



ORDINARY MEETING OF COUNCIL 16 September 2002

MINUTES

CONTENTS

1	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS -----	1
2	RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE -----	1-2
3	ADVICE OF RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	
	NIL-----	2
4	PUBLIC QUESTION TIME	
	MR EVERETT – LETTER IN THE ROLEYSTONE COURIER-----	2
	MR BUSBY – LYNEX OPERATING SYSTEM-----	2
5	APPLICATIONS FOR LEAVE OF ABSENCE	
	CR CUMMING – 7 TH TO 17 TH OCTOBER 2002-----	3
6	PETITIONS	
	ALLOCATION OF LAND FROM SAN JACINTA RESERVE-----	3
7	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	
	MINUTES OF ORDINARY COUNCIL MEETING HELD ON 2 SEPTEMBER 2002-----	4
8	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION	
	8.1 WEANLING PARADE – SE METRO EQUINE TRAINING CENTRE -----	4
	8.2 MEETING WITH DOCTORS -----	5
	8.3 SENIOR’S COMMUNITY FORUM -----	5
	8.4 KELMSCOTT SENIOR HIGH SCHOOL – MUSICAL PERFORMANCE-----	5
	8.5 MRS LILLIAN STUART – 100 TH BIRTHDAY CELEBRATION-----	5
	8.6 DALE COTTAGES CARE FOUNDATION LUNCH-----	5

9	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	
	NIL	5
10	REPORTS	
10.1	DEVELOPMENT SERVICES COMMITTEE – 9 SEP 2002	6
10.2	CITY STRATEGY COMMITTEE – 10 SEP 2002	9
10.3	CHIEF EXECUTIVE OFFICER’S REPORT – 10 SEP 2002	
10.3.1	COUNCILLORS’ INFORMATION BULLETIN – ISSUE NO. 18/2002	10
10.3.2	FINANCIAL REPORT FOR THE 2 MONTHS PERIOD ENDED 31/8/02	10
10.3.3	EDDS POSITION	10
10.3.4	ARALUEN TULIP FESTIVAL	11
10.3.5	WALGA MEMBER VACANCIES	11
11	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	
	NIL	11
12	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING	
	NIL	12
13	MATTERS FOR REFERRAL TO STANDING COMMITTEES	
	NIL	12
14	MATTERS REQUIRING CONFIDENTIAL CONSIDERATION	
14.1	TENDER 19/01 CITY SUPPORT FOR A CINEMA COMPLEX	12
14.2	EDDS POSITION	13
15	CLOSURE	14

ATTACHMENTS

A-1	Financial Report for the 2 months ended 31 August 2002
A-2	Drawing depicting amended traffic arrangements on Croyden Road, Roleystone during the Araluen Tulip Festival

CITY OF ARMADALE

MINUTES

OF ORDINARY MEETING OF THE ARMADALE CITY COUNCIL HELD IN THE COUNCIL CHAMBERS, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 16 SEPTEMBER 2002 COMMENCING AT 7.32 PM

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Mayor, Cr Reynolds, declared the meeting open at 7.30 pm.

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

PRESENT:

Mayor, Cr L Reynolds JP presided over:	Westfield Ward
Deputy Mayor, C J H Munn JP CMC	West Armadale Ward
Cr J Knezevich	West Armadale Ward
Cr F R Green	Armadale Ward
Cr R Fletcher	Armadale Ward
Cr A L Cominelli JP	Forrest Ward
Cr G M Hodges	Forrest Ward
Cr H A Zelones JP	Kelmscott Ward
Cr V L Clowes-Hollins	Kelmscott Ward
Cr J D Cumming	Seville Ward
Cr J Everts	Seville Ward
Cr J A Stewart	Westfield Ward
Cr R C Stubbs AM	Roleystone Ward
Cr D L Hopper JP	Roleystone Ward

IN ATTENDANCE:

	Mr R S Tame	Chief Executive Officer
7.30pm [Mr A F Maxwell	Executive Director Community & Corporate Services
to [Mr J H A Adderley	Executive Director Development Services
9pm [Mr W A Bruce	Executive Director Technical Services
[Mrs S D'Souza	CEO's Executive Assistant

Public: 12
Press: Nil

LEAVE OF ABSENCE:

Nil

APOLOGIES:

Nil

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

Nil

4 PUBLIC QUESTION TIME

Mr Philip Everett – 2 Rodger Court, Roleystone

1. What is the resolution number and at which Council meeting was the article that appeared in the September Roleystone Courier approved for publication?

