



**ORDINARY MEETING OF COUNCIL
TUESDAY, 26 APRIL 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 TUESDAY,
26 APRIL 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 G Nixon	Jarraah Ward
Cr C M Wielinga	Jarraah Ward
Cr C Frost	Lake Ward
Cr M Silver	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 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
Ms Y Loveland	Executive Director Community Services
Mrs S D'Souza	CEO's Executive Assistant

Public:

LEAVE OF ABSENCE:

Nil

APOLOGIES:

Nil

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

**Leanne Smith - Executive Officer of PCAWA - On behalf of the Pony
Club of WA Board of Directors**

The following questions were taken on notice at Council's Meeting on 11 April 2016 and responses (summarized below) forwarded in a letter by the Chief Executive Officer dated 18 April 2016.

If a course builder did not have course designer accreditation then according to the PCA WA rules and regulations are you aware that this course will not be approved for use by PCA WA? That a course builder without the specialised knowledge, experience and accreditation will be required to work side by side with an accredited designer for the duration of the project to ensure this is constructed within the specifications? Are you aware this must happen for the build to meet the specifications of Pony Club Association WA eventing rules?

City's Response to be forwarded to PCAWA Board of Directors

The City was aware that all courses must be designed by an accredited course designer. For this reason the City engaged with the Wallangarra Riding Pony Club (WRPC) and the PCAWA for their advice as to the appointment of a qualified course designer. Based on the advice received from these bodies the City then contracted Mr Tom Compagnoni into that position.

The course was designed and documentation prepared by Mr Compagnoni (at some considerable cost), signed off by the WRPC and PCAWA, and included information that a competent builder could construct the course but closely supervised by an experienced and qualified course designer.

The advice received from the Wallangarra Riding Pony Club and PCAWA failed to advise the City of any other requirement regarding a designer working "side by side with the builder", only that the Course Designer was to "supervise placement and final design of each jump". The documentation and specifications were drafted (at some considerable cost) by the accredited expert.

These are matters for the City of Armadale, the person contracted to write the specification, and the appointed construction contractor.

4 PUBLIC QUESTION TIME

Nil

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PETITIONS

1 Installation of Safety Barrier - Carradine Road, Bedfordale (Cr Mark Geary)

Cr Geary tabled a petition signed by 228 residents, the prayer of which reads:-

We the undersigned respectfully request that the Council:

...Install a safety barrier system along the edge of Carradine Road in Bedfordale at the approach to Carawatha Avenue heading in a north easterly direction adjacent to the pedestrian footpath.

This path is frequently used by young school children and parents and has been noted as a serious safety issue with fast moving traffic (although gazetted as a 40km zone) and the probability of a major incident/injury or death from a young child being struck by a vehicle passing is likely to occur.

Further we should request better signage and crosswalk markings to the nominated crossing (currently only red and white poles either side of the roadway) at the intersection of these two roads near to Peaceville park.

The road is on a gradual incline and curve with difficult visibility for persons crossing at the pedestrian crossing.

This area has been highlighted a number of times in the past and little or no action has occurred to resolve the serious safety concern.

MOVED Cr M Geary

That Council receive the petition and refer it to the Technical Services Committee.

124/4/16 MOTION not opposed, DECLARED CARRIED (14/0)

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 11 APRIL 2016.

MOVED Cr J A Stewart that the Minutes of the Ordinary Council Meeting held on 11 April 2016 be confirmed as a true and accurate record.

125/4/16 MOTION not opposed, DECLARED CARRIED (14/0)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1 Consultation and Communication

- On 18th April along with Cr Nixon and Mr Jarvis, the Mayor met Mark McGowan MLA, WA Opposition Leader who visited the Armadale Tourist Centre for launch of the Labor Party's \$425 million tourism plan. Accompanying Mr McGowan was Dr Tony Buti MLA (Member for Armadale) and Mr Matt Keogh (Endorsed Labor Candidate for Burt) to discuss the plan. WA Labor has undertaken to invest \$425 million over five years to attract more visitors and create more jobs in areas like Armadale.
- On 19th April along with members of staff, the Mayor met with Dr Tony Buti member for Armadale and a local construction business to discuss issues in regard to the Forrestdale Business Park.

2 Marketing and Public Relations

- On 13th April the Mayor along with the CEO, attended the NGAA WA State Launch of the "Fund Our Future" Campaign held at the Crown Perth. WA Members of NGAA were well represented and Dr Kirsten Martinus, UWA Assistant Professor, School of Earth and Environment Representatives was the keynote speaker. The Armadale Road project which is subject of the *Community Connect South* campaign being undertaken with the City of Cockburn was one of the projects highlighted at the launch.
- On 16th April the Mayor attended and addressed a reunion of former students of the Bedfordale Primary School and unveiled a Heritage Plaque at the site of the old school. Approximate 30 former students, family members and local residents attended the event.
- Later that evening along with Crs Butterfield, Best and the CEO, the Mayor attended the Vivaldi by Candlelight event at the District Hall with the main event at St Mathews Church in Jull St. Approximately 170 local and non-local residents attended the event. Feedback, following the Armadale Arts Festival, has been very positive especially from attendees outside the City. A significant number have suggested that we consider including a similar closing function such as the Vivaldi by Candlelight concert in future years. The Mayor has been requested to pass on their compliments to Councillors and City staff who made the Festival possible.
- On 20th April the Mayor officially launched the map for the Tree Walking Trail around Minnawarra Park and the CBD. As a bicentennial project in 1988 a tree walk for the Armadale CBD precinct was developed by Kim Fletcher to acknowledge 22 trees that were notable or of heritage importance to the district.

