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**ORDINARY MEETING OF COUNCIL  
MONDAY, 13 MARCH 2023**

**MINUTES**

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# CITY OF ARMADALE

## MINUTES

OF ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS,  
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 13  
MARCH 2023 AT 7.00PM.

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### 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

*The Mayor, Cr Butterfield, declared the meeting open at 7.00 pm.*

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

#### PRESENT:

Mayor, Cr R Butterfield  
presided over

River Ward

Cr J Keogh

River Ward

Cr K Kamdar

Ranford Ward

Cr S Peter JP

Ranford Ward

Cr M S Northcott

Palomino Ward

Cr P A Hetherington

Palomino Ward

Cr M J Hancock

Heron Ward

Cr E J Flynn

Heron Ward

Cr G J Smith

Minnawarra Ward

Cr M Silver

Lake Ward

Cr S S Virk

Lake Ward

Cr G Nixon

Hills Ward

Cr S J Mosey

Hills Ward

#### IN ATTENDANCE:

Ms J Abbiss

Chief Executive Officer

Mr J Lyon

Executive Director Corporate Services

Mr P Sanders

Executive Director Development Services

Mr M Andrews

Executive Director Technical Services

Mrs S Van Aswegen

Executive Director Community Services

Mrs S D'Souza

CEO's Executive Assistant

Public: 11

#### LEAVE OF ABSENCE:

Leave of Absence previously granted to Cr K Busby

#### APOLOGIES:

Nil

**3                   ADVICE OF RESPONSE TO PREVIOUS PUBLIC QUESTIONS  
TAKEN ON NOTICE**

The following questions were taken on notice at Council's Meeting on Monday, 27 February 2023 and responses (summarised below) forwarded in a letter by the Chief Executive Officer.

**Phil Davey, 12 Lenore St, Roleystone WA**

Q2:       The response also indicated that meeting minutes are not required to be verbatim -can you please direct me to the section of the *Local Government (Administration) Regulations 1996* which refers to this?

*Mayor: The question will be taken on notice and a response provided in writing.*

*As you have been previously advised, the minutes of public questions and answers are not required to be verbatim as set out in Regulation 11(e) of the Local Government (Administration) Regulations 1996.*

Q3:       If you consider to summarise details with changed wording then where is the accountability of corrected minuted meetings for later record and reference should a query where the correct wording may be relevant to any outcome?

*Mayor: The question will be taken on notice and a response provided in writing.*

*The requirements for the content of minutes are set out in Regulation 11 of the Local Government (Administration) Regulations 1996.*

**Trehna Rouse , 3 Coachmans Place, Roleystone**

Q3:       I refer to the responses to my questions from the Council meeting of 13 Feb 2023 regarding CoA investigations into just 2 vehicles being Mercedes and Volvo. The Mayor has claimed that the Council has verified that they can be easily over ridden with their assistive braking, to enable the vehicle to nudge the gate. Despite my research presented last meeting the reference is still made to "Driver Assist Braking" rather than collision assist. I have copies of the Volvo and Mercedes manufacturers' manuals which state that these two vehicles use Collision Assist, so therefore they will stop at the gate. I would like Council to confirm whether or not they have looked at the owner manuals for Volvo and Mercedes in their summary?

*Mayor: The question will be taken on notice and a response provided in writing.*

*The City consulted with representatives of the manufacturers to obtain the advice.*

Q4.       I refer to the Mayor's response at the 13 February Council meeting in relation to my request that Council consider having the gate open for the bush fire season where it was stated "*I think that all of our emergency gates are closed. I don't know if they are locked or not*

*but I believe that they are all closed and so this is being treated the same way”.*

Could Council please provide me with a list of all the emergency gates within the City of Armadale to facilitate a comparison and ensure comparing like with like?

