

**ORDINARY MEETING OF COUNCIL
23 March 2009**

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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, 23 MARCH 2009 COMMENCING AT 7.00 PM

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

PRESENT:

Mayor, Cr L Reynolds AM JP presided over	Heron Ward
Deputy Mayor, Cr J Munn JP CMC	Lake Ward
Cr C J MacDonald	Lake Ward
Cr J Knezevich	Minnawarra Ward
Cr K Lethbridge JP	Minnawarra Ward
Cr R J Tizard	Neerigen Ward
Cr H A Zelones JP	River Ward
Cr R Butterfield	River Ward
Cr L Scidone	Jarraah Ward
Cr P J Hart	Jarraah Ward
Cr J Everts	Palomino Ward
Cr W Mauger	Palomino Ward
Cr J A Stewart CMC	Heron Ward

IN ATTENDANCE:

Mr R S Tame	Chief Executive Officer
Mr I MacRae	Executive Director Development Services
Mr WA Bruce	Executive Director Technical Services
Mr N Cain	Acting Executive Director Corporate Services
Ms S D'Souza	CEO's Executive Assistant

Public: 1
Press: Nil

LEAVE OF ABSENCE:

Nil

APOLOGIES:

Apology received from Cr Best.

MOVED Cr MacDonald that the apology be received.

51/3/2009 MOTION not opposed, DECLARED CARRIED (13-0)

**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 Lethbridge

Request for leave of absence received from Cr Lethbridge for the period Monday, 6th April 2009 to Monday, 27th April 2009 inclusive.

MOVED Cr Knezevich that request for leave of absence received from Cr Lethbridge for the period 6th April 2009 to 27th April 2009 inclusive [includes one Council meeting 14 April 2009] be received and granted.

52/3/2009 MOTION not opposed, DECLARED CARRIED (13-0)

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

**7.1 PREVIOUS ORDINARY MEETING OF COUNCIL
HELD ON 9 MARCH 2009**

MOVED Cr Stewart that the Minutes of the Ordinary Meeting of Council held on 9 March 2009 be confirmed as a true and accurate record.

53/3/2009 MOTION not opposed, DECLARED CARRIED (13-0)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Meeting with Department of Justice

On the 10th March 2009, key staff, along with Cr Munn and the Mayor, met with the Justice Department's Director of Asset Management to discuss the temporary addition to the courthouse. The Justice Department's attitude seems to be very much bad luck, that's all the money that it had, and there is no more where that came from. Sadly their efforts to get money to build a more appropriate and more permanent joint facility with the Police department are progressing at a snail's pace and the City may be stuck with the mess for many years to come. We also raised the issue of parking provision with them, but found them seemingly uninterested in the plight of those who need to use the facility, simply saying that the Department had no money.

1st Birthday Celebrations for Champion Centre

The Deputy Mayor and Cr Best then joined the Mayor in attending the 1st Birthday Celebrations at the Champion Centre. A good crowd of people were there and the centre seems to be the envy of many other areas.

Meeting with Shire of S-J

That same evening the Mayor and CEO held discussions with their counterparts at the Shire of Serpentine-Jarrahdale in regards to the current push for Local Government Reform.

National Championships at Champion Lakes

On 11th March 2009, the Mayor, CEO and Cr Zelones attended the launch of the National Canoe/Kayak Flat water Championships at Champion Lakes.

Department of Sport & Recreation (DSR) Presentation on sporting Facilities

The Mayor thanked those Councillors who made it to the DSR Presentation on sporting facilities, which was jointly held with ARA staff. This is a major issue that requires careful consideration over the next period.

Meeting with City of Gosnells

On 12th March 2009, the Mayor and CEO held a very fruitful discussion with their counterparts at the City of Gosnells in relation to Local Government Reform. The CEO will provide a summary of the discussions when the response to the Minister is put together for your consideration.

City of South Perth Fiesta

On 14th March 2009, Crs Munn and MacDonald represented us at the City of South Perth Fiesta.

Official Opening of Challis Parenting Centre

On 17th March 2009, the Deputy Mayor Munn represented Council at the official opening of the Challis Parenting and Early Learning Centre.

Roleystone P&C Autumn Festival

On 21st March 2009, the Mayor along with Cr Hart was pleased to participate in the opening of the Roleystone School P&C Association's Autumn Festival. A very good crowd turned out for what was a very successful day.

Fundraising Concert in Memorial Park

Messages from Kelmscott Primary School to Bushfire Victims in Victoria

Cr Zelones was invited to speak on the recent Bushfires fundraising concert held in Memorial Park. The Concert attracted a good crowd, smaller than hoped for, but everyone enjoyed the "Smooth" fundraiser. Cr Zelones tabled a "hand" written message board prepared by the students of Kelmscott Primary School to the Bushfire victims in Victoria.