The Mayor advised that this question would be taken on notice.

Mr Brett Busby – 2 Pelham Street, Armadale

1. Regarding Council's response to a previous question raised investigating the use of the Linux Operating system – What is the annual licensing fees for the Microsoft software used by the Council?

The Mayor advised that this question would be taken on notice.

2. Perth Linux Users Group is having an open day on 29th September and it requested that the Mayor, Deputy Mayor and Manager IT attend this session to investigate Linux further and to be better informed.

The Mayor advised that he would not be interested in attending any such sessions as it was not within his scope to determine which operating system is the best.

Question time declared closed at 7.37 pm.

5 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Request for Leave of Absence – Cr Cumming

Request for Leave of Absence received from Cr Cumming for the period 7th to 17th October 2002, inclusive.

MOVED Cr Fletcher:

That the request for Leave of Absence received from Cr Cumming for the period 7th to 17th October 2002 be received and granted. (includes 1 Council meeting – 7 October 2002)

345/2002 MOTION not opposed, DECLARED CARRIED (14-0)

6 PETITIONS

6.1 Proposed Allocation of Land from San Jacinta Reserve 41650

A petition signed by 111 residential householders surrounding the immediate area of San Jacinta Reserve was tabled by Cr Everts, the prayer of which reads as follows:

“In regard to the proposed allocation of land from the San Jacinta Reserve 41640, for the use by Southern Districts Support Association (SDSA) as a new administration center and storage location for buses and cars. We the undersigned residents petition the council on the issues stated below:-

- 1. The proposed entry for this development is not acceptable for the following concerns:*
 - a. Children walking to and from the park and deli situated on the opposite corner will walk directly across the proposed development access way placing them in danger as the park is designed for pre and primary school children being the most vulnerable age group in traffic hazards.*
 - b. San Jacinta Road is a residential road which is being used as a main transperth bus route combined with the traffic using the Scout Hall and deli on the opposite corner and by situating another entry access for buses and cars at this location as proposed in this development we have concerns with safety at this intersection.*

We request that the Armadale City Council to investigate the alterative being to situate the entry for this development directly

from Lake Road, at the far corner of the reserve behind the Scout Hall and the boundary of Lot 89 San Jacinta Road.

That the existing reserve boundary on San Jacinta Road remain unchanged and the Public Recreation area remains up to the side of the existing Scout Hall.

2. *That a suitable screening fence or wall be erected from Lake Road across to San Jacinta Road similar to the stone wall recently erected along Lake Road so as to screen this proposed development and also the existing Scout Hall from view when in the San Jacinta Reserve.*
3. *As we the residents of this area are forfeiting a large portion of our reserve for this proposal, we believe we should be entitled to have the remainder of San Jacinta Reserve reticulated, as a way of compensation for our reduced park area."*

MOVED Cr Everts:-

That the petition be received and be referred to the Community Services Committee.

346/2002 MOTION not opposed, DECLARED CARRIED (14-0)

7 CONFIRMATION OF MINUTES

PREVIOUS ORDINARY MEETING OF COUNCIL
HELD ON 2 SEPTEMBER 2002

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

347/2002 MOTION not opposed, DECLARED CARRIED (14-0)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

8.1 Weanling Parade – SE Metropolitan Equine Training Centre

On 3rd September the Mayor represented Council at the Weanling Parade at the South East Metropolitan Equine Training Centre. There are 30 students currently undergoing a course there and they used this parade to their best advantage by displaying their talents.

8.2 Meeting with Doctors'

On 5th September the Mayor, Cr Green and Mr Don Randall met with a group of doctors who are moving to have Armadale declared an area of unmet need. There are apparently a number of practices in the Armadale/Kelmscott area that are finding it difficult to be able to attract doctors and are now seeking Mr Randall's assistance in this regard.

8.3 Seniors' Community Forum

On the same day Mr Randall and the Mayor officiated at the Seniors Community Forum. This is the second of a series of six forums that are being organised over the next 2 years. Mr Randall was instrumental in obtaining funding of approx. \$40,000 from the Department of Veterans' Affairs.

