



**ORDINARY MEETING OF COUNCIL
MONDAY, 14 JULY 2025**

AGENDA

CONTENTS

AGENDA

REPORTS

**COMMUNITY SERVICES COMMITTEE MEETING
HELD ON 8 JULY 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, 14 JULY 2025

**JOANNE ABBISS
CHIEF EXECUTIVE OFFICER**

10 July 2025

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Leave of Absence previously granted to Cr M J Hancock and Cr S J Mosey

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

Nil

4 PUBLIC QUESTION TIME

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

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

[Delegations-and-Council-Policies](#)

It is also available in the public gallery.

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

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PETITIONS

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 23 JUNE 2025. (ATTACHED)

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

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

Nil

10 REPORTS

10.1 COMMUNITY SERVICES COMMITTEE MEETING
Report of the Community Services Committee held on 8 July 2025....5

BUSINESS ARISING FROM REPORT

10.2 CHIEF EXECUTIVE OFFICER'S REPORT
Report of the Chief Executive Officer.47

BUSINESS ARISING FROM REPORT

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

**13 MATTERS FOR REFERRAL TO STANDING COMMITTEES –
WITHOUT DISCUSSION**

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

15 CLOSURE

CITY OF ARMADALE

MINUTES

**OF COMMUNITY SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY, 8
JULY 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 K Kamdar
Cr J Keogh

APOLOGIES:

Cr M J Hancock (Leave of Absence) (Deputy to Dr Wielinga)
Cr S Stoneham (Leave of Absence)
Cr S J Mosey (Leave of Absence) (Deputy to Cr Stoneham)
Dr C M Wielinga

OBSERVERS:

Mayor R Butterfield
Cr S Peter JP (*via Teams*)
Cr L Sargeson
Cr G J Smith

IN ATTENDANCE:

Mr J Lyon	A/Chief Executive Officer
Mrs S van Aswegen	Executive Director Community Services
Mr P Sanders	Executive Director Development Services (<i>via Teams</i>)
Mrs A Luobikis	A/Executive Director Technical Services
M C Halpin	Manager Recreation Services
Mr R Porter	Manager Ranger & Emergency Services
Mrs E Stenhouse	Manager Communications & Engagement
Mrs M Bell	Head of City Legal
Ms N Jory	Emergency Management Lead
Mr T Connolly	Manager Project Management Office
Mr L Annese	Community Facilities & Recreation Coordinator
Mrs A Dunsmore	Community Facilities Officer – Agreements
Ms J Cranston	Executive Assistant Community Services

PUBLIC:

4

DISCLAIMER

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

DECLARATION OF MEMBERS' INTERESTS

Nil

QUESTION TIME

Nil

DEPUTATION

Item 3.1 – Community Venue Hire Policy – Review

*Attendees: Ms Amy Varis (Community Development Officer, Playgroup WA)
Ms Renee Myles (Team Leader, Playgroup WA)*

Ms Myles addressed the Committee at 7:02pm in relation to Item 3.1 on the agenda to talk about the important role of volunteer run community playgroups and to respectfully request the City's support in recognising the role local government can play in their sustainability, particularly through access to affordable venues.

- *Distinction between the two main playgroups that exist:*
 - *Volunteer run community playgroups, sometimes referred to as family playgroups or informal parent led groups - these groups are not for profit and are run entirely by volunteers. This model is highly sustainable as it does not rely on ongoing external funding.*
 - *Supported or Facilitated Playgroups – these are delivered by a paid facilitator and are usually operated as part of a funded program. Often designed for families experiencing additional vulnerabilities.*
- *The challenge is access to affordable facilities for volunteer community run playgroups. One of the barriers of starting and sustaining community playgroup is the cost of hiring community venues in the City of Armadale. These groups are entirely self-funded and operate on minimal budgets.*

Ms Amy Varis addressed the Committee to provide context as to why Playgroup WA has approached the City of Armadale to consider extending the junior subsidy for use of reserves or community facilities under the Community Facilities and Reserves Fees and Charges to include community playgroups under this subsidy.

- *The City of Armadale has a very small number of community playgroups. There are very large geographical areas in the City of Armadale where there are no community playgroups, with people having to travel long distances to engage in a community playgroup. The number of families in the City of Armadale is consistently growing and there is a huge need to increase the number of community playgroups.*

- *There are limited venues for hire in the City of Armadale and the cost is too high to start a community playgroup and for them to be sustainable in the long term.*
- *Playgroup WA respectfully ask Council to consider how it can further support this by reviewing the Community Facilities and Reserves Fees and Charges Policy with a view to ensuring unfunded community volunteer playgroups can access venues at little or no cost.*
- *Playgroup WA would also like to clarify that they are seeking a targeted amendment that applies specifically to the small group of community led volunteer run playgroups that receive no external funding.*

Deputation retired at 7:19pm.

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Community Services Committee Meeting held on 3 June 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 9 – June 2025

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

CONTENTS

COMMUNITY SERVICES COMMITTEE

8 JULY 2025

1.	RECREATION SERVICES	
1.1	PROPOSED AMENDMENTS TO POLICY - LEASE AND LICENCE.....	36
1.2	**ARMADALE UNIVERSITY STUDY HUB.....	11
2.	RANGER AND EMERGENCY SERVICES	
2.1	FIREWORKS EVENT NOTICE APPLICATIONS - CARDILE INTERNATIONAL FIREWORKS PTY LTD	23
2.2	CAT LOCAL LAW 2024 - CORRESPONDENCE FROM THE JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION.....	26
3.	MISCELLANEOUS	
3.1	COMMUNITY VENUE HIRE POLICY - REVIEW (REFERRAL MATTER).....	9
4.	COUNCILLORS' ITEMS	
1.	NAIDOC Festival.....	45
2.	Piara Waters Library - WA Community Facility of the Year Award	45
5.	EXECUTIVE DIRECTOR COMMUNITY SERVICES REPORT	
	NIL	45
	SUMMARY OF ATTACHMENTS	46

3.1 - COMMUNITY VENUE HIRE POLICY - REVIEW (REFERRAL MATTER)

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

At the Council meeting held on 12 May 2025, Cr Silver referred the following matter to the Community Services Committee.

That the matter of a report on a Community Venue Hire Policy review be referred to the Community Services Committee.

Comment from Cr Silver

Late last year, all Councillors received an email from a Community Development Officer at WA, asking for support to review the City's venue hire policy to make it easier for family run playgroups to set up and operate in Armadale. The request was specifically about looking at the Community Facilities and Reserves Fees and Charges policy - particularly the Junior Subsidy for Use of Reserves or Community Facilities and whether eligibility could be extended to include these playgroups, which are volunteer run, not for profit, and don't receive any government funding.

Cr Silver's further comments have been forwarded under separate cover.

Officer Comment

The referral matter relates to Policy – *Community Facilities and Reserves Fees and Charges* (the Policy), as attached.

If requested, a report to Community Services Committee and Council will consider:

- The scope and objective of the current Policy;
- Interpretation and application of the current Policy, including use of words such as “training”, “match-play bookings” and “team”; and
- Implications of expanding the application of the Policy to all not-for-profit organisations who service participants under the age of 18 years of age.

ATTACHMENTS

1. Community Facilities and Reserves Fees and Charges

RECOMMEND

C1/7/25

That Council request the CEO to prepare a report on the Community Facilities and Reserves Fees and Charges that deals with the following matters:

- **The scope and objective of the current Policy;**
- **Interpretation and application of the current Policy, including use of words such as “training”, “match-play bookings” and “team”; and**
- **Implications of expanding the application of the Policy to all not-for-profit organisations who service participants under the age of 18 years of age and early years 0-5.**

**Moved Cr M Silver, Opposed Cr J Keogh
Seconded Cr P A Hetherington
MOTION LOST**

2/3

****1.2 - ARMADALE UNIVERSITY STUDY HUB**

Item 1.2 was brought forward to this junction of the meeting in the interests of the public gallery.

WARD : ALL

FILE No. : M/403/25

DATE : 26 June 2025

REF : TC/AO

RESPONSIBLE : Executive Director
MANAGER Corporate Services

In Brief:

- Contract RFQ-5-2024 was awarded for the refurbishment of Upper 145 Jull Street to deliver the Armadale University Study Hub.
- Refurbishment works commenced in early 2025.
- The current project budget for building works is \$1.14M including the fit out, asbestos removal, installation of a universal accessible toilet and access upgrades to meet BCA and DDA standards.
- Recently, latent building conditions identified during demolition require a budget variation of \$930,000 (\$845,000 + \$85,000 contingency) to complete essential remediation works.

Recommend that Council:

- Approve a budget amendment to allocate additional funding from the Asset Renewal Reserve (\$775,000) and municipal funds (\$155,000).

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 subject of this report has impact on the following objectives in the Strategic Community Plan 2020–2030:

- 3.1.6 Increase private sector investment in the Armadale Strategic Metropolitan Centre
 - 3.1.6.2: Continue to seek opportunities to attract a university presence in the City Centre including being an access hub for online students.
- 3.1.7 Utilise the City’s landholdings to stimulate private sector investment, job creation, and education opportunities
 - 3.1.7.3 Progress feasibility, land assembly and designs to support Civic Precinct development.
- 3.1.8 Advocate for government investment and strategic partnerships
 - 3.1.8.2 Develop partnerships with State and Federal entities to support strategic investment.

This initiative also directly supports the CEO Key Performance Indicator (KPI) for 2024–2025:

“Subject to securing Federal Government funding, establish the Armadale University Study Hub on 145 Jull Street by June 2025.”

Aligned to the Civic Precinct development and the City’s strategic use of land assets, enabling short- to medium-term activation while long-term redevelopment planning progresses.

Acts as a catalyst for broader strategic asset reinvestment, enabling the City to extend the life of Upper 145 Jull Street as a bridge to future Civic Precinct outcomes.

Legal Implications

Nil

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

The current approved project budget for the refurbishment works is \$1.14M. This includes:

- \$292,510 for upgrade capital works (flooring, ICT, security, internal fit-out)
- \$847,000 to address building compliance and make safe works, including:
 - Asbestos removal, certification, and reinstatement works
 - Installation of a compliant universal accessible toilet
 - Access upgrades to meet Building Code of Australia (BCA) and Disability Discrimination Act (DDA) standards

This report seeks a further \$930,000 for structural and building renewal works, which have been identified through further intrusive inspections, which were only able to be undertaken following the safe removal of asbestos from the building roof space.

These works include:

- Ceiling structure reinforcement
- Additional asbestos removal from previously inaccessible areas
- Full HVAC system replacement for the condenser units that service upper 145 Jull Street
- Modifications to the window glazing
- Associated project delivery and administration costs required to implement these works safely and efficiently (the City has engaged a short term project manager overseeing this project)
- Project contingency to manage potential cost variations arising from latent conditions, final design resolutions, or current market pricing differentials.

The completion of these works will extend the useful life of the building for the next ten years.

This report proposes that funding be sourced from:

- \$775,000 from the Asset Renewal Reserve (for eligible lifecycle works associated with asset renewal); and
- \$155,000 from municipal reserves (for non-renewal eligible asbestos remediation and contingency)

Consultation

1. City of Armadale Executive Leadership Team
2. Department of Education

BACKGROUND

The Armadale Suburban University Study Hub

In May 2024, the Federal Department of Education announced the Suburban University Study Hubs (SUSH) program, providing funding for 10 new hubs nationwide. The City submitted an application in July 2024 and was formally advised of its success in October 2024, securing both capital and operational funding to establish a Study Hub at Upper 145 Jull Street.

