



ORDINARY MEETING OF COUNCIL 15 April 2002

MINUTES

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ATTACHMENTS

“A-1”	FINANCIAL STATUTORY REPORT FOR THE QUARTER ENDED 11 APRIL 2002
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CITY OF ARMADALE

MINUTES

OF ORDINARY MEETING OF THE ARMADALE CITY COUNCIL HELD IN THE COUNCIL CHAMBERS, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 15 APRIL 2002 COMMENCING AT 7.30 PM

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Deputy Mayor, Cr Munn, declared the meeting open at 7.30pm.

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

PRESENT:

Deputy Mayor, Cr J H Munn JP CMC West Armadale Ward
presided over:

Cr J Knezevich	West Armadale Ward
Cr F R Green	Armadale Ward
Cr A L Cominelli JP	Forrest Ward
Cr G M Hodges	Forrest Ward
Cr V L Clowes-Hollins	Kelmscott Ward
Cr H A Zelones JP	Kelmscott Ward
Cr J D Cumming	Seville Ward
Cr J Everts	Seville Ward
Cr J A Stewart	Westfield Ward
Cr R C Stubbs	Roleystone Ward
Cr D L Hopper JP	Roleystone Ward

IN ATTENDANCE:

Mr R S Tame	Chief Executive Officer
Mr A F Maxwell	Executive Director Community & Corporate Services
Mr JHA Adderley	Executive Director Development Services
Mr A Bruce	Executive Director Technical Services
Mrs S D'Souza	CEO's Executive Assistant

Public: Nil
Press: Nil

LEAVE OF ABSENCE: Previously granted to Crs Reynolds & Fletcher

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

Nil

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

MINUTES OF SPECIAL MEETING OF COUNCIL
HELD ON 2 APRIL 2002

MOVED Cr Stewart that the Minutes of the Special Meeting of Council held
on 2 April 2002, be confirmed as a true and accurate record.

132/2002 MOTION not opposed, DECLARED CARRIED (12-0)

PREVIOUS ORDINARY MEETING OF COUNCIL
HELD ON 2 APRIL 2002

MOVED Cr Stewart that the Minutes of the Ordinary Meeting of Council held
on 2 April 2002, be confirmed as a true and accurate record.

133/2002 MOTION not opposed, DECLARED CARRIED (12-0)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

8.1 FESA National Medal Presentation

On 3rd April Cr Hopper represented Council at the FESA Medal Presentation of National Medals and Bars. Medals were presented to those with 15 years continuous service, with bars being presented for each ten years following that. Recipients included members from Bedforddale and Roleystone.

8.2 History House Management Plan Workshop

The above workshop held on 4th April 2002 was attended by Crs Reynolds, Munn, Clowes-Hollins, Hopper, Stubbs and Cumming. The draft plan was discussed by councillors and the History House Management Committee and changes were agreed to by the group. The final plan will be presented at the next Community Services Committee meeting.

8.3 Minnawarra Festival

The Deputy Mayor expressed his thanks to Crs Hopper, Hodges, Cumming, Reynolds, Cominelli, Clowes-Hollins who had assisted along with himself in the Councillors' tent during the festival. The official opening held on Saturday was attended by Alannah MacTiernan and Paul Andrews. The festival was enjoyed by approximately 20,000 residents and as usual was a successful event.

8.4 Meeting with Stockland Property Group

On 9th April 2002, the Mayor, CEO and Executive Director Development Services met with representatives of Stocklands Property Group (formerly Taylor Woodrow) to discuss advancement of planning development in the Forrestdale area as signalled by the recommendations of the Southern River, Forrestdale, Brookdale, Wungong Structure Plan.

8.5 Youth Awards Presentation

On 11th April Cr Hodges along with some of the Youth Advisory Committee members and Council officers attended the WA Youth Awards presentation at the Burswood Convention Centre. YAC was one of the six finalists in the state for their Youth Needs Survey and "Design a Road Sign" program. Barbara King from the Community Newspapers was nominated for a media award for positive stories on Youth issues.

8.6 ARA's Community Reference Group

On Saturday 13th April, Minister Alannah MacTiernan announced the ten members of the Community Reference Group. The announcement was made in the Jull Street mall and was attended by some councillors

and a number of community members. The list of the ten community reference group members with relevant details has been circulated to all councillors.

8.7 Kuhl Park Community Consultation

Consultation with the local community in relation to Kuhl Park was undertaken on 13th and 14th April 2002. This was held at the Harold King Community Centre and there was good representation from both the community and business sector with approximately 15 people in each of the three groups over two days. All residents were notified by personal mail and an information drop. The outcomes from this consultation will be discussed at the next meeting of the Kuhl Park Working Group prior to a report to Council.

