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**ORDINARY MEETING OF COUNCIL  
MONDAY, 30 JANUARY 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, 30  
JANUARY 2023 AT 7.00PM.

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### 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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### 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 M J Hancock  
Cr E J Flynn  
Cr G J Smith  
Cr G Nixon

Minnawarra Ward  
River Ward  
Ranford Ward  
Heron Ward  
Heron Ward  
Minnawarra Ward  
Hills Ward

#### IN ATTENDANCE:

Ms J Abbiss	Chief Executive Officer
Mr M Hnatojko	A/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

Public: Nil

#### LEAVE OF ABSENCE:

Leave of Absence previously granted to Cr M S Northcott, Cr P A Hetherington  
and Cr S J Mosey

#### APOLOGIES:

Apology received from Cr S Virk, Cr M Silver and Cr S Peter

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

The following question was taken on notice at Council's Meeting on Monday, 19 December 2022 and responses (summarised below) forwarded in a letter by the Acting Executive Director Development Services.

**Richard Henderson**

*Q7: I was the person that took the photographs of the said wetlands which a lot of people here have probably seen. The wetlands still in its entirety is still there right now and this is where the Council should step in and stop it in its tracks before any further destruction of that wetlands is ongoing.*

*I have actually written to the City in relation to the wall between Lots 603-604 and there is a sand bund at a 45 degree angle and I found that unacceptable to my privacy. Now that you have pulled out the entirety of the land along Balannup Road, the proposed development is at the rear of my property (Lot 201). Do I still get my privacy from that property onto my property once this development goes ahead?*

**Response**

**Question 7**

The introduction part of your question refers to Ms Lyn Osborne's earlier question regarding the potential environmental issues raised by the Structure Plan. These were addressed by the Mayor's answer to Q5 (refer to attached Minutes).

Your question proceeds to outline your concerns for the privacy of your property at Lot 604 (57) Balannup Road when the property (Lot 201 Skeet Road) sharing a common rear boundary is in future, developed for urban residential purposes. Privacy of residential development including privacy impacts on neighbouring properties is generally addressed at the time of assessment of applications for residential development.

The Privacy of your General Rural zoned property on Balannup Road will be addressed during the assessment of applications at future residential construction stage which will follow on after prerequisite planning approvals have been granted including:

- State Government (Minister for Transport; Planning; Ports) approval and gazettal of Amendment No.121 to Town Planning Scheme No.4;
- State Government (WAPC) approval of final revised Structure Plan documentation for the Skeet Road area submitted by the landowner, including approved final revised Local Water Management Strategy documentation;
- State Government (WAPC) approval of subdivision application documentation submitted by the landowner of Lot 201 Skeet Road including the setting of subdivision conditions for subsequent completion by the landowner;

- Local Government (City of Armadale) approval of Urban Water Management Plan documentation submitted by the landowner;
- Local Government (City of Armadale) approval of civil design/earthworks and construction drawings and documentation submitted by the landowner;
- Landowner completion of all civil design/earthworks and construction works, in accordance with the approved drawings and documentation;
- State and Local Government agencies and service providers sign-off/clearances for all subdivision conditions set by the WAPC;
- State Government (DPLH) release of new Land Titles for subdivided residential lots; and
- Local Government (City of Armadale) approval of Building Permit application for construction of residential dwellings or other Development Approval and Building Permit approvals for any non- residential development proposed by the landowner.

Similar processes to the above would apply in respect to urban residential development of the other property at Lot 200 Skeet Road which also shares a common rear boundary with your property.

The privacy impacts of urban development on any property would be as part of the assessment of Development Approval and Building Permit applications by the City of Armadale. However, many prerequisite planning/building approvals set out above will need to be completed before the Development Approval and Building Permit application stage is reached. Development Approval and Building Permit applications will be assessed against the State Government's R-Codes (State Planning Policy 7.3 Residential Design Codes).

The R-Codes govern the standards for residential development in Western Australia and form the basis for the design and assessment of landowner applications for residential development. The R-Codes can be viewed or downloaded directly from DPLH by following the attached link: <https://www.wa.gov.au/organisation/department-of-planning-lands-and-heritage>

In the case of applications assessed as not conforming with the R-Codes Deemed-to-Comply standards, the application would then undergo further detailed assessment during which the City may undertake consultation with relevant parties, including any neighbouring properties potentially impacted by the non-compliance.

The Hex Design and Planning Structure Plan application is before the State Government's Western Australian Planning Commission (WAPC) for its consideration of public submissions received, the Local Government recommendations of 19 December and WAPC final determination of the Structure Plan application, at the time of writing. Amendment No.121 to Town Planning Scheme No.4 is also still before the WAPC for consideration of recommendations to the Minister.