8.4 Kelmscott Senior High School – Musical Performance

On 7th September, the students of Kelmscott Senior High School demonstrated their competence in the musical performance area. The musical "Vendal" was written by their drama teacher and previous music students from the school. It was an interesting performance.

8.5 Mrs Lillian Stuart – 100th Birthday Celebration

On 10th September Cr Fletcher attended Mrs Lillian Stuart's 100th birthday celebration at the Armadale Nursing Centre where on behalf of Council he presented her with a basket of flowers and a birthday card.

8.6 Dale Cottages Care Foundation Lunch

On 13th September the Deputy Mayor hosted the Dale Cottages Care Foundation Launch, which was of course also attended by Crs Green & Hodges. It was a very successful evening.

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 9 September 2002.

CORRECTIONS:

Pages 104, 112	Recommendation Nos. to be inserted as follows: Page 104 – D173/02 and Page 112 – D174/02
Page 149	The word “Advisory” in the first para to be changed to read “Management”
Page 152	Locality to be changed from “Forrestdale” to “Armadale”

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

348/2002 MOTION not opposed, DECLARED CARRIED (14-0)

BUSINESS ARISING FROM REPORT

Recommendation D146/02 – Proposed Retail Liquor Outlet – Lot 62 Brookton Highway, Kelmscott

In moving the following motion Cr Stewart advised that the officer report does provide Council with the option of approving such an operation on this site. There have been no objections from Main Roads WA to this proposal and subject to Council placing conditions on this development, addressing residents' concerns, there is the opportunity for this commercial business to extend its retail activity to include the sale of liquor without necessarily affecting the amenity of the area.

MOVED Cr Stewart that Recommendation D146/02 be not adopted.

OPPOSED Cr Zelones

SECONDED Cr Everts

349/2002 MOTION DECLARED CARRIED (9-5)

MOVED Cr Stewart that:-

Council support the application for a Retail Liquor Outlet at Lot 62 Brookton Highway, Kelmscott as it is consistent with the existing retail operation and the small nature of the proposal is not expected to significantly increase activity on the site.

The following conditions of approval being:-

1. Compliance with Main Roads WA requirements
2. Sales area for liquor to be limited to the area indicated on the site plan.
3. Sales are to be defined by partition.
4. Preparation of a house management plan in accordance with Council's alcohol policy guidelines.
5. No Sunday trading.

OPPOSED Cr Zelones

SECONDED Cr Munn

350/2002 MOTION DECLARED CARRIED (10-4)

The following councillors specifically requested that their vote against Resolutions 349/2002 and 350/2002 be recorded in the Minutes:-

- Cr Zelones, Cr Clowes Hollins & Cr Green

Recommendation D150/02 – Proposed Garage – Lot 38 Paterson Road, Armadale

Cr Fletcher declared an interest in Recommendation D150/02 on the basis that he has financial dealings with the landowner of the subject property.

Cr Fletcher left the meeting.

MOVED Cr Green that Recommendation D150/02 be amended by adding the word "bushland" after the word "existing".

351/2002 AMENDMENT not opposed, DECLARED CARRIED (13-0)

MOVED Cr Zelones that Recommendation D150/02, as amended, be adopted.

352/2002 MOTION not opposed, DECLARED CARRIED (13-0)

Cr Fletcher returned to the meeting.

Recommendation D151/02 – Outbuilding – Rubida Rise, Roleystone

MOVED Cr Zelones that Recommendation D151/02 be adopted.

SECONDED Cr Munn

353/2002 MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL (14-0)

Recommendation D152/02 – Local Laws

MOVED Cr Zelones that Recommendation D152/02 be adopted.
SECONDED Cr Munn

354/2002 **MOTION DECLARED CARRIED BY A SPECIAL
MAJORITY OF COUNCIL** **(14-0)**

Recommendation D156/02 – Rezoning & Subdivision Guide Plan – Lots 3, Pt 3, 4, 500, 503 and 502 Albany highway, Bedfordale, Lots 1, 106 and 501 Springfield Road, Bedfordale and Lot 50, 51, 52 and Pt Lot 53 Cross Road, Bedfordale

Mr Adderley declared an interest in Recommendation D156/02 on the basis that he owns and resides on land within the subject site.

