



**ANNUAL GENERAL MEETING OF ELECTORS
WEDNESDAY, 15 NOVEMBER 2006**

M I N U T E S

OF THE ANNUAL GENERAL MEETING OF ELECTORS HELD IN THE FUNCTION ROOM, ADMINISTRATION CENTRE, ORCHARD AVENUE, ARMADALE ON WEDNESDAY, 15 NOVEMBER 2006 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 J A Stewart	Heron Ward
Cr R J Tizard	Neerigen Ward
Cr G A Best	Neerigen Ward (till 7.45pm)
Cr H A Zelones JP	River Ward
Cr R Butterfield	River Ward
Cr P J Hart	Jarrah Ward
Cr J Everts	Palomino Ward
Cr G T Wallace	Palomino Ward

IN ATTENDANCE:

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

Public: 23

His Worship the Mayor, Cr Linton Reynolds, welcomed those in attendance to the 2005-2006 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.

1 APOLOGIES AND LEAVE OF ABSENCE

Leave of absence previously granted to Cr Cominelli and Cr MacDonald.
Apology received from Cr Scidone.

2 BUSINESS OF MEETING

2.1 PRESENTING & RECEIVING THE 2005-2006 ANNUAL REPORT

2.1.1 2005-06 Annual Financial Report

MOVED Mr Grimwood that the 2005-2006 Annual Financial Report be received.

SECONDED Mr Holton

CARRIED

2.1.2 Auditor's Report

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

MOVED Ms Southam that the Auditor's Report on the 2005-2006 Annual Financial Report be received.

SECONDED Mr Clay

CARRIED

2.1.3 2005-06 Annual Report (Remaining Parts)

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

MOVED Mr Guthrie that the 2005-2006 Annual Report be received.

SECONDED Mr Choules

CARRIED

2.2 GENERAL BUSINESS

2.2.1 Questions of which prior notice has been given

Mr D Grimwood – 7 Sapphire Court, Mt Richon

(Matter of a procedural nature)

An email dated 13th October 2006 was received from Mr Grimwood requesting that Council consider making a minor amendment, of a grammatical nature, to the minutes of the AGM held on 22nd November 2005.

The request refers to Motion-4 of the Minutes on page 31 (as moved by Mr Grimwood) and more specifically parts (f) and (g) which are currently recorded in the minutes of the meeting, as follows:

- (f) passed an ongoing financial loss to ratepayers; and
- (g) and other related matters.

Mr Grimwood's request is for parts (f) and (g) to be reworded as follows:

- (f) past and ongoing financial loss to ratepayers; and
- (g) other related matters.

The requested correction does not change the original intent of the wording and provides a more grammatically correct Council record of the meeting.

MOVED Mr Grimwood

That Council make the following grammatical corrections to the minutes of the Annual General Meeting of Electors held on 22nd November 2005, i.e.

Page 31 – Motion 4 – parts (f) and (g) be corrected to read as follows:-

- (f) past and ongoing financial loss to Ratepayers; and***
- (g) other related matters***

CARRIED

Ms S A Wilkins, 29 Wangoola Terrace, Mt Nasura WA 6112

Q1. Some months ago I read in the local press that traffic lights would be installed at the junction of South West Highway and William Street, to date this has not occurred perhaps due to lack of funding.

I would like to ask Council if it would be possible in the interim period if Fourth Road could be designated as a “no right turn” road into South West Highway? The reason I ask is because very often when wanting to turn left it is impossible to do so safely when another vehicle (particularly a 4WD) is alongside wanting to turn right. Clear vision is impossible and the left turning vehicle has to wait until the vehicle turning right has moved, this is compounded when there is more than one vehicle turning right.

- A1 Main Roads WA have advised us that designs have been drawn up for the installation of traffic signals at the junction of Southwest Highway and William Street, however due to the high costs quoted for street lighting the design is having to be reassessed and at this stage Main Roads WA are unable to confirm whether they will be in a position to carry out the works.

The City of Armadale is investigating widening the intersection of Fourth Road onto Southwest Highway to provide two separate lanes, a right turn only and a left turn lane to assist with traffic flow.

