



ORDINARY MEETING OF COUNCIL
MONDAY, 23 APRIL 2012

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, 23
APRIL 2012 AT 7.00 PM.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

PRESENT:

Mayor, Cr H A Zelones JP presided over	River Ward
Deputy Mayor, Cr R Butterfield	River Ward
Cr J A Stewart	Heron Ward
Cr G Nixon	Jarraah Ward
Cr C M Wielinga	Jarraah Ward
Cr C J MacDonald	Lake Ward
Cr J H Munn JP CMC	Lake Ward
Cr K Busby	Minnawarra Ward
Cr M H Norman	Minnawarra Ward
Cr G A Best	Neerigen Ward
Cr M Geary	Neerigen Ward
Cr M S Northcott	Palomino Ward
Cr L Sargeson	Palomino Ward

IN ATTENDANCE:

Mr R S Tame	Chief Executive Officer
Mr A F Maxwell	Executive Director Corporate Services
Mr P Sanders	A/Executive Director Development Services
Mr G Davies	A/Executive Director Technical Services
Ms Y Coyne	Executive Director Community Services
Mrs S D'Souza	CEO's Executive Assistant

Public: Nil

Press: 1

LEAVE OF ABSENCE:

NIL

APOLOGY

Apology received from Cr Shaw.

107/4/12 MOVED Cr J A Stewart that the apology from Councillor Shaw be accepted.

**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 MacDonald, Cr Munn, Cr Nixon, Cr Northcott and Cr Stewart

Requests for leave of absence was received from Crs MacDonald, Cr Munn, Cr Nixon, Cr Northcott and Cr Stewart.

MOVED Cr M H Norman

That Council grant the requests for leave of absence received from:

- **Cr MacDonald for the period Wednesday 2nd May 2012 to Monday 2nd July 2012 inclusive (includes 4 Ordinary Council meetings – 14th and 28th May and 11th and 25th June 2012);**
- **Cr Munn for the period Friday 11th May to Friday 25th May 2012 inclusive (includes 1 Ordinary Council meeting – 14th May) and for the period Saturday 14th July to Thursday 2nd August 2012 (includes 1 Ordinary Council Meeting – 23rd July);**
- **Cr Nixon for the period Wednesday 2 May to Monday 7 May 2012 inclusive (does not include an Ordinary Council Meeting);**
- **Cr Northcott for the period Thursday 14th June to Monday 30th July inclusive (includes 3 Ordinary Council meetings – 25th June, 9th July and 23rd July); and**
- **Cr Stewart for the period Sunday 29th April to Wednesday 2nd May 2012 inclusive (does not include an Ordinary Council meeting).**

108/4/12 MOTION not opposed, DECLARED CARRIED

(13/0)

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 10 APRIL 2012.

MOVED Cr J A Stewart that the Minutes of the Ordinary Council Meeting held on 10 April 2012 be confirmed as a true and accurate record.

109/4/12 MOTION not opposed, DECLARED CARRIED (13/0)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

ECONOMIC DEVELOPMENT

- On Tuesday 17th April the Mayor met with Tony Buti, Screenwest CEO Ian Booth, representatives from Minister John Day's office and CEO Ray Tame regarding a possible site for a film studio within the City.

CONSULTATION AND COMMUNICATION

- On Friday 13th April the Mayor attended the Heritage Council of WA meeting in Perth.

MARKETING AND PUBLIC RELATIONS

- The Mayor conducted the following plaque presentations:-
 - On Wednesday 11th April -
 - to Tony Crickmore of Oaklands Old Homestead at 10 Benjamin Street, Armadale; and
 - for the property "Darjeeling" at 538 Brookton Highway, Roleystone.
 - On Thursday 12th April to Michael and Dianne Barker of Lot 181 Buckingham Road, Kelmscott
 - On Wednesday 18th April to the Manse Restaurant
- On Thursday 19th April the Mayor took part in a promotional opportunity with the Mayor of Gosnells for a Great Homes and Gardens workshop at Frye Park Pavilion. It was a promotion for Energy Efficiency and water sustainability.
- On Sunday 22nd April the Mayor attended the "Amp It Up" Opening celebrating National Youth Week in Memorial Park Amphitheatre.