8.8 Conferences attended by Councillors

The Deputy Mayor welcomed back Crs Stubbs and Zelones from their trip to New Zealand where they attended the Australian Planning Congress in Wellington.

He also welcomed back Cr Hopper who attended the Enviro 2002 Conference in Melbourne.

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

Nil

10 REPORTS

10.1 DEVELOPMENT SERVICES COMMITTEE

Report of the Development Services Committee held on 8 April 2002.

CORRECTION:

Page 37 The recommendation No. to read D60/02

MOVED Cr Green that the Report, subject to the above correction, be received.

134/2002 MOTION not opposed, DECLARED CARRIED

(12-0)

BUSINESS ARISING FROM REPORT

Recommendation D55/02 – Revised Plan for Proposed Showroom with Incidental Warehouse and Office – Lots 1,2,24-27 & 100 South Western Highway, Lot 58 & Pt Lot 3 Church Avenue, and Lots 893 & 894 Jull Street, Armadale

Cr Green declared an interest in Recommendation D55/02 on the basis that he is a shareholder of Harvey Norman Pty Ltd, the proposed showroom tenancy on the subject property.

Cr Green left the meeting.

MOVED Cr Zelones that part (e) of Recommendation D55/02 be amended to read as follows:-

- (e) Submission of a comprehensive landscaping plan. Such plan to include the planting of mature trees within road reserves, all paved surfaces, and the integration of the proposed landscaping elements with existing mature vegetation on site. Council would encourage dry or low water use landscape themes and any use of trickle or similar irrigation systems to be maintained for the duration of use of the development to the satisfaction of Council.

135/2002 AMENDMENT not opposed, DECLARED CARRIED (11-0)

MOVED Cr Zelones that Recommendation D55/02, as amended, be adopted.

136/2002 MOTION not opposed, DECLARED CARRIED (11-0)

Cr Green returned to the meeting.

Recommendation D58/02 – Commercial Vehicle Parking – Lot 113 Tamarind Crescent, Kelmscott

In regard to Recommendation D58/02 Cr Zelones disclosed that the application has an impact on a family member. As a consequence, there may be a perception that his impartiality may be affected but declared that he would set aside that association, consider the matter on its merits and vote accordingly

MOVED Cr Green that Recommendation D58/02 be adopted.

137/2002 MOTION not opposed, DECLARED CARRIED (12-0)

MOVED Cr Green that Recommendations D51/02 to D59/02, except those already dealt with, be adopted.

138/2002 MOTION not opposed, DECLARED CARRIED (12-0)

10.2 CITY STRATEGY COMMITTEE

Report of the City Strategy Committee held on 9 April 2002.

CORRECTIONS:

Page 1 Under members present, change Cr J Stewart to Cr **J A** Stewart
Under apologies, after the words "Leave of absence" add the words
"Attending Enviro 2002 Conference"

MOVED Cr Hodges that the Report, subject to the above corrections, be received.

139/2002 MOTION not opposed, DECLARED CARRIED (12-0)

BUSINESS ARISING FROM REPORT

Recommendation CS36/02 – Business Enterprise Centre

MOVED Cr Hodges that Recommendation CS36/02 be amended by adding the words "the management committee and" after the word "on".

140/2002 AMENDMENT not opposed, DECLARED CARRIED (12-0)

MOVED Cr Hodges that Recommendation CS36/02, as amended, be adopted.

141/2002 MOTION not opposed, DECLARED CARRIED (12-0)

Recommendation CS37/02 – Local Government House – Amendments to Trust Deed

In moving the following motion, Cr Hodges referred to the further information tabled by the Chief Executive Officer in response to a request by the City Strategy Committee.

There is concern regarding the appropriateness of appointing the CEO of WALGA to the Board as WALGA are the major tenants of Local Government House and this would appear to be a conflict of interest.

To date the only explanation for the new Board Membership is that it maintains parity between country and metropolitan Council representation

and it was determined that further explanation be sought prior to Council's consent to the proposed amendments to the Trust Deed for the Local Government House.

MOVED Cr Hodges that Recommendation CS37/02 be not adopted.

142/2002 MOTION not opposed, DECLARED CARRIED (12-0)

MOVED Cr Hodges that:-

- (i) WALGA be advised that the City of Armadale is concerned that the proposed Board of Management of the Local Government House Trust includes the CEO of the WA Local Government Association and that this may place this officer in a position of conflict of interest as WALGA is the primary tenant of Local Government House.
- (ii) Council would be pleased to give its consent to the proposed amendments to the Trust Deed for the Local Government House following deletion of reference to the CEO as a Board member, or further explanation to Council as to how this would work in practice.