Parts 1 to 2 b) of Council's 19 December Resolution D25/12/22 on the Harrisdale North Structure Plan refers Council's recommendations to the Western Australian Planning Commission to approve the proposed Structure

Plan subject to a number of modifications as listed in the Schedule of Modifications attached to the Agenda report, including the deletion of Lots 601-606 Balannup Road from the Structure Plan area and other matters.

These include the City's recommendations that the WAPC support modifications to the Structure Plan before final approval of the Structure Plan including:

- the Structure Plan map, Part 1 and Part 2 of the report and all supporting technical reports to remove Lots 601-606 Balannup Road from the approved Structure Plan;
- the Structure Plan map, to indicate perimeter road to be shown along the rear boundary (north western boundary) of Lots 200-202 Skeet Road;
- the Structure Plan map, to indicate perimeter road along all POS areas;
- LWMS modification so no storm water drains out from basins into wetlands;
- Figure 6 and sections of the LWMS text to be updated to reflect the amended wetland boundaries and management categories shown in the GWSCP dataset;
- LWMS modification to include detailed ground and surface water design concept/s at the Structure Plan boundaries where Lots 601-606 Balannup Road are excluded from the Structure Plan;
- LWMS modifications to include a detailed earthworks concept for the interface between proposed SP and excluded portion, identifying the placement/location of the perimeter road running along the rear boundaries of Lots 200-202 Skeet Road and placement/location of the associated batters of the modified Structure Plan demonstrating adequate separation distance from Lots 601-606 Balannup Road; and
- LWMS and BMP Plan modifications to be consistent with the Structure Plan map.

The modifications to final Structure Plan figures and reports as outlined above will determine the details of future urban development applications for the Skeet Road lots. The City's full Recommendations on the Harrisdale North Structure Plan and Minutes of Council's decision (D25/12/22) can be viewed or downloaded directly from the attached link <https://www.armadale.wa.gov.au/agendas-and-minutes> and selecting Ordinary Council Meeting Minutes under the Council Meetings for 19 December 2022.

The City will provide written notification to all submitters once the WAPC has made its determination on the Structure Plan application.

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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 K Busby and Cr J Keogh**

Request for leave of absence received from Cr K Busby for the period 5 March 2023 until 26 March 2023 inclusive. (Includes 1 Ordinary Council Meeting – 13 March 2023).

Request for leave of absence received from Cr J Keogh for 7 February 2023. (Does not include an Ordinary Council Meeting).

MOVED Cr G Nixon

**That Council grant leave of absence to :**

- Cr K Busby for the period Sunday, 5 March 2023 to Sunday, 26 March 2023 inclusive. (Includes 1 Ordinary Council Meeting – 13 March 2023) and
- Cr J Keogh for 7 February 2023 (does not include an Ordinary Council meeting)

**MOTION not opposed, DECLARED CARRIED (8/0)**

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**6 PETITIONS**

Nil

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**7 CONFIRMATION OF MINUTES**

7.1 PREVIOUS ORDINARY COUNCIL MEETING  
HELD ON 19 DECEMBER 2022.

MOVED Cr E J Flynn that the Minutes of the Ordinary Council Meeting held on 19 December 2022 be confirmed as a true and accurate record.

**MOTION not opposed, DECLARED CARRIED (8/0)**

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

**1. Mayor's Announcements**

Saturday 7 January 2023

Along with Cr Garry Smith, met with members Armadale Kelmscott Lions Club, Lions State Governor and District Governor, National Speaking Competition Winners from each state and National Competition Winner Huda Zaidi, who is a year 12 student, and resident of the City of Armadale.

Friday 13 January 2023

Met with a local resident and Planning staff regarding the subdivision of a constrained site in Kelmscott.

Sunday 15 January 2023

Spoke at the opening of Mata Durga Temple – Albany Highway, Kelmscott and welcomed the attendees to the City of Armadale and their new home in Kelmscott. Councillor Keogh also attended and addressed the large crowd.

Tuesday 17 January 2023

Met with City of Armadale waste staff and representatives of Plastic Oceans Australasia, regarding the Waste Education Program they run in local schools, (which is funded by the City).

Wednesday 18 January 2023

Met with Hugh Jones MLA to discuss matters in the seat of Darling Range.

