



ORDINARY MEETING OF COUNCIL
MONDAY, 28 NOVEMBER 2022

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, 28
NOVEMBER 2022 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

Minnawarra Ward

Cr J Keogh

River Ward

Cr K Kamdar

Ranford Ward

Cr S Peter JP

Ranford Ward

Cr M S Northcott

Palomino Ward

Cr P A Hetherington

Palomino Ward

Cr M J Hancock

Heron Ward

Cr E J Flynn

Heron Ward

Cr G J Smith

Minnawarra Ward

Cr M Silver

Lake Ward

Cr S S Virk

Lake Ward

Cr G Nixon

Hills Ward

Cr S J Mosey

Hills Ward

IN ATTENDANCE:

Ms J Abbiss

Chief Executive Officer

Mr J Lyon

Executive Director Corporate Services

Mr P Sanders

Executive Director Development Services

Mr M Andrews

Executive Director Technical Services

Mrs S Van Aswegen

Executive Director Community Services

Mrs S D'Souza

CEO's Executive Assistant

Ms J Cranston

EA to Executive Director of Community Services

Public: 2

LEAVE OF ABSENCE:

Nil

APOLOGIES:

Nil

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

Nil

4 PUBLIC QUESTION TIME

Nil

5 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Request for Leave of Absence - Cr E J Flynn (Cr Emma Flynn)

MOVED Cr G Nixon

That Council grant leave of absence to:

- **Cr Emma Flynn for the period Monday 5 December 2022 to Wednesday 7
December 2022 inclusive (does not include an Ordinary Council Meeting).**

MOTION not opposed, DECLARED CARRIED

(14/0)

6 PETITIONS

**6.1 Petition to Replace and Reconsider Park Modifications - Barossa Loop
Skate Park Closure (Cr Keyur Kamdar)**

MOVED Cr S Peter

That Council receive the non-conforming petition.

MOTION not opposed, DECLARED CARRIED

(14/0)

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING HELD ON 14 NOVEMBER 2022.

MOVED Cr E J Flynn that the Minutes of the Ordinary Council Meeting held on 14 November 2022 be confirmed as a true and accurate record.

MOTION not opposed, DECLARED CARRIED (14/0)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1 Mayors Announcement

Tuesday 11 October 2022

Attended the Kambarang Festival held at the Champion Centre.

Travelled to Sydney for the National Economic Development Conference 2022.

Wednesday 12 – 14 October 2022

Attended the NEDC 2022 in Sydney along with Cr Peter and Cr Virk.

Friday 14 October 2022

Attended the Kelmscott Show opening along with Cr Busby, Keogh, Mosey, Smith and Silver.

Saturday 15 October 2022

Attended the Kelmscott Show and was interviewed by Heritage FM as part of the show. The Kelmscott Show was very well attended.

Sunday 16 October 2022

Attended and spoke at the Live Lighter Harmony Festival 2022 at Novelli Pavilion, along with Cr's Peter, Silver, Virk, Smith, Busby and Mosey

Monday 17 October 2022

Attended the SECCA workshop at the City of Canning.

Attended the Public Artwork Concept presentations for Derry Avenue Mural.

Wednesday 19 October 2022

Attended the SECCA meeting held at the City of Gosnells.

Attended the Harrisdale Senior High School Valedictory Evening held at UWA's Winthrop Hall.

Thursday 20 October 2022

Attended the 42nd Anniversary Assembly at Cecil Andrew College and presented the City of Armadale Scholar Award 2022.

Attended a meeting with Cr Mosey and resident to discuss local history.

Friday 21 October 2022

Attended the State Conference of the University of the Third Age and gave a closing address.

Cr Busby attended the AusActive National Awards in Sydney. The Armadale Fitness and Aquatic Centre was nominated for 7 awards.

Saturday 22 October 2022

Attended the Roleystone Karragullen Volunteer Bushfire Brigade Awards, along with Cr Mosey.

