

ORDINARY MEETING OF COUNCIL
MONDAY, 28 JUNE 2021

MINUTES

CONTENTS

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	3
2	RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE.....	3
3	ADVICE OF RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	4
4	PUBLIC QUESTION TIME	4
	4.1 QUESTIONS RELATING TO THE ROLEYSTONE VOLUNTEER FIRE BRIGADE.....	4
5	APPLICATIONS FOR LEAVE OF ABSENCE	8
6	PETITIONS	8
	NIL	8
7	CONFIRMATION OF MINUTES	9
	MINUTES OF ORDINARY COUNCIL MEETING HELD ON 14 JUNE 2021	9
8	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION.....	9
	1 MAYOR'S ANNOUNCEMENTS	9
9	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN – WITHOUT DISCUSSION	10
10	REPORTS	10
	10.1 DEVELOPMENT SERVICES COMMITTEE MEETING - 21 JUNE 2021	10
	10.1.1 ROAD RENAMING - KEANE ROAD, FORRESTDAL (1.1).....	10
	10.1.2 DEVELOPMENT CONTRIBUTION PLAN 3 - INFRASTRUCTURE COST SCHEDULE REVIEW 2021 - FINAL ADOPTION (2.1)	11
	10.1.3 PROPOSED MINOR AMENDMENTS TO LOCAL PLANNING POLICY PLN 3.4 – OUTBUILDINGS & PLN 3.10 - RESIDENTIAL DESIGN CODES VARIATIONS & R-MD CODES (2.2)	11
	10.1.4 DEVELOPMENT SERVICES DIRECTORATE 2021/22 DRAFT BUDGET (4.2).....	12
	10.2 CORPORATE SERVICES COMMITTEE MEETING - 22 JUNE 2021	12
	10.2.1 ROLEYSTONE VOLUNTEER BUSH FIRE BRIGADE (3.2).....	13
	10.2.2 LIST OF ACCOUNTS PAID - APRIL 2021 (1.1).....	13
	10.2.3 KELMSCOTT DISTRICT TOWN CENTRE SAR B UPDATE (1.2).....	14
	10.2.4 ADOPTION OF VALUE FOR REPORTING MATERIAL VARIANCES (1.3).....	14
	10.2.5 PROPOSED DIFFERENTIAL RATES 2021/22 BUDGET YEAR (1.4).....	15
	10.2.6 STATEMENT OF FINANCIAL ACTIVITY - APRIL 2021 (1.5).....	15

10.2.7	ANNUAL BUDGET CORPORATE SERVICES DIRECTORATE (1.6)	16
10.2.8	ANNUAL BUDGET CEO DIRECTORATE (1.7)	16
10.2.9	JULL STREET MALL (2.1)	17
10.2.10	REVIEW OF POLICIES AND DELEGATIONS TO THE CEO - VARIOUS (3.1)	18
10.3	CHIEF EXECUTIVE OFFICER'S REPORT - 28 JUNE 2021	18
10.3.1	COUNCILLORS INFORMATION BULLETIN - ISSUE NO 8/2021 (1.1)	18
10.3.2	CONTRACT OF EMPLOYMENT - SENIOR EMPLOYEE (1.2)	19
11	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	19
12	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION	20
	NIL	20
13	MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION	20
13.1	LIVESTREAMING OF MEETINGS	20
14	MATTERS REQUIRING CONFIDENTIAL CONSIDERATION	20
	NIL	20
15	CLOSURE	20

CITY OF ARMADALE

MINUTES

OF ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 28
JUNE 2021 AT 7.00PM.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor, Cr Butterfield, declared the meeting open at 7.00pm and acknowledged the traditional custodians of this land, the Whadjuk people of the Noongar nation and Elders past, present and emerging.

