



**ORDINARY MEETING OF COUNCIL
MONDAY, 25 JANUARY 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, 25
JANUARY 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 D M Shaw	Heron Ward
Cr G Nixon	Jarrah 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 C A Campbell JP	Palomino Ward
Cr L Sargeson	Palomino Ward

IN ATTENDANCE:

Mrs Y Loveland	A/Chief Executive Officer
Mr A F Maxwell	Executive Director Corporate Services
Mr K Ketterer	Executive Director Technical Services
Mr N Kegie	A/Executive Director Community Services
Mr G Windass	A/Executive Director Development Services
Mrs S D'Souza	CEO's Executive Assistant

Public: 3

LEAVE OF ABSENCE:

Leave of Absence previously granted to Cr C Frost and Cr J A Stewart

APOLOGIES:

Apology received from Cr C M Wielinga

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

Nil

4 PUBLIC QUESTION TIME

1 Mr Peter Stewart - 317 Peet Road, Roleystone

With reference to my email to all Councillors of January 24, 2016 regarding the Minister for Emergency Services slamming Roleystone residents for their lack of preparation of fuels around their homes and not getting the message of the 2011 Roleystone/Kelmscott's fires and the successive report, I would like to know:

1. How many notices have been issued by the City under Section 33(1) or 33(5a) on the Bush Fire Act in the Calendar years 2010, 2011, 2012, 2013, 2014 and 2015?
2. How many fines have been levied by the City under Section 33(3) or 33 (5a) of the bushfire Act in the same individual years?
3. How many times has the City given direction to a bush fire control officer to enter property and carry out works requisitioned in a notice in the specified years?

The Mayor advised that the questions would be taken on notice.

2 Mr D Grimwood - 7 Sapphire Court, Mt Richon

1. Council, why have you selected an interstate band to feature in your Australia Day concert when there are many world class bands, musicians and entertainers within the City's boundaries who could benefit from the work, big event experience and public exposure whilst providing top class entertainment ?

The Mayor advised that the City employs events officers who coordinate the City's events, Australia Day being only one of a number. It is an administrative responsibility that is determined based on the budget for each event. The City does encourage and support local talent at its events and festivals.

2. Council, in relation to your Freeman of the City award, notwithstanding your Policy EM5 requires recipients to have made an "**outstanding, significant and meritorious contribution**", I note that historically Council has granted the *Freeman of the City* award to each and every Mayor who has held office since the City's inception. To dispel any perception in the public mind this award is purely symbolic, can you detail those specific "**outstanding, significant and meritorious**" achievements that support your recent award to Cr Roger Stubbs ?

The Mayor advised that the Council follows Policy and Management Practice EM5 which is a process that all Councillors are engaged in when determining whether it approves the award. Not all of the current Freeman awardees are Mayors i.e. ex-Cr Gribble and previous local member for Armadale, Hon Alannah MacTiernan. Council considered a confidential detailed background report on Mr Stubbs' nomination in May 2015 and unanimously voted to bestow on him the award of Honorary Freeman. Mr Stubbs' outstanding, significant and meritorious achievements were many and Council's considered opinion is summarized in its media release in December 2015.

3. Council, given your active participation in the political lobby groups WALGA, ALGA, LGMA, CCS, NGAA, ANZCOG and numerous others, can you outline any strategies and policies you have in place that will improve governance, democratic representation and elector participation in local government consistent with national values - such as a public statement time in meetings and election of the Mayor and Deputy Mayor by popular vote ?

The Mayor advised that good governance and democratic representation which are the matters being raised here are covered by the Local Government Act and relevant Regulations.

The City has been subject to a number of reviews during the local government reform process and has gained a fairly high standing at State level and amongst its peers in local government. Councillors who nominate for state agencies are considered favourably in terms of their ability to not only represent their community but the local government sector itself.

Council has several Strategies and Polices relating to good governance, democratic representation and elector participation all of which can be found in the documents titled "2015-2020 Corporate Business Plan" and "Policy Manual" both of which are available on Council's website.

4. Council, last week the Council of the City of Perth announced it has abandoned its past policies and is to go forward in a new direction.

Would you agree the ad-hoc competition and town planning policies, lack of economic modelling, irrational road design, barriers to customer accessibility and inadequate parking delivered by successive Councils over the past thirty years, have contributed to the loss of substantial local businesses Retravision, Armadale Super IGA, Armadale IGA, Kelmscott IGA, Colli and Sons, Mazzegas Mitre 10, Homestyle Furniture, the Australian Technical College and others, likely loss of Masters Home Improvement and two Dick Smith stores, and adversely impacted the viability of Armadale Shopping City, Armadale Hardware and Spudshed, with resultant significant loss of capital, revenues, taxes and employment – and therefore also demands an immediate change in direction ?