Sunday 23 October 2022

Attended the official opening day of the Waterwheel Community Shed.

Monday 24 October 2022

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

Mayor's Announcements

25 October – 14 November 2022

Ordinary Council Meeting held on 24 October 2022

Wednesday 26 October 2022

Attended the Australian Local Government Women's Association WA, Mentoring Session on line

Attended the WALGA Environment Policy Team Meeting to discuss a submission to the State Government on bio security.

Attended the Municipal Waste Advisory Committee meeting via TEAMS.

Tuesday 1 November 2022

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

Wednesday 2 November 2022

Attended an Aboriginal school community engagement forum comprising of local family members and the Education Dept along with the Acting Director General of Education Jim Bell at the Champion Centre.

Attended the Clontarf Awards Night at Cecil Andrews College and presented awards.

Friday 4 November 2022

Attended a Cities Power Partnership event hosted by the Town of Victoria Park to learn about WA's clean energy future. Mayors, Councillors, and staff from several nearby local governments were in attendance. Two officers from SEREG also attended, as did Councillor Mosey.

Met with the pastor of a local church to discuss the possibility of providing meals to vulnerable people in Armadale.

Spoke at the Armadale Society of Artists Annual Exhibition held at the Armadale District Hall. The artists were very pleased to have been given permission to move into their new home at the Armadale Arena.

Saturday 6 November 2022

Attended the Deepavali 2022 at Cannington Showgrounds. Councillors Kamdar, Virk and Peter also attended.

Monday 7 November 2022

Attended John Calvin Christian School to present the City's Scholar Award for 2022.

Wednesday 9 November 2022

Attended the Champion Centre to meet with the Commissioner for Children and Young People, Jacqueline McGowan-Jones who is visiting communities across WA.

Thursday 10 November 2022

Hosted the Harrisdale Senior High School Leaders Program excursion to Council Chambers,

with the assistance of Cr Busby.

Attended the Canning Civic Dinner and Fund Raiser at the Canning Exhibition Centre.

Friday 11 November 2022

Attended Armadale RSL Remembrance Day Service held in Memorial Park.

Cr Busby attended the Araluen Botanic Garden Remembrance Day service on my behalf.

Saturday 13 November 2022

Attended AFAC to promote Acts of Kindness project by handing out seed cards. Also the new installation of a free sunscreen kiosk and SunSmart graphics at AFAC to promote sun safety.

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 November 2022.

CORRECTION:

Page 13 The Lot number in the heading to read “Lot 100”

MOVED Cr M J Hancock that the report, subject to the above correction, be received.

MOTION not opposed, DECLARED CARRIED (14/0)

BUSINESS ARISING FROM REPORT

Recommendation D22/11/22 - Confidential Report - Armadale City Centre Investment Framework and Project Plan

MOVED Cr R Butterfield that this matter be dealt with under Item 14 – Matters Requiring Confidential Consideration.

MOTION not opposed, DECLARED CARRIED (14/0)

Recommendation D23/11/22 - Final Adoption - Amendment No.123 - TPS No.4 - Lot 110 (No.9) Foster Road, Kelmscott

Cr K Busby declared a financial interest in D23/11/22 on the basis that a family member is a Director of a company that provide IT services to the business located at this property. Cr Busby left the meeting at 7:05pm.

MOVED Cr M J Hancock

That Council:

- 1. Pursuant to Section 75 of the *Planning and Development Act 2005* adopt Amendment No.123 to Town Planning Scheme No.4 as a ‘Standard Amendment’ in accordance with Part 5, Clause 34 – Standard Amendment, subsection (c), (e),**

(f) and (g) of the *Planning and Development (Local Planning Schemes) Regulations 2015* to:

- A. Extend Additional Use No.32 to include Lot 100 (No.9) Foster Road, Kelmscott and amend the Scheme Map accordingly.**
- B. Amend Additional Use No.32 in Schedule 2:**
 - i. To modify the Description of Land column to state “*Lot 100 (No.9) & Lot 101 (No.3) Foster Road, Kelmscott.*”**
 - ii. To modify Condition 32.1 under the Conditions and Requirements column to state “*A maximum of 10 consulting rooms shall be permitted.*”**
 - iii. To modify Condition 32.3 under the Conditions and Requirements column to state “*Car parking areas adjacent to residential properties and drainage reserve shall be screened with masonry fencing along the common boundaries to the satisfaction of the local government.*”**
 - iv. To insert a new Condition 32.6 under the Conditions and Requirements column to state “*Any planning application for development approval is to be accompanied by a tree survey that identifies existing significant trees to be retained.*”**
- 2. Authorise the Mayor and Chief Executive Officer to execute the Amendment documents.**
- 3. Forward the amendment documentation to the Western Australian Planning Commission for its consideration and requests the Hon Minister for Planning, Transport and Ports grant final approval to the amendment.**
- 4. Endorse the comments made in this report regarding the submissions received on this scheme amendment for inclusion in the schedule of submissions to be forwarded to the Western Australian Planning Commission.**
- 5. Should the Hon Minister for Planning, Transport and Ports require any minor modifications to the Scheme Amendment at the final adoption stage, then authorise the Mayor and Chief Executive Officer to sign and seal the modified amendment documents.**
- 6. Advise the submitters and the applicant of its decision.**

MOTION not opposed, DECLARED CARRIED

(13/0)

Cr K Busby returned to the meeting at 7:06pm

Recommendation D24/11/22 - LATE ITEM - Confidential Report - SAT Mediation -
Reconsideration of Conditions - Extractive Industry Expansion (Stage 5) - Lot 9 Brookton
Hwy, Karragullen

MOVED Cr R Butterfield that this matter be dealt with under Item 14 – Matters Requiring Confidential Consideration.

MOTION not opposed, DECLARED CARRIED

(14/0)

10.2 CORPORATE SERVICES COMMITTEE MEETING

Report of the Corporate Services Committee held on 22 November 2022.

CORRECTION

2023 Calendar of Council and Committee Meetings

Page 66 - Corporate Services Committee meeting date in August 2023 to read 22/08/23.

Page 67 - Include at the end of the table, following explanation for the asterisk for the meeting on 23/10/23*

* Special Council Meeting following Local Government Elections

MOVED Cr K Busby that the report, subject to the above correction, be received.

MOTION not opposed, DECLARED CARRIED (14/0)

BUSINESS ARISING FROM REPORT

Recommendation CS52/11/22 - List of Accounts Paid - September 2022

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 \$12,139,649.05 on transactions 1452 to 2285 & Payrolls dated 4 September and 18 September.

Credit Card

Accounts Paid totalling \$8,896.42 for the period ended September 2022.

MOTION not opposed, DECLARED CARRIED (14/0)

Recommendation CS53/11/22 - Statement of Financial Activity - September 2022

MOVED Cr K Busby

That Council:

Pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* (Financial Activity Statement Report) accept the Statement of Financial Activity for the three (3) month period ended 30 September 2022; and

- i. Note that there are reportable actual to budget material variances for the period**
- ii. Note the \$690.92 small rates debts written off under Primary Delegation 1.0 and Secondary Delegation CORPS 1.1.**

MOTION not opposed, DECLARED CARRIED (14/0)

Recommendation CS54/11/22 - Major Capital Projects Budget Increases

MOVED Cr K Busby

That Council:

APPROVE an amendment to the Project and FY23 Annual Budgets as follows:

a. Carradine Road Culvert -

- (i) Increase the Project Budget and Annual Budget FY23 by \$469,300 from \$780,000 to \$1,249,300;**
- (ii) Increase transfer from the Asset Renewal reserve in the Annual Budget FY23 by \$469,300.**

b. Road Resurfacing Program

- (i) Increase Project Budget and Annual Budget FY23 by \$435,500 from \$1,889,800 to \$2,325,300;**
- (ii) Increase transfer from the Asset Renewal reserve in the Annual Budget FY23 by \$435,500**

c. Piara Waters Library

- (i) Increase Project Budget by \$660,500 from \$7,820,000 to \$8,480,000;**
- (ii) Increase the transfer from the Future Projects Reserve in the Project Budget from nil to \$660,500;**
- (iii) Note the advice regarding project contingency from the recent QS Report and continues to set aside project contingency funds in the Future Projects Reserve.**
- (iv) Amend the FY23 Annual Budget by increasing the FY23 Budget Estimate for the Piara Waters Library by \$1,189,300, from \$585,300 to \$1,774,600.**
- (v) Amend the FY23 Annual Budget to transfer funds of \$1,189,300 from the Future Community Facilities Reserve.**

d. Roleystone Theatre

- (i) Increase the Project Budget and the FY23 Annual Budget by \$760,700, from \$4,195,700 to \$4,956,400**
- (ii) Increase the transfer from the Future Projects Reserve by \$760,700.**

e. John Dunn Hall-Pavilion

- (i) Increase the Project and FY23 Annual Budget by \$597,000 from \$2,965,000 to \$3,562,000**
- (ii) Increase the transfer from the Future Projects Reserve by \$597,000.**

f. Champion Lakes Community Building

- (i) Increase the Project and FY23 Annual Budget by \$91,000 from \$200,000 to \$291,000**
- (ii) Increase the transfer from the Future Projects Reserve by \$91,000.**

g. Forrestdale Hub Hall and Pavilion

- (i) Increase the Project Budget and FY23 Annual Budget by \$180,000 from \$420,000 to \$600,000**
- (ii) Increase the transfer from DCP Funds in the FY23 Annual Budget by \$180,000,**

from \$420,000 to \$600,000.

h. Morgan Park Pavilion

- (i) **Increase the FY23 Annual Budget by \$86,000 from \$300,000 to \$386,000**
- (ii) **Increase the portion of the Grant Funds recognised (used) in the FY23 Annual Budget by \$86,000 from \$300,000 to \$386,000.**

MOTION not opposed, DECLARED CARRIED

(14/0)

Recommendation CS55/11/22 - Local Government Act Review - Implementation of Changes to Representation - Popularly Elected Mayor

MOVED Cr G Nixon, SECONDED Cr K Busby

OPPOSED Cr S Peter

That Council:

1. Further to the request from Hon John Carey MLA, Minister for Local Government on 21 September 2022, advise the City's preference is for the reform pathway, as proposed by Hon John Carey MLA, Minister for Local Government.
2. Authorise the CEO to notify the Director General of the Department of Local Government, Sport and Cultural Industries of Council's decision, by 31 December 2022.

MOTION LOST

(6/8)

MOVED Cr S Peter, SECONDED Cr J Keogh

OPPOSED Cr K Busby

That Council:

1. **Further to the request from Hon John Carey MLA, Minister for Local Government on 21 September 2022 and in accordance with section 2.11(2) of the *Local Government Act 1995*, resolve to change the method of the filling of the office of the Mayor from the *election by Council* method to the *election by electors* method.**
2. **Note the change to the method of election of Mayor is proposed by Minister Carey to come into effect for the 2023 local government election.**
3. **Authorise the CEO to notify the Director General of the Department of Local Government, Sport and Cultural Industries of Council's decision, by 31 December 2022.**

ABSOLUTE MAJORITY RESOLUTION REQUIRED

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

(8/6)

Crs Mosey and Nixon requested that their vote against the Resolution for CS55/11/22 be recorded.

Recommendation CS56/11/22 - 2023 Calendar of Council and Committee Meetings

MOVED Cr S Peter

That Council:

Pursuant to Regulation 12(1) of the *Local Government (Administration) Regulations 1996*, approves for local public notice purposes, the following Council and Committee meeting dates, times and places for the period January 2023 to December 2023 inclusive.