Muriel White, Junkbusters Inc, 71 Karboro Drive, Byford
(Asked by Fran Jones at the meeting)

- Q1. Why does the Technical Services Report not include information on the newly established and highly successful Drop “N” Shop Resources Recovery Centre, located at Hopkinson Road Landfill?**

- A1. The Drop n Shop was included in the 2004/05 annual report as a new initiative and is referred to in the Brochure “your rates at work” pg22. Simplistically it is not possible to detail all of Council’s initiatives in every publication.

- Q2. Why does the Community Services Report not include a report on the \$80,000 support given to the City of Armadale by Junkbuster volunteers?**

- A2. Junkbusters are a group of volunteers overseen by the City’s Technical Services Directorate as part of its Waste Management service. Community Services report on the Armadale Volunteer Resource Service, which they oversee.
The City values the input of all the volunteers who help with the various projects and events the City supports. The nature of the Annual Report does not lend it self to report on each of the approximately 350 community groups that the City deals with. It is acknowledged that volunteers have contributed approximately 1250 hours to the management and running of the Drop n Shop. Over 2005/06 this represents approximately \$19,000.

- Q3. Why does the Development Services Report not acknowledge the role of the Resources Recovery Centre in meeting the Western Australian Government commitment to zero waste to landfill by 2010?**

- A3. As mentioned earlier the Resource Recovery Centre is a Technical Services operation. Council contributed to development of the Government’s zero waste to landfill target through its strong involvement on the Municipal Waste Advisory Council. The Resource Recovery Centre was established because of our commitment to waste minimisation. Council diverts 13,000 tonnes/year (9,000t through its landfill operations, 4,000t kerbside collection). The Resource Recovery Centre diverts approximately 300 tonnes of material from landfill per year (2.3% diverted material).
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Mr Foster – 248 Albany Highway, Bedfordale

Mr Foster's questions were received in the form of a 4-page letter which was not appropriate to address in full. The Mayor gave Mr Foster the option of condensing his letter to the pertinent questions and putting these to the meeting. This option was taken up by Mr Foster.

