

I N D E X

Chief Executive Officer's Report

5 DECEMBER 2005

ITEMS ON REPORT

MINUTES - ANNUAL GENERAL MEETING OF ELECTORS – 22 NOV 2005	1
DELEGATIONS OF AUTHORITY.....	4
COUNCILLORS INFORMATION BULLETIN ISSUE 23/2005	8

ATTACHMENTS

A1-	MINUTES OF THE ANNUAL GENERAL MEETING OF ELECTORS HELD ON 22 NOVEMBER 2005
-----	---

CITY OF ARMADALE

Chief Executive Officer's Report

Mayor and Councillors City of Armadale

Following is my Report for the period
ended 1 December 2005

1. ANNUAL GENERAL MEETING OF ELECTORS

WARD All
FILE REF: MTG/2
DATE 30 Nov 2005
REF SDS
RESPONSIBLE MANAGER CEO

In Brief:-

- Recommend receipt of the Minutes of the AGM held on 22 November 2005.
- That in considering the decision made at the Annual General Meeting of Electors, Council approach the Metropolitan Cemeteries Board regarding a staged development of a cemetery facility in the south east corridor.
- Responses to the questions taken on notice to be responded to within 2 weeks from the date of Council resolution of receipt of the Minutes.

Strategic Implications

3. *Communicating and Marketing*

Good communication between the City and its community is essential if there is to be a shared understanding of direction, objectives and service levels. Our aim is to maintain dialogue to understand community needs and expectations and communicate our achievements to the community.

Legislation Implications

Local Government Act 1995 – Subdivision 4, Sections 5.26 to 5.33

Local Government (Administration) Regulations 1996 - Regulations 15, 17, 18 & 35

(1) *All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable –*

- (a) *at the first ordinary council meeting after that meeting; or*
- (b) *at a special meeting called for that purpose,*

whichever happens first.

(2) *If at a meeting of the council a local government makes a decision in response to a decision made at an electors meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.*

Council Policy / Local Law Implications

Nil

Budget / Financial Implications

The associated costs are in accordance with the adopted Council Budget.

BACKGROUND

Council at its meeting on 17th October 2005 accepted the Annual Report and resolved to hold its Annual General Meeting of Electors on Tuesday, 22nd November 2005.

COMMENT

Minutes of the 2004-2005 Annual General Meeting of Electors held on 22nd November 2005 are presented at **Attachment "A-1"** to this Report.

A number of motions were put to the AGM and lost.

The following motion was passed and therefore needs to be considered by Council.

MOTION-1

MOVED Mr Towle; SECONDED Mr Wye

That Council support a staged development to have the southern corridor cemetery established in the following order:-

- memorial garden
- chapel
- burial;and
- crematorium

as we need this facility now and not 50 years into the future.

MOTION CARRIED (unopposed)

COMMENT

The Executive Director Development Services advises as follows:-

At its meeting in April 2004 Council considered a report on the investigations undertaken within the Corridor to secure a suitable cemetery and resolved (D75/4/04) to advise the Metropolitan Cemeteries Board that the site identified and reserved for Cemetery purposes at Whitby in the Shire of Serpentine-Jarrahdale was supported as a site for a future regional cemetery.

It is possible that a staged development of a cemetery facility as suggested in the Motion could be appropriate and the Council could support this approach. It is understood that the proposed site would accommodate the needs of the South East Corridor for the next 50 years. The reference in the motion to the facility not commencing for 50 years is not consistent with the understanding reached between the City and the Metropolitan Cemeteries Board.

Those items raised at the Electors meeting which require further action/response will be referred to the respective Directorates. Responses, where required, will be forwarded to the respective people within two weeks of Council accepting the Minutes.

RECOMMEND

That Council

- 1. receive the Minutes of the 2004-2005 Annual General Meeting of Electors held on 22nd November 2005 as presented at Attachment A-1 to this report.**
- 2. in considering the decision made at the Annual General Meeting of Electors, authorize officers to approach the Metropolitan Cemeteries Board regarding a staged development of a cemetery facility in the south east corridor.**
- 3. authorize officers to respond to the questions taken on notice at the 2004-2005 Annual General Meeting of Electors and these responses be forwarded to the respective enquirers within 2 weeks of Council accepting the Minutes.**

Moved Cr _____
Motion Carried/Lost

2. ** DELEGATIONS OF AUTHORITY

NOTE:

Time does not permit for this matter to be dealt with in the usual manner via the Committee process and hence its submission to Council through the CEO's report i.e. delegations need to be reviewed within 12 months, which in this instance expires 30 November 2005.

WARD: ALL
FILE REF: PCY/2
DATE: 17 November 2005
REF: NP
RESPONSIBLE MANAGER: Executive Director
Corporate Services

In Brief:

- Annual review of Council Delegations of Authority to the CEO as relevant to the CEO's Office and Corporate Services Directorate.
- Recommendation that the delegations as presented be renewed for a further 12 months.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

Corporate Services – to improve the environment for effective governance and decision-making.

Legislation Implications

The relevant Sections of the Local Government Act 1995 are as follows:

5.42 Delegation of some powers and duties to CEO.

(1) A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.*

**Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43 Limits on delegations to CEO's

A local government cannot delegate to a CEO any of the following powers or duties –

- any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;*
- accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- appointing an auditor;*
- acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*

- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in section 9.5;*
- (h) *any power or duty that requires the approval of the Minister or the Governor;*
or
- (i) *such other powers or duties as may be prescribed.*

5.44 *CEO may delegate powers and duties to other employees*

- (1) *A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
- (3) *This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such power or duty –*
 - (a) *the CEO's powers under this section to delegate the exercise of that power or the discharge of that duty; and*
 - (b) *the exercise of that power or the discharge of that duty by the CEO's delegate,**are subject to any conditions imposed by the local government on its delegation to the CEO*
- (4) *Subsection 3(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.*
- (5) *In subsections (3) and (4) –*
“conditions” *includes qualifications, limitations or exceptions.*

5.46 *Register of, and records relevant to, delegations to CEO's and employees*

- (1) *The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.*
- (2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*
- (3) *A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Nil

Consultation

Directorate Managers

BACKGROUND

It is a requirement of the Local Government Act 1995 (Section 5.46(2)) that delegations of authority be reviewed annually.

DETAILS OF PROPOSAL

Council's approval is sought to renew the delegations of authority as presented in this Report.

COMMENT

Analysis

Details of each of the current delegations as relevant to the CEO's Office and Corporate Services Directorate are presented in the following report recommendation.