1. MEETING DATES

MONTH 2023	Council	Technical Services Committee	Community Services Committee	Development Services Committee	Corporate Services Committee
Jan	30/01/2023	-	-	-	-
Feb	13/02/2023 27/02/2023	6/02/2023	7/02/2023	20/02/2023	21/02/2023
Mar	13/03/2023 27/03/2023	8/03/2023	7/03/2023	20/03/2023	21/03/2023
Apr	24/04/2023	3/04/2023	4/04/2023	17/04/2023	18/04/2023
May	8/05/2023 22/05/2023	1/05/2023	2/05/2023	15/05/2023	16/05/2023
Jun	12/06/2023 26/06/2023	7/06/2023	6/06/2023	19/06/2023	20/06/2023
Jul	10/07/2023 24/07/2023	3/07/2023	4/07/2023	17/07/2023	18/07/2023
Aug	14/08/2023 28/08/2023	7/08/2023	8/08/2023	21/08/2023	22/08/2023
Sep	11/09/2023 26/09/2023	4/09/2023	5/09/2023	18/09/2023	19/09/2023
Oct	16/10/2023 23/10/2023*	2/10/2023	3/10/2023	9/10/2023	10/10/2023
Nov	13/11/2023 27/11/2023	6/11/2023	7/11/2023	20/11/2023	21/11/2023
Dec	18/12/2023	4/12/2023	5/12/2023	11/12/2023	12/12/2023

* Special Council Meeting following Local Government Elections

2. MEETING TIMES AND PLACES

All Ordinary and Special Council meetings to be held in the Council Chambers, Administration Centre, 7 Orchard Ave, Armadale, and commence at 7.00pm, unless otherwise specified.

All Committee meetings to be held in the Committee Room, Administration Centre, 7 Orchard Ave, Armadale, and commence at 7.00pm unless otherwise specified.

All Council and Committee meetings unless otherwise specifically resolved, are open to the public.

Any variation to this 2023 calendar of meetings will, if practical be advised by prior local public notice.

MOTION not opposed, DECLARED CARRIED (14/0)

Recommendation CS57/11/22 – Councillor Items - Committee Meetings in Committee Room and Digital Signatures

MOVED Cr K Busby

That Council refers the following Councillor Item:

- **Timeframe for Committee Meetings to Resume being held in the Committee Room**
- **Minutes to be Signed by Digital Signature**

To the relevant Directorate for action and/or Report to the appropriate Committee.

MOTION not opposed, DECLARED CARRIED (14/0)

Recommendation CS58/11/22 – Councillor Item - Councillor Bios on the City's Website

MOVED Cr K Busby

That Council refers the following Councillor Item:

- **Councillor Bios on the City's Website**

To the relevant Directorate for action and/or Report to the appropriate Committee.

MOTION not opposed, DECLARED CARRIED (14/0)

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

MOVED Cr M S Northcott that the report be received.

MOTION not opposed, DECLARED CARRIED (14/0)

BUSINESS ARISING FROM REPORT

Recommendation CEO4/11/22 - Delegation of Power - Criminal Code (Referral Matter)

MOVED Cr S Peter that this matter be dealt with under Item 14 – Matters Requiring Confidential Consideration.

MOTION not opposed, DECLARED CARRIED (14/0)

Recommendation CEO5/11/22 - 2022 Performance Review & Criteria for 2022-23 - Chief Executive Officer

MOVED Cr S Peter that this matter be dealt with under Item 14 – Matters Requiring Confidential Consideration.

MOTION not opposed, DECLARED CARRIED (14/0)

Recommendation CEO6/11/22 - Councillors Information Bulletin - Issue No 19/2022

MOVED Cr M S Northcott

That Council acknowledge receipt of Issue 19/2022 of the Information Bulletin.