Mr Adderley left the meeting.

MOVED Cr Zelones that Recommendation D156/02 be adopted.

355/2002 **MOTION not opposed, DECLARED CARRIED** **(14-0)**

Mr Adderley returned to the meeting.

Recommendation D157/02 – Proposed Scheme Amendment – Part of Lot 114 Warton Road and Part of Lot 3 Nicholson Road, Forrestdale

Cr Knezevich declared an interest in Recommendation D157/02 on the basis that he is a member of the Immunogenetics Research Foundation Inc (Board representing C.Y. O'Connor Erade Village).

Cr Knezevich left the meeting.

MOVED Cr Zelones that Recommendation D157/02 be adopted.

356/2002 **MOTION not opposed, DECLARED CARRIED** **(13-0)**

Cr Knezevich returned to the meeting.

Recommendation D162/02 – Proposed Extension to Cash Converters – Lot 6 Jull Street, Armadale

Cr Stewart declared an interest in Recommendation D162/02 on the basis that a member of his family is an employee with the proprietor of the subject property.

Cr Stewart left the meeting.

MOVED Cr Zelones that Recommendation D162/02 be adopted.

357/2002 MOTION not opposed, DECLARED CARRIED (13-0)

Cr Stewart returned to the meeting.

Recommendation D167/02 – Aged Persons Dwelling Development – Street Block bounded by Albany Highway, Fancote Street and Mahara Road, Kelmscott

Cr Hodges declared an interest in Recommendation D167/02 on the basis that this enterprise would be in direct competition with her current employer.

Cr Hodges left the meeting.

MOVED Cr Zelones that Recommendation D167/02 be adopted.

358/2002 MOTION not opposed, DECLARED CARRIED (13-0)

Cr Hodges returned to the meeting.

Recommendation D171/02 – Attendance at State Planning Conference of Planning Institute of Australia

MOVED Cr Clowes-Hollins:-

That Cr HA Zelones and Cr R C Stubbs be nominated to attend the Planning Institute of Australia Conference to be held between 6 and 8 November 2002, with costs (\$475 per delegate) incurred to be charged to GL Account 1508520.

359/2002 MOTION not opposed, DECLARED CARRIED (14-0)

MOVED Cr Zelones that Recommendations D145/02 to D172/02, except those already dealt with, be adopted.

360/2002 MOTION not opposed, DECLARED CARRIED (14-0)

10.2 CITY STRATEGY COMMITTEE

Report of the City Strategy Committee held on 10 September 2002.

MOVED Cr Hodges that the Report be received.

361/2002 MOTION not opposed, DECLARED CARRIED (14-0)

BUSINESS ARISING FROM REPORT

Recommendation CS79/02 – Tender No.19/01 City Support for a Cinema Complex

MOVED Cr Stubbs that Recommendation CS79/02 be discussed behind closed doors under “Matters Requiring Confidential Consideration” as the matters to be discussed included information of a commercial value.

362/2002 **MOTION not opposed, DECLARED CARRIED** **(14-0)**

MOVED Cr Hodges that Recommendations CS78/02 to CS84/02, except those already dealt with, be adopted.

363/2002 **MOTION not opposed, DECLARED CARRIED** **(14-0)**

10.3 CHIEF EXECUTIVE OFFICER’S REPORT

Report of the Chief Executive Officer as at 12 September 2002

MOVED Cr Clowes-Hollins that the Report be received.

364/2002 **MOTION not opposed, DECLARED CARRIED** **(14-0)**

10.3.1 Councillors’ Information Bulletin – Issue No. 18/2002

MOVED Cr Hopper that Council acknowledge receipt of Issue No. 18/2002 of the Information Bulletin.

365/2002 **MOTION not opposed, DECLARED CARRIED** **(14-0)**

10.3.2 Financial Report for the 2 months ended 31 August 2002

MOVED Cr Fletcher that the Financial Report for the 2 months ended 31 August 2002, as presented at Attachment “A-1” to this report be referred to the next Community Services Committee Meeting for assessment and review.