GOVERNANCE

- On Wednesday 18th April the Mayor had discussions with Executive Directors on the current structure of Connected Communities in light of changes to the Armadale Redevelopment Authority.
- On Friday 20th April the WA Local Government Grants Commission visited Armadale and did a presentation to a number of Councils on the New Methodology for grant funding. The Mayor attended this presentation along with CEO Ray Tame and Executive Director Corporate Services, Tony Maxwell.

ACKNOWLEDGEMENTS

On behalf of Council the Mayor congratulated Cr Northcott on her achievement as a finalist in the 2012 WA Youth Awards. The WA Youth Awards are presented by the Department for Communities in partnership with the Youth Affairs Council of WA and are supported by Lotterywest. The eight award categories cover a range of fields, including the arts, education, the environment, community service, and sport and recreation. 120 Nominations were made, from which there were 32 finalists. Cr Northcott was a finalist in the community service category.

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 on 16 April 2012 .

CORRECTIONS:

Page 29 Cr Norman's interest declaration to be corrected by replacing the words after "landowners" with the following:
"of Lot 700 which is adjacent to the affected road reserve."

Page 35 Cr Norman's interest declaration to be corrected to read as follows:-
Cr Norman declared a financial interest in this item on the basis that a family member owns property directly opposite the subject area. Cr Norman left the meeting at 7.11pm.

MOVED Cr C Wielinga that the report, subject to the above corrections, be received.

110/4/12

MOTION not opposed, DECLARED CARRIED

(13/0)

BUSINESS ARISING FROM REPORT

Recommendation D24/4/12 - Proposed Closure of a Portion of Road Reserve adjoining Lot 90 (No.26) Kurrajong Street, Roleystone

MOVED Cr C Wielinga

That Council:

- 1. Authorises a request being made to the Minister for Lands pursuant to Section 58 of the Land Administration Act 1997 for the permanent closure of a portion (approximately 314m²) of Kurrajong Street road reserve, as identified on the attached Location Plan, subject to the land being amalgamated with Lot 90 (No.26) Kurrajong Street, Roleystone.**
- 2. Advises the applicants that the closure of the road reserve is subject to the requirements of the State Land Services of the Department of Regional Development and Lands and subject to the payment of the Water Corporation's costs of altering and relocating its infrastructure and the requirement to allow Telstra 24-hour access for the purposes of maintaining its network.**
- 3. Advises the applicants of Council's decision.**

111/4/12

MOTION not opposed, DECLARED CARRIED

(13/0)

Recommendation D25/4/12 - Dedication of Lot 66 (Plan 10547) as Road Reserve

Councillor Norman declared a non-financial interest in Recommendation D25/4/12 as he has an association with one of the landowners of Lot 700 which is adjacent to the affected road reserve.. As a consequence, he advised that there may be a perception on the basis of his non-financial interests that his impartiality on the matter may be affected, but declared that he would set aside this association, consider the matter on its merits and vote accordingly.

MOVED Cr C Wielinga

That Council:

- 1. Request the Minister for Lands to dedicate the parcels of land as road reserve as shown on the attached plan and described as follows:**
 - a) Lot 66 on Plan 10547 and described as vested by the Registrar for the purpose of Right of Way.**
- 2. Advise Main Roads WA that the dedication of the northern portion of Lot 66 is subject to Main Roads WA indemnifying the City and the Minister for Lands against any claims for compensation in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.**

3. **Indemnify the City and the Minister for Lands against any claims for compensation in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request in regards to the dedication of the southern portion of Lot 66.**

112/4/12

MOTION not opposed, DECLARED CARRIED

(13/0)

Recommendation D26/4/12 - Illuminated Directional Sign - Lot 500 Ranford Road, Harrisdale

*Cr Norman declared a financial interest in Recommendation D26/4/12 on the basis that a family member owns property directly opposite the subject area.
Cr Norman left the meeting at 7.10pm.*

MOVED Cr C Wielinga

That Council:

- A) **Approve the application by Rainbow Outdoor Media to erect an Illuminated Directional Sign advertising “Heron Park” to be located within the road reserve adjacent to Lot 500, Ranford Road, Harrisdale, subject to the following conditions:**
 1. **The sign shall be erected in accordance with the approved plans, to the satisfaction of the Executive Director Development Services.**
 2. **Annual rental to be paid to the City in accordance with the City’s Planning Services-Schedule of Fees and Charges.**
 3. **The sign shall not interfere with the use of any pathway, cycle way, crossover or line of sight for vehicles and any street trees.**
 4. **The sign shall be set back 4.5 metres from the back of the kerb, 42 metres from the speed limit sign and shall have the necessary clearance from any relocated power pole or lines, to the satisfaction of the Executive Director Technical Services.**
 5. **The illumination of the sign shall be of a low-level not exceeding 300cd/m² not flash, pulsate, move or rotate to the satisfaction of the Executive Director Development Services.**
 6. **The sign shall not contain fluorescent, reflective or retro reflective colours or materials to the satisfaction of the Executive Director Development Services.**
 7. **A written agreement being provided to the Executive Director Technical Services prior to the erection of the sign on the land, that Rainbow Outdoor Media will be responsible for all maintenance, removal (within 24 hours should the sign be damaged), replacement and removal of graffiti (within 2**

working days), as well as informing the City should any of the above be carried out.

8. The sign shall be removed or relocated at the applicant's cost and to the satisfaction of the Executive Director Development Services, in the event any road works, service relocation, upgrade and/or widening of Ranford Road is required, within 30 days of a written request from the City.
9. Rainbow Outdoor Media shall provide a copy of a Public Liability Insurance Policy to the value of \$10,000,000 which must remain current for the life of the sign, prior to the erection of the sign on the land.
10. The approval is valid for a temporary period of six (6) years only from the date of the approval.

B) In addition to the standard Advice Notes, the following Advice Note be included:

1. With regard to Condition 4, the sign is not to interfere with any relocation and/or realignment of power poles. In this instance, the applicant is to liaise directly with Western Power prior to installation of the sign.
2. With regard to Condition 7, the cost of establishing and maintaining such signage in good order is to be borne by the applicant. In the event of non-compliance with maintenance standards, the City may within 14 days of notice remove such signage and bill the applicants for the removal and disposal costs. All obligations to be confirmed in writing.

113/4/12

MOTION not opposed, DECLARED CARRIED

(12/0)

Cr Norman returned to the meeting at 7.12pm

Recommendation D27/4/12 - Local Planning Policy Review - Stage 1 - Final Adoption

MOVED Cr C Wielinga

That Council:

1. Adopt Local Planning Policies:

PLN 2.1 Establishment or Amendment of Development Envelope Locations

PLN 3.2 Child Care Premises

PLN 3.3 Home Occupations and Home Businesses

PLN 3.4 Outbuildings

PLN 3.5 Setback Variations – Rural Living & General Rural Zones

- PLN 3.6 Ancillary Accommodation – Control of Additional Accommodation**
- PLN 3.7 Araluen Residential Estate**
- PLN 4.1 The Design of Industrial Sites and Estates**
- PLN 5.1 Highway Development**
- PLN 5.3 Sea Containers, Railway Carriages & Other Decommissioned Transport Conveyances**

with modifications as shown in *Attachment 3.1.3 of the Minutes* in accordance with *Clause 2.4.2 of Town Planning Scheme No.4.*

2. Publish a notice once in a newspaper circulating in the district listing all the Local Planning Policies that have been adopted in accordance with Clause 2.4.3 (a) of Town Planning Scheme No.4.
3. Forward a copy of the policies to the Western Australian Planning Commission in accordance with Clause 2.4.3 (b) of Town Planning Scheme No.4.

114/4/12 MOTION not opposed, DECLARED CARRIED (13/0)

10.2 CITY STRATEGY COMMITTEE MEETING

Report of the City Strategy Committee on 17 April 2012 .

MOVED Cr M H Norman that the report be received.