- Q1 In what is probably the most litter ridden council in Australia, whose idea was it to remove the rubbish bins from the reserve on the other side of Armadale Road and the Lions Park – Council or administration, and who?
- A1. Council recognized that the mowing of reserves needed to be lifted and to achieve this rationalized its bin placement. Hence, bin size and placements have been rearranged to improve collection efficiency. Bin capacity has not been changed, but staff monitor the worst litter locations and put bins back where the highest usage exists.
- Q2 Re. Fletcher Park - Why is the park fenced off at the Eleventh Road end? I can understand vehicle access being denied but not pedestrian.
Was this done to make the recent sale of land more attractive to the only purchaser considered?
- A2. The fencing that was recently installed along Eleventh Road (and subsequently stolen) was across the 20m portion of Reserve 14217 referred to above and across about 35m of land owned by the Public Transport Authority. The fencing was installed to prevent or minimise vehicular and pedestrian access into the bushland, which is a Threatened Ecological Community protected under Commonwealth legislation. Pedestrian access is not encouraged to minimise the possible spread of dieback and trampling of vegetation.
- Q3 What was the price and how was it arrived at?
- A3. Not aware of the detail of price and valuation but the information will be made available.
- Q4 When I rang up about the land to be sold, I said it had already been fenced, this was rubbish by staff. I read in the committee meeting report, that the area is described as being extensively used for grazing and as such was degraded. How was the land grazed without fences?
- A4. Part of the land was fenced and one of the pieces of land that was used without authorization for a lengthy period of time did have some fencing around it.
- Q5 In regards to a flora survey, I spoke to two friends, one of which is in the 'Orchid Society' and the other is considered very knowledgeable in these matters, and both agreed that a couple of visits do not constitute a flora survey, and this should be done over at least a year. One friend put in the comment for a proper survey it should be done before and after a fire. Comment please?
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- A5. There was no intention to set fire to the paddock for the sake of a survey. Council's environmental officers have checked the land for orchids on several occasions and as reported in the Council minutes the land currently being rezoned has been grazed or cleared to the extent that there is almost no remnant understorey vegetation, and it is considered that there is little likelihood of rare flora remaining on the site.
- Q6 The City officers who did the survey would know what they were expected to say. As the sold (or about to be) land juts into the reserve it is reasonable to think that the flora would be similar to what in your report is described as good quality vegetation and declared rare flora. Could I have a comment please?
- A6. Comments are inappropriate and are a slur on the Council officers. This is a matter to be taken by with the CEO.
- Q7 How many of the decision makers visited the portion of land sold? Or did they solely or mainly rely on paid Council staff?
- A7 In the main, Council take advice from the staff and if there are doubts then elected members visit the site and at this point it is not known if any councilors have visited the site.
- Q8 Was any other buyer considered? If a track was put into Eleventh Road this land would have attracted a lot of interest on the open market.
- A8 The two blocks are totally landlocked and to put a track in would have required the purchase of land from someone else or desecration of part of the adjacent reserve that was deemed to have high vegetation value. No other buyers were considered and the valuation indicated that the price paid was fair and just.
- Q9 Re Neerigen Brook Reserve - I have complained at least ten times over the years about earth works being carried out on the reserve. Most were to facilitate water pumping or drainage. How many of my complaints were investigated?
- A9 A complaint lodged into the system would have been investigated.
- Q10 When a trench runs from private property to the creek it is easy to find out who is responsible. How many people were "chatted up" by the ranger?
- A10 This would have been investigated by a parks officer and not a ranger.
- Q11 Mr Tame has refused repeatedly to have the creek restored to its natural bed, where it has been diverted to landscape a private garden. Will he then have the strong timber work and stones across the natural bed, which are on the reserve, removed so that then perhaps the creek could restore itself at the next flood? Also remove the fence?
- A11 This has been asked for the last couple of years and to reiterate Council is working to have a management plan for that reserve and once this is done necessary actions will be taken.
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- Q12 Regarding the letter from Martin Whitely, can I have a belated answer now? WHO authorised the landowners to “look after the land on our behalf”? Was it administration or Council? I discussed this numerous times with Council staff so was not happy when the Mayor said he needed more time.
- A12 The CEO advised that this matter should be taken up directly with Mr Martin Whitely.
- Q13 The answer to question 16 last year, the letter you mentioned regarded only surveyors and not the general public. I was promised a copy and had to ask repeatedly to see it. Could the letter mentioned last year as “about to be sent out” please be read out at the meeting?
- A13 The record of last year’s meeting does not indicate that a letter would be sent out. An initial letter was sent to landowners requesting that they remove obstructions. Last year we advised that survey markers were being put in place and would “follow up” with landowners. Staff have placed extra bollards to safeguard the boundary and the discussion with landowners will be by the consultant in preparing the master plan. The CEO advised that people who live around and use the reserve have different views and when there is a plan in place this will be negotiated with the owners. Officers deal with Mr Foster’s complaints/queries each week for 52 weeks in the year, so letters/discussions are not being ignored.
- Q14 In my question 2 last year, you sited lack of funds for allowing lots of illegal activities on the reserve. Please treat us as intelligent beings. I see a large fleet of cars most of which have not been chosen for their economy. A large amount of well paid admin staff, most of which spend a very large part of their time at meetings, and I see the gardens surrounding the office on which time and money has been poured to the detriment of other parks. Could not more money be spent on workers and other parks?
- A14 It is of great concern in the industry that at least 20% of all Council’s expenditure is on compliance with State Government legislation and would be delighted to divert some of this money to works. As mentioned to you on numerous occasions, Council is aware of the need to develop that park as well as a number of other parks. To date this park is not on the priority list to be funded in the current budget.
- Q15 Block 93 owner has stolen the pedestrian access way into the reserve. When I complained I was told to use the driveway. Basically Mr Tame colluded in the theft. Now the owner of this block has fenced off the reserve at the creek side and has done various “improvements”. Will Mr Tame collude in this theft also?
- A15 The questions are totally inappropriate and border on defamation. Council do care about how the CEO is perceived in the community and these comments are unfair and unjust.
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- Q16 If one is allowed to use the driveway can the private sign be removed? I have repeatedly been told “private means private, keep out!”
- A16 It is understood that there is some conflict between yourself and the landowners adjacent to the reserve. Council has previously on your behalf reminded them that part of the land landscaped by them does belong to the Council and that legally this part of the reserve can be accessed by the public.
- Q17 Regarding question 2 of last year, when I reported the trees had been cut down I was told “we cannot do anything unless we see people with a chainsaw in their hand”. When the large flooded gum was cut down on the reserve I reported this when machinery vehicles and men were on site and making lots of noise. I was told direct from Mr Tame’s office “do not call again unless you have something new to report”. Access to this part of the reserve, because of fences, is only through private land behind the tree being cut down. Why was my report completely ignored till the following week? Is it not an offence to cut down any tree within the area under the jurisdiction on the City? Why was there no action taken against the people responsible?
- A17 The CEO advised that he did not agree with the response cited by Mr Foster and the advice given would have been on the lines that if a matter had already been reported to Council officers then it didn’t need a second report to the CEO. Council officers are in discussion on matters to do with this reserve every week and action can only be taken when Council officers actually witness the cutting down of a tree or have proper evidence.
- Q18 I’m not happy about several answers to questions last year. I was told that it was merely children playing when I reported trees cut down. My complaints were ignored or not investigated for several days or even months. There has been no follow up to my complaints over the years about physical, verbal or canine harassment, nor planting of various plants on the reserve, some to discourage walkers i.e. blackberries, prickly palms and some to replace natural vegetation. WHY am I repeatedly ignored or given ridiculous answers?
Have any, I repeat, any of my complaints over the years been without foundation?
- A18 Harrassment issues should be reported to the police who have the authority to intervene between yourself and residents along that reserve. Once a management plan is put in place, issues to do with non-indigenous reserve will be resolved.
- Q19 Question 9 last year, your answer was a Mickey-Mouse answer. The fence I referred to is illegal, as is the wooden fence above it, as is the wire round the tree, as is the wire bracing immoral round the Council fence and tree further down stream. You know these facts and will do nothing, colluding in the theft of the land, why?
- A19 The question and the manner in which it is asked is offensive and inappropriate.
- Q20 Why has the City done nothing about the reserve land incorporated into a garden on Lot 141? About a third to a half road frontage, and a quarter of his land...
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Q20 The Management Plan will resolve this issue.