MOTION not opposed, DECLARED CARRIED (14/0)

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Connected Community Christmas Lights Trail and Competition

Notice of the following motion was received from Cr R Butterfield in accordance with Clause 3.8 of the Standing Orders Local Law:

That Council requests the CEO to

- 1. Facilitate a Connected Community Christmas Lights Trail and Competition for residents of the City of Armadale, beginning in December 2022*
- 2. Allocate \$5000 towards prizes.*

Comment from Cr R Butterfield on her proposed motion:

In order to encourage residents to creatively dress their properties with lights and decorations for the festive season, it is proposed that there be a centralised site to register addresses of Light Trail participants. The addition of cash prizes would add a small incentive for people to register their display. Considering the City's focus on reducing its carbon footprint, it would be appropriate to have a category which rewarded the best light display using solar/renewable power.

A Christmas Lights Trail and competition would enable residents of the City of Armadale to view lights within their own City and suburbs, rather than driving to other Local Government areas. It would also engender a sense of community pride and wellbeing. The light competition will offer an opportunity for neighbours (and entire streets) to work together to create a display, whilst also creating community connections.

The Connected Community Christmas Lights Trail aligns with SCP Aspiration 3. Economy. Outcome 3.2 Positive image and identity for the City. (3.2.1) and several other SCP Outcomes.

The prizes could be awarded to the winners at the final Council Meeting of the year on Monday 19th December 2022. The Terms and Conditions for such a competition could easily be adapted from those used by another local government, which already runs a similar successful event.

OFFICER COMMENT

A number of local governments are supporting Christmas Lights Trails to foster community spirit and bolster community connection.

Metropolitan LG's involved in some form of Christmas Lights Trail promotion include:

- City of Gosnells
Safe Christmas Lights Competition - closes 4 December 2022 with a prize pool of \$1800 sponsored by Beyond Bank Australia
- Shire of Serpentine Jarrahdale
Countdown to Christmas 2022 - Christmas Lights Competition opens 1 November closes 24 November - prize pool of \$2,500. Entry to the Christmas Lights Competition is free and open to all SJ residents and businesses
- City of Fremantle
Small business Christmas Window Display
- City of Kalamunda
Small business Christmas Window Display

Possible Approach:

The City's Marketing and Communications Team (MarComms) could support the introduction of a City of Armadale Connected Communities Christmas Lights Trail and could launch an online campaign via the City's website, supported by social media and traditional promotional activities. However, it should be noted, the timeframe for going live is tight and measures of success will focus on launch and building awareness with growth and amplification planned for 2023 and beyond.

Potential timeline:

- 29-30 November 2022 - Website landing page created – information about the Connected Communities Christmas Lights Trail, categories available with prize pool details, terms and conditions for entry, entry form, interactive digital map - MarComms and ICT support
- 1 December 2022 - Campaign launched – website page live, promotion starts. Countdown to competition end 15 December 2022
- 1 December - 15 December 2022 - Ongoing promotion, updates via social media
- 15 December 2022 - Competition component closes
- 16 December 2022 - Competition winners drawn/verified and invited to attend Council Meeting on 19 December to receive their prize
- 19 December 2022 - Council meeting – winners presented with prizes by Mayor
- 20 December 2022 - Winners announced on website and social media
- 21 December 2022 - Final promotion of the CoA Connected Communities Christmas Lights Trail - thank everyone for participating and encouraging people to be safe and to watch out for next year's competition

MOVED Cr M J Hancock, SECONDED Cr E J Flynn,

OPPOSED Cr K Busby

That Council requests the CEO to:

- 1. Facilitate a Connected Community Christmas Lights Trail and Competition for residents of the City of Armadale, beginning in December 2022; and**
- 2. Allocate \$1000 cash prize and \$1000 worth of vouchers from local businesses from the OTHER EXPENSES budget in the CEO'S OFFICE towards prizes.**
- 3. Submit a report to Council detailing the outcomes of the Christmas Lights Trail and outlining options and exploring opportunities for sponsorship for a 2023 Christmas Lights Trail.**

MOTION DECLARED CARRIED

(10/4)

12 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

13 MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION

13.1 Review of the Dog Local Law (Cr Ruth Butterfield)

That the matter of a review of the City's Local Laws Relating to Dogs be referred to the Community Services Committee.

