there are reportable actual to budget material variances for the year-to-date period ending 31 January 2025.**
- 3. Note the \$268.24 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 13/0**

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

Recommendation CS3/3/25 - Review of 2024/25 Annual Budget

MOVED Cr K Busby

That Council:

- 1. Pursuant to Regulation 33A of the *Local Government (Financial Management) Regulations 1996*, adopt the attached Report titled 'Review of Budget for the period ended 28 February 2025'.**

2. Pursuant to section 6.8 of the *Local Government Act 1995*, authorise* the following amendments to the 2024/25 Annual Budget as presented and explained in Attachment Report titled 'Review of Budget for the period ended 28 February 2025.'

PREDICTED VARIANCES

	Variance
	\$
Revenue from operating activities	
4.1 General rates	600,000 ▲
Increase in forecast interim rates revenue	600,000
4.2 Grants, subsidies and contributions	102,240 ▲
Other Increases	1,100
Riverbank - new grant funding received	101,140
4.3 Fees and charges	970,100 ▲
AFAC Revenue Increase	100,000
Recreation Services Increase	155,000
Building Fees Increase	300,000
Planning Fees Increase	150,000
Other Increases including Subdivisions	265,100
4.4 Interest revenue	313,000 ▲
Increase in Interest Revenue	313,000
Expenditure from operating activities	
4.5 Employee costs	(263,040) ▼
Additional short term resources - Subdivisions funded by increased revenue	(40,000)
Increase in AFAC Resources due to increased revenue	(121,900)
Riverbank Expenses in line with grant received - establish budget	(101,140)
4.6 Materials and contracts	(1,092,000) ▼
Increase in Consultancy - various business areas net transfer	(5,000)
Increase in AFAC Materials and Contracts	(78,000)
Property Services - Building maintenance and asbestos removal	(847,000)
4.7 Utility charges	(200,000) ▼
Increase in Power Costs March to June new energy contract	(200,000)
4.8 Other expenditure	3,792,700 ▲
Technical Services LED Street light project cancelled	3,954,700
Inflows from investing activities	
4.9 Capital grants, subsidies and contributions	155,210 ▲
CP000324 - Row ley Rd (Tonkin-Hopkinson) - MRRG adjustment to grant funding	2,510
CP000605 - Row ley Rd (Hopkin-Hilbert) MRRG adjustment to grant funding	(76,500)
CP000984 - Bridge Renew al project allocation due to new grant received	200,000
CP000679 - Jull St (Chainage 553 To Chainage 720) - reduction in project cost and grant	(145,800)
CP000New - AFAC Heat Pump	175,000
4.10 Developer Contribution Plans - Cash	1,239,000 ▲
Forrestdale Business Park East - DCP new project allocation	772,500
CP000643 - Mason Road Warton Southhampton - DCP project amendment total value	661,400
CP000206 - Road Upgrade - Mason Road - tsf project value to CP000643 Mason Road to make one project	(208,900)
CP000645 - Mason Road Upgrade-Land - DCP project increase in value to \$351k	14,000
4.11 Purchase of land and buildings	175,000 ▲
CP000622 - Planned Minor Capital Works funds not required - tsf to CP000983 Streetscapes	15,000
CP000362 - Alfred Skeet Oval Pav Kitchen funds not required - tsf to CP000291 Admin lift	14,900
CP000291 - Administration lift additional funds required for total project cost	(36,600)
CP000613 - Badminton Centre Roof funds not required - tsf to CP000291 Admin lift	21,700
CP000133 - Capital Consultancy Fees funds not required - used to balance municipal amendments	160,000
4.12 Purchase of plant and equipment	(350,000) ▼
CP000New - AFAC Heat Pump	(350,000)
4.13 Purchase of furniture and equipment	(30,000) ▼
CP000976 - Access Control Gates-AFAC additional funds required	(30,000)

PREDICTED VARIANCES

	Variance
	\$
4.14 Purchase and construction of infrastructure-roads	(731,815) ▼
CP000983 - Streetscapes Projects - tsf funds from CP000622 Planned Minor capital works	(15,000)
CP000324 - Row ley Rd (Tonkin-Hopkinson) - MRRG total job cost increased to \$210k	(72,415)
CP000984 - Bridge Renew al project allocation due to grant received	(200,000)
CP000643 - Mason Road Warton Southhampton - DCP project increase to \$2.16m	(661,400)
CP000206 - Road Upgrade - Mason Road - tsf project value to CP000643 Mason Road	208,900
CP000645 - Mason Road Upgrade-Land - DCP project amendment increase to \$351k	(14,000)
CP000670 - Piara Waters Oval CarPark additional funds required	(306,500)
CP000982 - Reily Road (Balannup-Skeet) - tsf funds to CP000670 Piara Waters Oval Car Park	166,300
CP000983 - Streetscapes Projects - tsf funds to CP000670 Piara Waters Oval Car Park	140,200
CP000682 - Croyden Rd (Chainage 1860 To Chainage 2460) additional funds required	(200,000)
CP000160 - LATM Projects - tsf funds to CP000682 Croyden Rd and CP000988 Alexw ood Drive	492,100
CP000675 - LATM Projects - tsf funds to CP000682 Croyden Rd	57,500
CP000679 - Jull St (Chainage 553 To Chainage 720) - reduction in project cost and grant	158,600
CP000988 - Alexw ood Drive - additional funds for renew al of pavement kerbing and drainage required	(250,000)
CP000981- Brookton Highw ay/Hill St additional funds required	(236,100)
4.15 Purchase and construction of infrastructure-other	(636,000) ▼
Forrestdale Business Park East - DCP new project allocation	(772,500)
CP000975 - Renew al Projects Pathw ays - funds tsf to CP000981 Brookton Highway	84,500
CP000980 - Renew al Projects Drainage - funds tsf to CP000981 Brookton Highway	52,000
Cash inflows from financing activities	
4.17 Proceeds from new borrowings	(3,954,700) ▼
Technical Services LED Street light - 354A Loan cancelled	(3,954,700)
4.18 Transfers from reserve accounts	175,000 ▲
Cashbacked Reserve - Revolving Energy	175,000

3. Note the budget amendments in point 2 above increases the forecast year end budget surplus by \$264,695, from \$574,236 to \$838,931.