Each of these delegations has been reviewed both as to its legislative correctness and continuing relevancy. This review process **has not identified any necessary changes to the current delegations** and hence the delegations as recommended hereunder represent a continuation of current practice for the next 12 months.

Conclusion

It is recommended that the delegations as presented in the following recommendation be approved up until the next review date in twelve months time.

RECOMMEND

That Council, pursuant to Section 5.42 of the Local Government Act 1995, delegate to the Chief Executive Officer, the exercise of the following Council powers and duties and that these delegations remain in force until November 2005 when next they will be reviewed, i.e.

Local Government Act 1995

No:	Delegated Authority		Assigned by CEO
	Section Ref	Delegation Described	
8	9.17(1)(c)	To accept payment of a modified penalty	Yes
10	6.12(1)(c)	To write off monies owed to the Council subject to: (i) the write off amount being less than \$200, and (ii) the write off's made pursuant this delegation being reported to Council.	Yes
11	9.10	To appoint employees and persons as "authorized officers" for the purpose of performing functions under the Act and Regulations.	No
17	6.49	To accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.	Yes
18	6.61(1)	To request from either an occupier of property or an agent of the owner of the property, the name and address of the owner or the person receiving or authorized to receive the rent of the property (relates to the recovery of unpaid rates and service charges)	Yes
19	6.69(2)	To accept payment of outstanding rates and charges, upon such terms and conditions as are agreed between the parties, within (7) days of land actually being sold for recovery of unpaid rates and charges.	Yes

Local Government (Financial Management) Regulations 1996

No	Delegated Authority		Assigned by CEO
	Section Ref	Delegation Described	
150	12(1)(a))	To make payments from the Municipal and Trust funds	Yes

Local Government (Long Service Leave) Regulations

No	Delegated Authority		Assigned by CEO
	Section Ref	Delegation Described	
195	6A, 6B, 7 & 8	To approve: (i) the payment of long service leave on half pay or double pay; (ii) the taking of long service leave when the leave is taken at a date greater than 6 months from the date the leave became due and the ordinary time rate at which the leave is to be paid.	No

Local Law – Activities & Trading in Thoroughfares & Public Places

No	Delegated Authority		Assigned by CEO
	Section Ref	Delegation Described	
200	Variou s	To administer the Local Law including the appointment of authorized persons to perform any of the functions of an authorized person but not including any of the following functions, i.e. <ul style="list-style-type: none"> - approve a Traders permit under clause 7.2(1)(a); - approve an outdoor eating facility under clause 7.2(1)(a); - adopt or vary policy containing conditions subject to which an application for a permit may be approved under clauses 7.2(1)(a) and 7.4; - cancel a permit under clause 7.10; - hear an objection – refer clause 8.1; - appoint authorized persons who are not employees under section 9.10 of the Local Government Act 1995; - declare a thoroughfare to be a “flora road” under clause 5.3; - designate a thoroughfare or part of a thoroughfare as a “special environmental area” under clause 5.7. 	Yes

**** ABSOLUTE MAJORITY REQUIRED**

Moved Cr _____
 Motion Carried/Lost ()

3. *COUNCILLORS' INFORMATION BULLETIN – ISSUE NO.23/2005*

WARD All
FILE REF: CIB
DATE 30 Nov 2005
REF SDS
RESPONSIBLE CEO
MANAGER

In Brief:

- Councillors' Information Bulletin – Councillors are advised to take note of the information submitted in Issue No.23/2005 to be received by Council.

Strategic Implications

Corporate Services

- 2.1 Identify and implement mechanisms to improve communication and achieve common understanding of corporate issues and objectives.

COMMENT

The following general information and memorandums were circulated in Issue No. 23 on 30 November 2005

Correspondence & Papers

- **Correspondence**
Forrestdale Primary School – 15 November 2005
- **WA Local Government News**
Issue No.45.05 – 18 November 2005
Issue No.46.05 – 25 November 2005
- **ALGA News**
18 November 2005
25 November 2005
- **Media Releases**
Association Awarded for Supporting Defence – 17 November 2005

Information from Human Resources

- Employee Movements

Information from City Strategy

- **Progress Reports & Outstanding Matters**
Progress Report on Contingency, Operational & Strategic Projects
Progress Report on Replacement of the City's IT Systems
- **Financial & Corporate**
Accounting Services Report – November 2005
- **Miscellaneous Reports**
WALGA Submission in Advance of the 2006-2001 State Budget

Information from Development Services

- Report on Outstanding Matters – Development Services Committee
- Health Services Manager's Report for October 2005
- Planning Services Manager's Report for October 2005
- Comment Provided by Officers Without Prior Consideration of Council
- Town Planning Scheme No.2 – Amendment Action Table
- Planning Applications Monthly Statistics – October 2005
- Subdivision Applications – WAPC Approvals / Refusals – October 2005
- PAW Closure Report – Significant Actions during October 2005
- Compliance Officer's Report for October 2005
- Minutes – Community Heritage Advisory Committee Meeting
- Building Services Manager's Report & Building Statistics – October 2005
- Building Applications Monthly Statistics – October 2005

Information from Technical Services

- **Outstanding Matters**
Report on Outstanding Matters – Technical Services Committee
- **Monthly / Quarterly Departmental Reports**
Technical Services Directorate Works Programme
- **General Information**
Municipal Waste Advisory Council Information Bulletin

Information from Community Services

- **Outstanding Matters**
Report on Outstanding Matters – Community Services Committee
- **Monthly/Quarterly Departmental Reports**
Library & Heritage Services General Report – November 2005
- **Minutes from Occasional Advisory Committees**
Armadale Police & Citizens' Youth Club Management Cttee – 26 October 2005
Seniors' Interest Advisory Committee – 23 September 2005

RECOMMEND

That Council acknowledge receipt of Issue No 23/2005 a of the Information Bulletin



R S TAME
CHIEF EXECUTIVE OFFICER

Minutes of the Annual General Meeting of Electors – 22 November 2005



**ANNUAL GENERAL MEETING OF ELECTORS
TUESDAY, 22 NOVEMBER 2005**

MINUTES

OF THE ANNUAL GENERAL MEETING OF ELECTORS HELD IN THE FUNCTION ROOM, ADMINISTRATION CENTRE, ORCHARD AVENUE, ARMADALE ON TUESDAY, 22 NOVEMBER 2005 COMMENCING AT 7.00 PM

PRESENT:

The Mayor, Cr L Reynolds JP presided:	Heron Ward
Deputy Mayor, Cr J H Munn JP CMC	Minnawarra Ward
Cr J Knezevich	Minnawarra Ward
Cr R J Tizard	Neerigen Ward
Cr G A Best	Neerigen Ward
Cr H A Zelones JP	River Ward
Cr R Butterfield	River Ward
Cr P J Hart	Jarraah Ward
Cr L Scidone	Jarraah Ward
Cr A L Cominelli JP	Lake Ward
Cr C J MacDonald	Lake Ward

IN ATTENDANCE:

Mr R S Tame	Chief Executive Officer
Mr A F Maxwell	Executive Director Corporate Services
Mr I MacRae	Executive Director Development Services
Mr A Bruce	Executive Director Technical Services
Mr C Askew	Executive Director Community Services
Mrs S D'Souza	CEO's Executive Assistant

Public: 26

His Worship the Mayor, Cr Linton Reynolds, welcomed those in attendance to the 2004-2005 Annual General Meeting of Electors. He advised that the proceedings were being recorded and requested that people state their name and address prior to addressing the meeting.