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

PRESENT:

Mayor, Cr R Butterfield presided over	River Ward
Deputy Mayor, Cr C Frost	Lake Ward
Cr J H Munn CMC	Ranford Ward
Cr S Peter JP	Ranford Ward
Cr M S Northcott	Palomino Ward
Cr C A Campbell JP	Palomino Ward
Cr D M Shaw	Heron Ward
Cr G J Smith	Minnawarra Ward
Cr K Busby	Minnawarra Ward
Cr M Silver	Lake Ward
Cr G Nixon	Hills Ward
Cr C M Wielinga	Hills Ward

IN ATTENDANCE:

Ms J Abbiss	Chief Executive Officer
Mr M Hnatojko	Executive Manager Corporate Services
Mr A Beales	A/Executive Director Development Services
Mr T Naude	Executive Manager Technical Services
Mr N Kegie	A/Executive Director Community Services
Mrs S D'Souza	CEO's Executive Assistant
Ms M Todd	Manager Governance & Administration
Ms L Jarosz	Executive Assistant to ED Community Services (7-8.39pm)
Mr R Porter	Manager Ranger & Emergency Services (7-8.39pm)
Mr D Cole	Chief Bushfire Control Officer (7-8.39pm)

Public: 16

Press: Nil

LEAVE OF ABSENCE:

Leave of Absence previously granted to Cr E J Flynn

APOLOGIES:

Nil

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

Nil

4 PUBLIC QUESTION TIME

4.1 Questions relating to the Roleystone Volunteer Fire Brigade

Linda Moore – 1 Taree Place, Roleystone

I am owner and editor of the Roleystone Courier and my family has been in the area since 1894. I have done enormous research and for the people of the Hills ward fires are a real and present danger and part of our life. I will sleep better if both the Roleystone brigades come under the auspices of DFES because fires are their core business. Can Council make that decision?

Mayor: Councillors are well aware of the issues and will make those decisions on the best information we have available before us.

Phil Davy – 12 Lenore Street, Roleystone

I note that there is a recommendation voted unanimously by 6 Councillors to defer consideration of the RVFB matter. However, I am concerned to hear that there may be a possible motion to negate this recommendation. Is this true?

Mayor: The report is on the agenda for the meeting tonight and it is open to Councillors to put a motion to change recommendations on any of the items on the agenda. Committees make recommendations but the final decision is made at Council meetings.

Scott Baker – 10 Lobelia Street, Roleystone

Can the City please explain why it feels the RVFB has outgrown its current footprint when plans have not been officially submitted and that any proposal would benefit both organisations in a projection of carcinogens?

CEO: Though formal plans have not been lodged at this time there has been extensive discussions with City officers in regard to the future plans and needs for expansion on the current site. The plans have to come from DFES as the lessees for the building.

Stephen Baker – 9 Hawkston Road, Roleystone

Q1. The question of not renewing the lease for DFES. Where did that decision actually come from?

Mayor: The decision has not been made and is on the agenda for Council tonight.

Q2. Can you tell me why our 2 Hills representatives have never been to the Fire station at all in 5 years?

Mayor: Sorry I can't answer on their behalf and not sure if that is true.

Steven Daly – 78 Tyers Road, Roleystone

Are you aware if and when the brigade is handed to DFES that no service will change to the residents and to the City regarding the services that the Roleystone Fire Brigade will provide? We will still attend all the community events and still put out fires and we will still go beyond any boundaries that DFES determine and the service will probably be improved under a DFES structure.

Mayor: Council will take your comment and question on board when making a decision.

Taylor Cowper – 9 Tolarno Bend, Harrisdale

Q1 Why was there no consultation done with any volunteers at the RVFB in this whole situation.

Mayor: Consultation has a different meaning to different people. The way that local Government uses consultation sometimes does not equate to what the community expects as consultation. Our communication with the brigade has been running over some time trying to resolve issues expressed by the brigade. A survey was conducted with both brigades and confidential responses highlighted that there were issues that needed to be worked through. This was done through a couple of facilitated workshops with brigade management, CEO, senior officers, myself and one of the Hills ward members. We endeavoured to go through a fairly structured process to find out what the issues were and to go forward with some solutions. The third workshop was unfortunately delayed and hence the matters were not yet resolved.

Q2. Following the consultation was that outcome then given to the Brigade or did they have to find out through other means?

Mayor: The survey was confidential to identify what the issues were and workshops were facilitated to try and resolve these issues. Unfortunately before the third workshop could be organized and an outcome reached, the City received a letter from the brigade indicating they wanted both brigades to go over to DFES.

Seth Hendricks – 81 Riva Entrance, Piara Waters

There seems to be a lot of uncertainty as to where the volunteers will report to if it goes forward. If a motion is put forward and approved will Council be able to ensure all emergency calls are dealt with promptly and if not who will take responsibility for any potential threat to lives or property this may cause not just in the hills but for all the ratepayers and houses in the City of Armadale?

Will the brigade and residents not benefit in the transparency that being under DFES may give?