Q21 Mr Tame told me that he did not want people to use the reserve as it was “dangerous”. The dangers are barbwire fences and stropky landowners, some armed with sticks, both denying us the public access to the reserve and both being actively encouraged by Mr Tame. Why does he tolerate these things on our reserve?

A21 An exaggeration that this is being encouraged. Complaints on fences and public access are constantly being investigated by parks officers.

Q22 Regards to question 15 last year, O’Neil’s advertised a property with a private babbling brook. This was definitely on the reserve and public. My polite request was that this is pointed out to them, as they took no notice of me. One phone call – why was my polite request denied?

A22 Last year you were advised that not knowing who you spoke to or when, it was not possible to respond to your question and you were also advised that it is not unusual for real estate agents to make misleading statements.

Q23 The large grassed area at the southern end of the reserve that Mr Tame allowed half a dozen spirited horses to graze for several years, effectively saving someone at least two hundred dollars a week grazing fees, and deterring the public, now only contains one friendly, very old horse, and the fence which contained the young horses left with the owner. However, there is still a light fence which gives the false impression that the land is private. Could we have a stile, gate or small gap to allow pedestrian access at both ends and the fences removed when the horse turns it toes?

A22 Two small gates have been installed.

Cr Best left the meeting at 7.45pm

Q24 Question 5 last year, appertained to the track of land which was the public access from Amethyst Crescent. This land has been dug out to make private parking leaving pedestrians a cliff like face to scramble down. The driveways on each side are on a reasonable slope and it’s only the earthworks carried out by the thief that makes this access difficult. Could I have a reasonable answer why Mr Tame allows this?

A24 There is no formal pathway and the topography makes such a path unlikely. There is public access three properties to the south.

Q25 Nothing has been done over the several years of my complaining about the fence across the reserve, cutting it in two. This gives the owner of block 144 a garden twice as big as he is entitled to and forces one to wade the creek if one is walking the length of the reserve, as the other side has also been fenced off by the owner of block 93 to the creek. Why does Mr Tame collude in this theft?