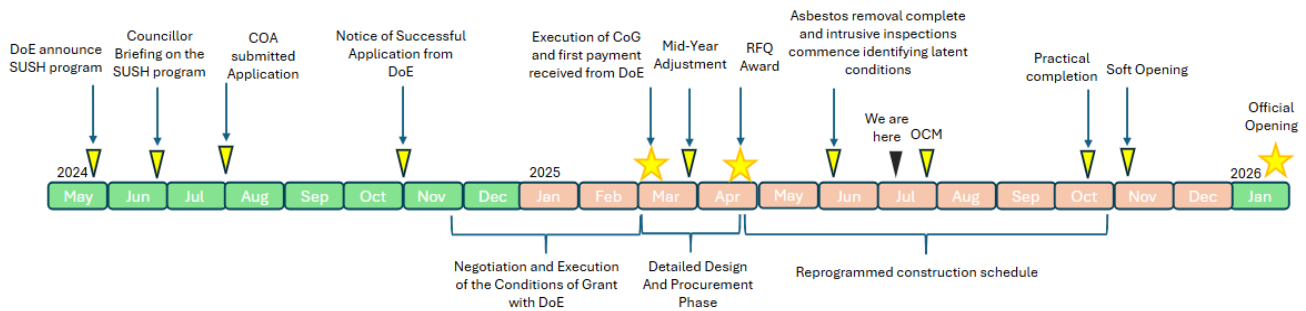
The Study Hub design includes quiet zones, academic support, high-speed internet, wellbeing services, and universal design features such as accessible entries, flexible layouts, sensory-friendly areas, and UATs.

The Study Hub is fully funded for operations through mid-2027 under the Federal grant, ensuring delivery of community-focused student services without further municipal impact. It also satisfies a key CEO Key Performance Indicator for 2024–2025:

“Subject to securing Federal Government funding, establish the Armadale University Study Hub on 145 Jull Street by June 2025.”

The project reflects a long-standing goal to establish higher education access in Armadale. A 2021 internal memo confirmed a university campus was unlikely and recommended pursuing the Federal Government’s Regional University Centre model. This approach ultimately shaped the City’s successful grant application.

A Councillor briefing on 18 June 2024 outlined the funding model, strategic alignment, and long-term community benefits of the Study Hub initiative.



145 Jull Street

145 Jull Street was originally constructed in 1965 as the City's Council Chambers. Comprising of both upper and lower floor areas, the upper portion was later leased to the Department of Training (as the Swan TAFE – Armadale Annexe), with the lower area remaining for City use.

In July 2024, the Department of Training vacated their leased premises at Upper 145 Jull Street and relocated to new premises on Church Avenue. This created a timely and strategic opportunity for the City to repurpose the site in alignment with its Civic Precinct vision, activating a key asset and progressing long-standing aspirations to bring higher education access to the Armadale Strategic Metropolitan Centre.

Building Classification

As part of initial SUSH project planning, the City undertook a detailed review of historical records and upgrade documentation. These confirmed the building's classification as Class 5 (office use), which required a reclassification to Class 9b (assembly/education use) under the Building Code of Australia. Minor works are required to obtain the Class 9b classification, which are incorporated in the scope of works.

Building Works

Following receipt of the draft Conditions of Grant in November 2024, the City finalised internal risk assessments and formally executed the agreement in February 2025. In parallel, technical investigations identified a range of compliance issues and latent risks. The City scoped works to upgrade access, amenities, and energy performance, including:

- Asbestos removal, certification, and reinstatement works
- Installation of a compliant universal accessible toilet
- Access upgrades to meet BCA and DDA standards.

These upgrades extended the building's useful life by approximately 10 years while ensuring legal and regulatory compliance.

Refurbishment subsequently commenced under Contract RFQ 5-2025, valued at \$975,802.84, to deliver a modern, inclusive facility supporting local access to higher education.

At the time of project's initiation, the proposed works were based on preliminary advice regarding the building's condition, the likely impact of asbestos, and the expected compliance requirements under current building standards. As the premises was under a lease to the Department of Training to July 2024, the City had limited access and was not able to

WET AREA NOTES

- Existing "Disinfect" bathroom to be amended as follows:
 - Walls within room to be demolished.
 - New walls constructed as shown to create 3 No. wet areas (Male Staff, Female Staff & Family Change room).
 - New staff bathrooms to be compliant with ambient WC requirements (dimensions, grab rails, seat height & clearance).
 - New Family Change room to be provided with WC, wall basin, wall mounted fold down baby change table, sanitary glove dispenser, paper towel dispenser & sanitary bin.
 - New staff bathrooms to be provided with wall hung basins.
- Floor over blocked off stair to be strengthened with additional floor joists. New floor cover to provide required FRL.

WET AREA NOTES

- Existing Male and Female bathrooms to be swapped. Washbasin bathroom (existing male bathroom) to be demolished and new wall constructed to achieve ambient WC dimensions. New wall to be stud work construction.
- Walls to be packed out as required to achieve ambient WC dimension.
- Existing Kitchen wall to be demolished and new wall constructed for UAT. Male bathroom (new family bathroom) to be extended. New outside to Male bathroom.
- Existing Kitchen to be demolished, new UAT in existing kitchen location. New UAT designed to suit WC, basin and shower.
- Pipe run (supply water & waste) for shower provision to be installed, no shower fixture to be installed.
- New ambient WCs to Male and Female bathrooms to be compliant with ambient WC requirements (dimensions, grab rails, seat height & clearance).
- Door openings to ambient WCs to be widened to achieve min 750mm clear opening.
- Door openings to ambient WCs signed as shown to achieve required 900 x 900 clearance in front of WC pan and outside door as per AS 1428.1 basin.

LEGEND

- Naming strips to stairs
- TOSI
- External metal wall
- Internal metal wall
- Extent of new concrete to verandah
- Block off stair floor area
- Garden Bed
- Extent of Blumens to be amended to suit stairs & ramps

Door Notes

- Note entrance door thresholds to be adjusted to ensure suitable gage / level changes over 3m.
- Contrasting entry step to all glazed doors in accordance with AS 1428.1 2021.
- All doors & frames to achieve luminance contrast in accordance with AS 1428.1 2021.
- All doors to be provided with controls / hardware in accordance with AS 1428.1 2021.

Hinged Doors Continued

- Doors to staff toilets (D01 & D02) and Family change room (D03) to be provided with privacy locks, indicators (with emergency turn) and privacy turn units.
- Caiside doors to Male and Female WC (D3, 4, 24 & 25) to be provided with privacy indicators, ambient lockset, lift off spring hinges and outside door handles.
- Outside doors set to full (net) in closed position.
- D20 to be fitted with push plates internally, the red door closer and self latching door lock keyed to CoA & Fire department master key.

Power operated Doors

- All access control to CoA approved access control contractor (H&M).
- Power operated door to be co-ordinate installation with CoA & CoA access contractor.
- Main entrance door to be in timer and locked after hours.
- Secondary entrance door to be 24/7 access via FOB card.
- All lock door to secondary entrance to be 24/7 access via FOB card and only open upon secondary entrance door has closed.
- Power operated automatic door systems are to automatically open when fire detection system is triggered.
- Power opened and automatic door systems to be capable of manual opening as fallback when fire detection system is triggered.

Legend:

No.	Description	Date	Revision
1	Issued for Tender	12/03/2025	0.1

airtre architects

Traders Building
18 Howard Street
Perth WA 6000
0895 523 300
mail@airetre.com.au

Client: City of Armadale
7 Orchard Avenue, Armadale, WA 6112

CITY OF ARMADALE

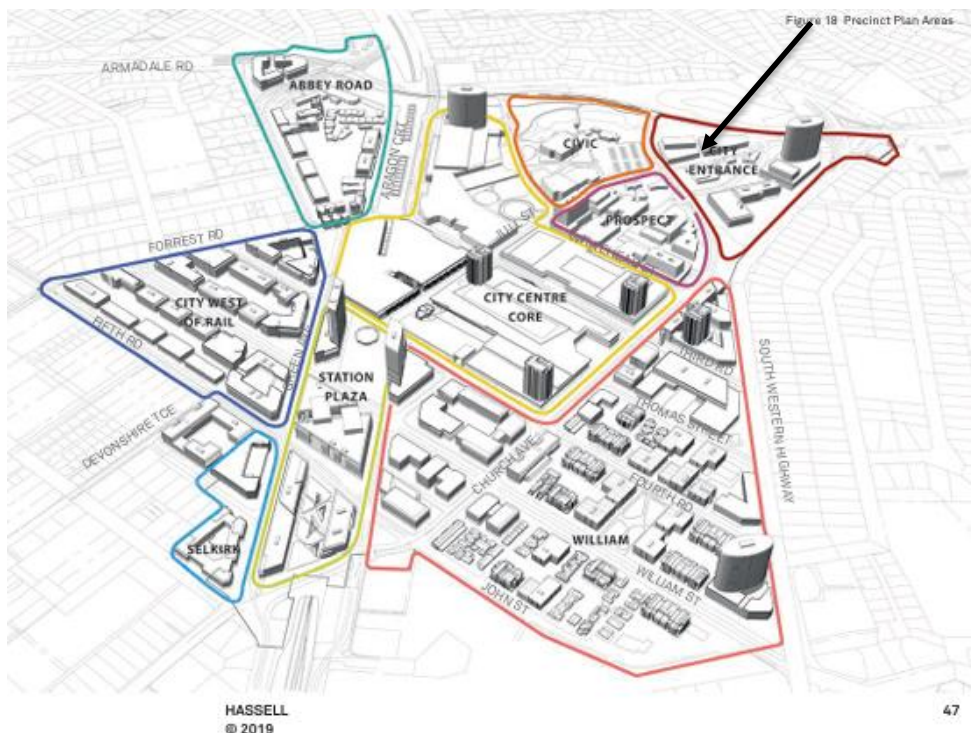
Project: Amadale University Study Hub (AUSH)
Upper 145 Julius Street, Armadale, WA 6112

Drawing Title: Proposed Upper Floor Plan

Project No: AX202440 **Scale:** A1:50 **Drawing No:** AZ10

Drawn by: PC **Date:** 17/12/2024 **Revision No:** 0.1

This site of 145 Jull Street sits within the Civic Precinct – one of nine (9) key precincts in the Armadale Strategic Metropolitan Centre Structure Plan.



Further investment in 145 Jull Street has been contingent on the future planning of the Civic Precinct, of which this site is a key node. A business case for the Civic Precinct is currently being developed, which has involved a number of Councillor workshops this year regarding the concepts. At this stage, it is likely that future investment in a new landmark building in this particular node of the Precinct (known as Node B), will not occur for at least ten years. As such, further investment in 145 Jull Street can now be amortised over a ten year period.

The building holds local heritage value, having served as the City's original Council Chambers. In particular, the buildings southern facing façade has been identified as having particular importance and relevance to the heritage value – an issue discussed in recent Civic Precinct concept workshops with Councillors.



DETAILS OF PROPOSAL

During demolition, latent conditions have been uncovered, including additional asbestos, HVAC failure, and structural limitations. The conditions are typical of a building designed and constructed 60 years ago.

A project budget variation of \$930,000 (\$845,000 + \$85,000 contingency) is required to complete refurbishment works at Upper 145 Jull Street, following the identification of these latent building conditions.

The proposed variation includes:

- Ceiling structure reinforcement
- Additional asbestos removal from previously inaccessible areas
- Full HVAC system replacement for the condenser units that service upper 145 Jull Street
- Modifications to the window glazing
- Associated project delivery and administration costs required to implement these works safely and efficiently (the City has engaged a short term project manager overseeing this project).

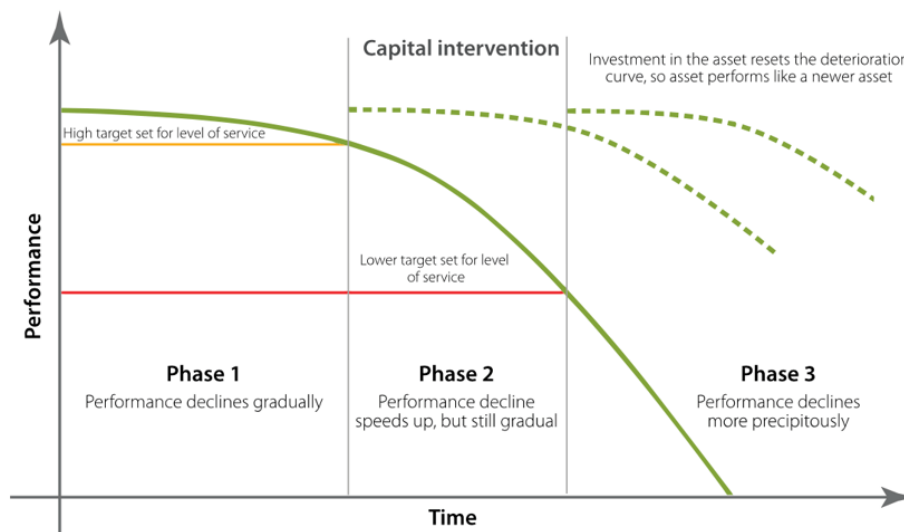
An amount of \$85,000 will be held by the City as project contingency to manage potential cost variations associated with latent conditions or market-based pricing differentials.