CEO: The recommendation from committee before Council tonight is to defer consideration of this matter for further investigation.

However if you are referring to the original report recommendation which was for the City to retain its VFB, under that scenario if that had been supported by Committee or Council tonight you would have a Volunteer Fire Rescue Service reporting and operating solely under the DFES structure and operating procedures and you would have a Volunteer Bush Fire Brigade operating separately under the Bushfire Local Law. Under that scenario if there was a failure in response then the City will take responsibility in terms of the operation of the Bush Fire Brigade which it has been responsible for over the last 60 years and DFES will take responsibility for the operation of the Volunteer Fire Rescue Service.

Responses to the 000 fire emergency is dealt with by the Communications Centre and

contact is made with respective fire brigades depending on where the incident is based and there is no change proposed to how fire emergency responses are dealt with.

Moved Cr Campbell that question time be extended. Motion Carried
Question time extended at 7:19pm

Brendan Leahy – 288 Churchman Brook Road, Bedfordale

Q1 Why has nothing been implemented from the fire risk management report that was done 2 years ago and from the Keelty Report from 8 years ago? Are Councillors aware and what has been done about that?

Mayor: I am absolutely positive that mitigation work has been ongoing and the CEO will provide further information.

CEO: The bushfire risk management plan you mentioned was prepared approx. 1 year ago not 2 years ago. The plan enables the City to access funding. Since the Keelty report the City has and continues to conduct risk mitigation activities. I am not sure where the information has come from that the City has done nothing for 10 years. The City has certainly acted in the 10 years in terms of implementing risk mitigation activities and they are carried out by a number of divisions throughout the City and involve a number of types of activities – weed spraying, roadside verge vegetation trimming and clearing or trimming or burning activities and occur on lands vested with the City. The City also undertakes firebreak inspection activities and fuel load inspection activities and undertakes enforcement actions, so there has certainly been an extensive range of bush fire risk mitigation activities that have occurred over that 10 year period. This includes community education because ultimately when you do live in a bushfire risk area it is up to every resident to also take control of their own premises in terms of reducing the risk and having a bushfire plan in place that they are ready and able to enact.

Q2: There is apparently 5 times when you could have applied for funding to do the mitigation loss and you haven't applied for any of it. Is that correct?

Mayor: There is a big difference in applying for funding from another body to get money for mitigation works and the City funding its own mitigation works. The work is being done by the City and you are referring to a different funding source.

Q3 Why would the City want to wear the liability of keeping the brigade? From what I've heard the brigade are very nervous about saying anything or unsure if they have been running their business the correct way and have asked for legal advice as they have had no guidance from the City. Can this be put on hold for 14 days while they seek independent legal advice and get some guidance on how to run their committee properly?

Mayor: The recommendation that is before Council tonight is to defer any decisions and this will be considered later during the meeting.

Scott Baker – 10 Lobelia Street, Roleystone

I have no affiliation with RFBF and am a Street coordinator and long term Roleystone resident and rate payer who wants the safest place for my children to grow up in.

- Q1. Can the Council please explain exactly what communication to and consultation with the Roleystone community it has had in relation to the decision you will soon be considering around the RVFB.

Mayor: We have not gone out to the community to discuss this matter. A lot of the issues that the brigade have reported are operational where councillors can't get involved in operational matters. It is really not incumbent upon the City to go out to the community and ask them to make a decision on operational matters. I do understand that there is a great amount of concern and there has been a lot of fear created through various people, social media etc. What is important to remember is that there is no loss of service and no increased risk from bushfire or house fire, car accidents. That service level will be maintained. For us all to be working to that goal I believe is the right thing to be doing. I believe that we already know that the community wants that and that is what we want as well. I don't think we need to ask the community which model operationally they would prefer. It's almost like asking where you want to locate an ambulance office. This actually comes down to looking at the service that needs to be provided where the risk is, the time between jobs, gazetted areas etc. It is being recommended from the Committee discussion last week that the Council seek further information. If that recommendation goes through tonight that is exactly what we will be doing. At this stage we need to work out a way of getting through this where we don't upset or disenfranchise any of the volunteers and still provide the same or better services in the region in case of a house fire, car accident or bushfire. I'm sure we can all agree that is what the aim is and we try and work out a way of getting to that point.

Moved Cr Silver that question time be extended. Motion Carried
Question time extended at 7.30pm

Philip Baker - 9 Hawkstone Road Roleystone

- Q1 What level of Government handles 000 Calls – State or Local?

