

**ORDINARY MEETING OF COUNCIL
MONDAY, 14 MARCH 2016**

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, 14
MARCH 2016 AT 7.00PM.

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 OAM JP presided over	River Ward
Deputy Mayor, Cr R Butterfield	River Ward
Cr J A Stewart	Heron Ward
Cr D M Shaw	Heron Ward
Cr C M Wielinga	Jarrah Ward
Cr C Frost	Lake Ward
Cr M Silver	Lake Ward
Cr K Busby	Minnawarra Ward
Cr M H Norman	Minnawarra Ward
Cr M Geary	Neerigen Ward
Cr L Sargeson	Palomino Ward
Cr C A Campbell JP	Palomino Ward

IN ATTENDANCE:

Mr R S Tame	Chief Executive Officer
Mr A F Maxwell	Executive Director Corporate Services
Mr P Sanders	Executive Director Development Services
Mr K Ketterer	Executive Director Technical Services
Mr N Kegie	A/Executive Director Community Services
Mrs S D'Souza	CEO's Executive Assistant

Public: 4 Press: 1

LEAVE OF ABSENCE:

Leave of Absence previously granted to Cr G A Best

APOLOGIES:

Apology received from Cr G Nixon

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

Nil

4 PUBLIC QUESTION TIME

1 M Wishart – Melody Street, Kelmscott

What is the status of the development proposal (Canning River Clifton Street Precinct Structure Plan) as at the moment?

The Mayor advised that a report is being prepared and, if ready, likely to be submitted to the April Development Services Committee meeting.

You indicated at the meeting on December 19 held at the the park that there might be small group meetings with the council and interested people – Is this going to happen?

The Mayor advised that he had provided people with his business cards with the offer that he could be contacted to attend further meetings with small groups of people. It was emphasised that these meetings needed to be initiated and arranged by interested residents.

2 J Andrews - Alola Street, Kelmscott

Regarding the Clifton Hills development again.

Understand that previous owners of Lot 20 and 21 sold the land cheaply to the Council on the proviso that these were to be used for senior housing? Also was Lot 22 where the aged home is part of it and do you deem that one out of the 3 lots is enough?

The Mayor advised that he did not believe that there were any conditions on the land transfer sale. The Council owns these blocks freehold. In terms of the existing aged persons, Council was approached by the owner with a plan to develop the type of facility that is there. The land was not particularly identified for that particular developer and just happened to be suitably sized block for that use. Other lots were of course developed within the City to provide aged care in particular Thomas Scott and the one on Camillo Road.

The CEO reiterated that the question of pre-condition was raised and addressed prior to Council going through all the steps of disposal and transfer of the land to the eventual developer of the home at the time.

3 A Johnson - Clifton Street, Kelmscott

Just following up on the comments you made then, has that been documented or was that an agreement that you had at the time once the development was done for the aged care?

The Mayor advised that the rezoning and development application process was made public and documented and should be on the Council records.

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 22 FEBRUARY 2016.

MOVED Cr J A Stewart that the Minutes of the Ordinary Council Meeting held on 22 February 2016 be confirmed as a true and accurate record.

56/3/16 MOTION not opposed, DECLARED CARRIED (12/0)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1 Consultation and Communication

- On 29th February the CEO and Mayor met with the new District Superintendent of the SE Metro Police District Brad Sorrell and Assistant District Officer Tara Doyle. The meeting was a meet and greet and to discuss issues arising out of the recent Crime Stats released to the media.
- On 3rd March the CEO and Mayor met with Mr Stuart Reside (General Manager) and Jason Wallis of Urban Quarter to discuss their projects with the City. Project update for Springtime in Haynes and CY O'Connor Village, Piara Waters. Community and stakeholder events, Interface with City of Armadale and MRA, Armadale Road upgrade.
- The same evening Cr Campbell and the Mayor attended the Perth Airport Municipalities Group meeting hosted by the City of Armadale. Following the meeting the Mayor attended the Community Forum in the Function Room.
- On 10th March the Mayor met with representatives of the University of the 3rd Age to discuss issues around hire arrangements.
- Later that evening attended a Girl Guide function at Gwynne Park.

