



**ANNUAL GENERAL MEETING OF ELECTORS
THURSDAY 8 DECEMBER 2016**

MINUTES

OF THE ANNUAL GENERAL MEETING OF ELECTORS HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION CENTRE, ORCHARD AVENUE, ARMADALE ON THURSDAY 8 DECEMBER 2016 COMMENCING AT 7.00PM

PRESENT:

The Mayor, Cr H A Zelones OAM JP River Ward
presided:

Deputy Mayor, Cr R Butterfield	River Ward
Cr K Busby	Minnawarra Ward
Cr M Geary	Neerigen Ward
Cr C Frost	Lake Ward
Cr M Silver	Lake Ward
Cr G Nixon	Jarraah Ward
Cr C A Campbell JP	Palomino Ward
Cr L Sargeson	Palomino Ward
Cr D M Shaw	Heron Ward
Cr J A Stewart	Heron Ward

IN ATTENDANCE:

Mr R S Tame	Chief Executive Officer
Mr P Sanders	Executive Director Development Services
Mrs Y Loveland	Executive Director Community Services
Mr T Maxwell	Executive Director Corporate Services
Mr G Davies	A/Executive Director Technical Services
Mrs Kai Lothian	Manager Communications and Marketing
Mrs J Sutherland	Executive Assistant Corporate Services
Ms M Cox	Secretarial Assistant

Electors: 9

APOLOGIES:

Cr G Best
Cr M H Norman
Cr C M Wielinga

Neerigen Ward
Minnawarra Ward
Jarrah Ward

His Worship the Mayor, Cr Henry Zelones, welcomed those in attendance to the 2015/16 Annual General Meeting of Electors and addressed the meeting as follows:

Good evening and welcome to our Annual Meeting of Electors.

I would like to acknowledge the traditional custodians of the lands on which we meet and pay our respect to their elders, both past and present.

We have received apologies from Crs Caroline Wielinga, Matthew Norman and Guenter Best.

I'd like to begin by introducing my fellow Councillors and ask each of them to stand briefly as I introduce them.

The Deputy Mayor Ruth Butterfield, Councillors Mark Geary, Laurie Sargeson, Colin Campbell, Jim Stewart, Donna Shaw, Kerry Busby, Carole Frost, Michelle Silver, and Grant Nixon.

Also with us tonight are our senior executive team our Chief Executive Officer, Mr Ray Tame, Mr Tony Maxwell, Executive Director - Corporate Services, Mrs Yvonne Loveland, Executive Director - Community Services, Mr Paul Sanders, Executive Director - Development Services and Mr Glyn Davies, Executive Manager – Technical Services.

Before dealing with the business of the meeting, I need to emphasise that this is not a public meeting, but a meeting of electors as provided by the Local Government Act of 1995. As such, the residents who would normally participate are those who are on the City of Armadale Electoral Roll. However, this entitlement is also extended to those others who would be entitled to be on the roll, whether they are on it yet or not. As we may have observers from neighbouring local governments, and if time permits, I shall accept questions from them as well. It is my intent to close the meeting no later than 9pm and to take any further questions on notice for a response to be included in the minutes of this meeting that will go forward to the Council.

The Local Government Act in allowing Electors Meetings confers on the Mayor the responsibility of chairing the meeting, and for deciding the manner in which the meeting should be run. I would hope that the meeting procedure that I am about to outline will permit informality, and during question time the maximum amount of time to ask questions on matters for which the city is responsible. If necessary, but only if necessary to retain order, I would invoke the full range of Council's Standing Orders.

I would hope that I don't have occasion to remind anyone during the meeting that none of us here enjoy any privilege or protection from laws relating to defamation, as we will of course, all be focusing on the issues. Prefacing remarks with the words "Without Prejudice" as sometimes

happens at this type of meeting does not confer any protection to the speaker. The meeting is being recorded to assist Officers in recording the Minutes of the meeting.

When we get to general business, I will deal with questions from the floor before turning to those submitted in writing. I am making this change to the order of business in order to allow as many electors the opportunity to ask their questions. We have received nine (9) questions in writing prior to this meeting and in responding to those questions may limit the time available for other electors.