Minutes of the Annual General Meeting of Electors – 22 November 2005

1 APOLOGIES AND LEAVE OF ABSENCE

Apologies received from Cr Wallace, Cr Everts and Cr Stewart.

2 BUSINESS OF MEETING

2.1 PRESENTING & RECEIVING THE 2004-2005 ANNUAL REPORT

2.1.1 2004-05 Annual Financial Report

MOVED Ms Clowes-Hollins that the 2004-2005 Annual Financial Report be received.
SECONDED Mrs Munn

CARRIED

2.1.2 Auditor's Report

The Chief Executive Officer, Mr R S Tame, read aloud the Auditor's Report.

MOVED Mr Wye that the Auditor's Report on the 2004-2005 Annual Financial Report be received.
SECONDED Mr Green

CARRIED

2.1.3 2004-05 Annual Report (Remaining Parts)

Mayor Reynolds read aloud his Report, as printed in the Annual Report.

MOVED Mr Cox that the 2004-2005 Annual Report be received.
SECONDED Ms Clowes-Hollins

CARRIED

Minutes of the Annual General Meeting of Electors – 22 November 2005

2.2 GENERAL BUSINESS

2.2.1 Questions of which prior notice has been given

Mr N Towle – 6 Wyee Place, Armadale

Before answering these questions, I understand that the same questions were essentially asked at a recent Minnowarra Ratepayers Association Meeting where they were answered in part on the night by Mr Nathan Cain. Mr Cain is Council's Executive Manager Business Services and an answer from him carries as much weight as one from me.

Q1 At the annual general meeting of electors for 2003 I raised a question about expenditure on the reserve in Wyee Place. The Mayor advised that the expenditure would need to be researched and the question would be taken on notice. No reply was received. This was raised again at the annual general meeting of electors for 2004 and was replied to by the Mayor on 13 December 2004. However, the reply covered typical annual expenditure and showed a total of \$2000 (which I believe should have been \$2200. The question was about the cost of the improvements to the reserve which was improved under the NIP Programme. Therefore, the original question has still not been answered.

Re. Wyee Place reserve expenditure. Cost of the improvements to the reserve under the Neighbourhood Improvement Programme.

Response

\$1,650 – NIP Expenditure at Wyee Place Reserve.

Q2. Re: Sporting Club Debtors – Please advise details of outstanding by name as at 1/1/05 and now, and if any debts have been written off advise the details by name and amount and an explanation for any write-offs.

Response

The following sporting clubs had debts with the City at the dates indicated:

Club	Debt at 1/1/05	Debt at 18/11/05
Armadale Cricket Club	0	3,850
Armadale Rugby League Club	3,419	5,000
Armadale Soccer Club – Seniors	18,030	18,030
Armadale Sporting Club	4,282	4,282
Forrestdale Football Club	0	1,128
Forrestdale Junior Football Club	0	266
Forrestdale Senior Cricket Club	0	550
Forrestdale Tennis Club	0	191

Minutes of the Annual General Meeting of Electors – 22 November 2005

Club	Debt at 1/1/05	Debt at 18/11/05
Kelmscott Baseball Club	0	1,013
Kelmscott BMX Club	0	153
Kelmscott Blues Softball Club	0	913
Kelmscott Cricket Club	1,112	3,312
Kelmscott Football Club	19,570	23,732
Roleystone Karragullen Cricket Club	0	1,375
Roleystone Karragullen Sporting and Recreation Centre	550	1,100
South Suburban Badminton Association	0	833
Total	46,963	65,728

During this period there were no write offs involving Sporting Clubs.

- Q3. Re: Calendar for rubbish collections distributed with rates notices – please advise the cost incurred and why no fridge magnet on the back this year.**

Response

The production of the waste calendar costs approximately \$4,000 per year. Your 2005/06 calendar should have had a magnet on it. However, the producers have advised that attaching the magnets to the calendars is a manual process and while every care is taken to ensure that every calendar has a magnet attached, there may be rare instances where magnets may come away from the calendars. As we include the calendars with the rates mail packs, there also may have been occasional instances where the magnets have come off during the insertion process.

- Q4. Re. Mowing on reserves. In the budget for 2005-06 has there been an increase which would allow for the clippings from the mowing contractors to be taken away? Also are the contractors obliged to whipper snip around signs and power poles?**

Response

While there has been a general increase in this area's budget for 2005-2006 it will not allow for the clippings from the mowing contractors to be taken away. Very few municipalities remove grass following mowing. In order to reduce the amount of mown debris, more frequent mowing is to be undertaken, and that is the reason for the increase in funding.

Minutes of the Annual General Meeting of Electors – 22 November 2005

Contractors are required to whipper snip around signs and power poles, however, they are also permitted to apply chemical herbicide i.e. 'Roundup' to control grass around power poles, signs, fence lines etc.

Mr D Foster, 248 Albany Highway, Bedfordale

Reserve Bedfordale Road/Albany Highway

Q1. After complaining that a large healthy tree had been cut down on the reserve, ascertaining that it had not been cut down by the parks staff, and giving accurate directions where the trunks were lying. The explanation by city staff was that it was children playing. As the twin trunks have now been made into an unauthorized bridge and measures 7.7 metres long even after trimming, would you agree that the explanation was both ludicrous and misleading?

Response:

I am reliably advised that in a staff memo dated 30 July 2005, the Parks Officers that met with Mr Foster on-site on 29 July 2005, between 1.00 pm and 3.00 pm, records that a general comment in respect to trees being cut down by children playing, building cubby houses etc was made, but it was also acknowledged at this time that it was more than children that had cut down this tree and that several others that had been noted.

