



**ANNUAL GENERAL MEETING OF ELECTORS
THURSDAY, 27 NOVEMBER 2008**

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 THURSDAY, 27 NOVEMBER 2008 COMMENCING AT 7.00PM

PRESENT:

The Mayor, Cr L Reynolds AM JP presided:	Heron Ward
Deputy Mayor, Cr J H Munn JP CMC	Lake Ward
Cr J Knezevich	Minnawarra Ward
Cr K Lethbridge JP	Minnawarra Ward
Cr J A Stewart CMC	Heron Ward
Cr G A Best	Neerigen Ward
Cr C J MacDonald	Lake Ward
Cr H A Zelones JP	River Ward
Cr R Butterfield	River Ward
Cr P J Hart	Jarrah Ward
Cr L Scidone	Jarrah Ward
Cr J Everts	Palomino 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: 28

His Worship the Mayor, Cr Linton Reynolds, welcomed those in attendance to the 2007-2008 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

Apologies received from Cr Tizard and Cr Mauger.

2 BUSINESS OF MEETING

2.1 PRESENTING & RECEIVING THE 2007-2008 ANNUAL FINANCIAL REPORT

2.1.1 2007-2008 Annual Financial Report

MOVED Mr Wallace that the 2007-2008 Annual Financial Report be received.

SECONDED Mr Winstanley

CARRIED

2.1.2 Auditor's Report

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

MOVED Mr Clay that the Auditor's Report on the 2007-2008 Annual Financial Report be received.

SECONDED Mr Winstanley

CARRIED

2.1.3 2007-08 Annual Report (Remaining Parts)

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

MOVED Mr Wallace that the 2007-2008 Annual Report be received.

SECONDED Mr Guthrie

CARRIED

2.2 GENERAL BUSINESS

2.2.1 Questions of which prior notice has been given

Mr Foster – 248 Albany Highway, Bedfordale

Q-1 Re: Lions Park

The bridge that was removed and not replaced between the main part of the park and the toilets was not replaced because I was told that the replacement would cost thirty thousand dollars. The three foot bridges that are possibly to be built in the Neerigen Brook Reserve, are costed at Sixty thousand dollars for three.

Could we please have one of the cheaper bridges cross the creek in the Lions Park. It should cost a lot less than twenty thousand dollars as the abutments are already in place and access is easy.

Response

The bridge in Lions Park was removed as the structure consisted of logs which had deteriorated over time, and was removed for Public safety. When investigating a replacement bridge, the requirements relating to aboriginal heritage added substantial costs and the estimate was at least \$30,000 which given Council's funding priorities was considered not to provide value as there is a bridge on Carradine Road, some 125m to the east.

The bridge estimates in Neerigen Brook Reserve do not have the constraints of aboriginal heritage requirements and are for operational use which enables a more utilitarian structure, and hence a lower cost is possible.

2.2.2 Questions received 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.

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

Mr Grimwood – Sapphire Court, Mt Richon

Q-1 Mr Grimwood drew attention to a procedural matter, suggesting that the agenda for this meeting includes general business but there is no provision for the receiving of motions from the floor.

Response

The Mayor advised that as done in previous years, motions will be accepted during general business and anyone has the opportunity to move a motion at any time during this part of the meeting.

- Q-2** Mr Grimwood drew attention to the issue of the ARA signs which was subject of a motion last year unanimously passed at this meeting.

The motion read:

The Electors present instruct its Councillor Representatives to the Armadale Redevelopment Authority (ARA) Board to demand immediate removal or correction of two large ARA signs prominently displayed in Commerce Avenue and Armadale Road that falsely represent to the public that a lake will be constructed where the Westzone/Woolworths/Big W complex now stands and that Minnawarra Park will be extended and enhanced as declared thereon.

Mr Grimwood advised that the signs are still there in the same form and referred to City Strategy Committee minutes of 21 January which state in part:-

The Concept Plan signs, erected by the ARA in 2003 depict the approved concept plan for the CBD following an enquiry-by-design process. As the name implies – the concepts are purely conceptual with no statutory rigor.

Will Council undertake to examine the detail of all this as there appears that there is no vision for Armadale as the redevelopment scheme does not contain information which replaces the information which was in effect superseded from the concept plan. So what we have now is literally nothing.

Response

The Mayor advised that the matter will again be referred to the ARA for consideration regarding the status of their concept plan and how that impacts on the redevelopment of Armadale.