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION OF COUNCIL

13/0

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

Recommendation CS4/3/25 - Rates Exemption Applications - s6.26(2)(d) Religious Institutions 1/2684 & 2/2684 Albany Hwy Kelmscott – Redeemed Christian Church of God; 34 Banyard Ave Kelmscott – Aboriginal Evangelical Fellowship of Aust Inc; 14/67-69 Braemore St Seville Grove - Salvation Army; 51 Bedforddale Hill Rd Mt Richon – Free Reformed Church of Armadale

MOVED Cr M J Hancock

That Council approve the following applications for Rates Exemption under s6.26(d) of the *Local Government Act 1995*:

- **1/2684 & 2/2684 Albany Hwy Kelmscott – Redeemed Christian Church of God**
- **34 Banyard Ave Kelmscott – Aboriginal Evangelical Fellowship of Aust Inc**
- **14/67-69 Braemore St Seville Grove - Salvation Army**
- **51 Bedforddale Hill Rd Mt Richon – Free Reformed Church of Armadale.**

MOTION not opposed, DECLARED CARRIED

13/0

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

Recommendation CS5/3/25 - Rates Exemption Application - s6.26(2)(g) land used exclusively for charitable purposes;

25 Fourth Rd Armadale Senses Australia

225 Railway Avenue Kelmscott Crossways Community Services

737 Forrest Road Forrestdale Chinmaya Mission Australia Pty Ltd

18 Erdale Drive Piara Waters Brightwater Care Group Ltd

MOVED Cr M J Hancock

That Council approve the following applications for Rates Exemption under s6.26(g) of the *Local Government Act 1995*:

- **25 Fourth Rd Armadale Senses Australia**
- **225 Railway Avenue Kelmscott Crossways Community Services**
- **737 Forrest Road Forrestdale Chinmaya Mission Australia Pty Ltd**
- **18 Erdale Drive Piara Waters Brightwater Care Group Ltd.**

MOTION not opposed, DECLARED CARRIED

13/0

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

Recommendation CS6/3/25 - National General Assembly of Local Government: 24-27 June 2025 (Canberra)

MOVED Cr M J Hancock

That Council nominate Mayor Butterfield (or her delegate) and the CEO (or her delegate) to attend as the Council's delegates at the 2025 National General Assembly of Local Government to be held in Canberra from 24 June to 27 June 2025.

MOTION not opposed, DECLARED CARRIED

13/0

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

10.4 CHIEF EXECUTIVE OFFICER'S REPORT

Report of the Chief Executive Officer.

MOVED Cr P A Hetherington that the report be received.

MOTION not opposed, DECLARED CARRIED

13/0

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

BUSINESS ARISING FROM REPORT

MEETING CLOSED TO PUBLIC

MOVED Cr Hancock that that the meeting be closed to members of the public as the items to be discussed related to the following confidential items.

Motion Carried (13/0)

Meeting declared closed at 7:15pm.

Recommendation CEO3/3/25 - Update - Orchard House leasing

Confidential under Section 5.23(2)(c) of the Local Government Act 1995.

Discussion on this matter in an open meeting would on balance be contrary to the public interest because the matter relates to a contract entered into or which may be entered into by the City of Armadale.

MOVED Cr K Busby

That Council adopt the recommendation contained in the Confidential Report, attached.

MOTION not opposed, DECLARED CARRIED

13/0

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

Recommendation CEO4/3/25 - Lease for Reg Williams Pavilion with Roberta Jull
Community Care Association

Confidential under Section 5.23(2)(e iii) of the Local Government Act 1995.

Discussion on this matter in an open meeting would on balance be contrary to the public interest because the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person.

MOVED Cr S Stoneham,

SECONDED Crs Busby, Hetherington, Hancock and Sargeson

That Council adopt part (1) of the recommendation outlined in the confidential report.

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

13/0

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

MOVED Cr S Stoneham

That Council adopt part (2) of the recommendation as amended and outlined in the confidential report.

MOTION not opposed, DECLARED CARRIED

13/0

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

MOVED Cr M J Hancock that the meeting be opened from behind closed doors.

Motion Carried (13/0)

Meeting declared opened at 7:22pm.

Recommendation CEO5/3/25 - Councillors Information Bulletin - Issue No 4/2025

MOVED Cr K Busby

That Council acknowledge receipt of Issue 4/2025 of the Information Bulletin

MOTION not opposed, DECLARED CARRIED

13/0

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Sargeson, Cr Hetherington,
Dr Wielinga, Cr Hancock, 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 PSHB Infestations (Cr Caroline Wielinga)

That the matter of a report on the City's locations of Polyphagus Shot Hole Borer (PSHB) infestations and the transport and treatment of the City's green waste in regard to PSHB be referred to the Technical Services Committee.

2 Diwali Festival Light Competition (Cr Keyur Kamdar)

That the matter of the City introducing a Diwali Festival Light Competition be referred to the Community Services Committee.

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Discussed earlier during the meeting – refer Item 10.4

15 CLOSURE

Mayor Butterfield, declared the meeting closed at 7.24pm

MINUTES CONFIRMED THIS 28 APRIL 2025

MAYOR