Q2. Why was no notice taken when I reported that the largest flooded gum in the neighbourhood was cut down on the reserve? Again, the park staff were not involved. The stump has now been stump ground, the smaller branches mulched, the trunk slabbed, some of these slabs were almost a metre in diameter and removed by truck. Access is only through private property, why has no action been taken?

Response:

Parks Officers have always taken notice when contacted by any resident, including you Mr Foster. The incident regarding the reported tree was no exception. Contact has been made with the nearby residences in relation to this matter, as Officers agreed to do. Mr Foster, you were also I understand advised at the time that it was difficult to prosecute in these instances unless the offence was witnessed and reported immediately.

Minutes of the Annual General Meeting of Electors – 22 November 2005

Q3. At least eight of the healthy trees on the reserve have been cut down by local residents in order to have lawn down to the creek. In two cases access is only through private property. When I reported this, no action was taken. Why? How is the City to celebrate Arbor Day.

Response

Yes, Officers have noted the trees that have been cut down within the Public Open Space over a period of time and we are following up with landowners. Arbor Day is celebrated each year with plantings, but for our Parks and Gardens staff, every day is Arbor Day.

Q4. I complained that access was very difficult on the West Side, of the three entrances marked on the map, one is fenced off. One was closely planted by shrubs when I first complained, but have now grown to make pedestrian access impossible, and the “private” road next to this is inaccessible owing to local residences stopping people who do not live down there, and saying the private sign means what it says. Does it? If not, can the sign be removed?

Response

With regards to the entrance alongside the roadway, the landholders of Lots 144, 145, 146 and 147, Amethyst Crescent have been advised of Council's preference that they permit pedestrian access onto the private driveway to access the Public Open Space, thus negating the need to remove the vegetation and irrigation. I am unsure as to the legal status of the private sign as I have not seen it.

Q5. I complained last year about the third entrance being blocked by a load of privately owned mulch. It has now been removed and the sloping ground incised in order to make private parking on public land. This makes access more difficult. Can something be done about access from this side?

Response

Pedestrian access alongside No. 97 Amethyst Crescent is not considered appropriate at this time as the site is steep and as such Council would need to provide additional funds specifically for that work. The provision of some form of even walking surface would need to be considered as part of the future annual budget process for the entire reserve.

Minutes of the Annual General Meeting of Electors – 22 November 2005

- Q6. I complained to Main Roads that spoil from the construction of the truck arrester bed was making access difficult from the Pioneer Village end. Mr Mark Hamlin came and saw the problem that city staff could not and reported back to me that the city had plans to improve access from this direction. Has any progress been made on this? Or has the problem been shelved?**

Response

Parks Officers met with Mr Mark Hamblin from Main Roads WA on 3 May, 2005, to discuss the matter of improved access within the Public Open Space on the Western end of the reserve, below the truck arrester bed area, as a result of spoils from the construction of the truck arrester bed, making access difficult. It was agreed at this meeting to come up with a draft concept for a walkable track for this section only, including costs, for further discussions with MRWA. The Manager Parks is in regular contact with Mr Mark Hamblin of MRWA. It is envisaged to have a costed draft concept plan be early 2006 for a report to Council on this matter.

- Q7. I have heard talk of “fifteen year plans” for this reserve. When did the fifteen years start?**

Response

I think that you are referring to my response last year when I spoke of projects needing to be considered for inclusion in the fifteen year financial plan that determines work priorities. As I said at the time it is not listed in our current fifteen year plan, but that that didn't mean that a future review of that plan couldn't include it. Each year the plan is extended for another year, and so it always remains a snapshot of what is expected to be done in the next fifteen years.

- Q8. Last year I complained about water being pumped from the reserve and I contacted the environmental department with a view to ascertaining the legality of this. Water pumping goes on all summer, whenever water is flowing on the reserve. I was told the environmental department was responsible for water quality, and yes one did not require a license to pump it if the creek ran through your property or one had access from the road. Not one property on the reserve meets this criteria. The pipes have to cross over or under the reserve and this makes it the City's responsibility. The water is pumped to the detriment of the lower part of the reserve and the reserves down stream, and at least one property with true riparian rights. Despite what was said at a previous meeting, any water that comes down the creek in summer means less has to be pumped out of the ground to maintain the levels of the ponds down stream. Rate payers are paying for this. Do you intend to let the situation continue? (Please answer yes or no, and do not try to baffle the public with lots of talk).**

Minutes of the Annual General Meeting of Electors – 22 November 2005

Response

Dealing with your last comment first, can I say that I resent your implication, and would counsel you, if you genuinely want help, to try not to alienate either staff or elected members of Council.

To answer your question, No. Mr Lanternier of our office spoke with Mr Steve O'Brien from the Department of Environment on 9 November 2005 regarding this matter, as he, like Mr Mark Hamblin from MRWA, has a Ministerial regarding the matter of water pumping rights. The matter is being investigated by the Department of Environment and Council's Manager Parks.

- Q9. On the Pioneer Village end the reserve is fenced off on the right hand side of the creek, using a living tree as a fence post. Is this fence legal?**

Response

I am uncertain as to who installed the fence and therefore cannot pass judgement as to whether it is legal. However, using a tree is not appropriate, legal or otherwise.

- Q10. There are several fences which I have been complaining about since the City took over the reserve. All put in to impede the public using the reserve. Why has not one been removed?**

Response

The City has written to all landholders adjoining the reserve, requesting they remove any obstruction, including fences. Now that the permanent marker posts have been installed, Council Officers will follow-up that letter with adjacent landholders, to once again request they remove any obstructions.

- Q11. I have complained several times about trenches been dug from private property across the reserve to the creek to facilitate pumping and drainage. Were these dangerous trenches all with the permission of the City?**

Response

As with question No. 8, the Manager Parks will investigate with the Department of Environment the matter of pipes that cross over or under the reserve. . Council has not had any requests, nor has it approved any trenches across the reserve.

Minutes of the Annual General Meeting of Electors – 22 November 2005

Q12. Has any progress been made regarding the removal of the large, illegal creek diversion? Do you ever intend to do anything about this?

Response

No. In terms of future intentions, I quote from an answer given to you at the 18 November 2004 AGM of Electors:

Yes, in time. The matter of a stream diverted to landscape a private garden will be addressed following the preparation of a future management plan for Neerigen Brook Reserve. Any such plan will have significant financial implications for Council, and I need to advise you that it is not yet included in the 15 Year Financial Plan that outlines Council's priorities. As this plan is reviewed annually, this does not mean that nothing will happen for 15 years.

