



ORDINARY MEETING OF COUNCIL
MONDAY, 27 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, 27
MARCH 2023 AT 7.00PM.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

PRESENT:

Mayor, Cr R Butterfield
presided over

River Ward

Deputy Mayor, Cr K Busby
Cr J Keogh
Cr K Kamdar
Cr S Peter JP
Cr M S Northcott
Cr P A Hetherington
Cr G J Smith
Cr M Silver
Cr S S Virk
Cr G Nixon
Cr S J Mosey

Minnawarra Ward
River Ward
Ranford Ward
Ranford Ward
Palomino Ward
Palomino Ward
Minnawarra Ward
Lake Ward
Lake Ward
Hills Ward
Hills Ward

IN ATTENDANCE:

Mr P Sanders	A/Chief Executive Officer
Mr J Lyon	Executive Director Corporate 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: 6

LEAVE OF ABSENCE:

Leave of Absence previously granted to Cr E J Flynn and Cr M J Hancock

APOLOGIES:

Nil

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

Nil

4 PUBLIC QUESTION TIME

1 Adam Marshall - 121 Clifton Street, Kelmscott

- Q1 To facilitate a larger team and sales growth we need a facility that protects us from the elements, is easily adaptable for new people, and houses more products. Is it possible to allow Better Beans Coffee to install a facility that meets these needs? We can for example construct a sea container to drop in and utilise the services already planned for by the council without significant alteration to the proposed service provision.

Mayor: *The City has not received any proposal for a commercial coffee outlet as part of a redeveloped Forrestdale Community Hub.*

William Skeet Oval is located on a Crown Reserve vested in the City for "Recreation" purposes. The City does not have powers to lease the land for commercial purposes for a permanent operation. It is noted that there is land nearby zoned Local Centre at 12 Anstey Road and Lot 457 Dumsday Drive, Forrestdale, where such a use could be considered, if the operator did not wish to continue with the current arrangements of a trading permit in the car park.

2 Phil Davey - 12 Lenore Street, Roleystone

- Q1 On Brookton Highway on the way up to Roleystone there is the new digital fire sign which does not appear to advise on fire danger ratings but instead refers people to the emergency gov website for this information. Is there any information about what is happening with that sign?

Mayor I saw it working the other day but have not seen this message. It will be investigated and a response provided in writing.

- Q2 It is good to see the ground works begun for the new fire station up at Roleystone Karragullen. Can please I ask what is the total area metres squared that is being cleared for the new fire station?

Can we confirm how much natural vegetation and tree canopy was removed during the land clearing process in line to do with the Urban Forest Strategy from CoA. Was there any report tabled of land to be cleared and the impact of the loss of vegetation to be incurred for Councillor discussion and approval?

Mayor *Council did approve the footprint as far as I know but am not quite sure whether the works on the ground required more to be done or if that footprint is the original footprint. We can find out that detail and get back to you.*
The question will be taken on notice and a response provided in writing.

3 Veronica Hansen - 8 Protector Grove, Roleystone

Q1 Can you please confirm if Wymond Road is closed in its entirety from Soldiers Road thru to Old Albany Lane as per the signage that's down at the corner of Soldiers Road and Wymond?

Mayor As far as I am aware it is closed at the junction between Old Albany Lane and Wymond Road.

Q2 So that means it is not the entire road then?

Mayor The entire road is not closed. I guess perhaps that the signage is to indicate to passersby not from the area that they can't get through, i.e. a no-through road.

Q3 There is also a separate no-through road sign about a metre or 2 past that one. Would that mean then that, that road closed sign is redundant if the road is not closed?

Mayor I think given the history of the road that, in this particular instance, the extra signage was desired at the time and it is still relevant.

Q4 Great to see that we have now got a date for the electors meeting for 2023. I did raise a question regarding live streaming at the last electors meeting. Kalamunda and Gosnells currently use live streaming. When will live streaming be coming through to Armadale?

Mayor We have approved a budget for live streaming of our Council meetings and I believe we are procuring the equipment to be able to do that.