- A25 The questions are becoming repetitious and to reiterate the management plan will resolve these issues.
- Q26 Several years ago I reported that paint had been poured over the brass sign at the Pioneer School side of the glass and litter strewn subway. I was told that my complaint had been noted and would be seen to as part of an ongoing plan. A couple of years later I phoned again and got the same reply. Could we please have this sign restored and this area tidied up? I was ashamed of my City when I took an overseas visitor for a walk.
- A26 The matter was forwarded to the landowner, i.e Main Roads WA. However, in view of no action being undertaken by this Department, Council officers cleaned the sign and the graffiti on the underpass.

Mr Grimwood's comment on the historical nature of this reserve was noted.

Mr J Christmass & Mr L Guthrie on behalf of Kelmscott District Residents Group

- Q1 What has been the cost of vandalism to the redeveloped area of Rushton Park since the completion of the project? (Could the cost of removing graffiti be listed as a separate item?)
- A1 9 or 10 of the Major Council Mayors met with the Minister for Police last week to discuss what local government and state government can do together to tackle this scourge.
Graffiti and building damage is not new and has been ongoing at Rushton Park and other areas for many years. The new development was coated with a anti-graffiti coating at a cost of \$5,214.
Since the re-development, the new area and existing buildings have been graffitied 3-4 times and the total cost of removing this is in order of \$5,000.
Water Corporation seems incapable of painting out the graffiti on its pipeline so Council has painted that out on a number of occasions at its own cost.
Damage to door closers and replacement bins has cost an additional \$750.
This is not unique to Rushton Park and this is standard for most of the City's facilities with the total amount being \$80,000 spent on vandalism.
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Q2 Will the Council endeavour to make newspaper advertisements larger and more prominent so that they can be more easily identified and read by residents?

A2 The CEO advised as follows:-

- Advertisements cost the City tens of thousands each year. Local newspaper adverts cost starts at about \$200 while a West Australian advert is more like \$2000. The City chooses to place the advert where it is most likely to reach the target audience.
- Any increase in the size of ads would be at an increased cost to the community.
- If the City requests that the newspaper guarantee the placement of its ads (ie requests that they are placed within the first few pages) this will again result in a cost increase.
- All advertisements are contained in within specially designed templates that contain the City's logo and reflect the City's brand. This ensures they stand out.
- The City promotes proposals and issues via media releases which are extensively used by journalists (at no cost to the City) – this reduces the City reliance on paid advertising. It also uses communication mediums such as its monthly advertorial, bi-monthly City Views newsletter and its recently revamped web site.

Q3 Do office staff dealing with the public undergo any training in communication skills either at the time of employment or during employment? If so is the training in house or provided by an external organisation? If not, why not?

A3 Most Council staff in professional positions have at least one university degree and many have post-graduate qualifications. Most belong to professional institutes that set the highest levels of integrity and professional standards.

The City has to work hard to attract quality people in the face of intense competition from many industries.

Some have high qualifications in communication and marketing. We even have psychologists on board.

Extensive “frontline” courses and training in customer service are conducted both in-house and outside. All the dealings officers are engaged in day to day suggests they are “nice” people.

It is true that some have to deal with very aggressive and confrontationist situations in our community. For that reason, some of our courses focus on “anger management” and dealing with difficult persons. Perhaps some members of our community need the same assistance.

Q4 Does the Public Relations Officer employed by the Council actually attend any activities on which she is reporting? If so which activities, if not why not?

A4 The CEO advised as follows:-

The placement and role of all Council staff is determined by the CEO. It depends on the individual's position and contract of employment.

The City's media releases must be approved by the Mayor and CEO.

The CEO makes the decision as to where Council officers might be required to attend out-of-hours Council events. Many officers are not paid overtime but already work an average of 12 extra hours on Council duty.

Others must be paid overtime or time-in-lieu if required to attend at a significant cost. With some officers time-in-lieu is not an option because their job demands attendance full-time during weekdays.

The City's PR Coordinator attends many events, Council meetings, briefings and public meetings as determined by the CEO.

If this question implies a criticism of any officer's performance, it is totally inappropriate and should be taken up personally with me during office hours.

Question from the floor

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

"Attendees were asked to register their name and address on entry and in terms of voting any member of the public present who isn't entitled to be an elector in the City of Armadale are asked that they simply refrain from voting,"

"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.