*Mayor: That is an incredible amount of resources that you are requesting again. I will take that on notice and let you know whether we are able to do that.*

*The list of emergency gates and the status of each:*

- *Bedforddale*
  - *Weelarra Heights through Armadale Settlers to Old Canns Lane – closed and locked*
  - *Wilcockson Close to Canns Road – closed and locked*
  - *Observation Close to Canns Road (as part fire management Plan through private property at 61 Canns Road) – closed and locked*
- *Churchman Brook subdivision*
  - *Dumas Drive to Churchman Brook – closed and locked*
  - *Grieve Way to Canns Road gated at each end – closed and locked*
- *Araluen Subdivision*
  - *Old Albany Lane to Wymond Road – closed and unlocked*
  - *Heritage Road to Armenti Road – closed and unlocked*
- *Karragullen*
  - *160 Leworthy Loop to Civa Heights (as part the Bushfire Management Plan through private property at 160 Leworthy Loop) – closed and locked*
- *Forrestdale*
  - *Kargotich Road through to Rowley Road – closed and unlocked*

*For clarity, and to allay possible confusion, there are a number of additional emergency gates within the City however these are linked to ‘Fire Service Access Routes’ (also known as ‘Strategic Firebreaks’) rather than ‘Emergency Access Ways’. The purpose of a ‘Fire Service Access Route’ is to allow access for fire emergency response vehicles in and around a subdivision, and a defensible space in which emergency services personnel can safely operate.*

**Q5:** I repeat my previous request that Council consider additional lighting and better signage to this emergency exit to improve safety for use at night.

*Mayor: Again that is a large expense so that will be a budgetary item for Council consideration*

**Q6:** I have received no response to my question of 13 Feb 2023 about the road being opened to all emergency vehicles including ambulances. St John is stating Wymond Road is a gazetted No through Road.

*Mayor: If you have already sent through the question we will ensure that that one is answered specifically.*

*I refer to your previous question from the 13<sup>th</sup> February 2023 Council meeting and the question above. The City sent an email and letter on 16<sup>th</sup> October*

*2020 to St John Ambulance advising of Council's decision of 29<sup>th</sup> September 2020, including a request for "the updating of your mapping information and database to reflect the emergency access route only."*

*A further email was sent on 10 December 2020 by the Chief Bush Fire Control Officer advising that the new 'closed road' signage had been installed at Armenti and Wymond Roads, Roleystone, however he advised that the gates could still be utilised by emergency service vehicles in an emergency.*

*The City has resent the information via email on 1 March 2023 to St John Ambulance and a letter has also been posted on 7 March 2023.*

*Residents are encouraged to raise these concerns directly with St John as the City cannot change the data bases/mapping systems of other organisations and it is a matter for these agencies to have the correct info which the City has provided to them on several occasions.*

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#### **4 PUBLIC QUESTION TIME**

Nil

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#### **5 APPLICATIONS FOR LEAVE OF ABSENCE**

##### **1 Request for Leave of Absence (Cr Emma Flynn)**

Request for leave of absence received from Cr E Flynn for the period 27 March to 30 March 2023.

MOVED Cr G Nixon

**That Council grant leave of absence to Cr E Flynn for the period 27 March to 30 March 2023, inclusive. (Includes 1 Ordinary Council Meeting – 27 March 2023).**

**MOTION not opposed, DECLARED CARRIED (13/0)**

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#### **6 PETITIONS**

##### **1 Nature Space between Columbia Parkway & Archdale Loop, Piara Waters (Cr Sartaj Virk)**

Cr Virk tabled a petition signed by 197 residents, the prayer of which reads:

*We the undersigned respectfully request that the Council implement appropriate and consistent measures to maintain and rejuvenate the nature space between Columbia Parkway and Archdale Loop, Piara Waters, and to immediately install a shade solution over the play area within Piara Waters Park.*

*Residents are seeking the following solutions: increased watering days, footpath and verge maintenance, removal and replacement of dead trees and shrubs, maintenance of mature trees growing over residential properties, annual mulching, annual street sweeping, repair and maintenance of existing play equipment within Piara Waters Park.*

*These issues have been raised with the City of Armadale on several occasions and by many residents of Piara Waters. Residents of Columbia Parkway and Archdale Loop urge the City to maintain and care for this community streetscape.*

MOVED Cr M Silver

**That the petition be received and be referred to the Technical Services Committee.**

**MOTION not opposed, DECLARED CARRIED (13/0)**

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## 7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING  
HELD ON 27 FEBRUARY 2023.