Q5 Do we have any indication when that might be enacted?

Mayor No I don't but the Executive Director Corporate Services (EDCorpS) can advise.

EDCorpS advised that the City has most of the equipment and are just waiting on a few control points as supplies have been a bit delayed. We are targeting to go live by June.

Question time closed at 7.09pm

5 APPLICATIONS FOR LEAVE OF ABSENCE

1 Request for Leave of Absence (Cr Scott Mosey)

Request for leave of absence received from Cr Scott Mosey for the period 14 April to 25 April 2023, inclusive.

MOVED Cr M S Northcott

That Council approve leave of absence to Cr Scott Mosey for the period 14 April to 25 April 2023, inclusive (includes 1 Ordinary Council meeting – 24 April 2023).

MOTION not opposed, DECLARED CARRIED

(12/0)

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING HELD ON 13 MARCH 2023.

MOVED Cr M S Northcott that the Minutes of the Ordinary Council Meeting held on 13 March 2023 be confirmed as a true and accurate record.

MOTION not opposed, DECLARED CARRIED (12/0)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1. Mayors Announcements

Tuesday 14 – Saturday 18 March 2023

Visited Melbourne with other Mayors and staff from the South East Corridor Councils Alliance to research elevated rail projects. The visit was particularly valuable because it gave the opportunity to see the size and scale of what Armadale will be experiencing in the near future. We were able to see examples of public open space which had been created as a result of elevating the rail lines. Some of this space was well thought out and well utilized, other space was a burden for the local government which ultimately had to manage and maintain it.

Saturday 18th March 2023

Attended the Malayali Association Prayanam 2023 celebration at the Kelmscott Hall. Hugh Jones MLA and Councillor Peter were also in attendance.

Monday 20 March 2023

Attended a regular meeting with the CEO to discuss local issues.

Tuesday 21 March 2023

Met with a local café owner and shopping centre managers, on site, to discuss options for an alfresco area for a new café. The Executive Director of Development Services was also in attendance.

Wednesday 22 March 2023

Hosted two groups of Year 3's from Dale Christian College in the Chambers to discuss a day in the life of a Mayor and what Local Government does.

Thursday 23 March 2023

Hosted 4 Citizenship Ceremonies which welcomed 120 new citizens. Yaz Mubarakai MLA, Member for Jandakot and Parliamentary Secretary to the Minister for Finance; Aboriginal Affairs; Racing and Gaming; Citizenship and Multicultural Interests attended, along with Cr Peter and Cr Smith.

Friday 24 March 2023

Cr Paul Hetherington attended the launch of the Australian Rowing Championships media event on my behalf. The championships will be held at our Champion Lakes Regatta. Attended the launch of the Early Years Partnership at the Champion Centre where the Minister for Early Childhood Education, the Hon Sabine Winton MLA spoke about the Early Years Partnership for Armadale West. The Hon Matt Keogh MP, Member for Burt and Minister for Veterans' Affairs and Defence Personnel also spoke at the event. The Early

Years Partnership is a program which involves the three levels of government working with the community to help give targeted and tailored support to families with young children who are at risk of disengaging from education and who have complex needs.

Hosted the Dale Christian College Year 4's in the Chambers to learn about Local Government.

Saturday 25 March 2023

Attended the School of Malayalam, Harmony Week Celebration held at Rossiter Pavilion in Piara Waters. Councillors Virk, Smith, Peter and Silver also attended, along with Yaz Mubarakai MLA, Dr Jags Krishnan MLA, and the Indian Consul General.

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

Nil

10 REPORTS

10.1 CITY AUDIT COMMITTEE MEETING

Report of the City Audit Committee held on 16 March 2023.

MOVED Cr G J Smith that the report be received.

MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation CA1/3/23 - 2021/22 Financial Report and Auditors Report

MOVED Cr M S Northcott

That Council:

1. in accordance with section 5.54 of the *Local Government Act 1995*, accept* for inclusion in the City's 2021/22 Annual Report, the Annual Financial Report and Auditor's Independent Audit Report for the financial year ended 30 June 2022 as presented; and
2. accept the 2022 Audit Completion report as presented.