Following internal consultation a funding strategy is proposed:

- \$775,000 from the Asset Renewal Reserve, allocated to eligible lifecycle works (HVAC, glazing, and structure); and
- \$155,000 from municipal reserves for asbestos remediation, related reinstatement, and project contingency which is not eligible under asset renewal criteria.

Continued civic use through the Study Hub allows the City to extract value from the asset while avoiding further deterioration or vacancy-related costs. The investment extends the useful life for ten years and also offsets the opportunity cost of holding the site until the broader Civic Precinct vision is realised.

Investment in intervention to extend asset life



Asset Performance Over Time

Image Credit: UN Asset Management Pocket Guide

Armada SUSH Contingency

In parallel with the variation process, the City is actively investigating temporary accommodation options for the Study Hub, likely within the Armadale Library. This interim arrangement is being explored in consultation with the Department of Education to support grant deliverables and minimise disruption to service commencement arising from latent condition delays. There will be minimal cost with the temporary arrangements whilst building works at 145 Jull Street are completed.

Lower 145

This report centres on works required for Upper 145 Jull Street. Further assessment of the Lower 145 portion of the building will be required to determine its condition, use potential, and long-term return on investment. Lower 145 comprises approximately 1,300m² of office space. These considerations will be brought to Council in due course.

Lower 145 (1,310m²)



OPTIONS

Option 1: Approve the Funding and Proceed with Study Hub Delivery (Preferred Option)

Under this option, the City proceeds with the Study Hub project at Upper 145 Jull Street as originally scoped, using a mixed funding model to complete the required variation works.

These works include:

- Ceiling structure reinforcement
- Additional asbestos removal from previously inaccessible areas
- Full HVAC system replacement for the condenser units that service upper 145 Jull Street
- Modifications to the window glazing
- Associated project delivery and administration costs required to implement these works safely and efficiently (the City has engaged a short term project manager overseeing this project)
- Project contingency to manage potential cost variations arising from latent conditions, final design resolutions, or current market pricing differentials.

Funding:

- **\$775,000** allocated from the Asset Renewal Reserve for HVAC, glazing, and structural works (eligible lifecycle upgrades)
- **\$155,000** allocated from municipal reserves for asbestos-related works and project contingency (not eligible under asset renewal criteria).

The Study Hub will remain at Upper 145 Jull Street, consistent with the approved funding application and executed Conditions of Grant. This approach ensures the project is completed in line with its original scope and supports the full delivery of a safe, accessible, and operational facility by mid-2025.

Strategic and Community Alignment:

- Retains and fully acquits the Federal grant
- Delivers on the City's commitment to establishing a higher education presence in the district, aligned to the Strategic Community Plan and the CEO KPI for 2024–2025
- Demonstrates responsible grant stewardship and enhances the City's reputation with the Department of Education, future education partners, and the community
- Aligns with the City's strategic asset management planning, extending the life of Upper 145 Jull Street by approximately 10 years and deferring the need for additional infrastructure investment in the short term.

Potential Impacts:

- Short-term administrative requirements, including formal delay notifications and variation approvals
- Need for close coordination with the contractor and consultants to maintain project momentum and minimise risk of cost escalation
- Investigation of a temporary Study Hub location within the Civic area of Armadale, using City-owned or City-leased facilities, including options such as the Armadale Library, to maintain service continuity during construction delays and support compliance with grant obligations
- Preservation of long-term educational, economic, and community benefits through successful delivery of a regionally significant facility
- Avoidance of reputational, financial, and operational risks associated with partial or non-delivery.

Option 2: Fund Variation, Relocate Study Hub, and Repurpose Upper 145 Jull Street

Under this option, the City proceeds with the required variation works using the same model as outlined in Option 1:

- \$775,000 allocated from the Asset Renewal Reserve for HVAC, glazing, and structural lifecycle works
- \$155,000 allocated from municipal reserves for asbestos-related remediation, reinstatement and contingency.

Following refurbishment, the City would identify an alternative location to house the Study Hub and explore future use opportunities for Upper 145 Jull Street. This may involve interim civic or commercial use or holding the asset as part of the broader Civic Precinct strategy.

This option represents a significant departure from the approved funding application and would constitute a major variation under the Conditions of Grant. Formal negotiations with the Department of Education would be required to amend project deliverables and location.

Strategic and Contractual Risks:

- Contractual risks due to potential breach of grant conditions:
 - Permits the Department to recover funds if not used in accordance with the agreement
 - Requires that the Study Hub remain operational at the approved site until at least 30 June 2027
 - Enables the Department to intervene in cases of non-performance

- Likely to trigger a formal variation process, with possible repayment of partial or full grant funding
- May compromise the City's reputation with State and Federal funding bodies and reduce future grant competitiveness.

Potential Impacts:

- Increased administrative and legal overhead due to renegotiation of the funding agreement
- Delays in service commencement and access for students, with uncertainty regarding location and delivery timeline
- Confusion or dissatisfaction among stakeholders and the community due to changes to the original project scope
- Undermines Civic Precinct momentum, as Upper 145 Jull Street was identified for activation within the 10-year redevelopment horizon
- If Council elects not to deliver the Study Hub at Upper 145 Jull Street, the City would need to investigate alternative permanent locations within the Civic area, including leasing options such as the Armadale Shopping Centre. This would involve additional negotiation, capital fit-out, and coordination with the Department of Education to ensure service continuity and compliance with grant obligations.

Option 3: Do Not Proceed with Study Hub, Return Funding, and Repurpose Upper 145 Jull Street

Under this option, the City would complete the variation works using the same mixed funding model (\$775,000 asset renewal + \$155,000 municipal reserve), but formally withdraw from the Study Hub initiative, return all Federal grant funds, and consider alternative civic or commercial uses for the refurbished building.

This option is not recommended due to its significant legal, reputational, and strategic risks. It effectively reverses the City's long-standing advocacy for tertiary education access in Armadale, as outlined in the Strategic Community Plan, Corporate Business Plan, and metropolitan centre structure planning.

Contractual and Strategic Risks:

- Requires full repayment of the \$1.67 million grant under the Conditions of Grant
- Constitutes a major variation and breach of grant terms without Department approval
- May trigger intervention or enforcement provisions under the agreement
- Reverses progress on strategic education outcomes and the Civic Precinct vision.

Potential Impacts:

- Permanent loss of Study Hub services and regional education access
- Long-term reputational damage with the community, universities and Federal Government
- Missed opportunity to deliver on CEO KPIs and Strategic Community Plan goals
- Alternative leasing may provide partial revenue but does not deliver comparable public value.

Note: This option is presented for completeness but is not being explored further due to the high contractual, reputational, and strategic consequences.

CONCLUSION

The Armadale University Study Hub is a strategically significant initiative for the City. It is not simply a facility fit-out, but a key enabler that supports long-term community, education, and place activation objectives. The project improves access to higher education, activates the City Centre, and strengthens the City's capacity to deliver externally funded infrastructure and services.

The proposed variation works are essential for occupancy. They are required to meet building and accessibility compliance standards, and include critical upgrades to HVAC systems, structural integrity, glazing performance, and asbestos remediation. These works are necessary to deliver a safe, accessible and operational facility that meets both community expectations and the City's obligations under the Federal grant agreement.

This investment also aligns with the City's asset management approach. It enables a targeted intervention that resets the deterioration curve for Upper 145 Jull Street, extends the life of the building by approximately ten years, and provides a transitional bridge while longer-term plans for the Civic Precinct are finalised.

The Study Hub project has served as a catalyst for this broader strategic renewal. It supports the City's Strategic Community Plan and contributes to the CEO Key Performance Indicator for 2024–2025 by advancing education access within the district.

This investment preserves the City's ability to meet its contractual obligations under the Suburban University Study Hubs grant agreement. It also reduces the risk of reputational damage, service delays, or funding recovery. Without this intervention, the City would be unable to deliver the Study Hub as committed, and the opportunity to provide higher education access in the district would be significantly diminished.

By endorsing the recommended funding model, Council can preserve the full value of the \$1.67 million Federal grant, deliver a high-quality service to the community, and demonstrate the City's continued leadership in strategic investment, responsible asset planning and intergovernmental partnership.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

C2/7/25

That Council:

- 1. Approve an amendment to the project budget to allocate an additional \$930,000 for the Armadale University Study Hub refurbishment project at Upper 145 Jull Street, funded as follows:**
- 2. Increase the Armadale SUSH Capital Works by \$930,000, from \$1,140,000 to \$2,070,000 in the FY25/26 Annual Budget.**

3. **Increase the transfer from Asset Renewal Reserve by \$775,000; and allocate \$155,000 from Municipal Funds from the Civic Buildings Capital Budget, in the FY25/26 Annual Budget.**

ABSOLUTE MAJORITY RESOLUTION REQUIRED

**Moved Cr K Busby
MOTION CARRIED**

5/0

***2.1 - FIREWORKS EVENT NOTICE APPLICATIONS - CARDILE INTERNATIONAL
FIREWORKS PTY LTD***

Item 2.1 was brought forward to this junction of the meeting in the interests of the public gallery.

WARD : MINNAWARRA
RIVER
FILE No. : M/334/25
DATE : 20 June 2025
REF : RP
RESPONSIBLE : Executive Director
MANAGER : Community Services

In Brief:

- *Fireworks Event Notice* applications have been received from Cardile International Fireworks Pty Ltd for the purpose of firework displays at the 2025 Kelmscott Agricultural Show and the 2026 Australia Day Celebrations.
- Legal advice has confirmed that the approval of the permits cannot be delegated to the Chief Executive Officer (CEO) and must be determined by Council.
- This report recommends that Council approve the Department of Mines, Industry Regulation and Safety *Fireworks Event Notice* applications for the firework displays on 17 October 2025 and the 26 January 2026 respectively and authorise the CEO to sign and issue the Notices accordingly.

Tabled Items

Department of Mines, Industry Regulation and Safety '*Fireworks Event Notice*' – Kelmscott Agricultural Show

Department of Mines, Industry Regulation and Safety '*Fireworks Event Notice*' – City of Armadale Australia Day Celebrations

Decision Type

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

Officer Interest Declaration

Nil

Strategic Implications

1.1: Foster and Strengthen Community Spirit

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

4.1 Strategic Leadership and Effective Management

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

Legal Implications

Assessment of legislation indicates that the following is applicable:

- *Local Government Act 1995*
- *Dangerous Goods Safety Act 2004*
- *Dangerous Goods Safety (Explosives) Regulations 2007*

Council Policy/Local Law Implications

General assessment indicates Policy ENG 8 – Fireworks is applicable

Budget/Financial Implications

The adoption of the recommendation contained in this report has no financial implication.

Consultation

- Inter Directorate
- Kott Gunning Lawyers

BACKGROUND

Correspondence was received from Cardile International Fireworks Pty Ltd on 13 February 2025 seeking endorsement of a Department of Mines, Industry Regulation and Safety *'Fireworks Event Notice'* for a fireworks display at the 2025 Kelmscott Agricultural Show, held at Rushton Park Kelmscott, on the 17 October 2025.