The City has a very close working relationship with its business community as a corporate member of Business Armadale which operates within the city.

A number of the areas cited in your question are in fact under the planning regulations of the Metropolitan Redevelopment Authority (MRA) and outside of the City's control. Standard parking requirements, as provided for in the City's planning schemes, are applied for those developments within the City's jurisdiction. In regard to the Spudshed, which is within the MRA planning zone, this development was approved by another planning authority after the City objected to its location.

The City disputed the reduction in the number of parking requirements with the Minister/State Government but rezoning and development plans submitted by Councils are determined by the WA Planning Commission in accordance with current regulations.

Question time declared closed at 7.16pm

5 APPLICATIONS FOR LEAVE OF ABSENCE

1 Request for Leave of Absence (Cr Mark Geary)

Request for leave of absence received from Cr Mark Geary for the period 7th April to 22nd April 2016 inclusive.

MOVED Cr G Nixon

That Council grant leave of absence to:

- **Cr Mark Geary for the period 7th April to 22nd April 2016 inclusive (includes 1 Ordinary Council meeting – 11 April 2016).**

1/1/16 **MOTION not opposed, DECLARED CARRIED (11/0)**

6 PETITIONS

1 Cancel Installation of footpath on Seventh Road (Cr Kerry Busby)

A petition signed by 14 residents was tabled by Cr Busby, the prayer of which reads:

“We the undersigned urgently petition Armadale City Council cancel the proposed installation of a footpath in Seventh Road on the odd numbered side of the road between Gribble Avenue and Devereux Street. Furthermore it will increase the risk of especially children getting hit by a vehicle as they will choose various points to cross over during the peak traffic periods between 7.30 and 6pm weekdays. It will also increase the risk of residents hitting a child reversing out of driveways, it is risky enough as it is with the volume and size of some vehicles.”

MOVED Cr K Busby

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

2/1/16 **MOTION not opposed, DECLARED CARRIED (11/0)**

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 21 DECEMBER 2015.

MOVED Cr D M Shaw that the Minutes of the Ordinary Council Meeting held on 21 December 2015 be confirmed as a true and accurate record.

3/1/16 **MOTION not opposed, DECLARED CARRIED (11/0)**

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1 Consultation and Communication

- On 7th January 2016 the Mayor along with the Executive Directors of Community Services and Corporate Services met with Robyn Hukin the Managing Director of Zoodata.
- On 14th January 2016 the Mayor met with Roger Bryer from Conquest Corporate Group and the Acting Director of Development Services in relation to locating a rehabilitation facility within the city.

2 Marketing and Public Relations

- On 23rd December along with Crs Nixon, Best and Busby, the Mayor attended the Outside staff end of year function at the John Dunn Centre and acknowledged the staff for their work and effort on behalf of the City and presented the long service awards.
- On 24th December along with a number of Councillors, the Mayor attended the Administration staff end of year function and acknowledged staff for their efforts on behalf of the City.
- On 31st December the Mayor attended an end of year function for staff at the Waste Facility on Hopkinson Rd and presented 2 long service awards to staff members.
- On 20th January 2016 the Mayor met with members of the Armadale Cricket Club to promote a community cricket match at Memorial Park on Australia Day.

- The same evening he did a radio promotion with Heritage FM to promote Australia Day.
- On 21st January 2016 the Mayor met with Community News to do a promotional photo for the opening of the new Kelmscott Library.
- On 22nd January 2016 the Mayor met with Community News and a Piara Waters family to promote Australian Citizenship in conjunction with our public citizenship ceremony on Australia Day.

3 Governance and Economic Development

- On 18th January the Mayor hosted a Private Citizenship Ceremony that welcomed 11 new citizens to the City.
- On 20th January 2016 the Mayor met with residents of Railway Ave to discuss the implications of the MRA expanding the planning control area over their neighbourhood.

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 January 2016.

MOVED Cr M Geary that the report be received.

4/1/16 **MOTION not opposed, DECLARED CARRIED (11/0)**

BUSINESS ARISING FROM REPORT

Recommendation CS1/1/16 - Monthly Statement of Financial Activity - December 2015

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 six (6) month period ended 31 December 2015.

5/1/16 **MOTION not opposed, DECLARED CARRIED (11/0)**

Recommendation CS2/1/16 - List of Accounts Paid - December 2015

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 \$11,270,827.45 on Vouchers 26016–26130, Batch 1834-1843, 1845-1848, Direct Debit and PY01.12-PY01.13

Trust Fund

Accounts paid totalling \$179,222.68 on Vouchers 4910-4989 and Batch 1844.