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.

Mr T Holton – Wandoo Street, Mt Nasura

- Q1 In the Annual Report you referred to the revitalisation of the Kelmscott Town Centre. The ARA has requested submissions for the design proposal planned for the railway station by the PTA. This structure is massive, four times the width of the existing structure and will have a major impact on Kelmscott. Some of us are very concerned with the design and also concerned about reflection on adjoining residences and commercial area. Has the City lodged any submissions with the ARA or PTA expressing such concerns or have had any involvement with the design?
- A1 In terms of involvement with the design, the City was kept informed by the ARA as it went through the various stages of design and technical officers have been consulted. Council had a briefing about 6 months ago on a very different proposal and yet another proposal was submitted via Development Services Committee in November. The ARA requires a response within 20 days and officers have been authorised to respond based on Committee discussions. Council is in a position where it is forced to acknowledge that the design is a fait accompli and its submission will deal with those issues of reflectivity and impact.
- Q2 One of the arguments is that the existing building has some heritage value because it won an award back in the 1980s and for that reason it was suggested that the new building be built over it. Has the City clarified that this building has no heritage value?
- A2 Council has advised the ARA and PTA that it does not have heritage value. It is interesting to note that the overarching shell does not cover the existing building but it is an extension to it and the budget is now about \$8.5M.

Mr J Christmass – Wandoo Street, Kelmscott

- Q1 Regarding the Public Relations Coordinator – I noticed in both local papers recently regarding the opening of Rushton Park it was reported as “hundreds flocked to the opening” which was totally incorrect. Both papers clarified that they were not in attendance at the function but they were quoting from a media release from the Council. In actual fact, apart from the schools, there were only about 30 cars – a slightly good spin to the media release.
- A1 There were about 350 people in attendance and as the major users of the area, the primary school children in the area were invited to attend and nevertheless made up the few hundred in attendance at the function – they are people too - and it’s all about news and headlines in the paper.
- Q2 There’s a water feature at the Armadale railway station which has not been working since the first few weeks of it being installed. Is it possible for Council to exert pressure to have this situation remedied?
- A2 Council has been trying to have this resolved for 2 years. The land is owned by the PTA, the ARA funded construction of the forecourt and both authorities automatically
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assumed that Council would maintain it. However, it was made clear that the ratepayers of Armadale would not pick up on the maintenance cost of this water feature and in discussions indicated that the City would not take on this responsibility until the funding issues are resolved.

Q3 Regarding shopping trolleys can Council make representation to the State Government to pass legislation to ensure that there is a system of hire and refund on return or to compel those businesses to ensure that the trolleys are not taken off their premises.

A3 The question was referred to Cr Zelones who as a member on the State Council has been working very vigorously on this issue.
This is a tremendous problem with all metropolitan Councils and research was undertaken as to what steps the US and UK have undertaken. State Council is now taking up the matter with the State Government to introduce legislation to give Councils more power in the control of trolleys.

Q4 In regard to the refurbished Woolworths shopping Centre in Kelmscott, I was appalled to find only a small landscaped area amidst acres of bitumen. Can Council do something about this?

A4 It is a condition on the development approval that landscaping should occur. However, the amount of retail space in the shopping centre requires a certain number of car parking bays and these are marginally less than what is required. However, the developer has been asked to landscape the road reserve and this has been done. Council will continue to work with them to see what other improvements can be made.

Q5 Is it true that the Armadale cinemas are losing money and what amount of money has Council made available as an incentive or support to keep the cinemas and is there any ongoing commitment from Council?

A5 The agreement with the cinemas was originally a 5 year agreement and this was with the owners of the shopping centre complex as part of the redevelopment proposal. The amount of money is a set figure and would be surprised if the cinemas are losing money as there are currently negotiations with the shopping centre owners to add another 2 or 4 cinemas.
It has been difficult throughout the whole industry this last year and we are advised that this is due to the product. In comparison with their other cinemas, the owners are happy with Armadale's performance and have not advised Council of any financial difficulties.

Q6 Re. the Public Relations Officer – I think that if he or she is going to report on events like Minnawarra Festival that person ought to actually attend those events as it is important the publicity is correct.