Mr Waddell – Leschenaultia Street, Roleystone

- Q-1** In regard to the Araluen Botanic Park what is the current situation with Council's position and what assistance is Council prepared to give to enable it to continue in its present structure?

Response

Council has been undertaking discussions for about 10 years with Araluen Botanic Park. It is supportive of the Park's operation but it has always been with the caveat that there is no undue and unfair impact on the neighbours. For some years now Council has been negotiating with the State Government, the owners of the land, and the Araluen Botanic Park Foundation, the managers of the land, to try and bring about improved parking arrangements. The State Government advised about 12 months ago that they are reviewing the way the Park might be managed in the future. It was agreed that this needed to be done without parking spilling onto local roads and Council resolved that while being supportive of Araluen it also needed the State Government to acquire additional land for parking. As to the current status, this is

unsure but The Hon John Day, Minister for Planning or local MPs have advised that there have been negotiations since the change of Government but we are not fully aware of the outcome. Council's position is that it does support the ongoing operation of Araluen but cannot countenance traffic chaos on the surrounding roads.

Cr Hart advised that she represents Council on the Araluen Park Board and that there is a Board meeting next Thursday. It is hoped that there may be some outline plan for the future of the Park discussed at that meeting.

Mr Michalzik –Armitage Road, Kelmscott

- Q-1** With reference to Minutes of the meeting from 12 months ago – Page 8 – Mrs Gyuru of Armitage Road – my question is on the action that has flowed from the response given at that meeting.

My question is whether Council received a letter from MRWA within 6 weeks and if not whether a second letter had been sent advising Council will proceed with the works. If this second letter has been sent by the Council did MRWA respond and why has work not begun yet as advised last year?

Response

This matter has been followed up since 1988 – Council's relationship with MRWA extends over a wide range of issues and we are trying to resolve this without alienating key staff whose support we need on a range of issues.

In direct response –two letters were forwarded to MRWA in the last year, unfortunately the second letter was not quite worded in the way that it was intimated last year. Neither of these letters has been responded to by MRWA. We are now at a stage where we will write to MRWA advising them that Council is going ahead, which will now involve a public consultation process. I apologise that this has not been done within the last 12 months and Council should have forced the issue with MRWA.

- Q-2** Can you please clarify what action will now be taken and the timeframe for this?

Response

This is up to the CEO but I hope that relevant staff will initiate action immediately which will involve a letter to MRWA advising them what we intend to do and then proceed with advertising of a permanent closure. The law requires that the public be advised and consulted.

Mr Gyuru –Armitage Road, Kelmscott

- Q-1** Mr Gyuru referred to heavy haulage going through Kelmscott on Albany Highway and that despite the fact that the Government has funded the construction of the Tonkin Highway, residents are still being subjected to the continuous noise of trucks.

Why is it that exhaust brakes on trucks are not made illegal in residential areas. How long do we have to put up with the constant noise of these trucks before they are forced to take an alternative route?

Response

The Tonkin Highway has moved the vast majority of the heavy haulage out of Kelmscott however as long as there are “cowboy” operators in the industry this will continue. The previous Minister for Planning issued an instruction to Main Roads indicating that their section was to be deregulated for permit vehicles i.e. only vehicles graded 19.6m in length were not permitted to use that section of highway. Council has no ability to influence driver behaviour. This is outside the powers of Council and is an issue for State Government and the transport industry. Council lobbied for 10/15 years to have the highway built with the specific objective of moving the heavy haulage out of Kelmscott and will continue to do that. Council understands the community’s frustration but this should be aimed at the transport industry or the Government of the day who has control of road networks and freight routes.

Mr Guthrie – Mountain View, Kelmscott

Q-1 Mr Guthrie stated that the Kelmscott Residents Group had taken this matter up with the previous Minister and she had issued, before the election was called, an edict concerning the use of transport trucks and permit vehicles through the town of Kelmscott. At the present moment trucks from South West Highway are diverted at Thomas Road and the lights at Thomas and Tonkin Highway have been adjusted to meet with the requirements of double Bs as they have at Armadale and Tonkin. The biggest problem now is the grain trucks which continue right through the year from Brookton to Kewdale. It is hoped to have these trucks diverted at Karragullen down Canning Road to Welshpool Road. BGC are carting clay to Midland through Kelmscott and they have been ordered to go down Canning and Welshpool Roads.

Response

The Mayor added that Council took action when it upgraded Canning Road to provide the alternative route and expended funds to provide this infrastructure several years ago, it is pleasing to hear that the Minister has told the industry to lift its game. Council has been lobbying on this issue for a very long time.