*CEO The taking of 000 calls and arranging dispatch is a State Government responsibility
In terms of response to bush fires, this rests with most Local Governments throughout the State in terms in responding to a bush fire within the area under control of that Local Government.*

- Q2. Can Council consider putting up surveillance cameras up around those roads where people are dumping mattresses? Thank you for picking up the ones on Nicholson Road.

Mayor. Thank you for the comment - Surveillance cameras will definitely show up thousands of dumpers.

John Keogh - 30 Ashley Drive Kelmscott

You commented about not wanting to make any volunteers upset or disenfranchise the brigade. The brigade has asked to be kept as one brigade and multiple brigade members indicated at the committee meeting that they would lose friends in the event of a split. If that was the case it could quite conceivably lead to a level of service that would significantly diminish if brigade members no longer even see themselves as even friends because of the split that would occur from the recommendation.

- Q. Would you recognize that that would be a diminished level of service as people would not be able to work together effectively with a brigade split?

Mayor: I think we have established that there are members who attended the Committee meeting and expressed the other side of the case as well. Acknowledging that there are different views on this we will try and disenfranchise as few volunteers as possible.

Steven Daly – 78 Tyers Road, Roleystone

Q: If the brigade was to split DFES would be providing the Fire and Rescue Service to Roleystone. Do you have it in writing that DFES will provide a service to Roleystone and build a new station?

CEO: From the conversations we have had with DFES they have indicated they will still need to provide a response to the townsite of Roleystone because that is the area for which they are responsible. They have also indicated at a District Superintendent level that they would need to get a station and need time to do that.

Phil Davey – 12 Lenore Street, Roleystone

Reconfirming previous comments re the consultation to residents. I understand your comment of no consultation directly because of operational issues. In regard to the rumours, speculation and innuendo, can you ensure that there is no possible motion to negate the recommendation and that the volunteers are given the opportunity to open dialogue and start the process again to clear the air?

Mayor: Council does not work on rumour and innuendo - we turn up and do our job. The recommendation will be considered later during the meeting.

Seth Hendricks - 81 Riva Ent , Piara Waters

Q: There seems to be a lot of emphasis on Roleystone and again we are all part of the City of Armadale. I live at 81 Riva Ent Piara Waters and am also serviced by the brigade. I pay ESL of \$236.20 a year so I would like to think in response to a question as a ratepayer and member of the community that we are informed and our opinion is heard in regards to any recommendation. Can I ask again is there a possibility that time can be given to renegotiate, reopen dialogue with the RVFB in regards to how best to see this moving forward instead of just going and putting to a motion saying this is what we want and this is what we think is working?

Mayor: The recommendation before Council is to defer any decision until such point as we receive further information. It is up to council to vote either way on that tonight.

Question time closed 7:39pm

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 14 JUNE 2021.

MOVED Cr C A Campbell that the Minutes of the Ordinary Council Meeting held on 14 June 2021 be confirmed as a true and accurate record.

MOTION not opposed, DECLARED CARRIED (12/0)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1 Mayor's Announcements

Wednesday 16 June 2021

Chaired the SECCA meeting at the City of Armadale. The CEO joined in via Teams.
Met with Mayor David Goode, City of Gosnells and Dr Tony Taylor to discuss the future of Armadale Kelmscott Hospital and health services in the south east region.
Attended the bi-monthly Bungendore Environment Working Group Meeting.

Saturday 19 June 2021

Attended Heritage FM studio to be interviewed.

Sunday 20 June 2021

Met with the management committee of the Roleystone Bushfire Brigade.

Monday 21 June 2021

Presented Bush Tucker plants to students at the Challis Community Primary School's NAIDOC ceremony.
Met with a local resident to discuss neighbourhood issues.
Attended regular Teams meeting with the Deputy Mayor Carole Frost and CEO Joanne Abbiss.

Wednesday 23 June 2021

Attended the South East Regional Energy Group (SEREG) meeting held at the Shire of Serpentine Jarrahdale.
Deputy Mayor Carole Frost, attended the South East Metropolitan Zone Meeting on my behalf, held at the City of Gosnells. Cr Donna Shaw also attended.

Thursday 24 June 2021

Hosted 4 citizenship ceremonies in the Council Chamber where 80 new citizens were welcomed to Armadale.
Met with local business owner from Kelmscott to discuss traffic and access arrangements causing disruptions to business by the Metronet works. Executive Director Technical Services was also in attendance.