2 Marketing and Public Relations

- On 5th March the Mayor attended the launch of the City of South Perth Historical Society Inc., as part of the City of South Perth 2016 Fiesta an Exhibition 'A Park for all Reasons' which will tell the story of the Sir James Mitchell Park. Part of that story is the Chinese Market Gardens. Mr. Christen Bell, Museum Curator, City of Armadale arranged for the loan of museum artefacts for the exhibition.
- On 9th March attended the City of Gosnells Citizenship ceremony at their Civic Centre in Gosnells.
- On 10th March attended the Westfield Primary School assembly to acknowledge the school's 'Ride to School Day'. The school had a 57% participation rate in the program. The City is a sponsor of the program and on the City's behalf presented prizes to 3 students who participated.

3 Governance and Economic Development

- On 24th February attended a meeting of the State Planning Policy committee in Perth.
Later that evening along with Cr Butterfield attended the WALGA SE Zone meeting at the City of Canning.
- From 29th February to 1st March attended a regional meeting of the WA Planning Commission in the City of Albany.
- On 2nd March attended the State Council meeting of WALGA in West Leederville.
- On 9th March attended and Chaired the monthly meeting of WAPC's EF&P meeting.
- On 14th March conducted a private Citizenship ceremony for 11 in the Function room.

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

Nil

10 REPORTS

10.1 TECHNICAL SERVICES COMMITTEE MEETING

Report of the Technical Services Committee held on 29 February 2016.

MOVED Cr C Frost that the report be received.

57/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

BUSINESS ARISING FROM REPORT

Recommendation T6/2/16 - Policy Review - 2016

MOVED Cr C Frost :

1. That Council endorse the following policies, as detailed in the attachments to this Report:
 - **ENG 1 - Taking of Flora.**
 - **ENG 2 - Standard Crossover.**
 - **ENG 7 - Public Access Ways – Management.**
 - **ENG 8 - Fireworks.**

2. That **ENG 6 – Street Tree Management – Removals and Replacements, Trees in Streets, Ways and Reserves, be referred back for further review.**

58/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

Recommendation T7/2/16 - Review of Delegations of Authority Relevant to the Technical Services Directorate 2016

MOVED Cr C Frost SECONDED Cr D M Shaw :

That Council confirms the following current Delegation to the Chief Executive Officer as having ongoing application, relevance, and accuracy.

- **Local Government Act 1995**

No:	DELEGATED AUTHORITY		Assigned by Chief Executive Officer
	Section Reference	Delegation Described	
270	3.1 and 3.2	The Chief Executive is delegated authority to discharge the following powers and functions under the City of Armadale Pest Plant Local Law 2013: (a) Serve on the owner or occupier of private land within the district, a duly completed notice in the form of Schedule 2, requiring him to destroy,	No

		<p>eradicate or control any pest plant on that land.</p> <p>(b) Where a person fails to comply with a notice under Clause 3.1 served upon him, may –</p> <p>(i) Without payment of any compensation in respect thereof, destroy, eradicate or control, as the case may be, any pest plant the destruction, eradication or control of which was required by the notice; and</p> <p>(ii) Recover in a court of competent jurisdiction from the person to whom the notice is directed, the amount of the expense of such destruction, eradication or control.</p>	
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59/3/16

**MOTION DECLARED CARRIED by an ABSOLUTE MAJORITY
RESOLUTION OF COUNCIL (12/0)**

Recommendation T8/2/16 - Petition - Request to Cancel Plans to Install
Shared Path on Seventh Road, Armadale

MOVED Cr C Frost :

That Council:

- 1. Note the justification for selecting to apply for Blackspot funding for a new shared path and lighting upgrade along the eastern side of Seventh Road, between Gribble Avenue and Devereux Street.**
- 2. Confirm the installation of the path and lighting upgrade in terms of the Federal Blackspot grant in 2015/2016, and as detailed in DWG No E14-105.**
- 3. Inform the petition convenor of (1) and (2) above.**

60/3/16

MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation T9/2/16 - Tender No 30/15 for the Supply of Limestone
Rubble Material

MOVED Cr C Frost :

**That with Tender No 30/15 for the Supply of Limestone Rubble Material,
Council:**

- 1. Accepts the tender from PMR Quarries, trading as WA Limestone Unit Trust, for a period of twelve (12) months, commencing on 1 April 2016, at an approximate annual cost of \$365,000.00, in accordance with the submitted tender, Councils contract**

documentation, and Budget allocation.

2. Authorise the Chief Executive Officer to extend the contract for two (2) periods of twelve (12) months up to 31 March, 2019, subject to satisfactory performance by the contractor, and price adjustments as specified in the Request for Tender document Clause 4.1.

61/3/16 MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation T10/2/16 - Tender No 31/15 for the Supply of Mineral Aggregate Material

MOVED Cr C Frost :

That with Tender No 31/15 for the Supply of Mineral Aggregate Material, Council:

1. Accepts the tender from Ransberg Pty Ltd, trading as WA Bluemetal, for a period of twelve (12) months commencing on 1 April 2016, at an approximate annual cost of \$90,000.00, in accordance with the submitted tender, Councils contract documentation, and Budget allocation.
2. Authorise the Chief Executive Officer to extend the contract for two (2) periods of twelve (12) months up to 31 March 2019, subject to satisfactory performance by the contractor, and price adjustments as specified in the Request for Tender document Clause 4.1.

62/3/16 MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation T11/2/16 - Tender No 32/15 for the Supply of Sand

MOVED Cr C Frost :

That with Tender No 32/15 for the Supply of Sand, Council:

1. Accepts the tender from PMR Quarries, trading as WA Limestone Unit Trust, for a period of twelve (12) months, commencing on 1 April, 2016 at an approximate annual cost of \$250,000.00, in accordance with the submitted tender, Councils contract documentation, and Budget allocation.
2. Authorise the Chief Executive Officer to extend the contract for two (2) periods of twelve (12) months up to 31 March 2019, subject to satisfactory performance by the contractor, and price adjustments as specified in the Request for Tender document Clause 4.1.

63/3/16 MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation T12/2/16 - Angelo Street - Footpath Request

MOVED Cr C Frost :

“That Council:

- 1. Note that Angelo Street is already included in the Armadale Path Network Development Plan - Skeletal Path Plan – Stage 2, with a likelihood that construction would be possible in approximately three to five years.**
- 2. Note that the footpaths on:**
 - Grealis Street;**
 - Townsend Street; and**
 - Werndley Street;**

have not been included in the Armadale Path Network Development Plan - Skeletal Path Plan – Stage 2, and will be reassessed for inclusion in Stage 3 of the Skeletal Path Plan when this is compiled at the conclusion of Stage 2.
- 3. Inform the petition convenor of (1) and (2) above.”**

64/3/16 MOTION not opposed, DECLARED CARRIED (12/0)

10.2 COMMUNITY SERVICES COMMITTEE MEETING
Report of the Community Services Committee held on 1 March 2016.

MOVED Cr K Busby that the report be received.

65/3/16 MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation C5/3/16 - Kelmscott Community Garden Inc. Proposal - Rushton Park

MOVED Cr K Busby

That Council:

- 1. Note the report and reaffirm its support in principle to establish a community garden in Kelmscott.**
- 2. Request Officers facilitate a meeting between Kelmscott Community Garden Inc., Kelmscott Agricultural Society and relevant stakeholders to discuss the proposed community garden on Rushton Park.**

66/3/16 MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation C6/3/16 - Public Art Policy

MOVED Cr M Geary that the Public Art Policy (Attachment 1.1.1) be amended by adding the following objective as the first dot point:-

- To introduce new Public Art to the City in private and public places through City funded projects and encouraging and providing opportunities for private investment in Public Art.