ABSOLUTE MAJORITY RESOLUTION REQUIRED

**MOTION DECLARED CARRIED BY AN ABSOLUTE
MAJORITY RESOLUTION OF COUNCIL (12/0)**

Recommendation CA2/3/23 - 2022 Compliance Audit Return

MOVED Cr G J Smith

That Council:

- 1. Adopt the Compliance Audit Return (CAR) for the 2022 calendar year presented as an attachment.**
- 2. Acknowledge that the 2022 Compliance Audit Return presented as an attachment will be subsequently jointly certified by the Mayor and Chief Executive Officer for submission to the Department of Local Government, Sport and Cultural Industries.**

MOTION not opposed, DECLARED CARRIED

(12/0)

Recommendation CA3/3/23 - CEO's Report on Audit Regulation 17

MOVED Cr S J Mosey, SECONDED Cr G Nixon

OPPOSED Cr R Butterfield

That part (3) of Recommendation CA3/3/23 be amended as follows:

- 3. Considers an allocation of funds to the City's Risk and Governance Improvement Program as part of the FY25 Annual Budget deliberations.**

AMENDMENT LOST

(5-7)

MOVED Cr R Butterfield

That part (3) of Recommendation CA3/3/23 be amended as follows:

- 3. Considers an allocation of funds to the City's Risk and Governance Improvement Program as part of the FY24 Annual Budget deliberations.**

AMENDMENT not opposed, DECLARED CARRIED

(12/0)

MOVED Cr R Butterfield that Recommendation CA3/3/23, as amended, be adopted.

That Council:

- 1. Note the report from Moore Australia on the review of the Local Government (Audit) Regulation 17.**
- 2. Seek an update on the improvement roadmap to be provided to the next City Audit Committee.**
- 3. Considers an allocation of funds to the City's Risk and Governance Improvement Program as part of the FY24 Annual Budget deliberations.**

MOTION not opposed, DECLARED CARRIED

(12/0)

10.2 DEVELOPMENT SERVICES COMMITTEE MEETING

Report of the Development Services Committee held on 20 March 2023.

MOVED Cr S J Mosey that the report be received.

MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation D5/3/23 - Proposed Closure of Right of Way - Lot 66 Peet Road, Roleystone

MOVED Cr S J Mosey

That Council:

- 1. Authorises a request being made to the Minister for Lands pursuant to Section 87 of the *Land Administration Act 1997* for the permanent closure of the full portion of Right of Way as identified on the attached Location Plan, subject to the land being amalgamated with the adjoining landholding(s) Lot 3 (No.243) Peet Road and/or Lot 2 (No.1) Raeburn Road, Roleystone and any further costs incurred by the City being met by the applicant.**
- 2. Advises the applicant and abutting landowners and submitters of its decision.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation D6/3/23 - Armadale City Centre Public Realm Strategy Stage 1

MOVED Cr S J Mosey

That Council:

- 1. Adopts the Armadale City Centre Public Realm Strategy Stage 1, subject to the Schedule of Modifications attached.**
- 2. Requests that Budget Proposals to implement Stage 1 of the Public Realm Strategy be prepared for future consideration of Council.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation D7/3/23 - Public Realm Strategies - Hilbert and Harrisdale District Centres (Councillor Referral Item)

MOVED Cr S Peter

~~**That Council note the report.**~~

That Council recommit the item to the next DSC pending further information regarding budgetary impact.

MOTION not opposed, DECLARED CARRIED (12/0)

10.3 CORPORATE SERVICES COMMITTEE MEETING

Report of the Corporate Services Committee held on 21 March 2023.

MOVED Cr K Busby that the report be received.

MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation CS3/3/23 - List of Accounts Paid - January 2023

MOVED Cr K Busby

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

Municipal Fund

Accounts paid totalling \$10,407,605.52 on transactions 4923 to 5634 and Payrolls dated 8 January and 22 January 2023.

Credit Card

Accounts Paid totalling \$7,168.64 for the period ended January 2023.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation CS4/3/23 - Statement of Financial Activity - January 2023

MOVED Cr K Busby, SECONDED Cr M Northcott

OPPOSED Cr S Peter

That Council

- 1. pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* (Financial Activity Statement Report) accept the Statement of Financial Activity for the seven (7) month period ended 31 January 2023; and:**
 - i. Note that there are reportable actual to budget material variances for the period**
 - ii. Note the \$92.07 small rates debts written off under Primary Delegation 1.0 and Secondary Delegation CORPS 1.1.**
- 2. Request the Mayor to meet with the Mayor of the City of Gosnells, the Member for Armadale, the Federal Member for Burt and the Minister for Transport to progress the Principal Shared Path design within the railway corridor in Kelmscott.**

MOTION not opposed, DECLARED CARRIED (11/1)

Recommendation CS5/3/23 - Strategic Community Plan 2020 - 2030 Minor Review

MOVED Cr K Busby

That Council adopt the minor review of the Strategic Community Plan 2020 – 2030.

ABSOLUTE MAJORITY RESOLUTION REQUIRED

**MOTION DECLARED CARRIED BY AN ABSOLUTE
MAJORITY RESOLUTION OF COUNCIL (12/0)**

Recommendation CS6/3/23 - 2023 Ordinary Council Elections

MOVED Cr K Busby

That Council:

- 1. *In accordance with section 4.20(4) of the *Local Government Act 1995* the Western Australian Electoral Commissioner to be responsible for the conduct of the 2023 City of Armadale ordinary elections together with any other elections or polls which may also be required between this resolution date and the 2025 ordinary elections.**
- 2. *In accordance with 4.61(2) of the *Local Government Act 1995* all elections and polls are referred to in part (1) to be conducted on a postal basis.**
- 3. Instruct that the priority postal service be selected.**
- 4. Request the CEO to write to the WAEC to receive greater transparency on election costs in particular:
 - a. Increases arising from inflation affecting Staff costs**
 - b. Printing, packaging and posting costs.****
- 5. Request a further report on the cost effectiveness of in person vs postal voting.**

***ABSOLUTE MAJORITY RESOLUTION REQUIRED**

**MOTION DECLARED CARRIED BY AN ABSOLUTE
MAJORITY RESOLUTION OF COUNCIL (12/0)**

Recommendation CS7/3/23 - National General Assembly of Local Government: 13-16 June 2023 (Canberra)

MOVED Cr K Busby

That Council nominate the Mayor, Cr R Butterfield to attend as the Council's delegate at the 2023 National General Assembly of Local Government to be held in Canberra from 13 to 16 June 2023.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation CS8/3/23 - Security Incentive Scheme (Referral Item)

MOVED Cr S Peter, SECONDED Cr M Silver
OPPOSED Cr G Nixon

That Council receive a further report on the additional allocation of \$150,000 to be provisioned for the Security Incentive Scheme, taking the total amount provisioned to \$175,000, such that funding may be considered in the FY24 budget deliberations.

MOTION LOST (2-10)

MOVED Cr K Busby, SECONDED Cr G Nixon
OPPOSED Cr S Peter

That Council note the report and consider the allocation of funding in the FY24 budget deliberations.

MOTION DECLARED CARRIED (10/2)

At Cr Peter's request, it is recorded that Cr Peter voted against this Resolution

Recommendation CS9/3/23 - Councillor Biographies (Referral Item)

MOVED Cr K Busby

That the Councillor information page on the City's website be updated to include the additional information as below:

- **Length of service of each Councillor**
- **The Council-appointed or nominated roles that Councillors serve on for City Standing Committees; and for committees, groups and panels of other external organisations.**

MOTION not opposed, DECLARED CARRIED (12/0)

10.4 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 (12/0)

BUSINESS ARISING FROM REPORT

Recommendation CEO3/3/23 - Tender 25/22 - Piara Waters Library Construction

MEETING CLOSED TO PUBLIC

MOVED Cr S Mosey

That the meeting be closed to members of the public as the matter is considered to be confidential under Section 5.23(2) (c) of the Local Government Act, as the matter relates to a contract entered into or which may be entered into by the City of Armadale.