Further correspondence was received on 2 May 2025 seeking endorsement of another Department of Mines, Industry Regulation and Safety *'Fireworks Event Notice'* for the fireworks display at the 2026 City of Armadale Australia Day Celebrations, held at the City of Armadale Administration Centre Precinct, Orchard Avenue Armadale, on the 26 January 2026.

The City is familiar with the applicant and their business, having previously approved multiple applications to allow the applicant to carry out fireworks displays for the annual Kelmscott Agricultural Show and Australia Day Celebration events.

COMMENT

Previous legal advice has confirmed that there is no power for the Local Government to delegate approval of fireworks applications from Council to the Chief Executive Officer under the *Dangerous Goods Safety Act 2004*.

CONCLUSION

It is recommended that Council approve the *Fireworks Event Notice* applications and authorise the CEO to sign the permits to be issued to the applicant accordingly.

ATTACHMENTS

1. DMIRS - Fireworks Event Notice - Kelmscott Agricultural Show - 17 October 2025 - *This matter is considered to be confidential under Section 5.23(2) (e iii) of the Local Government Act, as the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person*
2. DMIRS - Fireworks Event Notice - Australia Day Fireworks - 26 January 2026 - *This matter is considered to be confidential under Section 5.23(2) (e iii) of the Local Government Act, as the matter, if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person*

RECOMMEND

C3/7/25

That Council:

1. **Approve the Department of Mines, Industry Regulation and Safety ‘Fireworks Event Notice’ applications as per the confidential attachments, and;**
2. **Authorise the CEO to sign and issue the Notices as attached.**

Moved Cr K Busby
MOTION CARRIED

5/0

2.2 - CAT LOCAL LAW 2024 - CORRESPONDENCE FROM THE JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

Item 2.2 was brought forward to this junction of the meeting in the interests of the public gallery.

WARD : ALL
FILE No. : M/404/25
DATE : 26 June 2025
REF : RP/DB
RESPONSIBLE : Executive Director
MANAGER : Community Services

In Brief:

- Correspondence has been received from the Joint Standing Committee on Delegated Legislation requesting undertakings from Council to amend the *Cat Local Law 2024* where it conflicts with the *Cat Act 2011*.
- Recommend that Council provides the undertakings so that other important cat management compliance and enforcement provisions within the local law can remain available.

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 goals from the Strategic Community Plan 2020 – 2030 are relevant;

Aspiration – Community

Outcome 1.2 Improve Community Wellbeing Objective

Objective 1.2.1 Advocate for the delivery of services and programs as well as increased resources to contribute to improvements in community safety.

Aspiration – Environment

Outcome 2.1 Conservation and restoration of the natural environment

Objective 2.1.7 Biodiversity is managed to preserve and improve ecosystem health

Aspiration 4 - Leadership

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

Legal Implications

The Joint Standing Committee for Delegated Legislation (JSCDL) has reviewed the City's Cat Local Law 2024 and has decided that it conflicts with the *Cat Act 2011*. As a consequence, the JSCDL has requested an undertaking from Council that it will amend the local law to remove the extent of the conflict.

A local government may make local laws using the process set out in section 3.12 of the *Local Government Act 1995*. A local government may make local laws relating to cats as detailed in Section 79 of the *Cat Act 2011*.

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

The JSCDL is required to recommend disallowance to Parliament if a local law is beyond lawful power or infringes the JSCDL's terms of reference, in accordance with section 42 of the *Interpretation Act 1984*.

Correspondence from the JSCDL is confidential and subject to Parliamentary Privilege under the *Parliamentary Privileges Act 1891*. If Council wishes to discuss the contents of the **CONFIDENTIAL attachment**, it will be required close the meeting to members of the public.

Council Policy/Local Law Implications

The recommendation before Council will require Council to engage with the local law amendment process for future amendment of the Cat Local Law 2024.

Budget/Financial Implications

There will be future costs for advertising of an amendment Local Law to give effect to JSCDL undertakings should the recommendation be supported. This can be accommodated within existing budget provisions.

Consultation

1. City Legal (internal)
2. Executive Leadership Team

BACKGROUND

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

That Council:

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

MOTION not opposed, DECLARED CARRIED

(11/0)

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

That Council:

1. *In accordance with section 3.12(4) of the Local Government Act 1995 and section 79(1) of the Cat Act 2011, make the Cat Local Law 2024 as attached to this report.*
2. *Authorise the Chief Executive Officer to –*
 - (a) *pursuant to section 3.12(5) of the Act, give a copy of the Cat Local Law 2024 to the Minister for Local Government, and publish the Cat Local Law 2024 in the Government Gazette;*
 - b) *pursuant to section 3.12(6) of the Act, give local public notice, with the purpose and the effect of the Cat Local Law 2024 summarised in the notice, specifying the date on which the Cat Local Law 2024 comes into operation, and where it may be viewed by the public; and*
 - c) *pursuant to section 3.12(7) of the Act, give a signed Explanatory Memoranda and Explanatory Memoranda check list, copies of the Cat Local Law 2024 and any other materials required, to the Clerk of the Joint Standing Committee on Delegated Legislation.*

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

12/0

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

DETAILS OF PROPOSAL

The JSCDL wrote to the City on 23 June 2025 regarding the Cat Local Law. The JSCDL have requested the following undertakings from the City:

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

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

The correspondence from the Clerk of the JSCDL notes that the undertaking is the preferred method of correcting a local law that is reasonably able to continue having legal effect, rather than disallowing the local law in its entirety due to a fundamental flaw that is core to the operation of the local law.

Should a local government fail, or refuse to provide an undertaking to amend a local law, the likely outcome is that a disallowance motion will be moved in the Legislative Council (Parliamentary upper house), which will have the effect of repealing the entire local law.

COMMENT

The JSCDL is a parliamentary committee that reviews delegated legislation, including local laws, on behalf of the Parliament of Western Australia.

Under section 42 of the *Interpretation Act 1984* certain subsidiary legislation, including local laws [s.42(8)(b)] are to be tabled in both Houses of Parliament within six sitting days of its publication in the Government Gazette or on the Western Australian legislation website.

Upon its publication, whether under section 41(1)(a) of the *Interpretation Act 1984* or another written law, an instrument stands referred to the Committee for consideration. The JSCDL terms of reference is to ensure that delegated legislation;

- (a) is within the power granted by the parent Act;
- (b) has no unintended effect on any person's existing rights or interests;
- (c) provides an effective mechanism for the review of administrative decisions; and
- (d) contains only matter that is appropriate for subsidiary legislation.

Where the JSCDL finds that a local law offends one or more of its terms of reference, it will usually seek a written undertaking from the local government to amend or repeal the instrument in question.

Undertakings represent commitments made by local governments, government departments or agencies to the Committee that certain actions will be completed within a certain time frame.

It should be noted that an undertaking does not require the local government to abandon its local law and start over. The JSCDL has requested an undertaking from Council that the local law will not be enforced in a manner contrary to the undertaking; and that Council agrees to amend the local law in the manner specified by the JSCDL.

Regrettably the City will still be required to go through a local law amendment process in accordance with the Act. However, much work typically involved with a local law amendment may be truncated as there is no drafting or internal consultation to be done – the City is limited to what the JSCDL requires – there is no capacity to deviate from that.

It is likely the City will be unable to meet the requirement to amend the Cat Local Law within six months. In accordance with sections 1.4A and 3.73 of the *Local Government Act 1995*, the City is subject to the caretaker provisions of the Act that have effect this year due to local government elections (18 October 2025)”.

Pursuant to s. 3.73(1)(a) of the Act the local government is prohibited from “...*making a local law to amend or repeal a local law...*” within the caretaker period.

For all practical purposes, for the City the caretaker period means that there is a block out period of two months where the local law will be unable to be dealt with by Council due to the dates of the City's Council meetings within the caretaker period. This concern was communicated to the Clerk of the JSCDL on the 26 June 2025 along with a request for an extension to the six-month period.

On the 30 June 2025 a response was received back from the JSCDL providing a two-month extension, that is, the undertakings must now be satisfied within eight months.

Officers have made no attempt to question or dispute the views of the JSCDL directly with the Clerk of the JSCDL. There is no clear or apparent method for the City to appeal or object to the JSCDL decision.

It is important that the City is not perceived as engaging in an act of 'civil disobedience' like other local governments by refusing to give the undertaking or amend the local law as requested. This will be perceived poorly by the community and the Minister for Local Government who expect the City will act responsibly and in accordance with the law.

Council is of course free to express its views with the current mechanism provided by the *Cat Act 2011* with the Minister for Local Government, and the views of the JSCDL. These views were highlighted in previous reports to Council for the Local Law. The complaints of the sector in these respects have been expressed for a number of years, yet nothing has been done by the DLGSC and successive Ministers to implement the findings of the 2019 Statutory Review of the Cat Act to address the fundamental premise that is the core grievance of the local government sector: the Cat Act is not meeting the needs of communities that expect a mechanism to require the containment of cats.

In addition, it is concerning the JSCDL is basing its decision on grounds that do not have a clear legal foundation. This was raised in the report to Council on 16 December 2024 when Council made the Local Law (C3/12/24):

"In its 2021 Annual Report, the JSC reported on its examination of the Town of Bassendean's proposed cat control local law, which at the time, contained a clause broadly similar to that proposed by the City (clause 2.2 Cats in places that are not public).

In that case, the JSC stated –

- "4.11 This clause operated so that a cat owner would have to effectively confine their cat(s) to their property to avoid committing an offence. This is because:*
- if not confined, given their range, it is very likely cats will stroll onto other private property.*
 - it is impracticable to obtain consent from every private property owner in the district or even in close vicinity to the cat owner, making consent illusory.*

4.12 The Cat Act 2011 allows cats to be in public places unless they are not complying with the Act, including those requiring registration or sterilisation." (emphasis added)

The basis for the JSC's view expressed in its 2021 Annual Report, shown at point 4.12 above, is unclear. The Cat Act does not expressly permit cats to be in public places. It allows a local government to make a local law for those matters prescribed by section 79 of the Act which in turn brings relevant offence provisions if not complied with.

This is a view the JSC has reiterated in its 2022 and 2023 Annual Reports, further expressed by the DLGSC above."

The Cat Act does not allow cats to be in public places in the absolute manner expressed by the JSCDL. If it did, such a provision would be existing in the legislation, or made another way, there would be an express limitation on the ability of a local government to make a local law requiring the confinement of cats, rather than the implied limitation being relied on.

OPTIONS

The following options are available to Council;

Option 1

That Council:

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

- h) amend clause 8.2(1) by replacing the reference to section 84 with a reference to section 62
 - i) delete Schedule 2, item 2
 - j) make all consequential amendments arising from the above amendments.
- 3. Instructs the Chief Executive Officer not to enforce the *City of Armadale Cat Local Law 2024* to the contrary before it is amended in accordance with the undertakings given in point 2 above.
- 4. Ensure that a copy of the undertakings, given in point 2 above, accompanies the *City of Armadale Cat Local Law 2024* wherever it is made publicly available by the City, whether in hard copy or electronic form.
- 5. Instructs the Chief Executive Officer to prepare a letter to the Joint Standing Committee on Delegated Legislation advising of the Council resolution, for the Mayor's signature.
- 6. Instructs the Chief Executive Officer to prepare an Amendment Cat Local Law in accordance with section 3.12 of the *Local Government Act 1995*, to give effect to JSCDL undertakings.

Option 2

That Council:

- 1. Notes the letter from the Joint Standing Committee on Delegated Legislation.
- 2. Refuse to undertake to the Joint Standing Committee on Delegated Legislation that it will amend the *City of Armadale Cat Local Law 2024*.
- 3. Accepts the reputational risk of potentially being perceived as engaging in an act of 'civil disobedience'.
- 4. Instructs the Chief Executive Officer to prepare a letter to the Joint Standing Committee on Delegated Legislation advising of the Council resolution for the Mayor's signature.

Option 1 is recommended.

CONCLUSION

While the undertakings requested by the JSCDL will see the removal of some provisions, the City's Cat Local Law principally still meets the expectations and needs of the community, wildlife and the environment. Therefore, it is recommended that the City provides an undertaking to the JSCDL so that other important cat management compliance and enforcement provisions can remain available.