MOVED Cr E J Flynn that the Minutes of the Ordinary Council Meeting held on 27 February 2023 be confirmed as a true and accurate record.

**MOTION not opposed, DECLARED CARRIED (13/0)**

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## 8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

### 1 Mayors Announcements

#### Tuesday 28 February 2023

Joined students from the Armadale Senior High School and Artist Mel McVee to paint a section new mural along Albany Highway. The mural was selected in line with the Public Art Policy and this submission was seen to have wide public appeal and features locally occurring flora and fauna.

Met the Year 10 'Gifted and Talented' class of students from Kelmscott Senior High School who are researching various services and issues around the local area. Students asked questions about what the City was doing to mitigate planning issues such as the 'heat island effect'; social issues such as homelessness and environmental issues such as feral animals and plants in our bushland.

#### Wednesday 1 March 2023

Attended the Western Australian Local Government Association (WALGA) Environment and Waste Policy Team meeting followed by a State Council Strategic Forum and then a WALGA State Council Meeting, where taking a position on the Referendum on Constitutional Recognition and a Voice to Parliament, was debated.

#### Thursday 2 March 2023

The CEO and I met with the new Officer in Charge at the Armadale Police Station, Senior Sergeant Paul Thornton, to discuss local policing matters.

#### Friday 3 March 2023

Participated in an interview that was filmed for WALGA's International Women's Day celebrations. <https://fb.watch/jala7yv-2j/>

Sunday 5 March 2023

Welcomed entrants and spectators to the Every Woman Triathlon held at the Champion Lakes Regatta Centre. The City was a sponsor of the event through the Community Grants Program. Many of the competitors had fought breast cancer or female health conditions and were finding good health through exercise. The event also raised funds for the charity Share the Dignity. The Armadale Triathlon Club were well represented on the day.

Wednesday 8 March 2023

Attended the Business Armadale breakfast for International Women's Day at Zia's Restaurant to give a welcome speech. The City of Armadale is a major sponsor of Business Armadale.

Attended the funeral of Don Winstanley at the Kelmscott Hall. Mr Winstanley was a life member of the Roleystone Volunteer Bush Fire Brigade (now Roleystone Karragullen Volunteer Bush Fire Brigade). He was also a dual member of the Roleystone Volunteer Fire and Rescue Service. Mr Winstanley also volunteered with the Civic Pride Action Group, which helps tackle graffiti around the City.

Attended a meeting with the CEO and Hugh Jones MLA, Member for Darling Range, to discuss local matters and advocate for financial assistance.

Thursday 9 March 2023

Attended a briefing for the Sector on Local Government Reform.

Welcomed attendees to the Business Armadale, Minister's Series with the Hon Rita Saffioti MLA, Minister for Transport, Planning and Ports. The CEO, several senior staff and Councillors Smith, Peter, Northcott, Virk, Nixon, Kamdar, Keogh and Mosey also attended.

Friday 10 March 2023

Attended the IPWEA Excellence Awards where the John Dunn Challenge Park was a finalist in two award categories - Best Public Works Project Under \$2M (Metro) and Excellence in Innovation (Metro). Unfortunately we were not winners on the night. The Executive Director Technical Services, Councillor Mosey and several staff members also attended.

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**9 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN – WITHOUT DISCUSSION**

Nil

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**10 REPORTS**

**10.1 COMMUNITY SERVICES COMMITTEE MEETING**

Report of the Community Services Committee held on 7 March 2023.

