



# ORDINARY MEETING OF COUNCIL 18 November 2002

## MINUTES

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# CITY OF ARMADALE

## MINUTES

OF ORDINARY MEETING OF THE ARMADALE CITY COUNCIL HELD IN THE COUNCIL CHAMBERS, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 18 NOVEMBER 2002 COMMENCING AT 7.30 PM

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### 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

*Mayor, Cr Reynolds, declared the meeting open at 7.30 pm.*

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

#### PRESENT:

Mayor, Cr L Reynolds JP presided over:	Westfield Ward
Deputy Mayor, C J H Munn JP CMC	West Armadale Ward
Cr J Knezevich	West Armadale Ward
Cr F R Green	Armadale Ward
Cr R Fletcher	Armadale Ward
Cr A L Cominelli JP	Forrest Ward
Cr G M Hodges	Forrest Ward
Cr H A Zelones JP	Kelmscott Ward
Cr V L Clowes-Hollins	Kelmscott Ward
Cr J D Cumming	Seville Ward
Cr J Everts	Seville Ward
Cr J A Stewart	Westfield Ward
Cr R C Stubbs AM	Roleystone Ward
Cr D L Hopper JP	Roleystone Ward

#### IN ATTENDANCE:

Mr R S Tame	Chief Executive Officer
Mr A F Maxwell	Executive Director Corporate Services
Mr JHA Adderley	Executive Director Development Services
Mr I Macrae	Executive Director Development Services
7.30-7.55pm Mr W A Bruce	Executive Director Technical Services
Mr C Askew	Director Community Services
Mrs S D'Souza	CEO's Executive Assistant

Public: 3  
Press: 1

**LEAVE OF ABSENCE:**

Nil

**APOLOGIES:**

Nil

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

The following questions were taken on notice at Council's meeting on 4 November 2002:

**Mr Brett Busby, 2 Pelham Street, Armadale**

**Question-1**

Regarding the Mayor's answer to my question of 19 August 2002, numbered 9 on page 7 of the minutes of the Ordinary Council Meeting held that evening, and in reference to the article mentioned in that question, I ask the Mayor to confirm or refute the information contained in the article on page 3 of the Weekend Examiner dated 18 July 2002, which indicated that, at that time, decision had already been made that a bus shelter or bus shelters would definitely be constructed on Duri Street in Armadale.

The following response was forwarded by letter dated 14 November 2002

*In May 2002 Council identified tentative sites for bus shelters to take advantage of the then recently announced Bus Shelter Grant Scheme of the State Government. The report identified 5 locations for each of the years 2001/02, 2002/03 and 2003/04.*

*These sites were listed as a result of a survey conducted by Swan Transit of frequently used stops. This list was received early this year.*

*A bus shelter was tentatively located near Duri and Pelham Streets for the 2002/03 financial year. Council is still to approve the 2002/03 programme, and consequently the installation and timing of this bus shelter should not be assumed settled. Indeed the level of funding of the Grant Scheme cannot be assumed until the Minister of Planning and Infrastructure determines the distribution of funding to applications which is likely to be in mid 2003.*

### **Question-2**

Regarding the answer to my question that was taken on notice at the Council meeting on 7 October 2002, which answer is published in the Minutes of the last Council Meeting, on page 2 of the Minutes of that meeting, I ask why the information provided in answer to my question relating to the Windows 2000 Professional operating system, contradicts information published about the operating system, by Microsoft, the manufacturer of the operating system, and I ask what operating system was specified in the call for tenders, and in the successful tender documents, given that Microsoft does not have a Windows 2000 Professional server operating system, and I ask who prepared the Council's specifications for the tender, both in the specifications in the call for tenders and in the table on page 26 of the Minutes of the Community Services Committee Meeting of 27 August 2002, which was approved by Council.

The following response was forwarded by letter dated 14 November 2002

- *To the best of our knowledge the response given previously is correct.*
- *The Tender called for the supply of servers specified Windows 2000 Professional as the operating system.*
- *Council's Manager Information Technology in consultation with Information Technology Industry Professionals.*

### **Question-3**

Regarding the verge tree between 24 Mornington Street and the property that is effectively 26 Mornington Street, as the Council refuses to remove this tree, in what I believe to be a contravention of the council's stated environmental policies as stated on page 20 of the Council's Annual Report for 2002, when will the council remove the offensive material carved into the tree, and what action will the Council take to prevent further offensive material being published on the tree? This question is asked due to problems with the Manager of Parks and Gardens, relating to that tree.