ATTACHMENTS

- 1. Correspondence from the Joint Standing Committee on Delegated Legislation - *This matter is considered to be confidential under Section 5.23(2) (d) of the Local Government Act, as the matter involves legal advice obtained or which may be obtained by the City of Armadale*
- 2. Council Item - Final Adoption of Proposed Cat Local Law - Community Services Committee -

3 December 2024

3. Final Adoption of Proposed Cat Local Law - Council Recommendation - Ordinary Council Meeting - 16 December 2024
4. Cat Local Law 2024 (Gazetted Version)
5. Disallowance Procedure in the Legislative Council
6. Cat Local Law 2024 - Inclusive of JSCDL Undertakings

RECOMMEND

C4/7/25

That Council:

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

5. **Instructs the Chief Executive Officer to prepare a letter to the Joint Standing Committee on Delegated Legislation advising of the Council resolution, for the Mayor's signature.**
6. **Instructs the Chief Executive Officer to prepare an Amendment Cat Local Law in accordance with section 3.12 of the *Local Government Act 1995*, to give effect to JSCDL undertakings.**

Moved Cr P A Hetherington
MOTION CARRIED

5/0

1.1 - PROPOSED AMENDMENTS TO POLICY - LEASE AND LICENCE

MEETING CLOSED TO PUBLIC

MOVED Cr Keogh that that the meeting be closed to members of the public to discuss the confidential attachment as the matter relates to a contract entered into or which may be entered into by the City of Armadale.

Motion Carried (5/0)

Meeting declared closed at 7:47pm. Members of the public left the meeting.

WARD : ALL
FILE No. : M/354/25
DATE : 20 June 2025
REF : AD/LA
RESPONSIBLE : Executive Director
MANAGER : Community Services

In Brief:

- The current Policy - *Lease and Licence* was adopted in April 2021 (C9/4/21). Following a period of implementation, officers have investigated additional rental models reflecting a more balanced and equitable category that aligns with tenants' capacity to pay. The revised options were presented to Councillors at a Councillor workshop on 8 October 2024.
- A further report was presented to Councillors on 4 February 2025. The resolution was that Council refer to SOHAG before recommitting to the Community Services Committee meeting (C1/2/25).
- The report was presented on SOHAG on 19 May 2025, where it was recommended to be recommitted to Community Services Committee meeting along with a Communication Plan.
- Recommend that Council endorse the amended Policy – Lease and Licence.

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 Community Facilities Meet Community Needs
 - 1.3.1 Ensure the equitable provision of Community Facilities throughout the City.
- 2.3 Functional, Inclusive and Sustainable Infrastructure
 - 2.3.5 The City maintains its operational infrastructure in the most cost effective manner to sustain service delivery.
- 4.3 Financial Sustainability
 - 4.3.1 Undertake strategic financial planning to ensure that appropriate services are effectively delivered, assets are efficiently managed and renewed, and funding strategies are equitable and responsible.

Legal Implications

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

Council Policy/Local Law Implications

Council Policy – *Lease and Licence*

Budget/Financial Implications

The revision of rent categories will lead to an increase in lease and licence rental income for the City.

Consultation

- 1. Elected Members
- 2. Relevant City Departments
 - a. Governance
 - b. Property Services
 - c. Communications and Marketing
- 3. Other Local Governments
 - a. City of Canning
 - b. City of Cockburn
 - c. City of Gosnells
 - d. City of Kwinana

BACKGROUND

The current Policy – *Lease and Licence* (the Policy) was adopted in April 2021 (C9/4/21). Following a period of implementation, officers have reviewed the current rent categories and investigated a more balanced and equitable model that is better aligned with the tenant's revenue and their ability to make increased contributions to the lifecycle costs of City facilities.

The current Policy's rental categories are demonstrated below:

Table 3 – Rent

Category	Annual Rent	Eligibility
Peppercorn rent	As determined annually in the City's Schedule of Fees and Charges	<u>Standard Peppercorn</u> <ul style="list-style-type: none"> Meets all relevant criteria in Table 1 and Table 2; Provides significant and extensive community benefit; Has limited revenue-raising ability (net cost of service); and Is run predominantly by volunteers, <u>Non-Standard Peppercorn</u> <ul style="list-style-type: none"> Building fully or substantially funded or constructed by the proposed Occupant
Subsidised rent	<ul style="list-style-type: none"> Community Facilities: \$20/m2 increasing in line with CPI Land: to be negotiated 	<ul style="list-style-type: none"> Meets all relevant criteria in Table 1 and Table 2 Is a grant funded organisation that receives funding to provide a community service or services Council has determined that the service or services being provided address priority needs in the proposed location
Commercial rent	Market value	Meets all relevant criteria in Table 1

City officers explored several scenarios to establish a discounted rent rate that aims to improve equitability for tenants whilst also recognising their ability to contribute to the ongoing lifecycle costs of facilities. This approach carefully considers factors such as revenue generation and the size and quality of the facility to ensure a balanced and consistent outcome. City officers propose a new subsidised rent category and sliding scale assessment model that takes into consideration these factors. The options in the table below were presented to Councillors at the Councillor Workshop on 8 October 2024.

Potential Model	Description	Determination
Option A – Subsidised Rent based on Market Valuation	A Market Valuation would be completed with a discount determined by annual revenue.	This option wasn't preferred as it required market valuations for all facilities which would result in an increase to cost and time delays incurred by the City. Additionally, gaining an accurate and fair market valuation is challenging as various City facilities are unique.

Potential Model	Description	Determination
Option B – Subsidised Rent based on Annual Revenue	Tenants would pay rent based on a percentage of their annual revenue. This percentage would increase the higher their revenue is, up to a maximum of \$100,000.	This option wasn't preferred as it would potentially penalise tenants with high revenue amounts occupying smaller spaces or lower quality buildings.
Option C – Subsidised Rent based on Facility Size	Tenants would pay rent based on their facility size. The rent amount would increase as the facility size increases.	This option wasn't preferred as it does not take into consideration the revenue generated by the tenant and they may be unable to afford the operating costs of occupying a larger facility combined with larger rent.
Option D – Subsidised Rent based on Annual Revenue, Facility Size and Quality	Tenants would pay rent based on a percentage of their annual income, facility size and facility quality.	This option is deemed the preferred model and will be discussed throughout the report.

At the Council Meeting on 10 February 2025, Council recommended to refer the proposed Policy to SOHAG before recommitting to the Community Services Committee meeting (C1/2/25). The proposed changes to the current Policy were presented to SOHAG on 19 May 2025 where it was discussed with the following recommendation:

1. *Refer the draft Lease and Licence Policy to the Community Services Committee for consideration and recommendation to Council.*
2. *Draft and attach a communications plan (including a strategy and response to community queries) to the draft Lease and Licence Policy Community Services Committee report, which outlines how the implementation of the Lease and Licence Policy will be supported.*

DETAILS OF PROPOSAL

This report aims to seek Council endorsement of the amended Policy - *Lease and Licence*.

Proposed Rent Category Amendment

City officers investigated the above rental model options to replace the annual rent for Community Facilities in the Subsidised Rent Category in the current Policy. Option D (Subsidised Rent based on Average Revenue, Facility Size and Quality) is preferred as the most balanced option, explained below, and captured in the proposed attached Appendix to the Policy.

Option D – Subsidised Rent based on Average Revenue, Facility Size and Quality

This option applies a 50% weighting to the following criteria:

1. Facility Size and Condition
 - a. Size – Size of the building in square meters.
 - b. Condition – quality of the building which is similar to the facility categories from the City's Schedule of Fees and Charges for facility hire.

Category 1	\$20/m ² per annum
Category 2	\$25/m ² per annum
Category 3	\$35/m ² per annum

2. Revenue
 - a. The percentage of rent applied incrementally increases as tenant revenue increases up to a maximum of \$99,999 as demonstrated in the table below. The maximum percentage of 7.25% applies to tenants whose revenue exceeds \$100,000.

Revenue	Percentage of Average (3 Years) Revenue
< \$29,999	Peppercorn Rent
\$30,000 - \$39,999	5.5% of average revenue
\$40,000 - \$49,999	5.75% of average revenue
\$50,000 - \$59,999	6% of average revenue
\$60,000 - \$69,999	6.25% of average revenue
\$70,000 - \$79,999	6.5% of average revenue
\$80,000 - \$89,999	6.75% of average revenue
\$90,000 - \$99,999	7% of average revenue
> \$100,000	7.25% of average revenue

Adjustments to Option D following the Councillor Workshop

There were three key adjustments to the rent model arising from the Councillor Workshop with all three captured in the proposed Appendix attached to this report:

- Raising the Minimum Income Threshold
 - The models presented at the workshop required tenants to generate a maximum of \$10,000 revenue to be eligible for the Peppercorn Rent category (in addition to other requirements as detailed in the Policy)
 - This would lead to several smaller community groups to be ineligible for Peppercorn Rent
 - Therefore, the maximum revenue amount to be considered for Peppercorn Rent was raised to \$29,999.
- Organisations who have local branches within the City
 - An issue was raised about how to best apply the rent model to organisations who have local branches within the City
 - For example, an organisation that generates significant income would result in the rent amount being extremely high. Some organisations operate out of several locations, including outside the boundaries of the City
 - A solution was suggested to charge these groups at Market Value.
- Small Facility Space
 - An issue was raised about how to charge tenants that generate large revenue however only occupy a small space (e.g. an office) which would result in tenants paying significant rent for a small space

- The solution discussed was to provide an overall rent discount (does not apply to Peppercorn Rent) based on facility size as per below:
 - Spaces less than 25m² would receive a 75% discount
 - Spaces between 26m² to 50m² would receive a 50% discount
 - Spaces between 51m² to 100m² would receive a 25% discount.

Proposed Wording Changes to Policy – Lease and Licence

The revised Policy, attached to this report, also contain three proposed minor word changes. These changes are reflective of the policy outcomes of the Councillor Workshop. The three minor changes ensure that a tenant's revenue is measured fairly across multiple years (and excluding capital grants), the new rent model is referenced, and that clarification is provided that tenants are assessed on their income generated rather than their profit. The proposed changes are highlighted in the table below:

Page	Current Wording	Proposed Wording
4	Evidence that the organisation capable of meeting financial obligations under an occupancy arrangement?	Evidence that the organisation is capable of meeting financial obligations under an occupancy arrangement by providing the three (3) previous financial year reports (for the purposes of assessment capital grant income is excluded).
5	Community Facilities: 20/m ² increasing in line with CPI.	Community Facilities: as detailed in the Appendix and increasing in line with CPI.
5/6	Has limited revenue-raising ability (net cost of service)	Has limited revenue-raising ability as per the Appendix.

Implementation based on the Councillor Workshop Discussions

At the Councillor workshop in October 2024 there were some considerations raised by Councillors which are captured in the table below:

Consideration	Suggested Solution
How are the facility categories determined?	Officers have reviewed the categories applied to exclusive use facilities and related these to the criteria for building classification in the City's Asset Management System.
How will the additional rental income received by the City be utilised?	Rental income contributes towards the maintenance costs of the facility. An increase in rental income will reduce the amount of municipal funds (generally sourced from rates) that are required to fund the gap between the operating cost and rental income. It is for the Council to then determine in its annual budget process. It is noted that over the past few years, municipal funding has increased, in response to escalating maintenance costs.

Consideration	Suggested Solution
Can Option D be incrementally implemented to allow for tenants to plan and adjust for potential increased rent amounts?	<p>As per Appendix, for newly negotiated agreements, officers with delegated authority will apply the following discounts to allow tenants to prepare for new rent amounts:</p> <ul style="list-style-type: none">• First Year – apply 75% discount• Second Year – apply 50% discount• Third Year – apply 25% discount• Full rent amount will be applied from the fourth year. <p>Option D will not be applied retrospectively to existing leases.</p>

Communications Plan

The proposed Policy was presented to SOHAG on 19 May 2025, where it was recommended to be referred to Community Services Committee Meeting with a communication plan (the plan). The plan has been developed in conjunction with the City's Communications and Engagement team and a Councillor Packet has been attached to this report. This details the objectives, timeline and key provisions of the targeted engagement.