Mr Foster – Albany Highway, Bedfordale

Q-1 In regard to public access to the Neerigen Brook Reserve from Amethyst Crescent, approx 9 years ago I complained that a person was incorporating public access into his garden and for 5 years now I have been abused for using it. Can we please have a notice on the entrance saying that it is a public reserve?

Response

There are some constraints with this but the request will be considered and officers will investigate as to how this can be achieved in accordance with the Arrangement Plan.

Mr Grimwood – Sapphire Court, Mt Richon

- Q-3** Mr Grimwood stated that motion 8 from last year resolved that the Minutes should be uniquely published and it is now available. Could the minutes of the special electors minutes relating to Reserve 33067 on Opal Way also be included.
(Mr Grimwood has since advised that there was no such special meeting and thus the matter required no further investigation).

On the Council web-page showing details of the electors meetings there is reference to an “analytic tracking code”. Is Council attempting to monitor who has a look at this site and keeping a log or is it some third party tracking this?

Response

Cr Zelones advised that the data collected does not include a person’s name or IP address but simply helps Council to determine the number of hits targeting certain sections of the website. This information assists Council to manage the site better.

Mr Norman – Melanda Street, Kelmscott (Motion-1)

MOVED Mr Norman

That Council make a concerted effort to encourage current and future developers to make appropriate plantings in car parks and surrounding areas to enhance the streetscape of the Kelmscott townsite as future development continues.

MOTION CARRIED (Unopposed)

Mr McClay – Armitage Road, Kelmscott (Motion-2)

MOVED Mr McClay

We the residents of Armitage Road, Kelmscott request that the Council provide through one of its Ward Councillors copies of written correspondence between it and Main Roads relating to the proposed cul-de-sac at the western end of Armitage Road so that the matter can be taken up by us with our local MP and Main Roads WA in an effort to have the matter finally resolved.

MOTION CARRIED (Unopposed)

Mr Christmass – Wandoo Street, Mt Nasura

- Q-1** A matter was brought up at last year’s meeting regarding graffiti, particularly on the Telstra building adjoining the Kelmscott railway station, and understood that Council had written without any result. I am interested to know the outcome so that we could pursue the matter.

Response

The Mayor advised that the matter will be investigated and contact will be made with Telstra regarding the problem.

Mr McClay – Armitage Road, Kelmscott

- Q-1** Referring back to my motion, could I be told which one of our councillors would volunteer to bring all that detail?

Response

If requested by either of the Kelmscott Ward Councillors, Officers will undertake a file search of relevant correspondence on this particular matter. Both ward councillors will be given access to the relevant and appropriate information in the next week or two. Councillors can make contact once they have viewed the files.

Mr Van Kuyl – Clarence Way, Kelmscott

- Q-1** Can I please have an update on the upgrade of Ranford Road. The works seem to be going on for a long time and it is almost impossible to turn right into Wright Road during peak hour traffic.

Response

This is one of a litany of problems that Council is experiencing with State Government Departments. Western Power was to have removed a major power pole on the corner of Southern River Road and Ranford Road in February of this year. For reasons unknown we have now been advised that the pole will be removed in February next year. Until that power pole is removed Council cannot complete the construction of the roundabout that finishes off that intersection and consequently that dual carriageway section is not progressing.

The design for the lights on the corner of Wright and Ranford Roads was completed 6/7 months ago and submitted to Main Roads WA and approved. The design has now been re-examined and Council has been advised that the design has to be changed on the carriageway on the Gosnells side of the intersection as a result of a building being allowed to be built on the property line. Rework of the design has not yet been authorized and Council is still undertaking tedious and ongoing negotiations on that.

The third and final impediment to Council completing this project on which it is spending a large proportion of rates (as well as State and Federal road grants) is the section through Balannup Lake. This Lake is a Class A Reserve and has the same status as Kings Park and requires an Act of Parliament before work can begin on it. After tedious negotiations, Council has been given authority from the Department of Environment to clear the land but it doesn't have a right of entry till an Act of Parliament is passed. Both elected members and staff are frustrated about the way this quite simple project has dragged on and on.

Mr Grimwood – Sapphire Court, Mt Richon

- Q-4** In relation to the roundabout end of Ranford Road - the extension of Ranford Road to Armadale Road has still not happened – is there any information on when that might proceed?

Response

That project will be funded by the development contribution scheme as part of the Forrestdale Business Park development which is being undertaken by the ARA.