I or members of the Executive will try to answer your questions tonight, but some may require further research in which case I will take the question on notice and the person asking the question will receive a response in the mail.

The City of Armadale is a large metropolitan Council with a population of 90,000 residents covering a land area of over 500 sq. kms and an annual budget of over 100 million dollars. The City has more than 400 staff members with the CEO being their employer. It is not possible for me or the executive to be able to reply to all questions instantly as, in order, to provide accurate and current information it may require follow up with other officers from the City of Armadale, other government agencies, such as the Metropolitan Redevelopment Authority and/or sub-contractors who carry out a large amount of the works for and in the City of Armadale.

As I said earlier, this meeting is being recorded, so I would ask that you step up to the microphone, give us your name and address prior to your question. I or my Executive Team will try to provide an answer to your question tonight. I will share the order of questions being asked around so initially I will deal with one question from each person who has one, then go to the second and so on keeping in mind I will deal with the questions on notice last. This process should ensure that everyone has a fair go.

In terms of voting tonight should that be necessary, you will have already been asked to register on entry. If any member of the public present tonight isn't entitled to be an elector in the City of Armadale, given my earlier explanation of who is eligible, can I ask that you simply refrain from raising your hand when a vote is taken.

I would also remind members of the public that I and my fellow Councillors are also electors of the City of Armadale and retain the right to vote for or against, or abstain from voting, on any motion that may be put from the floor.

Should a member of the public wish to put a motion before the meeting the procedure that I will adopt will be similar to that which we use at Council meetings and our Standing Orders will apply during the debate on any motion. All motions put to the meeting will require a seconder before debate on the motion proceeds. If there is no seconder the motion shall lapse and no debate will take place.

The mover of the motion will speak first followed by the seconder and then alternately those wishing to speak against or for the motion. The mover will have the right to respond in summing up his arguments or responding to comments made during debate. No new material to be introduced by the mover of a motion in his closing remarks. No person shall speak twice to a

motion other than the mover and there shall be no further debate on a motion once the mover has concluded his remark. The motion shall then go to a vote of eligible voters.

I also advise that any vote taken on any matter here this evening is not binding on the Council but will be considered in light of all relevant information provided to Council in due course. The minutes of this meeting will be presented to the next Council meeting for consideration.

Thank you in advance for your consideration.

1 BUSINESS OF MEETING

1 PRESENTING AND RECEIVING THE 2015/16 ANNUAL FINANCIAL REPORT

1.1 2015/16 Annual Financial Report

MOVED Cr Sargeson that the 2015/16 Annual Financial Report be received.
SECONDED Cr Butterfield.

CARRIED

1.2 Auditor's Report

The Chief Executive Officer, Mr R S Tame, read aloud the Auditor's Report (Pages 46 and 47 in the Annual Report).

MOVED Cr Nixon that the Auditor's Report on the 2015/16 Annual Financial Report be received.
SECONDED Cr Frost.

CARRIED

1.3 2015/16 Annual Report (Remaining Parts)

MOVED Cr Frost that the remaining parts of the 2015/16 Annual Report including the Mayor's report, be received.
SECONDED Cr Shaw.

CARRIED

2 GENERAL BUSINESS

2.1 Questions received from the floor

Mr Grimwood – Sapphire Court, Mt.Richon

Q1. As members of Council are also electors, shouldn't they be included in the count at the Electors meeting? I would like this year's minutes to show all electors not just members of the public.

Answer: Taken on notice.

Q2. It is the same people that turn up each year to Electors meeting. Maybe we could have a taskforce set up to reach the broader community and encourage members of the public to attend to have their say.

Answer: It is not uncommon throughout local government to have a small turnout at an Electors meeting. The public have six opportunities a month on average to attend meetings and ask questions. The electors meeting is part of a traditional format, today people have the opportunity to text and email council with their questions.

Mr Bob Sutton – Oxley Road, Forrestdale

Q1. With regards to the restructuring of the workforce at the landfill, which was needed, why were the staff at the landfill not consulted over the proposed restructuring in accordance with the Enterprise Bargaining Agreement 2016 presented to Council at its meeting of 27 September 2016?