COMMENT

Proposed Rent Category Amendment

Officers believe that the Subsidised Rent based on Average Revenue, Facility Size and Quality (Option D) is the most balanced and equitable option. Benefits include:

- Tenants will pay rent that is relevant to the quality of the building, the size of space occupied and their revenue generated. This offers a more equitable model compared to the current Policy's set rate of \$20m²
- Tenants who have demonstrated that they have a higher capacity to generate revenue, who are occupying large areas in high quality facilities will pay higher rent, therefore contributing equitably to the lifestyle costs of a public asset that is not available to the public to use due to being leased
- The facility quality rate and categories are similar to the facility categories that are outlined in the City's Schedule of Fees and Charges
- This option is consistent with current Policy's subsidised rent rate being rate per square meters, with the inclusion of assessing revenue and facility quality.

Tenant's Capacity to Pay

Majority of tenants who have exclusive use agreements for City facilities are currently paying Peppercorn Rent, regardless of ability to generate revenue, facility size or quality. Officers believe that most tenants are expecting that they will continue to be eligible for peppercorn rent when negotiating new agreements. The proposed revision to the rental categories and amendments to the Policy wording will likely result in a large number of tenants transitioning from paying peppercorn rent to paying subsidised rent. The incremental discounted implementation of the new rental amount, as detailed earlier in this report, will allow for tenants to prepare and adjust for any increased rent amounts.

OPTIONS

Option 1: Endorse the amended Policy – *Lease and Licence*.

Option 2: Do not endorse the changes to the Policy – *Lease and Licence*.

CONCLUSION

A new subsidised rent model has been proposed to replace the current annual rent for Community Facilities in the Subsidised Rent Category. The proposed model aims to ensure a more balanced and equitable approach in calculating rental amounts whilst also considering tenants' capacity to contribute to the ongoing lifecycle costs of facilities.

ATTACHMENTS

1. [Draft Policy – Lease and Licence](#)
2. Confidential Attachment - Executive Summary - Lease + Licence Policy - *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*

MEETING OPENED TO PUBLIC

MOVED Cr Busby that that the meeting be opened to members of the public.
Motion Carried (5/0)

Meeting declared open at 8:01pm. Members of the public returned to the meeting.

Officer Recommendation

That Council endorse the amended Policy – *Lease and Licence*.

Cr Keogh moved an alternate recommendation.

RECOMMEND

That Council:

1. Adopt the policy with the following amendment:
 - Halve the percentage of average revenue in Table one of the Appendix to the Policy to show the percentages below:

Revenue	Percentage of Average (3 Years) Revenue
< \$29,999	Peppercorn
\$30,000 - \$39,999	2.75% of average revenue
\$40,000 - \$49,999	2.88% of average revenue
\$50,000 - \$59,999	3% of average revenue
\$60,000 - \$69,999	3.13% of average revenue
\$70,000 - \$79,999	3.25% of average revenue
\$80,000 - \$89,999	3.38% of average revenue
\$90,000 - \$99,999	3.5% of average revenue
> \$100,000	3.63% of average revenue

2. Request a review of the Policy after twelve months from adoption of the Policy.

Moved Cr J Keogh, Opposed Cr K Busby
Seconded Cr M Silver
MOTION LOST

1/4

Cr Busby moved the following recommendation.

RECOMMEND

C5/7/25

That Council:

1. Endorse the draft Policy – *Lease and Licence* as attached; and
2. Request a review of the Policy after twelve months from adoption of the Policy.

Moved Cr K Busby, Opposed Cr J Keogh
Seconded Cr K Kamdar
MOTION CARRIED

4/1

COUNCILLORS' ITEMS

1. NAIDOC Festival (Cr Paul Hetherington)

Cr Hetherington and other Councillors attended today's NAIDOC event which was incredibly well put together and commended the Events Team on their efforts.

2. Piara Waters Library - WA Community Facility of the Year Award (Cr Michelle Silver)

Cr Silver advised that Parks and Leisure Australia had awarded the Piara Waters Library WA Community Facility of the Year.

“Congratulations to the whole Community Services Team, Suzette and Gareth on this recognition as this industry has not previously focused on the library sector. I am very personally proud to have this facility in the City, and particularly in my Ward as it is a much needed and used resource. I am sure on behalf on all the Councillors, they would like to also extend their congratulations on a job well done, and hopefully we can win something at the National Awards”.

EXECUTIVE DIRECTOR COMMUNITY SERVICES REPORT

Nil

MEETING DECLARED CLOSED AT 8:48PM

COMMUNITY SERVICES COMMITTEE		
SUMMARY OF ATTACHMENTS		
8 JULY 2025		
ATT NO.	SUBJECT	
1.1 PROPOSED AMENDMENTS TO POLICY - LEASE AND LICENCE		
1.1.1	Draft Policy – Lease and Licence	
2.2 CAT LOCAL LAW 2024 - CORRESPONDENCE FROM THE JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION		
2.2.2	Council Item - Final Adoption of Proposed Cat Local Law - Community Services Committee - 3 December 2024	
2.2.3	Final Adoption of Proposed Cat Local Law - Council Recommendation - Ordinary Council Meeting - 16 December 2024	
2.2.4	Cat Local Law 2024 (Gazetted Version)	
2.2.5	Disallowance Procedure in the Legislative Council	
2.2.6	Cat Local Law 2024 - Inclusive of JSCDL Undertakings	
3.1 COMMUNITY VENUE HIRE POLICY - REVIEW (REFERRAL MATTER)		
3.1.1	Community Facilities and Reserves Fees and Charges	

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

CHIEF EXECUTIVE OFFICER’S REPORT

14 JULY 2025

INDEX

1. REPORTS

1.1	PROPOSED DIFFERENTIAL RATES 2025/26 BUDGET YEAR.....	48
1.2	COUNCILLORS INFORMATION BULLETIN - ISSUE NO 10/2025	59

1.1 - PROPOSED DIFFERENTIAL RATES 2025/26 BUDGET YEAR

WARD : ALL

FILE No. : M/388/25

DATE : 20 June 2025

REF : MH/JL

RESPONSIBLE : Executive Director
MANAGER Corporate Services

In Brief:**This Report:**

- Presents for Council's consideration details of the public submissions received from 1 May to 5pm on 21 May 2025 and re-advertised from 19 June to 5pm on 10 July 2025 in response to the advertised proposed differential rates for the 2025/26 budget year.
- Seeks Council's determination of the proposed differential rates for inclusion in the draft FY26 budget.
- Requests the Minister for Local Government to approve the Vacant Land Minimum Rate.

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

Outcome 4.3 – Financial Sustainability

4.3.1 Undertake strategic financial planning to ensure the appropriate services are effectively delivered, assets are efficiently managed and renewed and funding strategies are equitable and responsible

Legal Implications

The following sections of the *Local Government Act 1995* apply:

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; and*
 - (b) to land rated on unimproved value; and*
 - (c) to each differential rating category where a differential general rate is imposed.*

6.32 Rates and Services Charges

- (5) 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;*

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.*
- (2) *A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).*
- (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; and*
 - (b) *is to contain —*
 - (i) *details of each rate or minimum payment the local government intends to impose; and*
 - (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.*
- (5) *Where a local government —*
- (a) *in an emergency, proposes to impose a supplementary general rate or specified area rate under section 6.32(3)(a); or*
 - (b) *proposes to modify the proposed rates or minimum payments after considering any submissions under subsection (4), it is not required to give local public notice of that proposed supplementary general rate, specified area rate, modified rate or minimum payment.*

If Council is of the view to impose the proposed rates **with modifications**, the *Local Government (Financial Management) Regulations 1996* require the reasons for the difference between what was advertised and what was adopted to be included in the Annual Budget and accompany the rate notice.

23. Rates information required

The annual budget is to include —

- (b) *if a differential general rate or minimum payment differs from the proposed rate or payment set forth in the local public notice given under section 6.36 —*
 - (i) *details of the rate or payment set forth in the public notice; and*
 - (ii) *reasons for the difference;*

56. Rate notice, content of etc. (Act s. 6.41)

- (4) *The following information is to accompany or be included in the rate notice —*
- (b) *if a differential general rate or minimum payment differs from the proposed rate or payment set forth in the local public notice given under section 6.36, reasons for the difference;*

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

The total rate revenue for general rates is projected to be \$93.2M, plus \$1.3M in interim rates, a total of \$94.65M in general rate revenue. Coupled with grants, contributions, fees and charges, this contributes to the City's total budget of around \$179M. The funding sources enable the delivery of City services, the provision of community facilities, undertaking of capital works, the repayment of debt and transfers to cash reserves for future asset renewal and new projects.

The proposed differential rates were established in conjunction with the Long Term Financial Plan review and a review of the first four year budget priorities, assumptions and scenarios. Councillors examined the calculation of the projected rate revenue, on which the differential rates are based:

1. Factors in an estimate (assumption) of +800 new rateable properties in the developing areas of the City; and
2. Applies an index of 3.6%, reflecting the FY25 end-of-year projection of the Local Government Cost Index (LGCI), issued by the West Australian Local Government Association in the Economic Briefing issued in April.

The rate revenue enables the Council to adopt an overall balanced budget whilst ensuring the operating deficit¹ is within the parameters set by Council in the Long Term Financial Plan, for the forthcoming year.

Consultation

Ratepayers/residents of the City of Armadale.

Public Notice inviting public submissions on the proposed differential rates for 2025/26 was first given:

- in the West Australian newspaper on Thursday 1 May 2025;
- in the local Examiner newspaper and on Facebook/Linkedin on Thursday 1 May 2025; and
- on the City's website on Thursday 1 May 2025.

The closing date for receipt of public submissions was 5pm 21 May 2025.

After receiving advice from the Department of Local Government, the Public Notice was re-advertised.

¹ the difference between the City's operating revenues and operating expenses, including depreciation of assets.

The re-advertised Public Notice inviting public submissions on the proposed differential rates for 2025/26 was given:

- in the West Australian newspaper on Thursday 19 June 2025;
- on Facebook and LinkedIn on Thursday 19 June 2025;
- in the local Examiner newspaper on Thursday 26 June 2025; and
- on the City's website on Thursday 19 June 2025.

The closing date for receipt of public submissions is 5pm 10 July 2025.

BACKGROUND

The *Local Government Act 1995* (the Act) enables the imposition of rates to occur uniformly or differentially. If a Local Government intends to impose rates differentially, then the Act requires that public notice be provided and inviting public submissions on the proposal, which is to be outlined in a Statement of Rating Objects and Reasons.

At the Council Meeting held on 28 April 2025, Council considered a report on the proposed Statement of Rating Objects and Reasons, and resolved as follows:

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:*

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

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.*

Subsequently, after considering the public submissions received in May, Council on 26 May 2025 endorsed the Proposed Differential Rates 2025/26 Budget Year without amendment – refer CEO4/5/25.

After receiving advice from the Department of Local Government on 17 June 2025, the Public Notice was re-advertised.

The re-advertised Public Notice inviting public submissions on the proposed differential rates for 2025/26 was given:

- in the West Australian newspaper on Thursday 19 June 2025;
- on Facebook and LinkedIn on Thursday 19 June 2025;

- in the local Examiner newspaper on Thursday 26 June 2025; and
- on the City's website on Thursday 19 June 2025.

The closing date for receipt of public submissions was 5pm 10 July 2025.

Statement of Rating Objects and Reasons

The 2025/26 Statement of Rating Objects and Reasons (attached to this report), explains the Council's rating strategy and approach, and illustrates the changes from the previous year's rate increase that was applied.

Importantly, it outlines the principles of objectivity, fairness and equity, consistency, transparency and administrative efficiency that Council has considered in establishing the rating objects and reasons.