Saturday 26 June 2021

Attended the Bedfordale Volunteer Bush Fire Brigade Annual Dinner & 60th Birthday celebrations held at the new station building.

Sunday 27 June 2021

Participated in Community weeding event held by Friends of Banyowla Regional Park Clifton Hills. Was able to have an informal catch up with Member for Darling Range, Hugh Jones who was also volunteering.

Monday 28 June 2021

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

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

Nil

10 REPORTS

10.1 DEVELOPMENT SERVICES COMMITTEE MEETING

Report of the Development Services Committee held on 21 June 2021.

MOVED Cr D M Shaw that the report be received.

MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation D7/6/21 - Road Renaming - Keane Road, Forrestdale

MOVED Cr D M Shaw

That Council:

1. Advertise the proposal to rename the portion of Keane Road, Forrestdale between Armadale Road and Anstey Road with the following suggested names:

- a) **Forrestdale**
- b) **Fulton**
- c) **Gutenberg**
- d) **MacFarlane**
- e) **Trevithick**

to affected landowners, government agencies, and the wider community by way of letters, website and newspaper advertisement.

2. Provide the opportunity for submitters to suggest alternative road names that comply with Landgate's *Policies and Standards for Geographical Naming in Western Australia*.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation D8/6/21 - Development Contribution Plan 3 - Infrastructure Cost Schedule Review 2021 - Final Adoption

MOVED Cr D M Shaw

That Council, in accordance with Clauses 3.12 and 3.13 of Schedule 9B in Town Planning Scheme No.4, adopt the proposed Assessed Values and the Infrastructure Cost Schedule 2021 which includes the following:

- **Gross Cost of Common Infrastructure Works of \$103,708,829;**
- **Common Infrastructure Works of \$14,377,488;**
- **Payments to Date of \$89,311,341;**
- **Lots to be produced in the unsubdivided balance of 1516; and**
- **Cost Contribution per Lot of \$9,486.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation D9/6/21 - Proposed Minor Amendments to Local Planning Policy PLN 3.4 – Outbuildings & PLN 3.10 - Residential Design Codes Variations & R-MD Codes

MOVED Cr D M Shaw

That Council:

1. **Adopt minor amendments to Local Planning Policy PLN 3.4 - Outbuildings by:**
 - a. **Modifying Section 2 “Application of Policy” to read:**

“This policy applies to the design and siting of large and multiple outbuildings in the Residential zone where the Deemed-to Comply requirements of the Residential Design Codes are not met and in the General Rural, Rural Living, Special Rural, Special Residential, Local Centre, District Centre, Strategic Regional Centre and Mixed Business/Residential zones. This policy also applies to the use of outbuildings.

A single outbuilding on any Residential zoned lot of less than 10 sqm in size shall be assessed as per Clause 5.4.3 C3(i)(A) of the Residential Design Codes (Interim R-Codes).

Development on land zoned General Industry, Industrial Business or reserved under the City’s Town Planning Scheme is not covered under this policy.”
 - b. **Replacing the text of Section 4.1.2 that reads “greater than R5” with “R10 or greater”.**
2. **Adopt minor amendments to Local Planning Policy PLN 3.10 - Residential Design Codes Variations R-MD Codes by:**
 - a. **Removing Clause 4.2 in its entirety and renumbering Clauses 4.3 to 4.5 to reflect the removal.**
 - b. **Modifying the current Clause 4.3 (now Clause 4.2) to read:**

“In areas coded R15 and higher, patios may be built up to the boundary subject to the following criteria:

 - a) **Supporting posts to be assessed as forming part of the boundary wall**
 - b) **Building height to be determined in accordance with Category A of**

- Table 3-Maximum Building Heights;**
- c) **Roof and gutters to be no closer than 450mm from boundary;**
 - d) **Roof pitch not to exceed 34 degrees;**
 - e) **Compliance with Open Space requirements (Clause 5.1.4 of the R-Codes);**
 - f) **Patios not to exceed 75m² in area.”**
- c. **Modifying the first paragraph of current Clause 4.7 to read:**
“The development standards (as outlined in Table 1 below) apply to lots zoned Urban Development that are:
- a) **Not subject to an approved Local Development Plan; or**
 - b) **Subject to a Local Development Plan first approved after 25 May 2020; and**
 - c) **Not within the following residential estates: Heron Park, Kamara, Mason Green, Holland Park, Piara Gardens, Riva and The Nursery.”**
3. **Publish a notice in a newspaper circulating in the district stating the Local Planning Policy PLN3.4 and PLN 3.10 amendment has been adopted.**
4. **Advise relevant industry stakeholders of the above.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation D10/6/21 - Development Services Directorate 2021/22 Draft Budget