Answer: Taken on notice.

Q2. Why have 12 of 15 of the Objectives of the Agreement (section 6 of the EBA) not been met by Council with the proposal?

Answer: Taken on notice.

Q3. Why are five local staff, who supported Council, being made redundant that have an excellent record in customer relations and landfill operations not been offered training as required by the EBA (section 31.3) to meet the requirements of the revised job criteria?

Answer: Taken on notice.

Q4. If my calculations are correct, the proposed seven day/week roster with a 15% loading is costing Council \$32,000 per year more than the five day week with one day overtime per fortnight. Why is this proposal being promoted by management?

Answer: Taken on notice.

Note :- Pursuant to section 5.41(g) of the Local Government Act 1995 ('Functions of the CEO'), the above (4) questions relating to employees of the City are the responsibility of the CEO not Council, and accordingly the responses to the questions will be dealt with directly by the CEO.

Mr Bill Davis – Bodicoat Drive, Brookdale

Q1. Can someone give me an approximate cost of the white building extension part of the Armadale District Hall?

Answer: Taken on notice.

Q2. Why do Council persist with that extension as I can't find a single user group who advocated for that extension?

Answer: Community consultation has been undertaken with user groups. The outcomes of the consultation lead to the decision to provide an addition to that facility. We have an extremely long list of community groups, asking on a daily basis, for a space that they can use. Just one example is the Armadale Concert Band that does not have a base to store their equipment.

Q3. Why can't a building be put in another place that doesn't detract from the Heritage listing of the hall?

Answer: For over two years we have been looking at that as an option. We have been to Council, had community consultation and now have a conclusion and a plan in place and we are looking forward. We are not going back.

Mr Grimwood – Sapphire Court, Mt.Richon

Q1. Dale Cottages Inc. does not pay rates including the 180 cottages that are leased. That means they have a clear cost of living advantage over the rest of the pensioners in the City. The second thing is the Greendale Centre has had a lot of money spent of repairs and maintenance. Why?

Answer: The Greendale Centre is a facility owned and maintained by the City. It is not exclusively used by the Dale Cottages. Its charitable rates status goes back many years. Rate exemption applications are received and if they are determined under legislation then we apply the exemption. We consider each application on its merits to comply with the Act.

Supplementary Question

That building is sometimes referred to as the Greendale Centre and sometimes as the Armadale Senior Citizens Centre. It is confusing. You can either rename it or create a new name.

Answer: Thank you. I accept the fact that is how you seem to view it. The Greendale Centre is named after a resident of the City who contributed greatly to that centre and it was named in his honour.

Supplementary Question

Do you think the City should resign from the Dale Cottages Board given its interests?

Answer: That I would have to take advice on. Not forgetting that Council does have a Code of Conduct for Councillors and Officers.

Mr Christmas – Wandoo Street, Mt. Nasura

Q1. There is a fire risk on the verge of some properties at 3009 Albany Highway and adjoining properties. The grass is very high. I am concerned. Can the Council follow this up?

Answer: Yes we will look into it.

Q2. Regarding the Kelmscott Hall. I understand there are plans to close the hall for renovations for several months, is this correct?

Answer: There are plans that went through Council a couple of months ago. There are still some details that still need to be clarified prior to works commencing.

Q3. Every year you read a very long statement at the beginning of the meeting. Could that be printed in the book so that the responsibility is on the people to read it?

Answer: Absolutely.

Mr Grimwood – Sapphire Court, Mt. Richon

Q1. Entry statements have been talked about for many years. Now you are going to construct entry statement can you please also consider providing tourist facilities especially on the Brookton Highway.

Answer: I will take your suggestion on notice.

Mr Anstey – Eneabba Place, Armadale

Q1. Does the Council know what the current unemployment rate is within Armadale?

Answer: Yes I believe it is too high. It is, I believe, around 9% with youth unemployment is slightly higher.

Q2. What does the City plan to do about it?