- In 2015, two Birtwistle volunteers decided to redo the tree walking trail with the inclusion of many more trees that were of noteworthy interest because of their history or their spectacular appearance or their location.
- This latest version of the trail includes the location and common name of the trees, and indicates the name and location of buildings and sites that feature along the walk and are of historical importance.

On 25th April the Mayor laid a Wreath at the Armadale Cenotaph on behalf of the City at the Armadale RSL's annual ANZAC Day Service. Cr Butterfield placed a wreath at the Cenotaph in Rushton Park Kelmscott.

- Following the dawn services, the Mayor along with Crs Sargeson, Frost and Silver hosted the annual ANZAC reception for RSL members and first responders in the Function Room. Thanks to those Councillors for their assistance.
- Later in the afternoon, the Mayor and Cr Busby attended the 40th anniversary celebration of History House. Around 40 members of the public were present to toast the 40th anniversary.
- Still later that afternoon along with Crs Butterfield and Busby, I officiated at the Kelmscott/Roleystone RSL annual afternoon ANZAC Day service. Despite the weather there was an exceptionally large turnout for both the morning and afternoon services. My thanks to Council Staff who assisted with the provision of a PA system and the piano.

3

Governance and Economic Development

- From 11th to 15th April the Mayor attended the Australian Institute of Directors Course in Perth
- On 15th April the Mayor met with the CEO of WALGA to discuss issues arising out of the changes to the interpretation of Gifts and the effects it is having on the functioning of the Association. This matter is to be further discussed at the Zone meeting Wednesday evening and at State Council next week.
- On 19th April the Mayor chaired the WALGA Selection Committee in their offices in West Leederville.
- On 26th April the Mayor attended the monthly WAPC Commission meeting in Perth.

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

Nil

10 REPORTS

10.1 CITY STRATEGY COMMITTEE MEETING

Report of the City Strategy Committee held on 18 April 2016.

CORRECTION:

Page 56 – Recommendation CS32/4/16 – The words “the proposed activities of” should be deleted.

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

126/4/16 **MOTION not opposed, DECLARED CARRIED (14/0)**

BUSINESS ARISING FROM REPORT

Recommendation CS29/4/16 - List of Accounts Paid - March 2016

MOVED Cr M Geary

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 \$12,449,638.36 on Vouchers 26391–26517, Batch 1872-1880, 1882-1883, Direct Debits and PY01.18-PY01.20.

Trust Fund

Accounts paid totalling \$403,354.48 on Vouchers 5118-5218 & Batch 1881.

127/4/16 **MOTION not opposed, DECLARED CARRIED (14/0)**

Recommendation CS30/4/16 - Monthly Statement of Financial Activity - March 2016

MOVED Cr M Geary

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 nine (9) month period ended 31 March 2016.

128/4/16 **MOTION not opposed, DECLARED CARRIED (14/0)**

Recommendation CS31/4/16 – Workforce Planning Report 2016

MOVED Cr M Geary

That Council, receive the Chief Executive Officer’s Workforce Planning Report 2016, recommending the addition of 21 FTEs in 2016/17 subject to funding in the forthcoming 2016/17 Budget and Corporate Business Plan, bringing the City’s FTE count to 379.

129/4/16 **MOTION not opposed, DECLARED CARRIED (14/0)**

Recommendation CS32/4/16 - Leasing of a Portion of Lot 2333, River Road, Kelmscott

Cr Busby declared a financial interest in Recommendation CS32/4/16 on the basis that Riverdale Childcare is a client of his computer business. Cr Busby left the meeting at 7.08pm.

In moving the following motion, Cr Geary foreshadowed adoption of Option-1 in the Report i.e. Officer’s Recommendation.

MOVED Cr M Geary, SECONDED Cr C Frost
OPPOSED Cr R Butterfield

That Recommendation CS32/4/16 be not adopted.

MOTION LOST (2-11)

MOVED Cr R Butterfield

That Council investigate further in conjunction with the Kelmscott Community Garden the suitability of the site for a Community Garden.

130/4/16 **MOTION not opposed, DECLARED CARRIED (13/0)**

Cr Busby returned to the meeting at 7.20pm

Recommendation CS33/4/16 - Interim Permit for Traders - Jull Street Mall

Cr Norman declared a proximity interest in Recommendation CS33/4/16 on the basis that one of his employers is located in the Jull Street Mall. Cr Norman left at 7.20pm.