By the second closing date for receipt of public submissions one hundred and forty four (144) total submissions had been received – 122 in the first period and 22 in the second period of advertising up until 12pm on closing day. **As this report is issued on Thursday 10 July, Councillors will be advised under separate cover of any submissions received between 12pm and the closing time of 5pm.** There were also 5 submissions received from the same ratepayer who submitted during the first period of advertising. Their submission has only been counted once.

DETAILS OF PROPOSAL

There have been 144 total public submissions received up until 2pm on 10 July 2025 regarding the Council's proposal to impose differential rates, and specifically on the proposal to impose the differential *Residential rates*. Last year there were 13 submissions received in total.

The breakdown of the submissions by suburb is as follows:

Piara Waters	68
Harrisdale	48
Forrestdale	12
Hilbert	4
Bedfordale	2
Armadaale	1
Camillo	1
Haynes	1
Kelmscott	1
Unknown	6
TOTAL	144

Each individual submission has been circulated to Councillors under separate cover. The content of the submissions can be categorised into five common themes:

1. Some areas in Armadale are paying more than others.
2. The community is already experiencing a hard time due to the cost of living and ratepayers cannot afford the increase.
3. The rates increase (and basis for the rates increase).
4. The City should look at community service needs and the level of services.

5. The City needs to look at its current financial management to remove or reduce the need for an increase.

ANALYSIS

“Some areas in Armadale paying more than others, how is this equitable?”

The system of rating in Western Australian is governed by the *Local Government Act 1995* (the ‘Act’). This requires the total rate revenue that the City needs to raise to deliver its services to be apportioned throughout the district based on property valuations. This means that higher-valued properties will always pay more rates than lower-valued properties.

Property valuations are provided by the Valuer General and are based on an assessment of the Gross Rental Valuation (GRV), using market evidence. A property’s GRV can be affected by the property type, for example, single story or two story, and also on a property’s location.

Rating principles guide the Council’s approach to rating, and in particular the principle of fairness and equity is applied through the application of the property GRV assessment mentioned above. Typically, it can be observed that areas of low socio-economic advantage have lower property valuations and therefore pay lower rates. This is considered a fair and equitable approach, and as discussed above, is enshrined in the Act.

“The community is experiencing a hard time due to the cost of living and ratepayers cannot afford the increase”

Cost of living pressures have been well documented since 2021, including the economic factors leading to high inflation and the application of monetary policy (i.e. a higher cash rate) by the Reserve Bank of Australia (RBA) as a response. However, over the course of this current year, the key economic indicators are trending to normal levels of economic growth and inflation is now within the RBAs target range. This has prompted the RBA to commence reducing the cash rate, which currently sits at 3.85%. The RBA's latest quarterly Statement on Monetary Policy (SMP) suggests that further rate cuts lie ahead. This will inevitably ease some of the cost of living pressures experienced by Ratepayers.

To assist Ratepayers who may be experiencing financial hardship, the City also has two programs to assist ratepayers with the payment of rates – the *Smarter Way to Pay* program (with over 12,500 ratepayers using the program) and the Financial Hardship Policy.

The *Smarter Way to Pay* has been a popular option for ratepayers, as it allows rate payments to be tailored and spread across the year, with no additional costs or interest charges. In the current higher interest rate environment, this program provides ratepayers with flexibility and affordability.

“Why is the City proposing to increase rates again?”

The rate increase is necessary to pay for cost increases in the City’s services due to economic factors, covering wages, materials and contracts. If the City did not increase rates to cover cost increases, it would need to cut back its services.

Ensuring that funding sources keep pace with the cost of providing local government services is an important aspect of a local government’s financial sustainability.

The proposed rate increase has been based on the Local Government Cost Index. The Local Government Cost Index (LGCI) is local government's equivalent of the Consumer Price Index and is provided by the West Australian Local Government Association (WALGA), using Australian Bureau of Statistics economic indices.

The City's application of the LGCI is based on current year indices i.e FY25, not forecast LGCI i.e. FY26. In other words, the projections for the LGCI at June 2025 has informed the rates increases to be applied to the FY26 Budget.

The 3.6% index represents an average annual increase in residential rates of **\$70 per annum or \$1.35 per week**. This was considered necessary when considering the increase in costs, measured through the LGCI, of delivering the City's services and maintaining the \$2b asset base for its rapidly growing community.

Table 1 LGCI Components

(Source WALGA April 25)

LGCI Table

Component	Weighting	2023-24 (actual)	2024-25 (forecast)	2025-26 (forecast)	2026-27 (forecast)	2027-28 (forecast)
Employee costs	35%	4.2	3.8	3.5	3.0	3.0
Materials and contracts	28%	3.2	4.0	3.8	3.5	3.3
Furniture	1%	4.7	3.7	3.5	3.2	2.0
Non-residential building	5%	4.6	3.5	3.0	2.3	2.1
Machinery and Equipment	5%	2.0	4.0	2.5	1.4	2.2
Non-road infrastructure	9%	3.2	2.8	2.7	2.6	2.3
Road and bridge construction	10%	2.1	2.8	2.7	2.8	2.5
Utilities	3%	2.5	3.0	3.0	3.0	3.0
Insurance	1%	13.1	8.6	6.0	4.0	6.0
Other	3%	4.6	3.5	3.0	2.8	2.5
LGCI	100%	3.6	3.6	3.3	3.0	2.9

“The City should look at community service needs and the level of services”

Local Government Services are quite diversified. The City provides over 67 major services, including parks and road maintenance, recreation facilities such as sporting pavilions, libraries, waste collection and community events.

Some services to local communities are provided by other tiers of government, including police, transport and health. The City continues to support the community by:

- Advocating to other tiers of government for service and infrastructure improvements;
- coordinating planning and development that aligns to State plans and strategies; and
- liaising with State Government agencies on services that support local communities, such as emergency management, social support services etc.

The City has service standards which it has applied to its various services. The service standards revolve around the frequency of maintenance and quality of assets provided. In some newly developed estates, the Developers have provided a higher standard of amenity and the City has maintained the higher amenity through specified area rates, which fund more frequent maintenance activities.

The City needs to look at its current financial management to remove the need for an increase”

The City's financial strategies, cost of services and investment in assets are set out in the City's Long Term Financial Plan (LTFP), which informs the annual budget. Each year, Council reviews the LTFP and the Annual Budget, considering the level of rates required to deliver services and projects, and the operating impacts of new City assets.

Levels of service, growth from urban development and the timing of new project investments all form part of Council's consideration. In reviewing the LTFP, Council has explored the levels of service, and alternate revenue sources, adopting the updated LTFP in February this year. Of note, one of the strategies adopted in the LTFP was to maintain the level of service, and apply the LGCI as the basis for indexing revenues (including rates) and expenditure.

Further, the Council considered the objectives of the Strategic Community Plan and the Corporate Business Plan, and agreed on a level of investment in City Programs and new Capital infrastructure to realise its strategic intent – including environmental and social priorities such as the Urban Forrest, Regional Recreation facilities and Central Park in the City Centre.

In preparing the draft Annual Budget, City services are scrutinised and delivery of services considered, with a focus on:

- Revenue sources: fees and charges, including revenue for leased assets; operating grants and interest earnings; and
- Cost of services – Service levels, how services are delivered, resourcing effort.

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

Minister's approval for the Vacant Land Minimum Rate

Once Council has considered submissions responding to the local public notice of the intention to impose differential rates and confirmed the proposed differential rates for FY26, it is required to seek the approval of the Minister for Local Government to impose the minimum rate for the Vacant Land category of differential rates.

This requirement is set out in s.6.35(5) of the *Local Government Act 1995*, which provides that:

“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.

Section 6.35(3) states:

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),”*

Due to increased residential development activity and growth in new lots, the number of vacant land rateable properties has grown, which in turn has seen a growth in the minimum rated properties in this category.

Based on the current position, 1,812 (50.8%) of rateable properties in the Vacant Land category would be subject to the minimum rate, out of a total 3,564 rateable properties in this category. The percentage on minimum rate may increase due to further new properties by the end of the year.

OPTIONS

Council has the following options:

Agree to include in the draft FY26 Annual Budget:

1. The differential rates and total rate revenue outlined in the Statement of Rating Objects and Reasons the subject of public submissions. ie:

Gross Rental Value Properties	Rate in the \$ (cents)	Minimum Payment
Vacant Land	15.6916	\$1,265
Residential Improved	10.1225	\$1,460
Business Improved	10.5632	\$1,698

2. Differential rates and total rate revenue indexed by some other amount.

For each 0.5% movement, rate revenue will change by approximately \$470,000.

Note: If Council is of the view to impose the proposed rates **with modifications**, the *Local Government (Financial Management) Regulations 1996* require the reasons for the difference between what was advertised and what was adopted to be included in the Annual Budget and accompany the rate notice.

CONCLUSION

Over the past few years, the Council has closely examined the City's financial position and future plans to ensure that the City continues to operate in a financial sustainable and responsible manner. It requires a delicate balance between meeting community demands and expectations for services, managing a growing community and ensuring that the services provided are reasonable and affordable through rates, fees and charges.

Council has shown great stewardship in making difficult but important decisions to maintain the City's financial sustainability. Similarly, the decision regarding the differential rates for FY26 (the subject of this report) falls into the same category – proposing an increase in rates that aligns to the cost index increases for City services.

Whatever the decision of Council, it will again not be taken lightly. Council has been thorough in its review and consideration of rates required to fund the FY26 budget. Cognisant of the City's operating position and financial sustainability, this report concludes that is prudent to confirm the differential rates as originally proposed, which takes into account an indexed increase in costs of 3.6%.

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

CEO1/7/25

That Council:

1. pursuant to s.6.36(4) of the *Local Government Act 1995*, **CONSIDER** the public submission(s) received, which respond to the local public notices on Council's intent to impose differential rates provided by the City; and
2. **AGREE** to include in the *draft 2025/26 Annual Budget* without modification, the following differential rates and general rates:

Gross Rental Value Properties

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

Unimproved Value Properties

General & Minimum Rate	0.5118	\$1,748
-----------------------------------	---------------	----------------

3. Pursuant to s.6.35(5) of the *Local Government Act 1995*, **AGREE** to seek the approval on the Minister for Local Government to impose a minimum payment on vacant land of \$1,265, that does comply with subsections (2), (3) or (4) of Section 6.35 of the *Local Government Act 1995*.

1.2 - COUNCILLORS INFORMATION BULLETIN - ISSUE NO 10/2025

WARD : ALL
FILE No. : M/90/25
DATE : 10 July 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.10/2025 to be received by Council.

The following general information and memorandums were circulated in Issue No.10/2025 on 10 July 2025.

COMMENT

Correspondence & Papers

NIL

Information from CEO Office

Employee Movements

Upcoming Social Media Posts

Information from Technical Services

NIL

Information from Community Services

NIL

Information from Corporate Services

Outstanding Matters & Information Items

Report on Outstanding Matters – Corporate Services Committee

Economic Development

Tourism & Visitor Centre Report

Report of the Common Seal

Information from Development Services

Outstanding Matters & Information Items

Report on Outstanding Matters - Development Services Committee
Review before the State Administrative Tribunal (SAT)

Health

Health Services Manager's Report - June 2025

Planning

Planning Applications Report - June 2025

Schedule of current Town Planning Scheme No.4 Amendments

Subdivision Applications Received - July 2024 to June 2025

Subdivision Applications - Report on Lots Registered 2024/2025

Building

Building Services Manager's Report - June 2025

Building Health/Compliance Officer's Report - June 2025

Building Services – Reviews before SAT - June 2025

ATTACHMENTS

There are no attachments for this report.