Answer: We provide services and an environment that encouraged economic development such as the Forrestdale Business Park and are in constant liaison with Business Armadale on other investment opportunities. We are working on advocacy and

talking to the government continually. You probably understand why we took on the Community Connect South Project aimed at widening Armadale Road, attracting more business and jobs to the area and assisting residents to get to jobs. That is what the advocacy is about and that is the role we play.

Q3. How do you expect the residents, with high unemployment and a lower weekly wage earning, to keep up with increasing rates over CPI?

Answer: The City's services, such as the advocacy I mentioned earlier, cost money to provide. The issue you need to ask is why is the government taxing us with items such as the Landfill Levy and the Emergency Services Levy. The question is how we balance a fair rate for the services we provide. Community expectation is continually rising.

Q4. The residents out there are expected to live within means. How do you expect people to follow that path when you yourselves are not living within your means?

Answer: Well I suggest we are living within our means. We have all sorts of arrangements for people to pay their rates. You are asking for a completely different system of taxation and rating. Your question really is for the Local Government Minister.

Mr Grimwood – Sapphire Court, Mt. Richon

Q1. With all the pockets of vacant land. The only way this is possible is if the owners are able to sit on that land. The way to fix that is to increase the rates on vacant land.

Answer: Vacant land does already attract higher rates.

Mr Christmas – Wandoo Street, Mt. Nasura

Q1. There is an ongoing problem with shopping trolleys in all areas. My suggestion is to fine the shops who provide the trolleys.

Answer: This is not a problem just for the City. Numerous ways have been attempted over a long time to solve this issue. There is a collection service where you can report and they do get picked up. Local governments need to address this together not by individual authorities. I will raise the matter again with WALGA.

2.2 Questions of which prior notice has been given

Mr D Foster – Albany Highway, Bedfordale

Since the City has been responsible for Neerigen Brook Reserve, land has been virtually given to local landowners, Mr Tame let it be known that if their land adjoining the reserve they could look after it. Most recent, anyone using the reserve, this was reinforced by the city allowing horse grazing by the privileged (5 to 6 horses for 5 to 6 years) and a very large private sign at the northern end, and O'Neil Estate Agent describing the creek as private, and some very aggressive land owners. Now we are told where the creek has been diverted the land taken up is to be virtually gifted to the culprit. I Have complained about this on at least 20 occasions and been told it would be fixed up on a 15 year plan. Be patient. 15 years has come and gone.

Q1. Is this legal, ethical or deceitful?

Answer: The CEO advises that this matter has been raised by Mr Foster and responded to on multiple occasions in the past. Far from the City advertising that adjoining owners have any exclusive rights to the reserve, it is Mr Foster that keeps repeating it. At the Annual General Meeting of Electors held 2014, the City's response to the horse grazing issue read in part, "the horse has long since been removed from the reserve at the time of the City's Management plan Development in 2008". The matter of the creek diversion has been raised at a number of past AGM of Electors and fully responded to at each occasion.

Q2. Would the City remove the timber barriers that keep the creek in its unnatural position? (Maybe do some good in a flood.)

Answer: Any works to redirect the creek would create significant environmental damage to the reserve, and is not considered appropriate at this stage. Mr Foster has raised this matter over the last fifteen years and responses have been provided in 2002, 2003, 2004, 2005, 2006, 2008, 2010, 2011 and 2015.

Q3. What would the cost have been of sending a ranger to stop the Machine working when I phoned, when the work was being done?

Answer: The City is unable to identify the specific event to which Mr Foster is referring to. If Mr Foster wishes to provide further information Officers will investigate the incident further. However, on each occasion a matter has been reported, the City has investigated and reported back.

I have been told that PAWs 2 and 4 are too steep to be practical, yet there are driveways either side of two, and whereas 4 is steep this was overcome at Errol Green Park. The public access way 4 were excavated further to provide private parking for security company vehicles but I believe the owner has now moved on, as I have not been harassed there lately.

Q4. Can access be improved to the large area of public land to the east of block 97 96 95 94 98 and 99 by making it more accessible from PAW 4 and by defining the access from PAW 3.