366/2002 **MOTION not opposed, DECLARED CARRIED** **(14-0)**

10.3.3 Executive Director Development Services Position

MOVED Cr Reynolds that this item be discussed behind closed doors under “Matters Requiring Confidential Consideration” as it is a Council employee related matter.

367/2002 **MOTION not opposed, DECLARED CARRIED** **(14-0)**

10.3.4 Araluen Tulip Festival 2002

MOVED Cr Stubbs, SECONDED Cr Hopper

1. That Council approve the amended traffic arrangements to operate on Croyden Road, Roleystone on Sundays - September 22, 29 and Monday September 30 2002, as per Drawing No.02-69 as attached. [Refer Attachment A-2 to these Minutes].
2. That subject to 1. above, parallel parking on the northern side of Croyden Road be permitted between McNess Drive and the entrance to the Araluen Botanic Park on Sundays - September 22, 29 and Monday September 30 2002
3. That all relevant authorities and surrounding landowners be advised of the amended traffic arrangements.
4. That Council supply the appropriate road signage ensuring compliance with appropriate standards.
5. That the Araluen Botanic Foundation (Inc) be responsible for any additional costs incurred.

368/2002 MOTION not opposed, DECLARED CARRIED (14-0)

10.3.5 WALGA Member Vacancies – Local Government House Trust Board of Management, Working Team for the Review of the Manual for Managing Urban Stormwater Quality in WA, Sub-Group of the Working Team for the Review of the Manual for Managing Urban Stormwater Quality in WA & Local Government Working Group of the Swan Catchment Council

MOVED Cr Hopper that no nomination be made to any of the above Committees.

369/2002 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

NIL

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

MOVED Cr Reynolds that the meeting be closed to members of the public and press at this juncture as there were two items of a confidential nature to be discussed, one included information of a commercial value and the other being a Council employee related matter.

370/2002 MOTION not opposed, DECLARED CARRIED (14-0)

*Members of the public retired from the meeting at this juncture.
Meeting closed to the public at 8.40pm*

14.1 Recommendation CS79/02 – Tender 19/01 City Support for a Cinema complex

MOVED Cr Hopper that Standing Orders be suspended to allow open discussion on the confidential items.

371/2002 MOTION not opposed, DECLARED CARRIED (14-0)

The item on Pages 6-8 of the City Strategy Report was discussed and all councillors updated on progress till date with regard to this development project.

MOVED Cr Hopper that Recommendation CS79/02 as detailed below be adopted.

1. That Council notes that negotiations between the parties of the preferred cinema tenderer have not yet been finalised. Officers have proposed a meeting with the parties to assist in resolving outstanding issues in order to report to Council in October.
2. That the matter of assistance to be provided by the Armadale Redevelopment Authority be taken up with the Authority as a

matter of urgency following confirmation of figures with tenderers Reading and Westzone.

372/2002 **MOTION not opposed, DECLARED CARRIED** **(14-0)**

Officers in attendance, with the exception, of the Chief Executive Officer retired from the meeting at 9pm.

14.2 Executive Director Development Services Position

The Chief Executive Officer spoke to the report and responded to questions from the floor regarding the attributes of the two key candidates for the position, and the recommended appointment.

MOVED Cr Cumming:-

1. That the Chief Executive Officer be authorised to negotiate terms of contract with the preferred applicant (as detailed in the confidential report) commensurate with the package approved by Council in resolution 43/2002 (4 February 2002) and the Job Information Package distributed to all elected members on 12 June 2002, with the fixed term contract to be the Local Government Managers Australia standard form, suitably modified.
2. That the outcome of negotiations be reported back for final ratification by Council.

373/2002 **MOTION not opposed, DECLARED CARRIED** **(14-0)**

MOVED Cr Hopper that Standing Orders be resumed.

374/2002 **MOTION not opposed, DECLARED CARRIED** **(14-0)**

MOVED Cr Clowes-Hollins that the meeting be opened to members of the public.

375/2002 **MOTION not opposed, DECLARED CARRIED** **(14-0)**

Meeting re-opened at 9.15pm

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

15 **CLOSURE**

Mayor, Cr Reynolds, declared the meeting closed at 9.16 pm

MINUTES CONFIRMED THIS 7th DAY OF OCTOBER 2002

MAYOR