MOVED Cr D M Shaw

That Council:

- 1. **Endorses the Development Services Directorate operating budget as attached for inclusion in the draft 2021/22 Annual Budget, subject to inclusion of mosquito management in the Protective/Compliance Health Services Statement.**
- 2. **Notes a final Budget Workshop will be held to review the consolidated draft 2021/22 Annual Budget to be scheduled in July 2021.**

MOTION not opposed, DECLARED CARRIED (12/0)

10.2 CORPORATE SERVICES COMMITTEE MEETING

Report of the Corporate Services Committee held on 22 June 2021.

MOVED Cr J H Munn that the report, be received.

MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation CS33/6/21 - Roleystone Volunteer Bush Fire Brigade

MOVED Cr D M Shaw

That Council:

1. Retain the Roleystone Volunteer Bush Fire Brigade as a valuable service to the Roleystone Community.
2. Inform the Commissioner of DFES and the RVFB of Council's decision.
3. Support the Department of Fire and Emergency Services to relocate the Volunteer Fire and Rescue Service to a more appropriate and sustainable location.
4. Authorise the CEO to work with DFES and the RVFB on transitional arrangements in order to achieve Council's endorsed model.

OPPOSED Cr C A Campbell

MOTION LAPSED FOR WANT OF A SECONDER

MOVED Cr K Busby

That Council:

- 1. Defer consideration of the recommendation pending receipt of further information.**
- 2. Request the Mayor, Deputy Mayor and Chief Executive Officer meet with the Commissioner of the Department of Fire and Emergency Services at the earliest opportunity.**
- 3. Note that in the interim the status quo remains.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation CS35/6/21 - List of Accounts Paid - April 2021

MOVED Cr J H Munn

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 \$12,446,024.41 on Batch 25604-2612, Cheques 033221-033230, Direct Debits & PY01.21-PY01.22 & PY99.13.

Credit Card

Accounts Paid totalling \$1,494.43 for the period ended April 2021.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation CS36/6/21 - Kelmscott District Town Centre SAR B Update

MOVED Cr J H Munn

That Council:

- 1. Pursuant to section 6.11(i) of the *Local Government Act 1995*, a reserve account be established for the ‘SAR B Kelmscott District Town Centre’ for the purpose of providing Specified Area Rate services to the Kelmscott District centre**
- 2. Agrees to transfer any net surplus funds remaining from the SAR B revenue raised in FY21 to the SAR B Kelmscott District Town Centre Reserve**
- 3. Include in the draft FY22 budget a provision to transfer the balance of funds in the SAR B Kelmscott District Town Centre Reserve to the Municipal fund, for SAR services in FY22.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation CS37/6/21 - Adoption of Value for Reporting Material Variances

MOVED Cr J H Munn

That Council, pursuant to Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, adopt the following values for reporting material variances in the monthly Statements of Financial Activity during the 2021/22 financial year, i.e.

- 1. Revenues - material variances will be identified where, for each Management Area, for the period being reported, the actual varies to budget by an amount of (+) or (-) \$100,000.**
- 2. Expenses - material variances will be identified where, for each Management Area, for the period being reported, the actual varies to budget by an amount of (+) or (-) \$100,000.**
- 3. Authorises the Chief Executive Officer to vary the budget, except in the following circumstances, which require the proposed variations to be presented to Council for authorisation by “Absolute Majority”**
 - Capital to Operating or vice versa**
 - Capital to Capital, unless:**
 - the value is less than \$40,000, within the same sub program and does not extend the original scope of works approved; or**
 - The increases to a capital budgets is fully funded by external sources and is commensurate with an increase in funding, and does not necessarily change scope**
 - Operating to Operating for amounts greater than 5% or \$80,000 (whichever is greater) or where funds are moved to a different program and nature and type**
 - Where no budget is provided for an additional purpose (s6.8 of the *Local Government Act 1995*)**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation CS38/6/21 - Proposed Differential Rates 2021/22 Budget Year

MOVED Cr D M Shaw, OPPOSED Cr S Peter

SECONDED Cr K Busby

That Council:

1. pursuant to s.6.36(4) of the *Local Government Act 1995*, **CONSIDERS** the public submission/s received, which respond to the local public notice on Council's intent to impose differential rates provided by the City; and
2. **AGREES** to include in the *draft 2021/22 Annual Budget* without modification, the following differential rates and general rates:

<u>Gross Rental Value Properties</u> Differential Rate Category	Rate in the \$ (cents)	Minimum Rate \$
Vacant Land	15.18446	1,035
Residential Improved	10.4614	1,194
Business Improved	9.47396	1,388
<u>Unimproved Value Properties</u>		
General & Minimum Rate	0.4582	1,430

3. Pursuant to s.6.35(5) of the *Local Government Act 1995*, **AGREES** to seek the approval on the Minister for Housing and Local Government to impose a minimum payment on vacant land of \$1,035, that does comply with subsections (2), (3) or (4) of Section 6.35 of the *Local Government Act 1995*.

MOTION DECLARED CARRIED (10/2)

It was requested that the outcome of voting be recorded for this motion.

For: Crs Northcott, Campbell, Shaw, Busby, Smith, Silver, Frost, Wielinga, Nixon and Butterfield

Against: Crs Peter and Munn

Recommendation CS39/6/21 - Statement of Financial Activity - April 2021

MOVED Cr J H Munn that Recommendation CS39/6/21 be adopted with an amendment to Part 3(a).

That Council:

1. pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* (Financial Activity Statement Report) **accepts** the Statement of Financial Activity for the ten (10) month period ended 30 April 2021;
2. notes that there are reportable actual to budget material variances for the period.

3. pursuant to Section 6.8 of the Local Government Act 1995, AMENDS the 2020/21 Annual Budget as follows:

(a) Decreases the operating budget by \$474,000 for:

- **Business Systems - System Improvement by \$180,000 from \$1,661,000 to \$1,481,000 ~~\$236,000~~ to \$56,000**
- **Business Systems – Cloud Computing by \$120,000 from \$1,097,000 to \$977,000**
- **Infrastructure & Support – Software Maintenance by \$15,000 from \$187,500 to \$172,500**
- **Cybersecurity Posture Improvement by \$50,000 from \$151,000 to \$50,000 ~~\$101,000~~**
- **Infrastructure & Support – Systems Improvement by 109,000 from \$116,500 to \$7,500**

(b) Increases the Transfer to the Cash Reserves budget for Transfers to the ICT Reserve by \$474,000, from \$0 to \$474,000.

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation CS40/6/21 - Annual Budget Corporate Services Directorate

MOVED Cr J H Munn

That Council:

- 1. Endorses the Corporate Services Directorate operating budget as attached for inclusion in the draft 2021/22 Annual Budget**
- 2. Notes a final Budget Workshop will be held to review the consolidated draft 2021/22 Annual Budget, to be scheduled in July 2021.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation CS41/6/21 - Annual Budget CEO Directorate

MOVED Cr J H Munn

RECOMMEND

That Council:

- 1. Endorses the Chief Executive Directorate operating budget as attached for inclusion in the draft 2021/22 Annual Budget**
- 2. Notes a final Budget Workshop will be held to review the consolidated draft 2021/22 Annual Budget, to be scheduled in July 2021.**

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation CS42/6/21 - Jull Street Mall

MOVED Cr C A Campbell that the meeting be closed to members of the public as the matter to be discussed involves legal advice obtained or which may be obtained by the City of Armadale. [Section 5.32(2)(d) of the *Local Government Act 1995*]

Motion Carried (12-0)

Meeting declared closed at 7.59pm. Members of the public left from the meeting.

MOVED Cr C A Campbell, OPPOSED Cr C M Wielinga
SECONDED Cr S Peter

That Council:

1. Pursuant to Section 3.50 of the *Local Government Act 1995*, order the closure of a portion of Jull Street (the thoroughfare) as identified on the Attached Plan (Attachment 2.1.1) to the passage of vehicles.
2. Refer the review of the draft Community Engagement Plan to the Standing Orders & House Advisory Group (SOHAG) to refine for presentation to Council the content, scope of consultation and timing of engagement, with particular consideration of the availability of MetroNet's Precinct Plan and designs for the new Armadale Railway Station, Viaduct, additional road connections and proposed interface with Jull Street and surrounding areas.