A6 As pointed out earlier, the CEO or the Mayor approve media releases and the Mayor is the only person authorized to comment so the final sign off lies with the Mayor and the personal view is that the festival was “magnificent”.

Mr Grimwood, Sapphire Court, Mt Richon

Q1 In the Annual Report it is indicated that one of the CEO’s responsibilities is “Administration and Governance” and you’ve also mentioned that Council’s staff includes an Environmental Planning Officer and also a safety programme. Can you describe what the corporate governance unit does, how it goes about its work and how the results of that work is disseminated to councilors and staff and whether or not you are seeking independent certification of your safety and environmental programmes?

A1 CEO – Governance disseminates through the entire organization. There are a whole series of compliance reports that Council submits every year. In regard to occupational health and safety, an officer has recently been appointed in that area. A number of independent audits have also been conducted to ensure that best practice methods are being followed. Council’s Audit Committee which has been operational in the last few years conducts an internal audit of all the City’s measures and looks at ways in which these can be improved and additional funds have also been allocated to officer time in this area as well. Council is currently considering the extent of external auditing of its financials that may need to occur. State Government’s proposal of involving the Auditor General in auditing of local governments is not supported and Council would prefer to strengthen its own organization and demonstrate to the electors of Armadale that Council is doing it right rather than have a Federal or State body needs to come in to oversee what Councils are doing.

Ms Poletti – Clifton Street, Kelmscott

Q1 How far away is the Armadale Aquatic Centre from being refurbished, heated and covered?

A1 Having completed the due diligence report the indications are that Council would need to spend another \$2M more than what has been budgeted and this might affect the timeframes. In the 15 Year Plan we have in the 2007-08 year the covering of the two pools and in 12 years out a new facility. So in the absence of a Council decision on the due diligence report that’s how it stands to date.

Mr Guthrie – Mountain View, Kelmscott

Q1 How many people have actually written in and indicated that they want the name of Westfield changed?

A1 Not sure about the number of people who have responded to date. There is a move driven by a real estate agent to have the name changed but equally there is still a large number of people who don't want the name Westfield changed. Submissions close on the 8th of December.

Ms Southam – Morrell Way, Armadale

Q1 You mentioned Palomino earlier which I had not heard of - Is it possible to have an up to date map of all the new areas as I gather "Forrest" does not exist anymore.

A1 The old "Forrest" ward is now called "Lake" and unfortunately the two councilors who represent this ward are on leave of absence. A copy of the ward map is in the annual report, on the City's website and there may be hard copies in the library.

Q2 Regarding the parking at Kelmscott and no room for trees – Carousel have sails to cover their parking area.

A2 Shadecloth structures are currently going up in Armadale and we can suggest this to the landowners in Kelmscott.

Q3 In regard to shopping trolleys – it has been noticed that businesses employ people to collect only their own trolleys so as a result other trolleys are left lying around the place.

A3 Council has been trying to negotiate with the State Government to give local government the power to charge a fine on the owners for each trolley that is impounded. However retailers then say that they would just take their names off the trolley.

Q4 There was an article on television about a group of volunteers who get in there quick to fix it.

A4 Council does not have the legal right to go on to a privately owned property to remove graffiti.

Q5 Can Council consider restricting the number of questions that one person may ask at such meetings to give everyone an equal opportunity?

A5 Usually questions are dealt with on a rotation basis but for those that were on notice it was considered fair that these be dealt with before inviting questions from the floor.

Mr D Cox, Sixth Road, Armadale

Q1 Restricted parking areas are not being policed – vehicles are being parked daily for long periods of time. Can Rangers look into this? In Perth City (Hill Street) the marking for car parking bays extends to the roadway to give public a good indication of where exactly to park – this would be especially handy for the bays on Jull Street.

A1 The matter will be referred to Technical Services for appropriate action.

Q2 On Sixth Road there's a State Housing development which has got about a metre and a half of sand filled at the back – there is a sewerage problem in the area and this needs to be investigated before any development goes ahead.

A2 The matter will be investigated.

Mr Foster – Albany Highway, Bedfordale

Q26 A few months ago in Roleystone the SEC and MRWA decided to chop a tree down but residents rallied together and saved that tree. Can Council make public aware when there is going to be major treeworks and not take them down at 6am on a Sunday?