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

MEETING CLOSED TO PUBLIC

MOVED Cr M Northcott

That the meeting be closed to members of the public as the following matters are 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.*
- *Section 5.23(2) (f i) of the Local Government Act, as the matter, if disclosed, could be reasonably expected to impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; and*
- *Section 5.23(2) (a) of the Local Government Act, as the matter affects an employee of Council*

Motion Carried (14/0)

Meeting declared closed at 8.25pm

Members of the public left the meeting.

Recommendation D22/11/22 - Confidential Report - Armadale City Centre Investment Framework and Project Plan

Cr K Busby declared an financial in D22/11/22 on the basis that he owns a property in the west of rail precinct Cr Busby left the meeting at 8:26pm.

MOVED Cr M J Hancock

That Council adopt the recommendation as outlined in the Confidential Report and agreed for this to be made public, i.e.

That Council:

- 1. Endorse the Investment Framework and Project Plan for the Armadale City Centre as attached to this agenda, including any minor edits required.**
- 2. Note that as detailed feasibility business cases and designs are progressed proposals requiring a funding contribution from the City will be listed for future consideration as part of the preparation of the Long Term Financial Plan and annual budgets for Council's consideration.**
- 3. On adoption of the Investment Framework and Project Plan by Council the document is to be made public**

MOTION not opposed, DECLARED CARRIED

(13/0)

Cr K Busby returned to the meeting at 8.27pm

Recommendation D24/11/22 - LATE ITEM - Confidential Report - SAT Mediation - Reconsideration of Conditions - Extractive Industry Expansion (Stage 5) - Lot 9 Brookton Hwy, Karragullen

MOVED Cr M J Hancock

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

MOTION not opposed, DECLARED CARRIED

(14/0)

Recommendation CEO4/11/22 - Delegation of Power - Criminal Code (Referral Matter)

Council discussed the confidential report and amended the delegation and relevant policy.

MOVED Cr M S Northcott

That Council adopt the **amended recommendation as indicated in the Confidential Report.**

MOTION not opposed, DECLARED CARRIED

(14/0)

Recommendation CEO5/11/22 - 2022 Performance Review & Criteria for 2022-23 - Chief Executive Officer

J Abbiss, CEO declared a financial interest in this item on the basis that it relates to her contract of employment at the City and left the meeting at 8:34pm.

Part (1) of the Recommendation relating to the CEO KPIs was considered and no amendments were made.

Officers in attendance, except for Mrs S D'Souza, left the meeting at 8.38pm

MOVED Cr J Keogh that Standing Orders be suspended.
Motion Carried (14-0)

Part (2) of the Recommendation relating to the consultant's report on a review of the CEO's Total Reward Package was discussed.

MOVED Cr E Flynn that Standing Orders be resumed.
Motion Carried (14-0)

An amendment to the consultant's recommendation was put and adopted.

MOVED Cr S J Mosey, SECONDED Cr K Busby
OPPOSED Cr E J Flynn

That Council:

- 1. Endorses the 2022-23 Key Performance Indicators (KPIs) for the CEO in accordance with Confidential Attachment-1.**
- 2. Approves the CEO's Total Reward Package effective 1 July 2022 in accordance with the Confidential Attachment-2 **as amended.****

MOTION DECLARED CARRIED

(10/4)

MEETING OPENED TO PUBLIC

MOVED Cr M Northcott

That the meeting be opened to members of the public.

Motion Carried (14/0)

Meeting declared open at 8.56pm

Ms J Abbiss, Mr Lyon, Mr Andrews, Mr Sanders, Mrs van Aswegen and Ms Cranston returned to the meeting.

As no members of the public returned to the meeting there was no need for Resolution to D22/11/22 to be read aloud.

15 CLOSURE

The Mayor, Cr Butterfield, declared the meeting closed at 8:56pm

MINUTES CONFIRMED THIS 19 DECEMBER 2022

MAYOR