Answer: The construction of an earth ramp at PAW 4 to negate the steep bank as a barrier to pedestrian access and vehicle access into the reserve was further evaluated and it has been confirmed that this option was suggested to provide for fire fighting vehicle access to the reserve. Upon seeking advice from Armadale FESA and Fire rangers it was determined that air attack would be a more effective approach in the case of a bush fire in the reserve. Therefore the suggested earth ramp was no longer considered necessary.

The matter of PAW 3 is clearly defined and has been previously addressed on several occasions in the past both verbally and at site meetings with Mr Foster.

Q5. Can the land owners either side of PAW 2 be told that the area now their garden is in fact public land? This may prevent arguments in the future.

Answer: The PAW between 135 and 136 now 50 and 52 Jade Street is indeed vested with the City, both adjoining residents are aware of this.

Shortly after the City took over the responsibility for Neerigen Brook Reserve a large, glossy expensive book was put out to show the cities intentions. Virtually nothing has been done, except what has been forced on the City, there have been two partial surveys but in each case the pegs were removed as soon as the surveyors were out of sight.

It was proposed that the boundaries of the reserve would be marked / it never happened / bridges were to be built / never happened. Indeed two bridges were removed. Hen pen and other building / were to be removed it never happened at least the hens and horses are no longer there (thanks to Alana Materan (*sic*) MacTiernan)

Q6. Was the book a con trick?

Answer: The book being referred to was in fact the City of Armadale Neerigen Brook Reserve Management Plan 2008. A number of recommendations made were completed, which includes the reserve survey and marking of boundaries. A documented review of all recommendations was undertaken by City Officers over the past couple of years and each action has been considered in more detail. All actions taken to date have been noted and several actions are no longer considered a priority or required in some instances.

Things have been said at these meetings which are not true, but the public does not have the right to point these things out.

Q7. Can the public point out things that are not so?

Answer: Any member of the public is able to put a written request or concern to the City via post, email or in person.

When the original survey was done I saw a man removing survey pegs in the area near block 135 and 136, when I pointed out this was illegal he got very, very annoyed, later I went down there and the pegs were in the ground, but not perhaps in the position that the surveyor put them. Clearing has been done in this area to facilitate a tall electric fence very near the creek. Trees have been cut down to facilitate this. I phoned Mr Tame's office to report this. The fence would be put in using these pegs.

Q8. Was any action taken on my phone call?

Answer: A phone call was received by the City on 2 June 2016. Officers investigated the issue and inspected the site again on 9 June 2016. Minor pruning was undertaken by the resident/contractor to allow for fence alignment. One tree was removed which was on private property. The fence currently resides on the existing boundary line. No further works have been undertaken.

The old church in Settlers Common has the underneath of it blocked off. The spokeswoman for the city admitted that this was because homeless people took shelter there. The brick lavatories not far away in Lions Park have been replaced by a steel loo. I have needed them twice and both times there were locked. The homeless use these also.

Q9. Do the executives believe that by harassing the homeless they will solve the problem?

Answer: The Settlers Common Buildings are located within a bush fire prone area and because of this a barrier is provided to stop leaves from collecting underneath. Leaf litter is of course highly combustible in the event of a fire.

The new toilets in Lions Park are fitted with an access control system that automatically locks the facility just prior to sunset and opens them again just after sunrise. This protocol is entirely consistent with all other toilets within the City of Armadale which are opened and closed manually by City staff, within the hours of daylight.

The City of Armadale does not provide any 24/7 facilities within its boundary.

2.3 Supplementary questions received from the floor

Mr Foster – Albany Highway, Bedfordale

Q1. I want access to my reserve. There are no boundaries marked. I want the boundaries clearly marked.

Answer: Taken on notice.

Mr Grimwood – Sapphire Court, Mt.Richon

Q1. Over the years the garbage trucks are getting bigger. I live in large cul-de-sac with a generous turning circle and even I am getting tyre marks every week on my verge. The newer streets are even smaller. Surely there must be a way of turning without causing damage to the verge, roads or the trucks.

Answer: I will take that on notice. We are well aware of the problem and are working on solutions.

The Mayor thanked his fellow councillors for their attendance tonight and thanked the electors.

MEETING DECLARED CLOSED AT 8.25PM

MINUTES CONFIRMED THIS _____

MAYOR