The following response was forwarded by letter dated 14 November 2002

*As the tree is beginning to shed last year's bark, as it does annually, and will continue to do so over the early summer months, the material carved into the tree will be shed naturally as the carving in the tree is extremely superficial. Council cannot prevent further offensive or other material being carved into this or any other tree. The vigilance of the community is a crucial deterrence to such anti-social behaviour.*

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**4 PUBLIC QUESTION TIME**

Nil

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**5 APPLICATIONS FOR LEAVE OF ABSENCE**

**5.1 Request for Leave of Absence – Cr Hopper**

Request for Leave of Absence received from Cr Hopper for the period 11<sup>th</sup> December to 5<sup>th</sup> January 2003, inclusive.

MOVED Cr Fletcher:

That the request for Leave of Absence received from Cr Hopper for the period 11<sup>th</sup> December to 5<sup>th</sup> January 2003, inclusive be received and granted. (includes 1 Council meeting – 16 December 2002)

**457/2002 MOTION not opposed, DECLARED CARRIED (14-0)**

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**6 PETITIONS**

Nil

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**7 CONFIRMATION OF MINUTES**

PREVIOUS ORDINARY MEETING OF COUNCIL  
HELD ON 4 NOVEMBER 2002

**CORRECTIONS:**

Index Under the 8<sup>th</sup> item - the word “presentation” is misspelt and the word “Andres” to be corrected to read “Andrews”  
Page 1 The date of the meeting to read “4 November 2002” on the cover sheet.

MOVED Cr Clowes-Hollins that the Minutes of the Ordinary Meeting of Council held on 4 November 2002, subject to the above corrections, be confirmed as a true and accurate record.

**458/2002 MOTION not opposed, DECLARED CARRIED (14-0)**

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**8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

**8.1 Armadale & Districts Brickworks Preservation Group Reunion**

On Friday, 8<sup>th</sup> November, the Deputy Mayor, Crs Green, Cumming and Hodges attended the Armadale & Districts Brickworks Preservation Group Reunion on behalf of Council. The function was attended by over 240 people which was a resounding success for the small organising group.

**8.2 Best Practice Awards – Whole of Organisation Award**

On Friday, 8<sup>th</sup> November 2002 at the Best Practice Awards Gala Dinner held at the Sheraton, the City of Armadale won the “Whole of Organisation” award for the third year running. Seven of the nine projects submitted were acknowledged as “best practice”. This year the Leadership Award was won by the City of Fremantle. On behalf of Council, the Mayor extended his congratulations and appreciation to the CEO and staff for their great work.

**8.3 2002 Australian Crime & Violence Prevention Awards**

On Saturday, 9<sup>th</sup> November the Mayor attended the 2002 Australian Crime & Violence Prevention Awards held at the AQWA Function Centre, Hillarys. Armadale was presented with a certificate for its ongoing financial support for the “Step Up” program aimed at young men making the transition from Primary to Secondary School.

**8.4 FESA Summersafe Campaign**

On Sunday, 10<sup>th</sup> November, the Mayor along with Crs Stubbs and Hopper attended the FESA Summersafe Campaign launch by Minister Michelle Roberts held at the Roleystone Fire Station.

**8.5 Remembrance Day**

Two services were held to commemorate Remembrance Day on Monday 11<sup>th</sup> November, one at 11am at Memorial Park with Cr Fletcher as MC and the other at 1.15pm at Araluen Botanic Park.

**8.6 Serpentine-Jarrahdale Xmas Lunch**

On Sunday 17<sup>th</sup> November the Deputy Mayor represented Council at the Serpentine-Jarrahdale Xmas Lunch held at the Leonda Reception & Function Centre.

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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 CITY AUDIT COMMITTEE**

Report of the City Audit Committee held on 11 November 2002.

MOVED Cr Reynolds that the Report be received.

**459/2002 MOTION not opposed, DECLARED CARRIED (14-0)**

**BUSINESS ARISING FROM REPORT**

Recommendation CA10/02 – Tender No.20/02 – Tender for the Supply of Audit Services

*Cr Reynolds in respect to Recommendation CA10/02 – Tender for the Supply of Audit Services – disclosed that he has an association with Mr Macri of Barrett & Partners DFK who provides professional services to both he and a company of which he is a director. As a consequence, Cr Reynolds advised that there may be a perception, on the basis of his disclosed non-financial interest, that his impartiality may be affected and declared that he would set aside that association, consider the matter on its merits and vote accordingly.*

*Cr Stubbs in respect to Recommendation CA10/02 – Tender for the Supply of Audit Services - disclosed that he has an association with Mr Macri of Barrett & Partners DFK who provides him with personal income tax professional services. As a consequence, Cr Stubbs advised that there may be a perception, on the basis of his disclosed non-financial interest that his impartiality may be affected and declared that he would set aside that association, consider the matter on its merits and vote accordingly.*

MOVED Cr Hopper that Recommendation CA10/02 be adopted.  
SECONDED Cr Munn

**460/2002 MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL (14-0)**



Recommendation CA12/02 – Internal Audit Role & Services

MOVED Cr Stubbs that Recommendation CA12/02 be amended by making the existing Recommendation Part (1) and adding a Part (2) as follows:-

- (2) That in planning for the establishment of a team to conduct internal audit, provision be made for the appointment of a person external to the organization, to coordinate the internal audit charter and to report to Council and the CEO.