RECOMMEND

CEO2/7/25

That Council acknowledge receipt of Issue No.10/2025 of the Information Bulletin



ORDINARY MEETING OF COUNCIL
MONDAY, 23 JUNE 2025

MINUTES

CONTENTS

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	3
2	RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE.....	3
3	ADVICE OF RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	4
4	PUBLIC QUESTION TIME	4
	NIL	4
5	APPLICATIONS FOR LEAVE OF ABSENCE	4
1	REQUEST FOR LEAVE OF ABSENCE.....	4
6	PETITIONS	4
	NIL	4
7	CONFIRMATION OF MINUTES	4
	MINUTES OF ORDINARY COUNCIL MEETING HELD ON 9 JUNE 2025	4
8	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION.....	4
1.	MAYOR'S ANNOUNCEMENTS	4
9	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN – WITHOUT DISCUSSION	5
10	REPORTS.....	5
10.1	CITY AUDIT COMMITTEE MEETING - 11 JUNE 2025.....	5
10.1.1	EXTERNAL AUDIT PLAN 2024/25 (1.1)	6
10.1.2	OUTCOMES OF AUDIT - DEVELOPMENT CONTRIBUTION PLAN RESERVE ACCOUNTS 2023/24 (1.2)	6
10.1.3	RISK MANAGEMENT POLICY REVIEW (2.1)	6
10.2	DEVELOPMENT SERVICES COMMITTEE MEETING - 16 JUNE 2025	6
10.2.1	POLICY REVIEW - OCCUPATION OF A CARAVAN OTHER THAN AT A CARAVAN PARK (1.1)	7
10.2.2	TRAFFIC LIGHTS ADVOCACY - ARMADALE CITY CENTRE (REFERRAL ITEM) (2.1).....	7
10.3	CORPORATE SERVICES COMMITTEE MEETING - 17 JUNE 2025	7
10.3.1	LIST OF ACCOUNTS PAID - APRIL 2025 (1.1).....	7
10.3.2	STATEMENT OF FINANCIAL ACTIVITY - APRIL 2025 (1.2)	8
10.3.3	ANNUAL CORPORATE BUSINESS PLAN REVIEW 2025/26 - 2028/29 (2.1)	8

10.3.4	ANNUAL REVIEW OF DELEGATIONS - CORPORATE SERVICES DIRECTORATE AND OFFICE OF THE CEO (3.1).....	9
10.3.5	CCTV UPDATE (4.1)	9
10.4	CHIEF EXECUTIVE OFFICER'S REPORT - 23 JUNE 2025	10
10.4.1	COUNCILLORS INFORMATION BULLETIN - ISSUE NO 9/2025 (1.1).....	10
11	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	10
12	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION	10
	NIL	10
13	MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION	10
1	MAYOR'S ANNOUNCEMENTS	10
14	MATTERS REQUIRING CONFIDENTIAL CONSIDERATION	10
	NIL	10
15	CLOSURE.....	10

CITY OF ARMADALE

MINUTES

OF ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 23
JUNE 2025 AT 7.00PM.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Mayor Butterfield, declared the meeting open at 7.00 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 S Peter JP	Ranford Ward
Cr L Sargeson	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 Stoneham	Hills Ward

IN ATTENDANCE:

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

Public: 2

LEAVE OF ABSENCE:

Leave of Absence previously granted to Cr P A Hetherington and Cr S S Virk

APOLOGIES:

Apology received from Cr S J Mosey

4 PUBLIC QUESTION TIME

5 APPLICATIONS FOR LEAVE OF ABSENCE

Request for leave of absence has been received from Cr S J Mosey for the period Friday 4 July to Sunday 29 July 2025 inclusive.

That Council grant leave of absence to Cr S J Mosey for the period Friday 4 July to Sunday 20 July 2025 inclusive. (Includes 1 Ordinary Council Meeting – 14 July)

12/0

6 PETITIONS

7 CONFIRMATION OF MINUTES

MOVED Cr L Sargeson that the Minutes of the Ordinary Council Meeting held on 9 June 2025 be confirmed as a true and accurate record.

12/0

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Friday 13 June 2025

Met with Hon Matt Keogh MP, Member for Burt to discuss the Railway Avenue Principal Shared Path alignment, Armadale RSL Carpark, the Armadale Regional Recreation Reserve and Central Park to provide updates and request advocacy support.

Saturday 14 June 2025

Attended the City of Gosnells Civic Dinner held at the Mills Park Centre in Beckenham. The evening provided an opportunity to chat to Mayors of neighbouring Local Governments, members of state parliament and members of community groups.

Deputy Mayor John Keogh attended the Armadale Volunteer Fire and Rescue Service Annual Dinner on my behalf which was held at the Gosnells Golf Club.

Tuesday 17 June 2025

Attended a meeting with the WA Police Officer in Charge of the Armadale Station, Senior Sergeant Paul Thornton to discuss the use of unregistered off road motor bikes in our suburbs, retail theft and reporting methodologies.

Wednesday 18 June 2025

Attended the South East Metropolitan Zone meeting held at the City of Gosnells. Executive Director Corporate Services attended on behalf of the CEO. Cr Silver attended as a delegate.

Thursday 19 June 2025

Hosted a citizenship ceremony in the City of Armadale Function Room. We welcomed another 50 new residents to the City. Ms Trish Cook MP, Member for Bullwinkel attended and addressed new Citizens on behalf of the Federal Government. Cr's Peter, Sargeson, and Smith also attended.

On behalf of Council, the Mayor expressed thanks and appreciation to Pascal Balley for stepping in to act as Executive Director of Technical Services during the last 10 months. His leadership and contribution has been invaluable. The City is also deeply grateful to the City of Kwinana for seconding Pascal to support the City.

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 11 June 2025.

MOVED Cr S Peter that the report be received.

MOTION not opposed, DECLARED CARRIED

12/0

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

BUSINESS ARISING FROM REPORT

Recommendation CA1/6/25 - External Audit Plan 2024/25

MOVED Cr S Peter

That Council endorse the External Audit Plan 2024/25.

MOTION not opposed, DECLARED CARRIED **12/0**

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

Recommendation CA2/6/25 - Outcomes of Audit - Development Contribution Plan Reserve
Accounts 2023/24

MOVED Cr S Peter

That Council notes KPMG's unqualified audit reports for the Development Contribution Plan Statement of Income and Expenditure for North Forrestdale DCP 3 Reserve Account and the Anstey Keane DCP 4 Reserve Account for the year ended 30 June 2024.

MOTION not opposed, DECLARED CARRIED **12/0**

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

Recommendation CA3/6/25 - Risk Management Policy Review

MOVED Cr S Peter

That the Draft Risk Management Policy – 2025 be adopted.

MOTION not opposed, DECLARED CARRIED **12/0**

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

10.2 DEVELOPMENT SERVICES COMMITTEE MEETING

Report of the Development Services Committee held on 16 June 2025.

MOVED Dr C M Wielinga that the report be received.

MOTION not opposed, DECLARED CARRIED **12/0**

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

BUSINESS ARISING FROM REPORT

Recommendation D1/6/25 - Policy Review - Occupation of a Caravan Other than at a Caravan Park

MOVED Dr C M Wielinga

That Council:

- 1. Adopt the draft Temporary Accommodation Policy.**
- 2. Revoke the Occupation of a Caravan Other than at a Caravan Park Policy.**

MOTION not opposed, DECLARED CARRIED

12/0

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

Recommendation D2/6/25 - Traffic Lights Advocacy - Armadale City Centre (Referral Item)

MOVED Dr C M Wielinga

That Council:

- 1. Request Officers consult Council on any traffic light proposals suggested for Armadale Road.**

MOTION not opposed, DECLARED CARRIED

12/0

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

10.3 CORPORATE SERVICES COMMITTEE MEETING
Report of the Corporate Services Committee held on 17 June 2025.

MOVED Cr S Peter that the report be received.

MOTION not opposed, DECLARED CARRIED

13/0

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

BUSINESS ARISING FROM REPORT

Recommendation CS1/6/25 - List of Accounts Paid - April 2025

MOVED Cr S Peter

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

Municipal Fund

Accounts and direct debits paid totaling \$11,756,477.02, cheque numbers 475 to 483, transactions 29613 to 30437 and Payrolls dated 13 April and 27 April 2025.

Credit Cards

Accounts paid totalling \$6,300.02 for the period ended 24 April 2025.

Fuel Cards

Accounts paid totalling \$15,396.34 for the month ended 30 April 2025.

MOTION not opposed, DECLARED CARRIED 13/0

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

Recommendation CS2/6/25 - Statement of Financial Activity - April 2025

MOVED Cr K Busby, SECONDED Cr L Sargeson

OPPOSED Cr S Peter

That Council:

- 1. Pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* accept the Statement of Financial Activity for the tenth (10) month period ended 30 April 2025.**
- 2. Note that there are reportable actual to budget material variances for the year-to-date period ending 30 April 2025.**
- 3. Approves a transfer to the Future Projects reserve Fund of \$838,931 and requests a notation be added to the Monthly Financial Statement Report attachment, at Note 5 (Reserve Funds).**
- 4. Note the \$337.14 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 11/1**

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

Recommendation CS3/6/25 - Annual Corporate Business Plan Review 2025/26 - 2028/29

MOVED Cr S Peter

That Council, in accordance with Regulation 19DA(6) of the Local Government (Administration) Regulations 1996, adopts the 2025/6-2028/29 Corporate Business Plan as presented in the attachment to this report, with the following amendments:

- **Add: 1.1.4.2** Consider a natural Aboriginal cultural heritage inventory for the City of Armadale
- **Add: 2.1.5.5** prioritise the preserving and improving of the eco system on City managed public land and verges in the delivery of projects and services
- **Add: 2.1.7.3** present biennial report on city's canopy cover – and include the delivery of the service in FY26 and FY28
- **Add: 2.3.1.7** develop a proposal to deliver a green infrastructure asset management plan
- **Amend 2.5.2.1** Advocate for the retention of trees in new subdivisions and development on private and public land

- **Add: 3.2.2.3** Increase bush tucker and bush medicine opportunities for visitors
- **Retain: 2.2.1.1** Advocate for larger road reservations to enable street trees in the renewal of liveable neighbourhoods and advocate to the WAPC to impose subdivision conditions for planting street trees
- **Add: 2.2.1.2** Advocate for the appropriate location of underground infrastructure to enable the planting of more trees
- **Retain: 4.3.1.5** Seek to increase the number of industrial and commercial developments in order to reduce the reliance on residential rates

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

12/0

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

Recommendation CS4/6/25 - Annual Review of Delegations - Corporate Services Directorate
and Office of the CEO

MOVED Cr S Peter

That Council:

- 1. For the purposes of compliance with section 5.46(2) of the *Local Government Act 1995*, review the delegations of authority contained in the attachment to this report.**
- 2. Amend delegation of authority ‘1.1.22 Defer, write off, grant a concession or authorise a waiver for monies owing’ as shown in the attachment to this report.**
- 3. Authorise the Chief Executive Officer to correct any identified minor grammatical, formatting or punctuation errors to the delegations, provided the correction does not represent a change to the function or power delegated.**

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

12/0

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

Recommendation CS5/6/25 - CCTV Update

MOVED Cr S Peter

That Council request City Officers to keep Council updated on a quarterly basis on proposed and newly installed CCTV camera locations through the Information Bulletin.

MOTION not opposed, DECLARED CARRIED

12/0

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

10.4 CHIEF EXECUTIVE OFFICER'S REPORT

Report of the Chief Executive Officer.

MOVED Cr S Peter that the report be received.

MOTION not opposed, DECLARED CARRIED

12/0

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

BUSINESS ARISING FROM REPORT

Recommendation CEO4/6/25 - Councillors Information Bulletin - Issue No 9/2025

MOVED Cr S Peter

That Council acknowledge receipt of Issue 9/2025 of the Information Bulletin

MOTION not opposed, DECLARED CARRIED

12/0

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Dr Wielinga
Cr Hancock, Cr Smith, Cr Busby, Cr Silver, 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 Mayor's announcements (Cr Laurie Sargeson)

That the matter of Councillor attendance at formal functions (e.g. Citizenship ceremonies) being recorded in the Mayor's announcements at Ordinary Council Meetings be referred to the Corporate Services Committee. Policies and procedures to be reviewed and amended accordingly.

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor Butterfield, declared the meeting closed at 7.16pm

MINUTES CONFIRMED THIS 14 JULY 2025

MAYOR