Q13. Residents are planting prickly plants to deter walkers, and lawn to the creek. This is to the detriment of native plants. Why do you allow this?

Response

A reserve management plan is vital to address issues in this reserve in an ordered approach with budgeted actions and outcomes. Deliberately planted species can only be dealt with once a management plan is in place.

Q14. I have seen a letter in which it was said "the local residents were the best people to manage the reserve". Who made this decision? Was it our elected policy makers or was this decision made by paid administration staff? Has this decision ever been reviewed in the light of the severe deterioration and change of vegetation on the reserve?

Response

I am unaware of any letter that used the words that you report. Perhaps if you supply a copy of the letter I will be able to determine who did or didn't say whatever.

Minutes of the Annual General Meeting of Electors – 22 November 2005

Q15. “O’Neil the real estate agent” advertised a property “with a private creek”, as this was incorrect and I feel they were selling our property, I phoned and complained, but they would not change the advert. I politely requested that someone from the City phone O’Neil’s to point out that the creek was public, not private. This request was denied. Could I have an explanation why?

Response

Not knowing who you spoke to, or when, I am unable to respond to your question. However, real estate agents often make misleading or erroneous statements ranging from using the wrong suburb name to describing houses as being suitable for large trucks. I believe the saying “buyer beware” covers all real estate transactions.

Q16. Could letters be sent to local residents pointing out that the reserve is public even if they have fenced it off (illegally) and threats and harassment of people walking on the reserve is wrong.

Response

A letter was sent out several years ago at your request. It will be followed up shortly with another, individually addressed to each adjoining landholder addressing matters such as:

- advice / communication on what Council is doing in the reserve;
- again requesting that the landholders remove obstructions from within the reserve;
- the matter of public access - particularly relating to Lots 144, 145, 146 and 147 Amethyst Crescent;
- a notice regarding illegal dumping in the reserve;
- cutting down of trees;
- planting of plants; and
- matters relating to water pumping.

Question from the floor

The Mayor offered the following advice prior to inviting questions from the floor:-

“Ladies and Gentlemen, before we take questions under the agenda item of “General Business” I wish to point out to you, and make it clear, that simply by prefacing your remarks with the expression “Without Prejudice” does not afford you protection against the laws of defamation.

I am not seeking to in any way limit your legitimate right to raise issues in this forum, rather, I am concerned to ensure that you do not proceed on an incorrect understanding as to your legal rights. In short, you cannot make comments on a “without prejudice” basis in the belief that you thereby have some protection from the consequences of false or damaging comments. You do not.

Minutes of the Annual General Meeting of Electors – 22 November 2005

That said, I welcome your questions.”

The Mayor requested that prior to asking a question the person state their name and address for the record.

Mrs M McRae, 24 Cambell Road, Armadale

Question: Regarding the article in the Comment News headlined “Win for Minnowarra House” – At the special meeting held to discuss the issue which was attended by Mr John Ellis it was stated specifically by the Council at the time that it had no power that it had to defer to the ARA on this matter. Yet this article says that the Council have basically given the go-ahead for Minnowarra House and Orchard House to be offered this new location and for lottery funds to be applied for to finance the building. This is all with the consent of Alannah MacTiernan. I really feel very concerned about the fact that we have been given a story/position that seems to suit the Council at the time of the meeting and don't feel comfortable about that and feel that we are being given the run-around.

Response: The Special Meeting of Electors was about a planning matter that was under the jurisdiction of the Armadale Redevelopment Authority (ARA) and not the Council. Council was only in a position to give its comment on the matter to the ARA. Our commentary was that should the groups in Minnowarra and Orchard House be able to be relocated successfully then that was the condition that should be abided by and Council would support the construction of the retail centre. Regarding the article in the Comment News – the headline is the prerogative of the editor of the newspaper not Council and this was the interpretation of the editor. Council was asked by the newspaper that given it had land adjacent would it be prepared to make that land available to resolve the situation and its comment was in the affirmative. This is not inconsistent with Council's comment made earlier where it was made clear that there was a need for the ARA to find a way to accommodate both the group's needs and Council was then asked as part of resolving that issue if it would be prepared to make some land available.

Mr D Grimwood, 7 Sapphire Court, Mt Richon

Question: I would just like to add to your answers to the previous set of questions relating to the reserve down the bottom of Amethyst and between Albany Highway. We were the first people to build a house on that estate back in 1980 and there were a 100 homesites each of approx. 2000 sqm and a lot of the homesites backed on to the creek which was to be a reserve. The developer put in accessways down to the creek from Amethyst and also accessways between some of the other roads on the estate. None of those accessways were ever finished and we got involved in the one which

Minutes of the Annual General Meeting of Electors – 22 November 2005

accesses Bedforddale Hill Road south of Jade Street to enable easier access for my family. Council built a crossover at that point. The accessways were supposed to have barriers on them to stop cars using them and these were not installed. So various people over the years as they built their houses did try to get access to that reserve but it came to a head when the State Government upgraded the Highway and as part of that project they built a footpath/cycleway which runs all the way down the Highway and then was going to divert down through this reserve on the eastern side. At sometime then a Community reference Group was established and they comprised presumably a group of residents that had an interest in preserving their interest and the end result was that the cycleway was built along Jade Street and Amethyst. The die was cast then and unfortunately anyone who has come to live in the area since then is stuck with that situation. Maybe there is another solution and hopefully officers can have a look at it. There is a sign which Main Roads has placed on the on the cycleway on the junction of Bedforddale Hill Road and the Highway which says "end of cycleway" and right next to it Council has a sign that says something like "cycleway only" – this is very messy and has been there for a long time.

Response: There is a requirement under the Road Traffic Act that cycleways be signposted at their "start" and "finish", particularly at the junction of major highways, however officers will investigate. Regarding your earlier commentary, there was a proposal originally for a path to go down the creek line – it was not only opposed by local residents but also opposed by people interested in the environment as it was inappropriate for a 2/3m wide concrete path to do down to the creek. The issue with Mr Foster is that he would like to see Council spend money and develop a reserve as quickly as possible. We acknowledge the desire to do it but there are other higher priorities for our funding.

