SPECIAL COUNCIL MEETING
MONDAY, 6 APRIL 2020

MINUTES

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CITY OF ARMADAILE

MINUTES

OF SPECIAL COUNCIL eMEETING HELD ON MONDAY, 6 APRIL 2020 AT 5.30PM via the Microsoft Teams platform.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Prior to commencement of this electronic meeting Councillors and other attendees connections by electronic means were tested and confirmed.

The Mayor, Cr Butterfield, declared the meeting open at 5.30 pm.

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

PRESENT:

Mayor, Cr R Butterfield  River Ward
presided over

Deputy Mayor, Cr C Frost  Lake Ward
Cr H T Jones  River Ward
Cr J H Munn CMC  Ranford Ward
Cr S Peter JP  Ranford Ward
Cr M S Northcott  Palomino Ward
Cr C A Campbell JP  Palomino Ward
Cr D M Shaw  Heron Ward
Cr E J Flynn  Heron Ward
Cr G J Smith  Minnawarra Ward
Cr K Busby  Minnawarra Ward
Cr M Silver  Lake Ward (5.55 – 6.08pm)
Cr G Nixon  Hills Ward
Cr C M Wielinga  Hills Ward

IN ATTENDANCE:

Ms J Abbiss  Chief Executive Officer
Mr J Lyon  Executive Director Corporate Services
Mr P Sanders  Executive Director Development Services
Mr K Ketterer  Executive Director Technical Services
Ms Y Loveland  Executive Director Community Services
Mrs S D’Souza  CEO’s Executive Assistant

Public:  Nil

LEAVE OF ABSENCE:
Nil

APologies:
Nil
3  PUBLIC QUESTION TIME

*It was publicised on the City’s website, administration centre notice board and eCommunication channels that in view of the City conducting eMeetings, members of the community could still submit questions in writing prior to the meeting. Questions should be forwarded via email to info@armadale.wa.gov.au by 3pm on the date of the meeting.*

*There were no questions submitted for this meeting.*

4  SUSPENSION OF RELEVANT MEETING PROCEDURES (STANDING ORDERS) LOCAL LAW

The following clauses in the City of Armadale’s Meeting Procedures (Standing Orders) Local Law cannot be complied with when conducting an eMeeting and are required to be suspended for the conduct of this eMeeting.

MOVED Cr G Nixon

That Council suspend the operation of the following clauses:

(i) Clause 8.2 – Members to Occupy Own Seats
(ii) Clause 9.1 – Members to Rise, in respect to the showing of hands and the requirement to stand.
(iii) Clause 13.2 – Question – Method of Puting, in respect to the showing of hands.
(iv) Clause 15.8(1) – Precedence of Person Presiding, in respect to the requirement for the person presiding to rise.

of the City of Armadale Standing Orders Local Law for the duration of this electronic meeting and that these matters be determined at the discretion of the Presiding Member.

MOTION not opposed, DECLARED CARRIED  (13/0)

5  BUSINESS OF THE MEETING

5.1  SPECIAL CHIEF EXECUTIVE OFFICER’S REPORT

Report of the Chief Executive Officer.

BUSINESS ARISING FROM REPORT

Item 1.1 - Electronic Meetings - Council and Committee

MOVED Cr D M Shaw

That Council
1. Pursuant to s. 2.7(2)(b) *Local Government Act 1995* adopt Policy EM 18 – Electronic Council and Committee Meetings as attached to this agenda; and

2. Given the current state of emergency and public health emergency declarations, approve that all Ordinary and Special Council and Committee meetings be conducted electronically for the duration of the declared emergency.

**MOTION not opposed, DECLARED CARRIED**

*(13/0)*

*Cr Silver joined the meeting at 5.55pm*

**Item 1.2 - Draft Policies - Rates Assistance / A Smarter Way to Pay**

MOVED Cr G Nixon that the recommendation be amended by renaming the policy “Rates Assistance & Financial Hardship” and adding parts 8 and 9 as follows:

8. Be kept informed on the value of the waiver of fees, charges and penalty interest and how this will affect the City’s budget.

9. Revisit all delegations after the State of Emergency ends.

**AMENDMENT not opposed, DECLARED CARRIED**

*(14/0)*

MOVED Cr G Nixon that the recommendation, as amended, be adopted

That Council:

1. **adopt the Rates Assistance & Financial Hardship** policy attached as a Confidential Attachment;

2. **adopt the A Smarter Way to Pay** policy;

3. In accordance with Section 6.47 of the *Local Government Act 1995*, grant a waiver of the Section 6.51 Penalty Interest charges incurred on outstanding rates and service charges for the remaining portion of the financial year effective from 1 March 2020.

4. In accordance with Section 6.12 of the *Local Government Act 1995* grant a waiver of the following fees and charges set out in the City’s annual budget and listed below:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dishonour Fee</td>
<td>$15.00</td>
</tr>
<tr>
<td>Special Payment Arrangement*</td>
<td>$51.00</td>
</tr>
<tr>
<td>Special Payment Arrangement (dishonour)</td>
<td>$10.00</td>
</tr>
</tbody>
</table>

   *excludes Smarter Way to Pay, conditions apply.*

   for the remaining portion of the financial year effective from 1st March 2020.

5. note that the adoption of the policies and waiver of fees, charges and penalty interest is part of a suite of measures aimed at reducing the economic and social impacts of the COVID19 Pandemic on the community.

6. **Grant delegated authority to the Chief Executive Officer to administer the A Smarter Way to Pay policy**

7. **Grant delegated authority to the Chief Executive Officer to administer the Rates Assistance policy.**
8. Be kept informed on the value of the waiver of fees, charges and penalty interest and how this will affect the City’s budget.

9. Revisit all delegations after the State of Emergency ends.

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION (14/0)

Item 1.3 - Delegations to the CEO and Officers - Public Health Act 2016 and Food Act 2008

MOVED Cr D M Shaw

That Council:

1. Authorise and grant the following delegation to the Chief Executive Officer, inclusive of amendments and as detailed in Attachment 1 – Amended Delegations (PHA).
   - DS 28.0 - Designation of Authorised Officers (Public Health Act 2016)

2. Authorise and grant the following delegations to the Chief Executive and Officers and as detailed in Attachment 2 – ‘New Delegations (Food & PHA).
   - DS 29.0 - Appointment of Authorised or Approved Officer (Asbestos Regs)
   - DS 30.0 - Enforcement Agency Reports to the Chief Health Officer
   - DS 32.0 - Commence Proceedings (Public Health Act 2016)
   - DS 33.0 - Appointment of Environmental Health Officers
   - DS 34.0 - Appoint Authorised Officers and Designate Officers (Food Act 2008)
   - DS 35.0 - Food List – Public Access
     - DS 36.0 - Food Act 2008 – Functions of enforcement agency
   - DS 37.0 - Public Health Act 2016 and Health (Miscellaneous Provisions) Act 1911
     - Power or duty of the local government (enforcement agency) under these Acts

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION (14/0)

Item 1.4 - Legal Matter - LS/LIT/4

The Confidential Report was noted and the recommendation in the report was put to the meeting.

MOVED Cr K Busby

That Council:

1. Adopt the recommendations of the City’s solicitor as contained within the Confidential report.

2. Authorise the CEO to execute and finalise any documents or processes related to the recommendations.

MOTION not opposed, DECLARED CARRIED (14/0)
6 CLOSURE

The Mayor, Cr Butterfield, declared the meeting closed at 6.08pm

MINUTES CONFIRMED THIS 14 APRIL 2020

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MAYOR