6/1/16

MOTION not opposed, DECLARED CARRIED

(11/0)

Recommendation CS3/1/16 - Proposed Lease - Dale Cottages Inc - Greendale Centre, 12 Coombe Avenue, Armadale

MOVED Cr M Geary

That Council:

- 1) **Agrees to enter into a lease with Dale Cottages Inc. for the Greendale Centre located at 12 Coombe Avenue (Volume: 219, Folio: 132A), Armadale, under the following basic terms and conditions:**

Lessee:	Dale Cottages Inc.
Leased premises:	Greendale Centre - 21 Coombe Avenue, Armadale
Term:	Ten (10) years;
Additional Term:	Two (2) x Five (5) year extensions;
Commencement Date:	Upon completion of agreed upgrade works;
Rent:	\$50 per annum plus GST to be adjusted in line with Council Policy ADM 2 – Property Lease Rentals;
Insurance:	Lessee to be responsible for building insurance and public liability insurance;
Outgoings:	Lessee to be responsible for normal outgoings of the premises;
Costs:	Council to be responsible for 100% of the legal fees as per Council Policy ADM 2 – Property Lease Rentals;
Other:	(i) Council to contribute an annual subsidy of \$60,000 plus GST per year, indexed annually by CPI to Dale Cottages to assist with meeting operational and minor maintenance costs; and

(ii) **Deed of Right to Access to be entered into and included in the Lease, for the City to be able to access and utilise the Fire Services contained within the property owned by Dale cottages being Lot 2 on diagram 1004009 (18 Deerness Way, Armadale).**

- 2) **Authorise the Chief Executive Officer to extend the Lease for up to Two (2) periods of Five (5) years, subject to satisfactory performance of the Lessee, in accordance with the renewal terms and compliance with all the terms and conditions within the Lease.**

7/1/16 **MOTION not opposed, DECLARED CARRIED (11/0)**

Recommendation CS4/1/16 - Proposed Variation of Lease - Riverdale
Childcare and Community Association - Portion of Lot 2333, River Road,
Kelmscott

*Cr Busby declared a financial interest in Recommendation CS4/1/16 on the basis that Riverdale Childcare is a client of his computer business.
Cr Busby left the meeting at 7.19pm*

MOVED Cr M Geary

That Council:

1. **Acknowledge receipt of request from Riverdale Childcare and Community Association Inc; and**
2. **Seek public registrations of interest from not for profit and/or community groups for use of the land.**

8/1/16 **MOTION not opposed, DECLARED CARRIED (10/0)**

Cr Busby returned to the meeting at 7.20pm

Recommendation CS5/1/16 - Council Policy Review - Chief Executive's
Office

MOVED Cr M Geary

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:

- **ADM 1 – Staff Resignation Gifts**
- **ADM 3 – Conferences, Seminars and Training**
- **ADM 4 – Staff Study Time**
- **ADM 5 – Staff Establishment**
- **ADM 7 – Defence and Emergency Service – Staff Paid Leave for Volunteer Duty**
- **ADM 9 – Vehicle Use**

- ADM 12 – Acting Senior Positions
- ADM 14 – Safety and Health
- ADM 16 – Equal Employment Opportunity

9/1/16 MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation CS6/1/16 - Australia/New Zealand Chief Officers' Group Meetings 2016

MOVED Cr M Geary

That Council notes and approves the Chief Executive Officer's proposed attendance at the 2016 meetings of the Australia/New Zealand Chief Officers' Group to be held in February 2016 (NZ), July 2016 (NT) and November 2016 (WA) at an estimated cost of \$5,000.

10/1/16 MOTION not opposed, DECLARED CARRIED (11/0)

10.2 COMMUNITY SERVICES COMMITTEE MEETING

Report of the Community Services Committee held on 19 January 2016.

Council Meeting
8-2-2016

CORRECTION

Page 143 — ~~A correction has been made to the Bob Blackburn draft Master Plan and the attachment to be replaced with the revised version. Revisions made are as follows:~~

~~**Revision 1.** The illustration showing an expanded Aquatic Centre has been replaced with an overlay of the current facility as it appears on a recent aerial photograph. The new note on this element of the Master Plan reads; *“Provision has been made in the City's Corporate Business Plan for a refurbished and expanded year round aquatic facility. Options and designs are currently under consideration.”*~~

~~**Revision 2.** The access road to the Aquatic Centre car park has been re-drawn to show that it will not encroach on existing bushland. The slightly revised note on this element reads; *“Investigate opportunities to expand and reconfigure the Aquatic Centre car parking area (including introduction of traffic calming devices) to enable greater and more convenient use, including additional lighting”*~~

MOVED Cr K Busby that the report, ~~subject to the above correction~~, be received.

11/1/16 MOTION not opposed, DECLARED CARRIED (11/0)

BUSINESS ARISING FROM REPORT

Recommendation C1/1/16 - Armadale City Centre Activation Plan Update

MOVED Cr K Busby

That Council:

Note the progress on the Armadale City Centre Activation Plan as detailed in this report.