Mr N Towle, 6 Wyee Place, Armadale

Question: At last year's AGM (Question-2 refers) I raised the issue of graffiti in the City and asked if Council was serious about tackling the graffiti problems. In part the response from the Mayor I took that he was appealing for volunteers and cited the example of Mr Steve Aldersea and he also indicated that there was possibly some problems with communication with Council and indicated that if any communication issues occurred in the future that perhaps the ward members should be used as a conduit to Council. The bus shelter on Eighth Road has a problem with graffiti – this was reported to Technical Services of Council and there was no response. It was later brought up at the meeting of the Minnowarra Progress Association on 13 October and Cr Knezevich was going to deal with that matter. On 10 November it was again raised at the same association meeting and Cr Munn undertook to deal with the matter. I would again like to ask that the graffiti on this bus shelter be

Minutes of the Annual General Meeting of Electors – 22 November 2005

attended to. The second point about communications is that there are some signs that are down in Wyee Place – a keep left and an arrow sign in particular have been down for four months now and have been reported in the same way as the graffiti. In relation to the signs, one phone call to the Main Roads Department had a sign on Armadale Road dealt with the next day.

Response: The Mayor regretted that the graffiti was not removed as quickly as expected. There is a new graffiti trailer and the attention of the officers has been drawn to that particular bus shelter and the intent is that graffiti will be removed off Council's public property within 24 hours.
All signs are the responsibility of Main Roads and Council do not erect, replace or repair road signs. When these are reported the information is forwarded to Main Roads for their appropriate action.

Cr Best retired from the meeting at 7.45pm

Mr L Guthrie, 9 Mountain View, Kelmscott

Question: From the Annual Report – Page 17 - I note that draft concept plans about the Kelmscott Pool site and foreshore have been adopted since March 2004. It also states that detailed plans were submitted to both the Swan River Trust and the WA Planning Commission for developmental approval. Are these plans available for public perusal?

Response: These are the same plans that were exhibited in the library for public information.

Mr B Waddell, 4 Leschenaultia Street, Roleystone

Question: You will be no doubt aware of the increasing community concern and publicity about the ignoring of reduced restricted speed signs around schools and roadworks. You should also be aware of the increasing fightback by some motorists regarding the appropriateness of some of those restrictions. Why is there a reduced speed sign on the Brookton Highway 200m either side of Holden Road when the roadworks are 150m up Holden Road?

Response: It may be to warn people that if they were to turn into Holden Road they will immediately enter into a roadwork site and there are safety concerns. The Executive Director Technical Services agreed with the Mayor's response and added that the traffic management for roadworks is very precise and Council needs to conform with these requirements as set out by the Commissioner of Main Roads.

Minutes of the Annual General Meeting of Electors – 22 November 2005

Question: On following this up with Main Roads, their view was that it was not necessary to have those signs at such a distance along the Brookton Highway.

Response: The Mayor advised that officers will investigate the matter.

Mr B Van Kuyl, 84 Clarence Way, Kelmscott

Question: Who is responsible for the verges – is it Council or the householders?

Response: The land is technically owned by the Crown and because it is a road reserve it is vested in the Council. We encourage householders to mow their strips as Council's budget, with few exceptions, does not extend to mowing all of the verges in the City. So unless you're located on special roads such as Armadale Road, then we don't mow them. Obviously at an intersection where there is a safety issue, these verges are mowed.

Mr D Cox, 38 Sixth Road, Armadale

Question: A sign has been knocked down on the corner of Wungong and Seventh Roads. Could the Armadale Redevelopment Authority be contacted by Council regarding the access to the railway station and the parking on the western side of the railway line. Since the new station has been opened nothing has been done.

Response: Council will be happy to contact the ARA to ask them to move more swiftly on the access and parking to the railway station.

Mrs M McRae, 24 Cambell Road, Armadale

Question: Sometime ago I approached the Council in regard to the public toilets on Orchard Avenue and asked as to whether the wall could be extended or a tree planted to provide a secure blind and nothing has been done about that.

Response: The Mayor advised that officers will investigate the matter and come back with a response. The Executive Director Technical Services advised that the toilets were looked at on a number of occasions and there were some potential safety reasons involved but the matter will be investigated to find a solution.

Mr D Grimwood, 7 Sapphire Court, Mt Richon

Question: Regarding Council's financial processes – when I paid my rates I was given a duplicate receipt and not an original receipt which is now a standard practice. Can you explain why we are only issued duplicate receipts and is it possible to obtain original receipts which may be required for taxation purposes?

Minutes of the Annual General Meeting of Electors – 22 November 2005

Response: At the request of the Mayor, the Executive Director Corporate Services advised that Council do need original receipts for its record but he was sure that a certified copy of original receipt could be made available to ratepayers on request.

(Mr Grimwood clarified that previously the imprint of the cash register sufficed as a record but this has now changed with computers).

Mr F Green, 16 Westborne Road, Roleystone

Question: In regard to the Aquatic Centre, is Council looking at covering this or is it on the program?

Response: The Mayor advised that Council is looking at the new model sometime in Year 12 on the 15 Year Financial Plan and that's around \$17-20M. However there is a possible \$5M that has been earmarked in the 2008-09 Financial Year to put a cover on the existing facility so that it can be used all year round. At a study tour of the eastern states recently some of these facilities were viewed giving some insight into the design and characteristics that are required to make them viable and the catchments that are necessary to make them cost effective.

Mr B Waddell, 4 Leschenaultia Street, Roleystone

Question: Given the sudden overwhelming eruption of garish orange along the Brookton Highway I prompted to ask – what standards of visual aesthetics does Council apply or require from commercial buildings in the City of Armadale?

Response: The same orange colour first appeared at BWS in Kelmscott without Council having any ability to regulate the colour scheme.

At the request of the Mayor, the Executive Director Development Services explained that this depends on the conditions of the development approval that was issued. If the development approval specified particular colours then Council could require compliance. The town planning scheme does not have blanket controls over the building colours that could be applied to either commercial or residential areas. Hence, Council is not in a position to act to restrict colours in that situation under the current legislation.

The Mayor explained that Council has rectified this situation and development approvals that have been issued during the last year include conditions relating to visual aesthetics and the regular maintenance to landscaping. Unfortunately, the Collie & Sons development is a non-confirming use right going back a number of years and the approval did not include a condition regarding visual aesthetics that is now enforceable.

Minutes of the Annual General Meeting of Electors – 22 November 2005

Mr L Guthrie, 9 Mountain View, Kelmscott

Question: With regard to the Community Services further planning situation, I am quite pleased that some of those things are listed as being looked at for the future. I notice mapping existing community services which I support but in regard to the mapping of proposed community services – is it possible to obtain a list that the community services have put together?

Response: The mapping of proposed community services is not only what Council may propose but it's also services offered by other groups in the community. So when Council maps this we do not map what we do but what other community groups do to establish where there are gaps and what needs to be provided.