115/4/12 MOTION not opposed, DECLARED CARRIED (13/0)

BUSINESS ARISING FROM REPORT

Recommendation CS30/4/12 - List Of Accounts Paid - March 2012

MOVED Cr M H Norman

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

Municipal Fund

Accounts paid totalling \$12,605,143.08 on Vouchers 17077 – 17249, Batch 1246-1250, 1252-1256, 1258, 20312, 101935-101952, 200112, 300240-300241, PY01.18-PY01.19 & PY99.08-PY99.09

Trust Fund

Accounts paid totalling \$2,451,028.50 on Vouchers 2068-2128, 400161 - 400162 &, Batch 1251 & 1257

116/4/12 MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation CS31/4/12 - Monthly Statement Of Financial Activity -
March 2012

MOVED Cr M H Norman

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 9 months period ended 31 March 2012.

117/4/12 **MOTION not opposed, DECLARED CARRIED** (13/0)

Recommendation CS32/4/12 - License to Occupy Public Transport Authority
Railway Reserve - Fletcher Park Wungong

MOVED Cr M H Norman

That Council enter into a Licence to Occupy agreement with the Public Transport Authority for a portion of the rail Reserve along the western side of Reserve 14217 Fletcher Park, Wungong as detailed in the plan presented in this report under the following basic terms and conditions:

- **Term:** **Ten (10) years**
- **Commencement Date:** **1 July 2011**
- **Licence Fee:** **\$1,000 per annum exc GST**
- **Insurance:** **Public Liability for a minimum cover of \$10,000,000**
- **Outgoings:** **All normal outgoings including management fees**

118/4/12 **MOTION not opposed, DECLARED CARRIED** (13/0)

Recommendation CS33/4/12 - Australia/New Zealand Chief Officers' Group
Meetings 2012/2013

MOVED Cr M H Norman

That Council note and approve the Chief Executive Officer's proposed attendance at the 2012/2013 meetings of the Australia/New Zealand Chief Officers' Group to be held in July 2012 (Northern Territory), November 2012 (Victoria) and February 2013 (New Zealand) at an estimated cost of \$5000.

119/4/12 **MOTION not opposed, DECLARED CARRIED** (13/0)

Recommendation CS34/4/12 - Community Safety (Cr Stewart)

MOVED Cr M H Norman

That Council:

- 1. Request officers to confer with relevant State Government agencies to address the social issues being experienced in Armadale; and**
- 2. Seek a meeting with the Director General of Housing and the Commissioner of Police on the same matter.**

120/4/12 **MOTION not opposed, DECLARED CARRIED** (13/0)

Recommendation CS35/4/12 - Council Policies & Management Practices (Cr Butterfield)

MOVED Cr M H Norman

That Council:

note that the proposed Management Practice for new Policies will be included in Council reports or provided separately to Councillors, for noting, before the Policy is approved by Council.

121/4/12 **MOTION not opposed, DECLARED CARRIED** (13/0)

10.3 CHIEF EXECUTIVE OFFICER'S REPORT

Report of the Chief Executive Officer .

MOVED Cr G A Best that the report be received.

122/4/12 **MOTION not opposed, DECLARED CARRIED** (13/0)

BUSINESS ARISING FROM REPORT

Recommendation - Councillors' Information Bulletin - Issue No.7/2012

MOVED Cr M S Northcott

That Council acknowledge receipt of Issue No 7/2012 of the Information Bulletin.

123/4/12 **MOTION not opposed, DECLARED CARRIED** (13/0)

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

WITHOUT DISCUSSION

Electronic Aids (Cr Jeff Munn)

That the matter of installing electronic aids be referred to the City Strategy Committee

Refurbishment of Councillors' Lounge (Cr Jeff Munn)

That the matter of refurbishment of the Councillors' lounge be referred to the Technical Services Committee

Building Materials from the historic Kelmscott Childrens' Centre (Cr Henry Zelones)

That the matter of the proposed use of building materials from the historic Kelmscott Childrens' Centre currently stored in the Council depot be referred to the Technical Services Committee.

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Zelones, declared the meeting closed at 7.20pm

MINUTES CONFIRMED THIS 14th of MAY 2012

MAYOR