The project will provide a dual carriageway along Ranford Road from Armadale Road through the roundabout, alongside the frontage of the Business Park to the Tonkin Highway and beyond.

Mr Guthrie – Mountain View, Kelmscott (Motion-3)

MOVED Mr Guthrie:

That Council seriously consider ceasing the publication of City Views and that it be replaced with two newsletters per year posted to all residents. The newsletters to contain budget spending updates, progress with planned improvements listed in the budget, building developments etc. These newsletters could also include the greenwaste pickup leaflet due to many complaints in regard to these.

In speaking to the motion, Mr Guthrie suggested that a newsletter would be more cost effective. As an insert in the Examiner it is often bundled with other advertising and it doesn't appear to be reaching the target readers. Recently at a meeting of 35 people only 5 people had actually received it or read it. Much of what is reported in the City Views, especially the events is fully reported in both the Examiner and Comment News.

Response

The Mayor advised that on his part he could advise that he did receive the Examiner which included the City Views but the Comment News was not distributed in his area.

The CEO advised that the current form of distribution of City Views was introduced as a result of requests from the public, there are many ways Council distributes public information, the administration reviews the method of distribution of this bi-monthly newsletter every year. The feedback received today will be considered in the next distribution review.

Mr Grimwood chose to speak to the motion and advised that he believes City Views only contains information on events and programs and could contain much more important information.

The Mayor advised that the City Views does not seek to meet all of the information transmission purposes of Council. There are many other methods such as Agendas, Minutes, publications on the website, media releases and letters. Councillors have

heard the views expressed today and it will be considered when the matter is brought to Council.

The Mayor put the motion to the meeting.

MOTION CARRIED (Unopposed)

Mr Waddell – Leschenaultia Street, Roleystone

- Q-2** The rezoning from rural to urban has created the opportunity for developers to clear the area. Has Council given any further consideration to the introduction of a tree preservation policy particularly applying to areas of one acre or more prior to redevelopment?

Response

The Executive Director Development Service advised that Council does have Tree Preservation Orders where important trees can be identified, nominated and protected under the Scheme. Currently there are not many that have been nominated. The general requirement, particularly in the hills area, nominates particular areas which cannot be cleared and developers only have an envelope within which development can occur. This is a statutory requirement which is linked to the Scheme and that is universal.

- Q-3** Is that before or after subdivision?

Response

Normally the process is for land to be rezoned and part of the rezoning requires a structure plan to be prepared. The structure plan indicates the development envelopes and the subdivision that follows has a condition requiring it to comply with the structure plan and development envelope.

Mr Grimwood – Sapphire Court, Mt Richon

- Q-5** Mr Grimwood stated that Council's website ranks amongst local governments' best websites as it is quite comprehensive and well set out. However, the website's search facility does not extend to PDF documents. As Council's agendas and minutes are in PDF format it is not possible to search within these documents for particular items.

Can Council undertake to review its website to make it user friendly by introducing a search facility.

Response

The Mayor thanked Mr Grimwood for his positive comments on the website. The matter of a search engine, is being investigated by our IT officers in their continued effort to make the website more user-friendly.

Note: the Chief Executive Officer advised that this had always been a planned stage of the website's development and is now in place

Mr Christmass – Wandoo Terrace, Kelmscott (Motion-4)

MOVED Mr Christmass:

That Council modify the Lefroy Road exit onto Albany Highway and due consideration be given to modifying the entrance to Billabong Way off Lefroy Road to prevent it from becoming an alternative route to Albany Highway.

OPPOSED Mrs Banks – Carrigg Crescent, Mt Nasura

Where is the change going to be on Billabong Way? I come down Brookton Highway, turn right into Lefroy and then left into Billabong Way to access my residence

Response

The Mayor advised that public consultation would be undertaken before any change is made and this would also involve consideration of all traffic movements and residents' needs in the area.

OPPOSED Mr Waddell - Leschenaultia Street, Roleystone

Roleystone puts up with heavy trucks going down Brookton Highway and everyone has to put up with traffic going through their neighbourhood. Ecko Road serviced Roleystone's access to Armadale for a number of years and this was closed. Access to Armadale is not that easy now.

Response

The Mayor advised that this was debated by Council for many years and it was felt the short cut using Ecko Road was an unfair imposition on the neighbourhood as the traffic lights and the left-hand turn slip lane at the corner of Brookton and Albany offered a safer alternative.

It was also clarified that there were no current plans to close Lefroy Road, but only modifications were being proposed. However, the motion would be considered by Council.