Friday 20 January 2023

Meeting with Matt Keogh MP, Yaz Mubarakhi MLA and Forrestdale Sporting Association regarding progress on the redevelopment of the club rooms at William Skeet Oval. The Executive Director of Community Services and Executive Director of Technical Services also attended to listen and provide timings and technical information.

Saturday 21 January 2023

Attended and gave a speech at the Handover of the Bedforddale Light Tanker at the Bedforddale Volunteer Fire Brigade. Deputy Mayor, Cr Busby promoted the City's Australia Day Event during a Heritage FM Interview, on my behalf.

Sunday 22 January 2023

Attended and gave a welcome speech to competitors and organisers of the Armadale Triathlon at Champion Lakes, which the City sponsored. The event was also used to promote the World Transplant Games which will be held later this year and will also utilise the Champion Lakes Regatta Centre and surrounds for the Games' triathlon.

Monday 23 January 2023

Attended AFAC to accept Award for "Best Swim School, for marketing promotion and Customer Care" from Executive Officer of Swim Coaches and Teachers Australia.

Tuesday 24 January 2023

Met with Veronica Hansen, regarding various matters, most notably, the gate at Wymond Road. The pamphlet detailing the two Emergency Exits from the Araluen Estate, has been developed and delivered to residents of the estate, as per the request made by another resident (of the estate).

Wednesday 25 January 2023

Attended SEREG meeting via TEAMS

Thursday 26 January 2023

Australia Day - Presided at Citizenship Ceremony held at Kelmscott Hall which welcomed a further 130 Citizens to the City of Armadale. Matt Keogh MP (Federal Member for Burt), Tony Buti MLA (Member for Armadale) and Yaz Mubarakhi MLA (Member for Jandakot), were also in attendance. Presented the Auspire Citizen of the Year Awards to Mark Thompson, Graeme Hart (Citizen of the Year - Senior) and 2<sup>nd</sup> Chance Op Shop (Community Citizen of the Year (Group or Event)). Deputy Mayor Cr Busby, and Crs Smith, Keogh, Hetherington, Northcott, Nixon and Mosey were also in attendance to welcome our new citizens.



That evening, welcomed the crowd to the City of Armadale Alcohol Free Australia Day Event and then joined Councillors and the Mayor of the City of Gosnells, Teresa Lynes and the President of Serpentine Jarrahdale, Michelle Rich to enjoy the live music and fireworks.

Sunday 29 January 2023

Joined Hugh Jones MLA and Cr John Keogh to do litter picking with Friends of Banyowla - Clifton Hills

Monday 30<sup>th</sup> January 2023

Attended an online meeting with the WALGA Environment Committee to discuss a submission to Government, on basketball court noise in residential areas.

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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 CHIEF EXECUTIVE OFFICER'S REPORT**

Report of the Chief Executive Officer.

MOVED Cr E J Flynn that the report be received.

**MOTION not opposed, DECLARED CARRIED (8/0)**

**BUSINESS ARISING FROM REPORT**

Recommendation CEO5/1/23 - List of Accounts Paid - November 2022

MOVED Cr G Nixon

**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 \$13,203,030.93 on transactions 3192 to 4200, cheque no.123 to No.134 and Payrolls dated 13 November and 27 November 2022.**

**Credit Card**

**Accounts Paid totalling \$2,377.28 for the period ended November 2022.**

**MOTION not opposed, DECLARED CARRIED (8/0)**

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Recommendation CEO6/1/23 - Statement of Financial Activity - November 2022

MOVED Cr J Keogh

**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 five (5) month period ended 30 November 2022; and:**

- i. Note that there are reportable actual to budget material variances for the period**
- ii. Note the \$46.36 small rates debts written off under Primary Delegation 1.0 and Secondary Delegation CORPS 1.1.**

**MOTION not opposed, DECLARED CARRIED (8/0)**

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Recommendation CEO7/1/23 - City of Armadale Signage Strategy 2023-2027

MOVED Cr K Busby

**That Council approve the City of Armadale Signage Strategy 2023- 2027 as attached to this report.**

**MOTION not opposed, DECLARED CARRIED (8/0)**

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**11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

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

Nil

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**13 MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION**

**1 Stop Signs - Corner of Wollaston Avenue and Eleventh Road (Cr John Keogh)**

That the matter of installing stop signs at the corner of Wollaston Avenue and Eleventh Roads be referred to the Technical Services Committee.

**2 Lobby for "Connections" Museum piece (Cr John Keogh)**

That the matter of the City exploring options to lobby and sponsor the WA Museum to host "Connections" museum piece 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 7.08pm*

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MINUTES CONFIRMED THIS 13 FEBRUARY 2023

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MAYOR