Mr N Towle, 6 Wyee Place, Armadale

Question: Regarding the “Win your Rates Competition” – In the advertising for this competition it was indicated that the prizes are up to \$700. I would like to ask if we can have a true “Win your Rates Competition” and not upto the 68% of your rates as I was lucky to receive a rate notice of \$1036. Alternatively can everyone who pays on time get a discount as we used to have.

Response: The “Win Your Rates Competition” is phraseology used by marketing people. It was clearly indicated that there were four prizes of \$1000 each and four prizes of \$500 each. The Shopping City runs its own competition and that is the \$700 one that you referred to.

Mr D Cox, 38 Sixth Road, Armadale

Question: Regarding Commerce Avenue and the loss of parking there since development has been done. It looks as though more parking will be lost now that nibs have been installed between Fourth Road and Church Avenue and don't thing these should be in that area.

Response: Council is constructing Commerce Avenue under contract to the ARA who is the sponsor for the works. It's being done according to the design approved by the ARA which Council concurred with. It is acknowledged that a couple of parking bays will be lost but Commerce Avenue is designed to be a boulevard and the nibs are required so that trees can be planted.

Mrs McRae, 24 Cambell Road, Armadale

Question: I approached the Council in September the year before last regarding the illegal feeding of ducks in Minnowarra Park. This is because there is inadequate signage informing people at both ends of the Lake that it is inappropriate and unhealthy to feed the ducks with bread. I also put the

Minutes of the Annual General Meeting of Electors – 22 November 2005

suggestion at the time about the possibility of installing some kind of a vandal-proof seed dispenser which people could use to feed the ducks. It was also suggested that maybe one of the parking signs in the car parking area could be replaced with a sign notifying people about not feeding the ducks with bread. Till now nothing has been done about that.

Response: Council would like to keep signage to a minimum in the Park area but will look at the current signs and see what additional signage may be required. Many people are actually aware that they are not doing the right thing by feeding the ducks bread and do ignore the signs. So additional signs may not necessary change people's habits. Regarding installation of seed dispensers, Council's parks and gardens department will investigate as to whether this will be a viable option.

Mr Van Kuyl, 84 Clarence Way, Kelmscott

Question: This year I received two lots of rates in the same week – does this happen very often?

Response: This may have been occurred due to a glitch in the computer system but the matter will be investigated and resolved.

Mr N Towle, 6 Wyee Place, Armadale

Question: In relation to the truck parking policy – the property at 89 Eighth Road, cnr of Tillinga Street – on most weekends a fully loaded truck and trailer is parked on the verge and this is left standing from late Friday evening all through the weekend. Is this activity permitted and are the Council officers available after hours for the reporting of such matters?

Response: A ranger is rostered for certain periods of time during the weekend and after hours on weekdays. Depending on the priority of other reports i.e. dog attacks then they would follow-up on reports of truck parking. Truck parking illegally on a roadway is the responsibility of the police, truck parking illegally behind the property line is governed by the town planning act and parking illegally on a verge is investigated by rangers. If this is a regular occurrence then our rangers will be advised about the situation.

Mr B Waddell, 4 Leschenaultia Street, Roleystone

Question: Would the Council consider the introduction, installation and maintenance of dog waste bags in parks and reserves and appropriate receptacles for the disposal?

Response: These are already available in some reserves and we are gradually extending it to a number of additional reserves.

Minutes of the Annual General Meeting of Electors – 22 November 2005

Mr D Cox, 38 Sixth Road, Armadale

Question: The eastern side of Seventh Road, the narrowing kerb on both sides of the road of Neerigen School – this is something from a long time ago and I don't believe it is necessary now as there are buses going down there now, there's only a 17 foot gap and we've got 8 foot buses going down there. This is a liability and believe that the nibs on the eastern side could be removed.

Response: Council will investigate but as a user of Seventh Road it does cause motorists to slow down which is the intent for having those nibs there especially as it is right outside a school and there have been no reported accidents in the area.

Mrs M McRae, 24 Cambell Road, Armadale

Question: Regarding parking of trucks and heavy earth moving equipment – During the recent resurfacing work at the Recreation Centre there was heavy equipment parked on the road. This is already a narrow road and the parking of these vehicles was very dangerous. On approaching the contractor concerned I was informed that it is illegal to park these vehicles on the verge – is that correct?

Response: If the truck was carrying equipment for the roadworks then it could be parked on the roadway for the entire duration of the roadworks. Usually when roadworks are going on the speed limit is only 40kph and precautions are taken to have this adequately signposted.

Ms H Treloar , 43 Angelo Street, Armadale

Question: I feel very sorry for truck drivers because they are the life blood of the City. How is it possible for them to deliver anything anywhere if there isn't proper facilities - I think sometime residents are a little bit selfish and don't take into consideration the importance of truck drivers around the City.

Response: The comment was noted.

Mr N Towle, 6 Wyee Place, Armadale

Question: Regarding a cemetery in the southern corridor:-
Does the Council support the efforts by the community to have the southern corridor cemetery established immediately rather than the Cemeteries Board where they are pushing a 50 year plan?
What can the Council do to fast-track the establishment of a cemetery in the southern corridor?

Minutes of the Annual General Meeting of Electors – 22 November 2005

Can the Council in the event that any fast-track is unsuccessful press for a staged development that is to have a memorial garden, followed by a chapel, then a burial and finally a crematorium.

Response: Council does support the immediate provision of a cemetery rather than a staged one. It was at Council's instigation that there was discussion of a crematorium/burial ground in the south east corridor when Council approached both the State Government and the Metropolitan Cemeteries Board. They visited the area and investigated a number of options within the City but none were found suitable. However, we assisted them in identifying a suitable land parcel in Serpentine-Jarrahdale.

There is nothing much else we can do to fast-track it. The Metropolitan Cemeteries Board is looking at the matter as a business case and not sure if political intervention will override that.

The Mayor invited Mr Towle to put his motion.

MOTION-1

MOVED Mr Towle; SECONDED Mr Wye

That Council support a staged development to have the southern corridor cemetery established in the following order:-

- memorial garden
- chapel
- burial;and
- crematorium

as we need this facility now and not 50 years into the future.

MOTION CARRIED (unopposed)

Richard, 11 Dale Street, Mt Nasura

Question: What are your intentions/plans with regard to public open space in Wandoo and Lefroy Roads.

Response: Council has not yet confirmed a position with regard to the public open space strategy for this area.

