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**ORDINARY MEETING OF COUNCIL**  
**MONDAY, 26 FEBRUARY 2024**

**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, 26  
FEBRUARY 2024 AT 7.00PM.

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### 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

*To begin I would like to pay my respects to the traditional custodians of this land, the  
Whadjuk people of the Noongar nation and Elders past, present and emerging.*

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

#### PRESENT:

Her Worship, Mayor R Butterfield presided over

Deputy Mayor, Cr J Keogh	River Ward
Cr J Joy	River Ward
Cr K Kamdar	Ranford Ward
Cr S Peter JP	Ranford Ward
Cr L Sargeson	Palomino Ward
Cr P A Hetherington	Palomino Ward
Cr M J Hancock	Heron Ward
Cr C M Wielinga	Heron Ward
Cr K Busby	Minnawarra Ward
Cr G J Smith	Minnawarra Ward
Cr M Silver	Lake Ward
Cr S S Virk	Lake Ward
Cr S Stoneham	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 D'Souza	CEO's Executive Assistant

Public: Nil

#### LEAVE OF ABSENCE:

Nil

#### APOLOGIES:

Apology received from Cr S J Mosey

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

Nil

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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 Kerry Busby**

Request for leave of absence received from:

- Cr Kerry Busby for the period Wednesday 10 April to Tuesday 16 April 2024 inclusive; and
- Cr Paul Hetherington for Monday 11 March 2024.

MOVED Cr S Peter

**That Council grant leave of absence received from:**

- **Cr Kerry Busby for the period Wednesday 10 April to Tuesday 16 April 2024 inclusive (does not include an Ordinary Council Meeting); and**
- **Cr Paul Hetherington for Monday 11 March 2024 (includes 1 Ordinary Council Meeting- 11 March 2024)**

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

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Stoneham

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**6                   PETITIONS**

Nil

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**7                   CONFIRMATION OF MINUTES**

**7.1   PREVIOUS ORDINARY COUNCIL MEETING  
HELD ON 12 FEBRUARY 2024.**

MOVED Cr K Busby that the Minutes of the Ordinary Council Meeting held on 12 February 2024 be confirmed as a true and accurate record.

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

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Stoneham

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

### **1. Mayors Announcements**

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#### **Tuesday 13 February 2024**

- Attended a Metconnx BRE, Activation Artwork – Artist Shortlisting panel all day at their offices at the General Post Office in the City.

#### **Thursday 15 February 2024**

- Participated in the shortlisting of artists for the Metconnx BRE, Seventh Rd Artwork, remotely.

#### **Friday 16 February 2024**

- Attended an interview with the ABC to discuss illegal dumping of mattresses and product stewardship.

#### **Saturday 17 February 2024**

- Cr Keogh attended the Zones Championships hosted by Dale Little Athletics (Under 7 - Under 15 age groups) on my behalf.
- Attended a regular HFM radio interview with James Wray, to talk about upcoming events in the City.

#### **Sunday 18 February 2024**

- Addressed participants at the Every Woman Triathlon and started the main race, held at Champion Lakes Regatta Centre, which was sponsored by the City of Armadale.

#### **Tuesday 20 February 2024**

- Attended an announcement with Tanya Plibersek, Minister for Environment and Water; Sam Lim MP, Member for Tangney and Zaneta Mascarenhas MP, Member for Swan, for Rivers Funding at the SERCUL office. South East Corridor Council Mayor's were also there – Mayor Teresa Lynes, City of Gosnells, Mayor Karen Vernon, Town of Victoria Park and Mayor Patrick Hall, City of Canning.
- Attended a briefing prior to the South East Metro Zone meeting along with Cr Silver.

#### **Wednesday 21 February 2024**

- Attended the South East Metro Zone meeting with Cr Silver and the CEO, hosted by the City of Armadale.

#### **Thursday 22 February 2024**

- Attended a meeting with the CEO and Shadow Minister Donna Faragher MLC, Member for East Metropolitan to discuss local issues.
- Presided over two citizenship ceremonies which welcomed 100 new citizens. Shadow Minister Donna Faragher MLC and Minister Dr Brian Walker MLC attended. Cr's Smith, Peter, Sargeson also attended the ceremonies.

#### **Friday 23 February 2024**

- Attended a meeting with the CEO and Yaz Mubarakai MLA, Member for Jandakot to discuss local issues.

#### **Saturday 24 February 2024**

- Cr Smith, Cr Hetherington and myself attended a luncheon at the Armadale RSL.

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**Sunday 25 February 2024**

- Cr Keogh attended the Shivajayanti Festival at the Kelmscott Hall on my behalf.

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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 CORPORATE SERVICES COMMITTEE MEETING**

Report of the Corporate Services Committee held on 20 February 2024.