A27 The only trees that were taken down on a Sunday morning are those that Council had advised clearly in advance that the trees were being removed for a particular purpose. There are inevitably trees on private property and these are dealt with as part of the development approval process. Besides that, Council has a legal responsibility for public safety so there will be instances when old trees in an urban environment or where these pose a risk to the public are removed as quickly as possible.

Mr Christmass – Wandoo Street, Kelmscott

Q7 With the number of bins gone missing in Rushton Park and hand towels being strewn around can Council consider installing hand dryers in the toilets?

A7 The matter will be referred to Technical Services for investigation.

Mr Aldersea - Amethyst Crescent, Mt Richon

Q1 I am involved with Landcare Groups and would like to express appreciation for the assistance and support received from the Parks and Gardens officers.
Would like to applaud the Parks & Gardens department for the wonderful landscaping works on median strips, roadways and parks and for putting in place a management program to save existing marri trees and floodgums.

There has been a lot mentioned at this meeting regarding Neerigen Brook Reserve and I support the proposal of a management plan for the reserve. What people are not aware of is that there is an old 1854 convict road along the creek and any management

plan should take this into consideration before the three easements go through the reserve.

- A1 The comments regarding Council staff are appreciated. The management plan will certainly involve consultation with all the relevant parties as Council does consider this a complex issue and will make every endeavour to ensure that all issues are covered in this plan.

Mr Grimwood – Sapphire Court, Mt Richon

- Q2 Re. Accountability of Local Government – The Public Accounts Committee of the Parliament of WA published a report of its activities where it investigated the accountability in local government.

In the spirit of democracy public should have the freedom to attend meetings and ask questions.

At local government level the public do not get the opportunity to elect their community leader. A number of councillors were elected unopposed hence there is a system where our community representatives in some cases were elected simply because they were the only candidate. If we look at the voting results of the last two Council elections which created our current Council, the maximum number of votes cast for any one individual was in the order of 1600 out of 27000 electors and hence we have a situation where our statutory leader is indirectly elected from a miniscule base of about a 1000 votes.

In the Public Accounts Committee report – Sec 1.1 - public confidence in public administration can be reduced to 3 fundamental principles of transparency, accountability and trust. Sec 4.12 - committee notes a view amongst some sector stakeholders that local governments are not a collection of state agencies but independent democratically elected corporate entities established under the local government act and answerable to electors.

We are the electors and in theory being accounted to from the Council. The Committee does not propose to recommend changes that would encroach on the independence or autonomy of this sector. As electors those of us who have issues with our local government are in effect stuck with the situation until Parliament changes the status quo.

In terms of Council's declared position on its overall approach on dealing with the community we hope that we can move beyond the statutory situation that exists and develop a relationship with the community that is proactive, responsive and certainly involve those three elements as stated in the report.

- A2 Whilst there is question time at the Annual General Meeting today, this is the 73rd time in the last 365 days that public have had the opportunity to put questions to Council. Four Committees of Council (although it is not required by law) and every Council meeting provides for question time for the public. While the minimum time is 15 minutes this is often extended when there are a number of people in attendance who wish to ask questions.

Mr Holton – Wandoo Street, Kelmscott

- Q3 One of the issues raised was the method of electing the Mayor, can you explain to everyone how it works currently and how it might be changed?

- A3 There are two methods, one is that the Mayor is elected at large by the community during the election process and the other one is that once the councillors are elected the new Council then elects their leader, i.e. Mayor. Most of the Councils who have Mayors elected at large do experience have problems within their Council. The Local Government Act is clear in that the Mayor has no power at all, besides being the leader of a team and the position only allows the Mayor to reflect the views of that team even if they are contrary to one's personal view. Mayors usually elected from within the team are conscious of that but those elected from the community lose sight of this fact and run into problems with their fellow councillors and this is quite evident with the number of councils who have made news in the last few years. I have been involved with conducting enquiries into four councils and all four have had Mayors elected at large.

To change the method by which the Mayor is elected requires a referendum or an absolute majority decision by Council.

Mr D Cox, 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 8.55 PM

MINUTES CONFIRMED THIS 4th DAY OF DECEMBER 2006

MAYOR