MOVED Cr M Geary

That Council;

- 1) **Approves, pursuant to the City’s Activities and Trading in Thoroughfares and Public Places Local Law, a trader’s permit being issued to**

- Mr L Del Dot to carry on fresh fruit and vegetable trading in Area 1;
- Mr J Stewart to carry on plants trading in Area 2; and
- Ms R Kinnane to carry on patio plants and hand crafted soap flowers trading also in Area 2

in the Jull Street Mall subject to the following permit conditions:

- Days and Hours of Trading – Monday to Sunday, 8.00 am to 5.00 pm
 - Vehicle access within the mall area is to be strictly before 8.00am and after 5.00pm
 - Period of permit – Six (6) months from the date of issue of the permit;
 - Fees - \$50.00 Plus \$250.00
 - The applicants each obtaining public liability insurance for an amount not less than \$20,000,000;
 - Compliance with the *Activities and Trading in Thoroughfares and Public Places Local Law* and any other applicable legislation;
 - The City reserving the right to cancel the permit should substantiated complaints be received; and
 - All litter is to be removed immediately after close of business and the area is to be left in a clean and tidy state.
 - Compliance with the Jull St Mall Activities Policy
- 2) Authorise a six (6) month extension of the permits referred to in part one (1) of this recommendation at a fee of \$250.00 should the engagement of a new market provider not be successful.

131/4/16 MOTION not opposed, DECLARED CARRIED (13/0)

Cr Norman returned to the meeting at 7.21pm

Recommendation CS34/4/16 - National General Assembly - Canberra - 19 to 22 June 2016

MOVED Cr M Geary

That Council nominate the Mayor and Chief Executive Officer to attend as Council delegates at the 2016 National General Assembly of Local Government to be held in Canberra from 19 to 22 June 2016 with costs to be charged to the relevant Conference accounts.

132/4/16 MOTION not opposed, DECLARED CARRIED (14/0)

10.2 DEVELOPMENT SERVICES COMMITTEE MEETING
Report of the Development Services Committee held on 19 April
2016.

CORRECTION:

Front Page The words “Deputy Member” be deleted from against Cr
Norman’s name.

MOVED Cr D M Shaw that the report, subject to the above correction, be
received.

133/4/16 **MOTION not opposed, DECLARED CARRIED (14/0)**

BUSINESS ARISING FROM REPORT

Recommendation D14/4/16 - Council Policy Review - HLTH-3 Alcohol Risk
Minimisation

MOVED Cr D M Shaw

**That Council pursuant to Section 2.7(2)(b) of the *Local Government Act
1995* adopt the amended Council HLTH 3 – Alcohol Risk Minimisation
for a further three (3) years or such earlier date as Council may
determine from time to time.**

134/4/16 **MOTION not opposed, DECLARED CARRIED (14/0)**

Recommendation D15/4/16 - Required Modification of Amendment No.77 to
Town Planning Scheme No.4

MOVED Cr D M Shaw

That Council:

- 1. Note the Minister’s decision on Amendment No.77 to the City’s
Town Planning Scheme No.4.**

135/4/16 **MOTION not opposed, DECLARED CARRIED (14/0)**

Recommendation D16/4/16 - Annual Leave - Executive Director
Development Services

MOVED Cr D M Shaw

That Council:

- 1. Note that the Executive Director Development Services (Paul
Sanders) will take Annual Leave from –**

- Friday, 1st July to Friday, 8th July 2016
- Thursday, 14th July to Friday, 15th July 2016
- Thursday, 29th September to Thursday, 13th October 2016

and during this time it is proposed that the Executive Manager Development Services (Sergio Famiano) be appointed Acting Executive Director Development Services; and

2. Pursuant to Management Practice ADM 12 and on the recommendation of the Chief Executive Officer, appoint the Executive Manager Development Services (Sergio Famiano) for the above periods as Acting Executive Director Development Services.

136/4/16 MOTION not opposed, DECLARED CARRIED (14/0)

10.3 CHIEF EXECUTIVE OFFICER'S REPORT

Report of the Chief Executive Officer .

MOVED Cr G A Best that the report be received.

137/4/16 MOTION not opposed, DECLARED CARRIED (14/0)

BUSINESS ARISING FROM REPORT

Recommendation - Councillors' Information Bulletin - Issue No. 7/2016

MOVED Cr C Frost

That Council acknowledge receipt of Issue No 7/2016 of the Information Bulletin.

138/4/16 MOTION not opposed, DECLARED CARRIED (14/0)

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 Final Review of 12 Master Plans (Cr Caroline Wielinga)

That the matter of a final review workshop and possible further report on the 12 Master Plans once these are completed be referred to the Community Services Committee.

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Zelones, declared the meeting closed at 7.25pm

MINUTES CONFIRMED THIS 9TH DAY OF MAY 2016

MAYOR