MOVED Cr Silver that the report be received.

**MOTION not opposed, DECLARED CARRIED**

**(13/0)**



**BUSINESS ARISING FROM REPORT**

Recommendation C4/3/23 - Gwynne Park Skate Park - Community Art Project

MOVED Cr Silver

**That Council endorse the proposed mural design for the Gwynne Park Skate Park.**

**MOTION not opposed, DECLARED CARRIED (13/0)**

Recommendation C5/3/23 - Wallangara Riding and Pony Club - Outstanding Lease Payment

MOVED Cr Silver

**That Council:**

- 1. Endorse a reduction in lease payments for the period between 2014 and 2018, to remove the cost of the ESA equating to 30% of the grounds at Fletcher Park, providing a refund of \$18,704.18 and;**
- 2. Endorse a waiver of the outstanding lease payment for the period 1 January 2020 to 31 December 2020, totalling \$9,160.79.**

**MOTION not opposed, DECLARED CARRIED (13/0)**

Recommendation C6/3/23 - Lobby for "Connections" Museum Piece (Referral Matter)

MOVED Cr Keogh

**That the Mayor write to the CEO of the WA Museum, the Minister for Aboriginal Affairs, the Minister for Culture and the Arts and to the Director General of the Department of Local Government, Sport, and Cultural Industries advocating for the "Connection" exhibition to tour in Australia and to be initially hosted by the WA Museum Boola Bardip or a suitable central venue, and that funding be considered by the Department to ensure that this is affordable and accessible to residents of Western Australia.**

**MOTION not opposed, DECLARED CARRIED (13/0)**

**10.2 TECHNICAL SERVICES COMMITTEE MEETING**

Report of the Technical Services Committee held on 8 March 2023.

**CORRECTION:**

Page 50 PLN4 to be corrected to read PLN2.4

MOVED Cr G Nixon that the report, subject to the above correction, be received.

**MOTION not opposed, DECLARED CARRIED (13/0)**

## BUSINESS ARISING FROM REPORT

### Recommendation T1/3/23 - Application to clear Native Vegetation protected under the Environmental Protection Act 1986. - Eighth Road, Haynes and Lake Road, Champion Lakes

*Further information on the Eighth Road design was provided. Council noted the amended Attachment 1 and as a result of discussions at Committee and that the Lake Road Location Plan is no longer required as the relevant tree will remain. Attachment 1.1.2 on Page 66 (Attachment 2) relating to the Lake Road Location Plan to be deleted.*

MOVED Cr G Nixon

#### **That Council:**

- 1. Authorise the Chief Executive Officer to sign a Clearing Permit application to facilitate works on Eighth Road (between Gribble Avenue and Armadale Road) as shown in Attachment 1 (as amended) and ~~Lake Road footpath (north of Ypres Road) as shown in Attachment 2~~ and submit to the Department of Water and Environmental Regulation in accordance with the *Environmental Protection Act 1986*.**

**MOTION not opposed, DECLARED CARRIED (13/0)**

### Recommendation T2/3/23 - Parking Restrictions - Melton Hill Lane, Champion Lakes

MOVED Cr G Nixon

#### **That Council:**

- 1. Approve the implementation of Parking Restrictions as shown on drawing;**
  - E23-01-01 – Melton Hill Lane, Champion Lakes – Parking Restriction (Attachment 1)**

**MOTION not opposed, DECLARED CARRIED (13/0)**

### Recommendation T3/3/23 - Parking Restrictions - Lamboo Road, Harrisdale

MOVED Cr G Nixon

#### **That Council:**

- 1. Approve the implementation of Parking Restrictions as shown on drawing;**
  - E23-02-01 – Lamboo Road, Harrisdale – Parking Restriction (Attachment 1)**