MOTION LOST

(2-10)

MOVED Cr C M Wielinga, OPPOSED Cr K Busby
SECONDED Cr C Frost

That Council:

1. Pursuant to Section 3.50 of the *Local Government Act 1995*, order the closure of a portion of Jull Street (the thoroughfare) as identified on the Attached Plan (Attachment 2.1.1) to the passage of vehicles.
2. Refer the review of the draft Community Engagement Plan to the Standing Orders & House Advisory Group (SOHAG) to refine for presentation to Council the content, scope of consultation and timing of engagement, with particular consideration of the availability of MetroNet's Precinct Plan and designs for the new Armadale Railway Station, Viaduct, additional road connections and proposed interface with Jull Street and surrounding areas.
3. Adopt the recommendation in the Confidential Attachment.

MOTION DECLARED CARRIED

(9/3)

It was requested that the outcome of voting be recorded for this motion.

For: Crs Munn, Peter, Shaw, Smith, Silver, Frost, Wielinga, Nixon and Butterfield

Against : Crs Campbell, Northcott and Busby

MOVED Cr M S Northcott that the meeting be opened to members of the public.

Motion Carried (12-0)

Meeting declared opened at 8.35pm – Two members of the public returned to the meeting.

Recommendation CS43/6/21 - Review of Policies and Delegations to The CEO - Various

MOVED Cr J H Munn

That Council:

1. **Adopts the following policies, inclusive of amendments and as presented in the attachment to this report:**
 - a. **Investments**
 - b. **Rates Assistance and Financial Hardship**
 - c. **Smarter Way to Pay**
 - d. **AASB 124 Related Party Disclosure**
 - e. **Use of Corporate Credit Card**
2. **Adopt* the Elected Member and Chief Executive Officer Professional Development Policy**
3. **Delegates* to the Chief Executive Officer, the following delegations, inclusive of any amendments and as presented in the attachment to this report, in accordance with section 5.42 of the *Local Government Act 1995*:**
 - a. **Power to Invest**
 - b. **Administration of Rates Assistance & Financial Hardship Policy**
 - c. **A Smarter Way to Pay**
 - d. **Payments from Municipal and Trust Funds**
 - e. **Authorised to Sign Memorandum of Understanding**

***ABSOLUTE MAJORITY RESOLUTION REQUIRED**

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

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

MOVED Cr D M Shaw that the report be received.

MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation CEO5/6/21 - Councillors Information Bulletin - Issue No 8/2021

MOVED Cr M S Northcott

That Council acknowledge receipt of Issue 10/2021 of the Information Bulletin

MOTION not opposed, DECLARED CARRIED (12/0)

MOVED Cr Frost that the meeting be closed to members of the public as the matter relates to an employee of Council. [Section 5.32(2)(a) of the Local Government Act 1995]
Motion Carried (12-0)

Meeting declared closed at 8.39pm

Members of the public and Officers (except Mrs Todd and Mrs D'Souza) left the meeting.

MOVED Cr C Frost that the meeting be adjourned. Motion Carried (12-0)

Meeting adjourned at 8.43pm.

Moved Cr C Frost that meeting be resumed. Motion Carried (12-0)

Meeting resumed at 8.45pm (behind closed doors)

Moved Cr C Frost that Clauses 9.5 (Limitation of Number of Speeches) and 9.6 (Limitation on Duration of Speeches) of the Standing Orders be suspended.

Motion Carried (12-0)

MOVED Cr C Frost that standing orders (Clause 9.5 and 9.6) be resumed.

Motion Carried (12-0)

Recommendation CEO6/6/21 - Contract of Employment - Senior Employee

MOVED Cr J H Munn, OPPOSED Cr C M Wielinga

SECONDED Cr C Frost

That Council adopt the recommendation as detailed in the Confidential Report.

MOTION DECLARED CARRIED

(9/3)

Cr Wielinga requested that her vote against the motion be recorded.

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

Motion Carried (12-0)

Meeting declared open at 9.41pm

Mr Kegie, Mr Hnatojko, Mr Beales, Mr Naude and Mr D'Lima returned to the meeting.

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**

13.1 Livestreaming of Meetings (Cr Shanavas Peter)

That the matter of livestreaming of Committee and Council meetings through the City's online platform be referred to the Corporate Services Committee.

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Butterfield, declared the meeting closed at 9.43pm

MINUTES CONFIRMED THIS 12 JULY 2021

MAYOR