MOVED Cr S Peter that the report be received.

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

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington,  
Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Stoneham

**BUSINESS ARISING FROM REPORT**

Recommendation CS1/2/24 - List of Accounts Paid - December 2023

MOVED Cr S Peter

**That Council note the List of Accounts paid as presented in the attachment to this report and summarised as follows:**

**Municipal Fund**

**Accounts paid totaling \$14,928,806.72 on cheque numbers 297 to 308, transactions 15303 to 16069 and Payrolls dated 10 December and 24 December 2023.**

**Credit Cards**

**Accounts paid totalling \$5,781.31 for the period ended 31 December 2023.**

**Fuel Cards**

**Accounts paid totalling \$4,268.66 for the month ended 15 December 2023.**

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

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington,  
Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Stoneham

Recommendation CS2/2/24 - Statement of Financial Activity - December 2023

MOVED Cr S Peter

**That Council:**

- 1. Pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* accept the Statement of Financial Activity for the sixth (6) month period ended 31 December 2023.**

- 2. Note that there are reportable actual to budget material variances for the period and this report is preliminary only for the end of December 2023.**

**MOTION DECLARED CARRIED BY AN ABSOLUTE  
MAJORITY RESOLUTION OF COUNCIL**

**(14/0)**

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington,  
Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Stoneham

**Recommendation CS3/2/24 - Long Term Financial Plan (LTFP): 2025-2044**

**Committee Recommendation**

That Council adopt the Long Term Financial Plan FY25-FY44 with the following changes:

- i) the Gwynne Park construction project of \$7,433,000 being brought forward from FY27 to FY26 in the Capital Investment (key projects) program, with associated funding sources;
- ii) the Forrestdale Hall construction project of \$6,532,700 being brought forward from FY29 to FY26 with associated funding sources; and
- iii) the Hilbert District Hall construction project of \$10,400,000 be moved from FY26 to FY27 with associated funding sources

MOVED Cr S Peter, SECONDED Cr K Kamdar  
OPPOSED Cr C M Wielinga

That Council adopt the Long Term Financial Plan FY25-FY44.

**MOTION LOST**

**(5/9)**

FOR: Cr Peter, Cr Kamdar, Cr Joy, Cr Sargeson, Cr Silver  
AGAINST: Cr Wielinga, Mayor Butterfield, Cr Keogh, Cr Hetherington, Cr Hancock, Cr Busby, Cr Smith  
Cr Virk, Cr Stoneham

MOVED Cr K Busby, SECONDED Cr J Keogh  
OPPOSED Cr S Peter

**That Council adopt the Long Term Financial Plan FY25-FY44 with the following changes:**

- i) **the Gwynne Park construction project of \$7,433,000 being brought forward from FY27 to FY26 in the Capital Investment (key projects) program, with associated funding sources;**
- ii) **the Hilbert District Hall construction project of \$10,400,000 be moved from FY26 to FY27 with associated funding sources and**
- iii) **Increasing the provision in FY26 for the Central Park project by \$5 million, from \$10 million to \$15 million, with a corresponding increase of \$5 million in the State/Commonwealth grant funding component from \$6 million to \$11 million.**

**MOTION CARRIED**

**(11/3)**

FOR: Cr Wielinga, Mayor Butterfield, Cr Keogh, Cr Hetherington, Cr Hancock, Cr Busby, Cr Smith  
Cr Stoneham, Cr Joy, Cr Sargeson, Cr Silver  
AGAINST: Cr Peter, Cr Kamdar, Cr Virk

Recommendation CS4/2/24 - Review of Code of Conduct Behaviour Complaints Handling Policy

MOVED Cr J Keogh , SECONDED Cr C M Wielinga  
OPPOSED Cr K Busby

That Council refer the policy ‘Code of Conduct Behaviour Complaints Handling’ to SOHAG for more detailed consideration of the changes.

**MOTION LOST**

**(2/12)**

FOR: Cr Keogh, Cr Joy  
AGAINST: Cr Wielinga, Mayor Butterfield, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Hancock, Cr Busby, Cr Smith, Cr Silver, Cr Virk, Cr Stoneham

MOVED Cr S Peter

**That Council accept the amendments to the policy ‘Code of Conduct Behaviour Complaints Handling’ as detailed in the attachment.**

**MOTION not opposed, DECLARED CARRIED**

**(14/0)**

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Stoneham

Recommendation CS5/2/24 - Amendment to Code of Conduct for Council Members, Committee Members and Candidates

MOVED Cr S Peter

**That Council:**

- 1. Amend the Code of Conduct for Council Members, Committee Members and Candidates by deleting clause 5.4.**
- 2. Renumber all subsequent clauses of Part 5 of the Code as a consequence of the deletion of clause 5.4.**
- 3. Request a full review of the Code by December 2024.**

**MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION OF COUNCIL**

**(14/0)**

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Stoneham



Recommendation CS6/2/24 - Committee Meetings Venue (Referral Item)

MOVED Cr L Sargeson, SECONDED Cr M Silver  
OPPOSED Cr K Busby

That Council refer the matter back to Committee for further consideration of the alternate motion that during the summer months the standing committee meetings, be held in the function room of the City administration building.