**461/2002 MOTION not opposed, DECLARED CARRIED (14-0)**

MOVED Cr Stubbs that Recommendation CA12/02, as amended, be adopted.

**462/2002 MOTION not opposed, DECLARED CARRIED (14-0)**

MOVED Cr Reynolds that Recommendations CA10/02 to CA12/02, except those already dealt with, be adopted.

**463/2002 MOTION not opposed, DECLARED CARRIED (14-0)**

**10.2 DEVELOPMENT SERVICES COMMITTEE**

Report of the Development Services Committee held on 11 November 2002.

**CORRECTION:**

Page 107 Recommendation D214/02 – Replace the words *Attachment “B1”* to *Attachment “B2”*

MOVED Cr Zelones that the Report, subject to the above correction, be received.

**464/2002 MOTION not opposed, DECLARED CARRIED (14-0)**

**BUSINESS ARISING FROM REPORT**

Recommendation D202/02 – Proposed Garage/Storage Shed – Lot 61 Gertrude Avenue, Champion Lakes

MOVED Cr Stewart that the first dot point of Recommendation D202/02 be amended to read as follows:-

- ☞ The proposed outbuilding is to be constructed within a 10m setback subject to submissions and implementation of an acceptable comprehensive landscape plan to the requirements of the Executive Director Development Services.

**465/2002 MOTION not opposed, DECLARED CARRIED (14-0)**

MOVED Cr Stewart that Recommendation D202/02, as amended, be adopted.

**466/2002**      **MOTION not opposed, DECLARED CARRIED**      **(14-0)**

Recommendation D208/02 – Proposed Group Housing Development – Lots  
47 & 48 Ayton Road, Kelmscott

MOVED Cr Zelones that Recommendation D208/02 be not adopted as the development application has been formally withdrawn by the applicant.

**467/2002**      **MOTION not opposed, DECLARED CARRIED**      **(14-0)**

Recommendation D215/02 – Attendance by Elected Members at Sustainability  
Workshop

MOVED Cr Zelones that no nomination be made for Councillors to attend the Western Australian Local Government Association Sustainability Workshop to be held on 5<sup>th</sup> and 6<sup>th</sup> December 2002.

**468/2002**      **MOTION not opposed, DECLARED CARRIED**      **(14-0)**

MOVED Cr Zelones that Recommendations D202/02 to D217/02, except those already dealt with, be adopted.

**469/2002**      **MOTION not opposed, DECLARED CARRIED**      **(14-0)**

### **10.3 CITY STRATEGY COMMITTEE**

Report of the City Strategy Committee held on 12 November 2002.

MOVED Cr Hodges that the Report be received.

**470/2002**      **MOTION not opposed, DECLARED CARRIED**      **(14-0)**

### **BUSINESS ARISING FROM REPORT**

Recommendation CS100/02 – Kuhl Park Redevelopment – Adoption of  
Concept Plan and Implementation Plan

MOVED Cr Hodges that Recommendation CS100/02 be adopted.  
SECONDED Cr Munn

**471/2002**      **MOTION DECLARED CARRIED BY AN ABSOLUTE  
MAJORITY OF COUNCIL**      **(14-0)**

MOVED Cr Hodges that Recommendations CS98/02 to CS103/02, except those already dealt with, be adopted.

**472/2002**      **MOTION not opposed, DECLARED CARRIED**      **(14-0)**

**10.4**      **CHIEF EXECUTIVE OFFICER'S REPORT**

Report of the Chief Executive Officer as at 13 November 2002

MOVED Cr Fletcher that the Report be received.

**473/2002**      **MOTION not opposed, DECLARED CARRIED**      **(14-0)**

**10.4.1 Annual Leave - CEO**

MOVED Cr Munn:

1. That Council note the Chief Executive Officer's absence on leave from 16<sup>th</sup> December 2002 to 24<sup>th</sup> January 2003, returning to work on Tuesday, 28<sup>th</sup> January 2003.
2. That the Executive Director Technical Services, Mr Andrew Bruce, be appointed Acting Chief Executive Officer, in Mr Tame's absence.