**MOTION not opposed, DECLARED CARRIED (13/0)**

Recommendation T4/3/23 - Urban Forest Strategy Implementation Program Update

MOVED Cr G Nixon

**That Council:**

- 1. Receive the City of Armadale Urban Forest Implementation Program Progress Report and support the recommendations noted within.**
- 2. Consider at future budget deliberations support of funding for a tree asset data base.**
- 3. Consider at future budget deliberations support of funding for consultancy to undertake the strategy renewal.**
- 4. Provide a report at the next Technical Services Committee meeting for the establishment of a tree asset database including a cost estimate.**

**MOTION not opposed, DECLARED CARRIED (13/0)**

Recommendation T5/3/23 - Locality Signage Lighting

MOVED Cr G Nixon

**That Council:**

- 1. Support Option 2 and proceed with a hierarchical approach to lighting the signs, prioritising lighting for Armadale site 1 & 2, and Kelmscott and provide an additional budget allocation of \$40,202.25.**
- 2. Approve the amendments of the project budget as follows:**
  - a) Capital Project – Entry Statement – Forrestdale (CP000264) , increase budget by \$10,000 from \$23,760 to \$33,760**
  - b) Capital Project – Entry Statement – Kelmscott (CP000263) , increase budget by \$10,000 from \$24,000 to \$34,000**
  - c) Capital Project – Municipal Reserves - Gardens (CP000243) , increase budget by \$10,000 from \$24,400 to \$34,400**
  - d) Capital Project – Municipal Reserves - Fences & Bollards (CP000242) , increase budget by \$10,300 from \$49,000 to \$59,300**
  - e) Capital Projects – LED replacement sports lighting (CP000164) budget decrease by \$40,300 from \$103,500 to \$63,200**

**MOTION not opposed, DECLARED CARRIED (13/0)**

Recommendation T6/3/23 - City Statement Buildings - Lights and Projections (Referral Item)

MOVED Cr G Nixon

**That Council:**

1. **Note that these matters are being considered within the feasibility study for the Jull Street Mall and Civic Precinct lighting project.**

**MOTION not opposed, DECLARED CARRIED (13/0)**

Recommendation T7/3/23 – Councillor Item

MOVED Cr G Nixon

**That the Councillor item regarding parallel parking on Skeet Road be referred to the relevant Directorate for action and/or report to the appropriate Committee.**

**MOTION not opposed, DECLARED CARRIED (13/0)**

**10.3 CHIEF EXECUTIVE OFFICER'S REPORT**  
Report of the Chief Executive Officer.

MOVED Cr M S Northcott that the report be received.

**MOTION not opposed, DECLARED CARRIED (13/0)**

**BUSINESS ARISING FROM REPORT**

Recommendation CEO1/3/23 - 2023 National Growth Areas Alliance (NGAA) National Congress - Adelaide - 4-5 May 2023

MOVED Cr E J Flynn

**That Council nominate the Deputy Mayor, Cr Kerry Busby to attend as Council's delegate at the 2023 National Growth Areas Alliance (NGAA) Congress to be held in Adelaide on 4-5 May 2023.**

**MOTION not opposed, DECLARED CARRIED (13/0)**

Recommendation CEO2/3/23 - Councillors Information Bulletin - Issue No 3/2023

MOVED Cr M S Northcott

**That Council acknowledge receipt of Issue 3/2023 of the Information Bulletin**

**MOTION not opposed, DECLARED CARRIED (13/0)**

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**11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

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**12 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

Nil

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**13 MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION**

**1 Advertising on City's Fixed Assets (Cr Shanavas Peter)**

That the matter of third party advertising on the City's fixed and other assets to generate revenue for the City be referred to the Corporate Services Committee

**2 Sponsorships to Primary Schools (Cr Michelle Silver)**

That the matter of sponsorships to Primary Schools be referred to the Community Services Committee.

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**14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION**

Nil

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**15 CLOSURE**

*The Mayor, Cr Butterfield, declared the meeting closed at 7.14pm*

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MINUTES CONFIRMED THIS 27 MARCH 2023

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MAYOR