**MOTION LOST (5/9)**

FOR: Cr Sargeson, Cr Kamdar, Cr Peter, Cr Silver, Cr Virk  
AGAINST: Mayor Butterfield, Cr Keogh, Cr Joy, Cr Hetherington, Cr Hancock, Cr Wielinga, Cr Busby, Cr Smith, Cr Stoneham

MOVED Cr S Stoneham

**That Council note the Officer's Comment.**

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

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Stoneham

Recommendation CS7/2/24 - Diploma Training for Councillors (Referral Item)

Moved Cr L Sargeson, SECONDED Cr S Peter  
OPPOSED Cr K Busby

That Council refer the matter back to Committee for further consideration of the alternate motion that Council recommend the Mayor and Deputy Mayor positions complete the WALGA local government diploma as industry and best management practice.

**MOTION LOST (2/12)**

FOR: Cr Sargeson, Cr Peter  
AGAINST: Mayor Butterfield, Cr Keogh, Cr Joy, Cr Kamdar, Cr Hetherington, Cr Hancock, Cr Wielinga, Cr Busby, Cr Smith, Cr Silver, Cr Virk, Cr Stoneham

MOVED Cr S Stoneham

**That Council note the Officer's Comment.**

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

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington, Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Stoneham

*At this juncture of the meeting, Cr Busby indicated his intention to move a procedural motion (Clause 11.1(a) of the City's Standing Orders) that Council proceed to the next business. However, this procedural motion was not put as the motion below was then moved by Cr Sargeson.*

Recommendation CS8/2/24 - Prayer Before Meetings (Referral Item)

MOVED Cr P A Hetherington, SECONDED Cr S Stoneham  
OPPOSED Cr J Joy

**That Council note the officer's comment.**

**MOTION DECLARED CARRIED (10/4)**

FOR: Mayor Butterfield, Cr Hetherington, Cr Kamdar, Cr Peter, Cr Hancock, Cr Wielinga, Cr Smith  
Cr Silver, Cr Virk, Cr Stoneham  
AGAINST: Cr Joy, Cr Busby, Cr Sargeson, Cr Keogh

Recommendation CS9/2/24 - Councillor Committee Attendance Records (Referral Item)

MOVED Cr L Sargeson,  
OPPOSED Cr M Silver

That Council refer the matter back to Committee for further consideration of the alternate motion that Councillor City Standing Committees attendance be recorded "live" throughout the year.

**MOTION LAPSED FOR WANT OF A SECONDER.**

MOVED Cr M Silver

**That Council note the Officer Comment.**

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

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington,  
Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Stoneham

Recommendation CS10/2/24 - Use of Social Media by Councillors (Referral Item)

MOVED Cr S Peter

**That Council note the Officer's Comment that the updated policy will be presented to SOHAG.**

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

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington,  
Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Stoneham

Recommendation CS11/2/24 - Proposed Strategy for Employees (Referral Item)

MOVED L Sargeson

OPPOSED Cr M Hancock

That Council refer the matter back to Committee for further consideration of the alternate motion that the matter for Proposed training strategy to benefit employees.

**MOTION LAPSED FOR WANT OF A SECONDER.**

MOVED Cr S Peter

**That Council note the Officer Comment.**

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

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington,  
Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Stoneham

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

MOVED Cr S Peter that the report be received.

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

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington,  
Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Stoneham

**BUSINESS ARISING FROM REPORT**

Recommendation CEO5/2/24 - Councillors Information Bulletin - Issue No 2/2024

MOVED Cr S Peter

**That Council acknowledge receipt of Issue 2/2024 of the Information Bulletin**

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

FOR: Mayor Butterfield, Cr Joy, Cr Keogh, Cr Kamdar, Cr Peter, Cr Sargeson, Cr Hetherington,  
Cr Wielinga, Cr Hancock, Cr Smith, Cr Busby, Cr Silver, Cr Virk, Cr Stoneham

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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 Committee Room - IT Set-up** (Cr Kerry Busby)

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That the matter of a timeframe and as to what is needed to get the technology fixed in the Committee Room be referred to the Corporate Services Committee.

**2 Homelessness in the City** (Cr Jiby Joy)

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That the matter of homelessness in the City 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 8.30pm*

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MINUTES CONFIRMED THIS 11 MARCH 2024

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MAYOR