**474/2002**      **MOTION not opposed, DECLARED CARRIED**      **(14-0)**

**10.4.2 Councillors' Information Bulletin – Issue No. 22/2002**

MOVED Cr Knezevich that Council acknowledge receipt of Issue No. 22/2002 of the Information Bulletin.

**475/2002**      **MOTION not opposed, DECLARED CARRIED**      **(14-0)**

**10.4.3 Financial Report for the 4 months ended 31 October 2002**

MOVED Cr Clowes-Hollins that the Statutory Financial Report for the 4 months ended 31 October 2002, as presented at Attachment "A-1" to this report, be referred to the next Community Services Committee Meeting for assessment and review.

**476/2002**      **MOTION not opposed, DECLARED CARRIED**      **(14-0)**

**10.3.4 Proposed Staff Redundancy**

MOVED Cr Reynolds that this item be dealt with under “Matters Requiring Confidential Consideration” as this was an employee related matter.

**477/2002      MOTION not opposed, DECLARED CARRIED      (14-0)**

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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**

Cr Stubbs      That the matter of compliance issues in Champion Lakes be referred to the Development Services Committee.

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**14              MATTERS REQUIRING CONFIDENTIAL CONSIDERATION**

MOVED Cr Reynolds that the meeting be closed to members of the public and press at this juncture as there was one item of a confidential nature to be discussed relating to a Council employee.

**478/2002      MOTION not opposed, DECLARED CARRIED      (14-0)**

*Members of the public and press retired from the meeting at this juncture.  
Meeting closed to the public at 7.55pm – Mr Bruce retired from the meeting at this juncture.*

**14.1 Proposed Staff Redundancy**

MOVED Cr Hopper that:-

That the recommendations contained in the CEO's confidential report on "Proposed Redundancy - Position in Accounting Services" relating to a redundancy severance payment to an employee of over 30 years service whose position has been determined to be redundant, be adopted.

SECONDED Cr Clowes-Hollins

**479/2002**                     **MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL**                     **(14-0)**

MOVED Cr Reynolds that the meeting be opened to members of the public.

**480/2002**                     **MOTION not opposed, DECLARED CARRIED**                     **(14-0)**

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*Meeting re-opened at 8.04pm*

*As there were no members of the public in attendance there was no need for Council's resolutions on the above items to be read aloud.*

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**15**                     **CLOSURE**

*Mayor, Cr Reynolds, declared the meeting closed at 8.05 pm*

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MINUTES CONFIRMED THIS 2<sup>nd</sup> DAY OF DECEMBER 2002