Minutes of the Annual General Meeting of Electors – 22 November 2005

David Craig, 17 Zenobia Terrace, Champion Lakes

Question: At the end of Zenobia Terrace that accesses Tonkin Highway there is a gate there and I have been unable to establish who is responsible for that gate. It gives people direct access onto the easement that runs right along the side of Tonkin Highway from Corfield Street. I have over half a kilometre of land along that easement and have lived on the property for 18 months and have been broken into twice. There are constantly motorbikes, bicycles, cars coming up Zenobia Terrace and straight up to Tonkin highway. I have contacted the contractors for Tonkin Highway, Western Power and have got no action from anybody. I am not aware of who owns this land.

Response: The land that runs along Tonkin Highway is owned by the Armadale Redevelopment Authority and is part of the revegetation and the works that are required to balance out the environmental conditions that were imposed on the Champion Lakes rowing course. There is a slither of land that runs from the rowing course down to the roundabout on Corfield Street. The gate used to be a Western Power gate and this should still be locked. The Mayor agreed to take the matter up with the ARA as to their legal responsibility with regard to this land.

Mr Van Kuyl, 84 Clarence Way, Kelmscott

Question: The white water park – is that going to go ahead?

Response: There is currently a contractor that has been employed by the ARA who is advertising nationally and internationally to find a proponent. The ARA's proposal is that a parcel of land would be given to the successful tenderer who will then develop the white water course and they would have the rights to develop commercial activities on the rest of that land. It was suggested that the ARA be contacted if a more detailed response was required.

Mr N Towle, 6 Wyee Place, Armadale

Question: Question-4 in my written questions to the Council for this AGM concerning the mowing on reserves. Further to that, does the Council agree that lawn clippings can be a fire hazard and was the Council aware of a fire in the public accessway between Burran Court and Kootingal Street where a local resident had to call the fire brigade after the kids set the clippings on fire. The fire brigade took 35 minutes to respond to that call and that little exercise could have been avoided had the clippings been removed.

Response: Council was not made aware of the fire however officers responsible for areas such as fires or parks may have known about it. As advised earlier, Council is mowing the reserves more often and thus the amount of grass that is cut is less

Minutes of the Annual General Meeting of Electors – 22 November 2005

which in turn means that the grass left lying around is much less. The workforce was restructured to achieve more regular mowing. Council does not have the funds to have the contractor pick up all the cut grass after mowing as it is a significant cost.

Mr D Grimwood, 7 Sapphire Court, Mt Richon

Mr Grimwood advised that he had three motions to put to the meeting. The motions are addressed to the Council but relate to the Armadale Redevelopment Authority business. He understood that in terms of the ARA Act as a member of the ARA Board the Mayor is prohibited from speaking publicly about Board business or in fact ARA business and the Mayor is obligated and duty bound to support Board positions on issues. Hence he requested that the Mayor consider his position and to protect himself invited him to hand the Chair to somebody else.

Response: The Mayor advised Mr Grimwood that he would like to hear the motions and would then make that decision for himself.

Cr Zelones disclosed that as a member on the ARA Board there may be a perception that his impartiality on the matter may be affected, but declared that he would disregard this association, consider the matter on its merits and will be voting accordingly.

MOTION-2

MOVED Mr Grimwood; SECONDED Mrs McRae

To remedy the present situation whereas those public parks and recreation lands collectively known as *Minnawarra Park* are not defined in any map or document available to the public or to stakeholders using, holding or controlling lands within said park, that Council request the Minister for Planning and Infrastructure to prepare a draft *Minnawarra Park Act* for presentation to Parliament at the earliest opportunity having the purpose of;

- a) **defining and delineating those lands that comprise Minnawarra Park, and;**
- b) **protecting and preserving them in perpetuity for the public good against encroachment, acquisition, re-zoning or change of use.**

OPPOSED Cr Reynolds

MOTION LOST (6 – 16)

Minutes of the Annual General Meeting of Electors – 22 November 2005

MOTION-3

MOVED Mr Grimwood; SECONDED Mrs Bettridge

That Council request the Minister for Planning and Infrastructure immediately cancel Amendment Number 3 to the Armadale Redevelopment Authority's *Armadale Redevelopment Scheme 2004*, any Development Approval arising therefrom and transfer of title or use of any lands within the area of the Scheme amendment

OPPOSED Cr Munn

MOTION LOST (4 – 19)

MOTION-4

MOVED Mr Grimwood; SECONDED Mrs Bettridge

Pursuant to the statutory duties of the CEO of the City of Armadale under the Corruption and Crime Commission Act 2001, in relation to Lot 401 Streich Avenue, Armadale, it is requested that to satisfy those Electors having concerns arising from *perceptions* of

- (a) deficiencies in the integrity and propriety of the town planning process;**
- (b) irreplaceable loss of an important public asset for private purpose and benefit;**
- (c) council's business relationship with the beneficiary of its actions;**
- (d) systematic deceptive conduct and disinformation;**
- (e) private benefit at public expense;**
- (f) passed an ongoing financial loss to ratepayers; and**
- (g) and other related matters**

a Section 28 Notification communicating the foregoing be forwarded to the Commissioner within 7 days.

The Mayor advised that sub-clauses (b) onwards implied adverse reflection which was contrary to Council's standing orders and he would need to rule this out of order unless the mover chose to amend his motion.

Minutes of the Annual General Meeting of Electors – 22 November 2005

Mr Grimwood then put forward an amended motion as follows:-

MOVED Mr Grimwood, SECONDED Mrs Bettridge

Pursuant to the statutory duties of the CEO of the City of Armadale under the Corruption and Crime Commission Act 2001, in relation to Lot 401 Streich Avenue, Armadale, it is requested that to satisfy those Electors having concerns arising from *perceptions* of deficiencies in the integrity and propriety of the town planning process and other related matters a Section 28 Notification communicating the foregoing be forwarded to the Commissioner within 7 days.

OPPOSED Mr Green

MOTION LOST (2 – 23)

Ms V Clowes-Hollins, 3 Drummond Court, Kelmscott

Question: I feel that the integrity of the council has been challenged here tonight. As a former councillor of 12 years I have to say that every decision was made in the open and not behind closed doors. I really object to what is being said here tonight even though I am no longer a councillor and I am going to apologise to the councillors on behalf of some of the people at the meeting. As far as all these people who are so concerned - would you like to tell me where they all are tonight?

Response: The Mayor noted the comment.

Mr D Cox, 38 Sixth Road, Armadale

Mr Cox expressed his thanks and appreciation to Council and staff for their hard work during the last year.

MEETING DECLARED CLOSED AT 9.25 PM

MINUTES CONFIRMED THIS 5th DAY OF DECEMBER 2005

MAYOR