Motion Carried (12/0)
Meeting declared closed at 7.57pm
Members of the public left the meeting.

MOVED Cr M Silver that Standing Orders be suspended (Clause 9.5-Limitation of Number of Speeches and 9.6-Limitation of Duration of Speeches).
Motion Carried (12/0)

Council discussed the Evaluation Summary Report.

MOVED Cr M Silver that Standing Orders be resumed (Clause 9.5-Limitation of Number of Speeches and 9.6-Limitation of Duration of Speeches).
Motion Carried (12/0)

MOVED Cr Silver

That Council, in regard to Tender 25/22 for Piara Waters Library Construction, adopt the recommendation within Confidential Attachment 2, i.e..

That Council, in regard to Tender 25/22 for Piara Waters Library Construction:

- 1. Accept the tender from Geared Construction Pty Ltd in accordance with:**
 - The Tenderer's Price Schedule as presented at Confidential Attachment 1**
 - Approve the CEO to commence minor variations before contract entry and execute the contract;**
 - Council's contract documentation, Budget and Long Term Financial Plan estimates.**
- 2. Revise the Piara Waters Library Project Budget by:**
 - Increase the Project Cost by \$760,000**
 - Increase the Project Funding from Future Projects reserve by \$760,000**
- 3. Further review the Piara Waters Library Project once details of the 4 Grant conditions are confirmed.**

ABSOLUTE MAJORITY RESOLUTION REQUIRED (Part 2)

**MOTION DECLARED CARRIED BY AN ABSOLUTE
MAJORITY RESOLUTION OF COUNCIL (12/0)**

MEETING OPENED TO PUBLIC

MOVED Cr S Mosey
That the meeting be opened to members of the public.
Motion Carried (12/0)
Meeting declared open at 8.22pm

Recommendation CEO4/3/23 - Annual General Meeting of Electors 2021/2022 and Annual Report 2021/2022

MOVED Cr Northcott

That Council:

- 1. Pursuant to section 5.54 of the *Local Government Act 1995**, accept the 2021/22 Annual Report (as amended) for the year ending 30 June 2022, as presented in the attachment to this report*; and**
- 2. Pursuant to section 5.27 of the *Local Government Act 1995*, hold the Annual General Meeting of Electors on Wednesday 12 April 2023 at 7pm in the Function Room at Council's Administration Centre, 7 Orchard Avenue, Armadale.**

ABSOLUTE MAJORITY RESOLUTION REQUIRED

**MOTION DECLARED CARRIED BY AN ABSOLUTE
MAJORITY RESOLUTION OF COUNCIL (12/0)**

Recommendation CEO5/3/23 - Councillors Information Bulletin - Issue No 4/2023

MOVED Cr G J Smith

That Council acknowledge receipt of Issue4/2023 of the Information Bulletin

MOTION not opposed, DECLARED CARRIED (12/0)

11	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
	Nil

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

13	MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION
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1 Removal of large Canopy Trees – Development Approval (Cr Grant Nixon)

That the matter of the requirement to obtain development approval of large canopy trees on [private land in low residential density areas be referred to the Development Services Committee.

2 Waste Strategy and FOGO (Cr Scott Mosey)

That the matter of an update on the City's Waste Strategy and the implementation of FOGO be referred to the Technical Services Committee.

2 International Yogo Day (Cr Keyur Kamdar)

That the matter of celebrating International Yoga Day in June be referred to the Community Services Committee.

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Butterfield, declared the meeting closed at 8.30pm

MINUTES CONFIRMED THIS 24 APRIL 2023

MAYOR