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MAYOR

**City of Armadale  
Financial Report  
For The 4 Months Ended 31 October 2002**

← LAST YEAR →		← THIS YEAR →							
Actual Final	Actual YTD	Particulars	YEAR TO DATE				MONTH		
30.06.2002	31.10.2001		Adopted Annual Budget 02/03	Adopted YTD Budget 31.10.2002	Actuals YTD 31.10.2002	YTD Variance	Adopted Month Budget 02/03	Actuals Month Oct-02	Month Variance
\$	\$		\$	\$	\$	\$	\$	\$	\$
		<b>Operating Expenditures</b>							
1,337,929	432,859	Governance	1,475,299	492,766	445,339	47,427	123,192	128,490	(5,298)
216,082	64,892	General Purpose Funding	158,000	52,667	51,521	1,146	13,167	29,035	(15,868)
1,291,373	384,459	Law, Order, Public Safety	1,216,856	405,619	390,807	14,812	101,405	88,527	12,878
502,838	160,072	Health	613,291	204,430	181,053	23,377	51,108	55,155	(4,047)
610,793	153,641	Education and Welfare	1,359,250	453,063	270,464	182,619	113,271	82,173	31,098
5,395,835	1,499,157	Community Amenities	5,565,454	1,855,151	1,639,166	215,985	463,788	570,401	(106,613)
8,968,358	2,757,406	Recreation and Culture	9,603,539	3,201,180	3,124,677	78,503	800,295	923,950	(123,655)
7,008,864	2,039,392	Transport	7,306,643	2,435,548	2,061,793	373,755	608,887	714,628	(105,741)
647,065	214,068	Economic Services	718,155	239,385	201,582	37,803	59,846	74,902	(15,056)
161,222	431,332	Other Property and Services	220,364	73,455	300,741	(227,286)	18,364	81,343	(62,979)
26,140,159	8,137,278	<b>sub total</b>	28,239,851	9,413,284	8,667,143	746,141	2,353,321	2,748,604	(395,283)
		<b>LESS Operating Revenues</b>							
24,328	12,202	Governance	25,870	8,623	20,649	(12,028)	2,156	1,111	1,045
18,005,724	15,578,407	General Purpose Funding	19,037,500	16,499,187	16,499,527	(360)	106,786	107,193	1,593
755,209	180,720	Law, Order, Public Safety	376,488	125,496	93,564	31,932	31,374	48,510	(17,136)
69,415	50,384	Health	75,313	25,104	47,490	(22,386)	6,276	4,798	1,478
341,065	187	Education and Welfare	488,197	162,732	87,097	75,635	40,683	1,275	39,408
3,851,042	2,944,269	Community Amenities	4,010,698	3,141,713	3,142,504	(791)	114,591	113,727	864
832,025	266,873	Recreation and Culture	717,777	239,259	88,694	150,565	59,815	58,422	1,393
2,362,069	287,938	Transport	3,444,619	1,148,206	723,488	424,718	287,052	662,036	(374,984)
253,135	87,712	Economic Services	245,572	81,857	96,636	(16,779)	20,464	20,891	(427)
329,683	37,809	Other Property and Services	101,950	33,983	64,823	(30,840)	8,496	24,024	(15,528)
26,623,695	19,456,501	<b>sub total</b>	28,523,984	21,466,142	20,866,472	599,870	679,693	1,641,967	(362,294)
(483,536)	(11,319,223)	<b>Gain in Net Assets from Operations</b>	(284,133)	(12,052,858)	(12,199,329)	146,471	1,673,628	1,706,617	(32,989)
		<b>PLUS Other Expenses</b>							
350,059	175,733	Land and Buildings	784,650	393,902	21,857	372,045	32,825	17,881	14,944
5,274,368	1,389,961	Infrastructure Assets	8,480,157	2,234,787	1,566,267	668,520	186,232	454,348	(268,116)
2,062,148	140,031	Plant and Equipment	2,603,312	175,081	239,716	(84,635)	14,590	7,881	6,709
12,367	2,666	Office Equipment & Furniture	19,575	4,220	2,592	1,628	352	-	352
1,135,679	516,861	Loan Debture Repayments	652,390	296,937	571,427	(274,480)	24,745	-	24,745
7,950	1,930	Financial Lease Repayments	4,212	1,023	2,085	(1,062)	85	-	85
1,251,801	-	Transfers to Reserve Accounts	1,407,040	-	-	-	-	-	-
10,114,272	2,227,182	<b>sub total</b>	13,951,336	3,105,948	2,403,944	702,004	258,629	480,110	(221,281)
		<b>LESS Other Income</b>							
870,729	137,131	Sales of Plant & Equipment	790,890	124,557	128,891	(4,334)	10,380	855	9,525
15,053	7,404	Self Supporting Loan Repayments	21,083	10,370	9,967	403	864	430	434
885,782	144,535	<b>sub total</b>	811,973	134,927	138,858	(3,931)	11,244	1,285	9,958
		<b>LESS Other Funding Sources</b>							
1,348,629	-	Reserve Accounts	1,764,772	-	-	-	-	-	-
140,000	140,000	Loan Borrowings	-	-	-	-	-	-	-
861,464	861,464	Opening Balance 1 July 2002:							
2,298,250	2,298,250	- Restricted Assets	941,204	941,204	941,204	-	-	-	-
4,648,343	3,299,714	- Municipal Funds	2,455,120	2,455,120	2,444,039	11,081	-	-	-
		<b>sub total</b>	5,161,096	3,396,324	3,385,243	11,081	-	-	-
		<b>LESS Non Cash Item Adjustments</b>							
7,240,737	2,413,576	Depreciation on Assets	7,385,045	2,461,682	2,461,682	(0)	615,420	615,421	(1)
87,810	29,270	Staff Leave Expenses	97,527	32,509	32,509	-	8,127	8,127	0
(721,488)	(240,486)	Profit on Sale of Assets	(317,834)	(105,945)	(105,945)	0	(26,486)	(26,486)	(0)
6,807,059	2,202,350	<b>sub total</b>	7,164,738	2,388,246	2,388,246	-	597,062	597,062	(1)
		<b>Closing Balance 30 June 2003:</b>							
(55,328)	(55,328)	- Restricted Assets	(692,404)	(692,404)	(692,404)	-	-	-	-
		- Municipal Funds	-	-	-	-	-	-	-
(2,455,120)	(14,683,312)	<b>Total</b>	1,221,800	(14,174,003)	(15,015,328)	841,325	1,324,152	1,588,380	(264,228)