143/2002 MOTION not opposed, DECLARED CARRIED (12-0)

Recommendation CS40/02 – Cinemas – Tender 19-01 City Support for a Cinema Complex

MOVED Cr Hodges that the item relating to the Cinemas Tender be dealt with behind closed doors under “Matters for Confidential Consideration” as the matters to be discussed included information of a commercial value.

144/2002 MOTION not opposed, DECLARED CARRIED (12-0)

Recommendation CS41/02 – Armadale Redevelopment Authority – Community Reference Groups

MOVED Cr Stubbs that Recommendation CS41/02 be amended by making the existing Recommendation part (1) and adding a Part (2) as follows:

- (2) That the Mayor and CEO be further requested to address the matter of establishing an effective communications protocol between the Member for Armadale and the Council particularly with the view of promoting a shared understanding of the Council's vision and circumstances.

145/2002 AMENDMENT not opposed, DECLARED CARRIED (12-0)

MOVED Cr Hodges that Recommendation CS41/02, as amended, be adopted.

146/2002 **MOTION not opposed, DECLARED CARRIED** **(12-0)**

MOVED Cr Hodges that Recommendations CS34/02 to CS41/02, except those already dealt with, be adopted.

147/2002 **MOTION not opposed, DECLARED CARRIED** **(12-0)**

10.3 **CHIEF EXECUTIVE OFFICER'S REPORT**

Report of the Chief Executive Officer as at 11 April 2002

MOVED Cr Everts that the report be received.

148/2002 **MOTION not opposed, DECLARED CARRIED** **(12-0)**

10.3.1 Supported Accommodation Assistance Program State Advisory Committee Nominations

MOVED Cr Knezevich:

That Council decline the invitation from the Department for Community Development to nominate a person to the Supported Accommodation Assistance Program State Advisory Committee.

149/2002 **MOTION not opposed, DECLARED CARRIED** **(12-0)**

10.3.2. Councillors' Information Bulletin – Issue No. 8/2002

MOVED Cr Clowes-Hollins:

That Council acknowledge receipt of Issue No. 8/2002 of the Information Bulletin.

150/2002 **MOTION not opposed, DECLARED CARRIED** **(12-0)**

10.3.3 Financial Report for the quarter ended 31 March 2002

MOVED Cr Cumming:

The Statutory Financial Report for the quarter ended 31 March 2002, as presented at Attachment "A-1" to this report be referred to the next Community Services Committee Meeting for assessment and review.

151/2002 **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

Nil

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

MOVED Cr Hodges that the meeting be closed to members of the public and press at this juncture as the matter to be discussed included information of a commercial value.

152/2002 MOTION not opposed, DECLARED CARRIED (12-0)

*There were no members of the public or press present at the time.
Meeting closed to the public at 8.15pm*

14.1 Recommendation CS40/02 - Cinemas – Tender 19/01 – City Support for Cinemas

MOVED Cr Stubbs that Recommendation CS40/02 be amended by adding parts (2), (3) and (5) as follows, with the existing part (2) becoming part (4)

- (2) That Westzone Enterprises Pty Ltd/Reading Entertainment be advised that acceptance of the tender in no way implies a planning consent and that any proposal must be the subject of a planning application which conforms with all relevant planning and building requirements.
- (3) That Westzone Enterprises Pty Ltd/Reading Entertainment be advised that central to Council's consideration of any contract will be the certainty with which they can demonstrate that the development of complementary commercial, recreational and leisure enterprises will proceed with the opening of the cinema.

- (5) Concept plans of the proposal being made available to Councillors shall remain confidential for the time being.

SECONDED Cr Cumming

153/2002 AMENDMENT not opposed, DECLARED CARRIED (12-0)

MOVED Cr Stubbs that the Recommendation CS40/02, as amended, be adopted.

154/2002 MOTION not opposed, DECLARED CARRIED (12-0)

MOVED Cr Stubbs that the meeting be opened to members of the public.

155/2002 MOTION not opposed, DECLARED CARRIED (12-0)

Meeting re-opened at 8.29pm

As there were no members of the public in attendance there was no need for Council's resolution to be read aloud.

15 CLOSURE

Deputy Mayor, Cr Munn, declared the meeting closed at 8.30 pm

MINUTES CONFIRMED THIS 6th DAY OF MAY 2002

MAYOR