The motion was put to the meeting. Only 6 people chose to vote.

MOTION CARRIED (4-2)

Mr Christmass – Wandoo Street, Kelmscott

- Q-2** In regard to preservation of trees on blocks over 1 acre – I understand that there are some control mechanisms for this and would like to see Council exercise more control and introduce this for all blocks.

Response

The Mayor advised that Council is aware of the sensitivity of trees but also have to recognise state planning law in that we need to achieve high density in some areas to protect rural environment elsewhere. The Mayor has made public statements in

regard to this recently about Council having to get the balance right and we will continue to try and improve in this area.

Mr Grimwood – Sapphire Court, Mt Richon (Motion-5)

MOVED Mr Grimwood:

That Council develop a policy to deal with unemployed ratepayers in the community as a consequence of the current and forthcoming economic environment.

In speaking to the motion, Mr Grimwood advised that the Federal Government has announced that unemployment is going to increase. The City of Armadale has often cited unemployment statistics for the district but Council rates equate about 4 weeks income for an unemployed person. If Council pursues its previous policies of prosecuting late ratepayers it would cause a lot of hardship in the community. The purpose of the motion is to request Council to consider this. The Annual Report indicates that the amount spent on welfare was zero so there is an opportunity for Council to help people who are in genuine hardship.

Response

The Mayor reminded the meeting of Council's proud record in actively using Labour Market Programs when available in the past in times of hardship and unemployment.

Mr Waddell suggested that the motion be amended by adding the words "sympathy, patience and understanding the issue of" after the words "deal with".

Mr Grimwood accepted the amendment to the motion.

The Mayor put the amended motion:

That Council develop a policy to deal with sympathy, patience and understanding on the the issue of unemployed ratepayers in the community as a consequence of the current and forthcoming economic environment.

MOTION CARRIED (Unopposed)

Mr Gyuru – Armitage Road, Kelmscott

- Q-2** On the issue of clearing – Does the Council have a written policy which is easily accessible in respect to this issue? There is a perceived notion in the community that somehow we are hypocritical because on one hand we have the Prime Minister talking about carbon trading and climate change and on the other hand there is Council allowing developers to bulldoze trees.

Response

Currently there is no written document but staff will consider putting together a comprehensive document that addresses tree clearing issues and Council's position in that regard.

Q-3 How do you envisage that information to be available?

Response

The matter will be submitted to Council for consideration at which time it will be made available publicly via the Minutes and will also be made available on the website subsequent to Council's endorsement.

DECISIONS OF THE MEETING:

MOTION-1

MOVED Mr Norman

That Council make a concerted effort to encourage current and future developers to make appropriate plantings in car parks and surrounding areas to enhance the streetscape of the Kelmscott townsite as future development continues.

MOTION CARRIED (Unopposed)

MOTION-2

MOVED Mr McClay

We the residents of Armitage Road, Kelmscott request that the Council provide through one of its Ward Councillors copies of written correspondence between it and Main Roads relating to the proposed cul-de-sac at the western end of Armitage Road so that the matter can be taken up by us with our local MP and Main Roads WA in an effort to have the matter finally resolved.

MOTION CARRIED (Unopposed)

MOTION-3

MOVED Mr Guthrie:

That Council seriously consider ceasing the publication of City Views and that it be replaced with two newsletters per year posted to all residents. The newsletters to contain budget spending updates, progress with planned improvements listed in the budget, building developments etc. These newsletters could also include the greenwaste pickup leaflet due to many complaints in regard to these.

MOTION CARRIED (Unopposed)

MOTION-4

MOVED Mr Christmass:

That Council modify the Lefroy Road exit onto Albany Highway and due consideration be given to modifying the entrance to Billabong Way off Lefroy Road to prevent it from becoming an alternative route to Albany Highway.

MOTION CARRIED (4-2)

MOTION-5

MOVED Mr Grimwood:

That Council develop a policy to deal with sympathy, patience and understanding on the issue of unemployed ratepayers in the community as a consequence of the current and forthcoming economic environment.

MOTION CARRIED (Unopposed)

Prior to closing the meeting, the Mayor extended his best wishes to Mr Askew, Executive Director Community Services who was leaving the City of Armadale at the end of the year to take up the position of CEO at the Town of Cottesloe. The Mayor wished him well with his career change and thanked him for his contribution and efforts over the last 6 years.

MEETING DECLARED CLOSED AT 8.25 PM

MINUTES CONFIRMED THIS 27th DAY OF JANUARY 2009

MAYOR