67/3/16 **AMENDMENT not opposed, DECLARED CARRIED (12/0)**

MOVED Cr M Geary that Recommendation C6/3/16, as amended, be adopted, i.e.

That Council Adopts the Public Art Policy (as amended) as attached to this report.

68/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

Recommendation C7/3/16 - Revised Financial Assistance Policy

MOVED Cr K Busby

That Council:

1. **Adopts the revised Financial Assistance Policy as attached to this report.**
2. **Notes the delegations of authority that enable the day to day management of the policy are already included in the City of Armadale Delegated Authority Register.**

69/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

Recommendation C8/3/16 - Council Policy Review 2016 - Community Services

MOVED Cr K Busby

That Council, pursuant to section 2.7(2)(b) of the *Local Government Act 1995* reaffirm without amendment the continued application and operation of each of the following current Council Policies for a further three (3) years or such earlier date as Council may determine from time to time, except COMD 6, which requires approval of amendment and reaffirm for a further three (3) years or such earlier date as Council may determine from time to time:

- **COMD4 – Art Collection Policy (as amended)**
- **COMD 6 – Assistance in Relation to a Natural or Other Disaster**

(as amended)

- **FIRE 4 – Health Declaration**
- **RECN 1 – Lighting on Sporting Reserves**
- **RECN 5 – Provision of Goal Posts and Structures**

70/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

Recommendation C9/3/16 - Council Policy Review – LIB 3 – Public Internet Use - Community Services

MOVED Cr K Busby

That Council, pursuant to section 2.7(2)(b) of the *Local Government Act 1995*, agree to the proposed amendments to the LIB 3 Policy and supporting management practice and continue to apply and operate after amendment for a further three (3) years or such earlier date as Council may determine from time to time:

- **LIB 3 – Public Internet Use**

71/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

Recommendation C10/3/16 - Percentage for Art - Public Art Policy

MOVED Cr K Busby

That Council refer the item relating to Percentage for Art inclusion in the Public Art Policy to the relevant Directorate for action and/or report to the appropriate Committee.

72/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

10.3 CHIEF EXECUTIVE OFFICER'S REPORT

Report of the Chief Executive Officer .

MOVED Cr R Butterfield that the report be received.

73/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

BUSINESS ARISING FROM REPORT

Recommendation - Councillors' Information Bulletin - Issue No. 4/2016

MOVED Cr K Busby

That Council acknowledge receipt of Issue No 4/2016 of the Information Bulletin.

74/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

13 MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION

1 "Growing Armadale" Survey Data (Cr Ruth Butterfield)

That the matter of provision of additional information for the "Growing Armadale" survey be referred to the City Strategy Committee.

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

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

MINUTES CONFIRMED THIS 29th DAY OF MARCH 2016

MAYOR



POLICY

Public Art

Management Practice

Public Art

Relevant Delegation

Community Development

Rationale

The Public Art Policy and associated Management Practice provide a framework for the process of commissioning, installation, management, maintenance and decommissioning of all permanent or temporary public art and mural art in the City of Armadale.

Policy

The City of Armadale recognises the contribution of public art in creating vibrant and attractive places and is committed to the incorporation of stimulating and relevant public art that enriches the character and identity of local communities.

The objectives of the policy are

- To introduce new Public Art to the City in private and public places through City funded projects and encouraging and providing opportunities for private investment in Public Art.
- To promote excellence, creativity and innovation in the delivery of public art, which enhances the public amenity of public spaces;
- To provide opportunities for a wide variety of artistic outcomes, including permanent, temporary and mural artworks, that engage and interact with the community;
- To enhance the local community identity and cultural tourism; and
- To generate economic development and capacity building opportunities for local arts industry practitioners.

Related Local Law

Related Policies

Related Budget Schedule

Last Reviewed

Next Review Date

Authority