"Reach out and touch somebody's hand make this world a better place if you can. You are all in our thoughts and prayers. From everyone at Kelmscott Primary School."

The Mayor advised that the message board would be forwarded to a school (or schools) nominated by the City of Whittlesea within the bushfire affected area.

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

Nil

10 REPORTS

10.1 CITY AUDIT COMMITTEE

Report of the City Audit Committee of 16 March 2009.

CORRECTION:

Page 3 The spelling of the word "January" to be corrected in the item heading.

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

54/3/2009 MOTION not opposed, DECLARED CARRIED (13-0)

MOVED Cr Scidone that Recommendation CA1/3/09 and CA2/3/09 be adopted.

55/3/2009 MOTION not opposed, DECLARED CARRIED (13-0)

10.2 DEVELOPMENT SERVICES COMMITTEE

Report of the Development Services Committee of 16 March 2009.

CORRECTION:

Page 38 In the 4th para – line 4 – the word “for” to be deleted.

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

56/3/2009 MOTION not opposed, DECLARED CARRIED (13-0)

BUSINESS ARISING FROM REPORT

Recommendation D22/3/09 – Proposed 34 Multiple Dwelling Complex – Lot 7 Albany Highway, Armadale

MOVED Cr Zelones that part 1(d) of Recommendation D22/3/09 be amended by

- replacing the word “with” with the words “between the owner and”; and
- deleting the words “and the City of Armadale” at the end of that sentence.

57/3/2009 AMENDMENT not opposed, DECLARED CARRIED (13-0)

MOVED Cr Zelones that Recommendation D22/3/09, as amended, be adopted.

58/3/2009 MOTION not opposed, DECLARED CARRIED (13-0)

Recommendation D25/3/09 – Expenditure of Funds from Legal Agreements and Cash-in-Lieu in the vicinity of the Eastern Portion of Armadale Settlers Common

MOVED Cr Zelones that Recommendation D25/3/09 be amended by renumbering parts (5) and (6) in the existing recommendation to (3) and (4), with the original parts (3) and (4) now becoming parts (5) and (6).

59/3/2009 AMENDMENT not opposed, DECLARED CARRIED (13-0)

MOVED Cr Zelones that Recommendation D25/3/09 be amended by recommitting parts (5) and (6) to a subsequent meeting of the Development Services Committee.

60/3/2009 AMENDMENT not opposed, DECLARED CARRIED (13-0)

MOVED Cr Zelones that Recommendation D25/3/09, as amended, be adopted.

61/3/2009 MOTION not opposed, DECLARED CARRIED (13-0)

Recommendation D26/3/09 – POS Strategy – Proposed Reserve Improvement Works – Stage 2 (Precinct D) – Coastal Plain South 2

MOVED Cr Zelones that Recommendation D26/3/09 be adopted.
SECONDED Cr Tizard

62/3/2009 MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL (13-0)

Recommendation D27/3/09 – Request to Name Public Open Space Areas – Champion Lakes Estate

In relation to Recommendation D27/3/09, Cr Reynolds declared that as his new house is being constructed midway between these two pieces of Public Open Space, it is possible that it might be assumed that his land value will be impacted by these two pieces of POS. Therefore he declared a Financial Interest in the issue.

However, as the item and its resolution only relates to the naming of those reserves, he believes that the current value of \$185,000 will be affected only at the very margin by a few dollars, if at all, as a result of the choice of names, and therefore sought Council's permission to preside over this matter and to participate in debate and vote.

Cr Reynolds vacated the Chair and left the meeting at 7.15pm to allow the meeting to discuss his request and resolve accordingly.

Deputy Mayor, Cr Munn assumed the Chair.

MOVED Cr Stewart, SECONDED Cr Hart:-

That, given the triviality of the interest, Cr Reynolds be given approval to return to the meeting, preside over this matter, participate in the matter by discussion and vote.

63/3/2009 MOTION not opposed, DECLARED CARRIED (12-0)

*Cr Munn vacated the Chair.
Cr Reynolds returned to the meeting at 7.17pm and resumed the Chair.*

MOVED Cr Zelones, SECONDED Cr Stewart:-

That part (1) of Recommendation D27/3/09 be amended as follows:-

1. Approve the name "Joe Saunders" for the linear public open space on the eastern shore of Champion Lakes and the local park on Barrington Avenue be named after the original landowner once the name of this landowner can be confirmed.

64/3/2009 AMENDMENT not opposed, DECLARED CARRIED (13-0)

MOVED Cr Zelones that Recommendation D27/3/09, as amended, be adopted.

65/3/2009 MOTION not opposed, DECLARED CARRIED (13-0)

MOVED Cr Zelones that Recommendations D22/3/09 to D28/3/09, except those already dealt with, be adopted.

66/3/2009 MOTION not opposed, DECLARED CARRIED (13-0)

10.3 CITY STRATEGY COMMITTEE

Report of the City Strategy Committee held on 17 March 2009.

MOVED Cr Tizard that the report be received.

67/3/2009 MOTION not opposed, DECLARED CARRIED (13-0)

BUSINESS ARISING FROM REPORT

Recommendation CS26/3/09 – Lease – Armadale Redevelopment Authority, Lot 500 Lake Road, Champion Lakes

Cr Reynolds and Cr Zelones disclosed that as members of the Armadale Redevelopment Authority Board they had an association with this item. As a consequence, there may be a perception that their impartiality on the matter may be affected. Cr Reynolds and Cr Zelones declared that they would put aside the association, consider the matter on its merits and vote accordingly.

MOVED Cr Tizard that Recommendation CS26/3/09 be adopted.

68/3/2009 MOTION not opposed, DECLARED CARRIED (13-0)

Recommendation CS28/3/09 – Property Local Law Review

MOVED Cr Tizard that Recommendation CS28/3/09 be adopted.
SECONDED Cr Munn

69/3/2009 MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL (13-0)

Recommendation CS30/3/09 – Proposed Sale of Lot 1 Galong Place, Armadale – Strategic Land Investment Portfolio

MOVED Cr Tizard that Recommendation CS30/3/09 be adopted.
SECONDED Cr Munn

70/3/2009 **MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL** **(13-0)**

Recommendation CS31/3/09 – Tender 07/09 Supply and Installation of Street Lighting – Ranford Road (Stage 2)

Cr Mauger declared a financial interest in Recommendation CS31/3/09 on the basis that a client of his employer has a partnership with one of the tenderers.

Cr Mauger left the meeting.

MOVED Cr Tizard that Recommendation CS31/3/09 be adopted.

71/3/2009 **MOTION not opposed, DECLARED CARRIED** **(12-0)**

Cr Mauger returned to the meeting.

Recommendation CS32/3/09 – Chilli Festival at Araluen Botanic Park

In relation to Recommendation CS32/3/09, Cr Hart requested that the following be recorded to clarify that she no longer has any related interests in this item:-

- *She is no longer a member of the Araluen Botanic Parks & Gardens Authority*
- *The Araluen Botanic Park Board of which she was a member has been stood down*
- *She lives 1.5 kms away from the parking area for the Park*

MOVED Cr Tizard that Recommendation CS32/3/09 be adopted.

72/3/2009 **MOTION not opposed, DECLARED CARRIED** **(13-0)**

Recommendation CS33/3/09 – Producers Markets – Request to Relocate to Jull Street Mall

Cr Munn and Cr Stewart declared a financial interest in Recommendation CS33/3/09 on the basis that in their capacity as Marriage Celebrants they make use of Minnowarra Church and Park which is situated within the environs of the Administration Centre car park.

Cr Munn and Cr Stewart left the meeting.

MOVED Cr Tizard that Recommendation CS33/3/09 be adopted.

73/3/2009 **MOTION not opposed, DECLARED CARRIED** **(11-0)**

Crs Munn and Stewart returned to the meeting.

MOVED Cr Tizard that Recommendations CS22/3/09 to CS34/3/09, except those already dealt with, be adopted.

74/3/2009 **MOTION not opposed, DECLARED CARRIED** **(13-0)**

10.4 **CHIEF EXECUTIVE OFFICER'S REPORT**

Report of the Chief Executive Officer as at 19 March 2009.

MOVED Cr Everts that the Report be received.

75/3/2009 **MOTION not opposed, DECLARED CARRIED** **(13-0)**

10.4.1 **Councillors Information Bulletin – Issue 5/2009**

MOVED Cr Butterfield that Council acknowledge receipt of Issue No. 5/2009 of the Information Bulletin.

76/3/2009 **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

13 **MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION**

Cr Stewart That the matter of appropriate recognition of Mr Joe Saunders in association with the Head of the River event at Champion Lakes be referred to Community Services Committee.

14 **MATTERS REQUIRING CONFIDENTIAL CONSIDERATION**

Nil

15 CLOSURE

The Mayor, Cr Reynolds, declared the meeting closed at 7.34 pm

MINUTES CONFIRMED THIS 14th APRIL 2009

MAYOR