12/1/16 **MOTION not opposed, DECLARED CARRIED** (11/0)

Recommendation C2/1/16 - A potential Career Development approach for the Armadale region

MOVED Cr K Busby

That Council:

1. **Support a collaborative approach with Business Armadale to identify local businesses in key industries who may facilitate work experience placements for local students; and**
2. **Encourage the development of a local business leaders network to provide mentoring to students who are about to enter employment.**

13/1/16 **MOTION not opposed, DECLARED CARRIED** (11/0)

Recommendation C3/1/16 - Master Planning of Bob Blackburn and Gwynne Park Reserves

Moved Cr K Busby, Seconded Cr M H Norman
Opposed Cr M Geary

Cr Norman left the meeting between 7.27pm and 7.30pm

MOVED Cr K Busby

That Council:

1. **Approve the public advertising for the Draft Master Plans for Bob Blackburn Reserve Seville Grove and Gwynne Park Reserve Armadale, for a period of four (4) weeks.**
2. **Receive a further report which incorporates costs for the various Master Plan elements as well as the feedback received through the public comment period.**

14/1/16 **MOTION DECLARED CARRIED** (7/4)

Recommendation C4/1/16 - Wording and location approval for Memorial Plaques for named parks, and wording approval for Historic Site plaques.

MOVED Cr K Busby

That Council:

1. **Endorse the recommendation that the final location of all Historic Site Plaques be determined by the Technical Services Directorate taking into consideration pedestrian and traffic movement and any other planning and/or technical factors in the vicinity of the site.**
2. **Endorse the following recommended wording of Historic Site Plaques for Narrogin Brook/Bedforddale School and Churchman Brook Estate sites.**

Narrogin Brook / Bedforddale School site

1896 to 1954

A three-acre Reserve was gazetted on 31 January 1896 as the original Bedforddale school site. It was located on the south-east corner at the junction of Admiral and Albany roads.

Miss Edwarda McNeale is recorded as the teacher appointed to the new school at Narrogin Brook, but it was Mr W. T. Angwin who first took up duties there in 12 May 1896 with 4 pupils. Six days later there were 21 enrolled.

The Bedforddale School Journals reveal that, by 1954 with some 22 pupils but many problems, the school was closed on May 14 “on account of the bus to Armadale” and all stock was transferred to the Armadale School.

Churchman Brook Estate

Matron Florence Grono 1888 – 1978

Matron Florence Grono established the Devonleigh Hospital in a house in Anstey Street Claremont in the late 1920s. The hospital was enlarged in the early 1930s to include a midwifery section, a bigger theatre and nurses’ quarters.

Florence owned all of the land associated with the estate of Churchman Brook in Bedforddale for 40 years. She lived there from the mid-1940s with her parents, Robert and Mary Ann Grono. Devonleigh was also the name of her family home.

The hospital was supplied with fruit & vegetables from the Churchman Brook land.

The hospital was purchased by the State Government in 1948.

3. **Endorse the following wording of Memorial Plaques for Whiteley Park and Hensbroek Park, noting that the date of the vesting for Hensbroek Park will replace the words TBA when vesting in the City is finalized.**

WHITELEY PARK

In recognition of the family who settled in the Wungong area in 1911. Mrs Mary Whiteley had a confectionary and grocery shop in Armadale in the 1930s.

Eldest son, James Murray Whiteley served in WW1 in France. Younger son Arthur, a cartage contractor, hired his truck to the Roads Board.

This land is jointly vested in the Water Corporation and the City of Armadale.

The park naming was approved on 6 May 2013

HENSBROEK PARK

Pieter Robert Boele van Hensbroek

(1920 - 2011)

Manager of a Dutch firm contracted to work on dredging channels in Cockburn Sound in 1952.

He subsequently lived in Forrestdale and in 1976 he became a licensed land agent as Forrestdale Enterprises Limited.

This land was vested in Council on (TBA)

4. **Endorse the recommended locations of Memorial Plaques for Whiteley Park and Hensbroek Park as illustrated on the plans attached to this agenda item.**

15/1/16 **MOTION not opposed, DECLARED CARRIED (11/0)**

10.3 CHIEF EXECUTIVE OFFICER'S REPORT

Report of the Chief Executive Officer held on 25 January 2016.

MOVED Cr G A Best that the report be received.

16/1/16 **MOTION not opposed, DECLARED CARRIED (11/0)**

BUSINESS ARISING FROM REPORT

Recommendation - Councillors' Information Bulletin - Issue No. 1/2016

MOVED Cr G Nixon

That Council acknowledge receipt of Issue No 1/2016 of the Information Bulletin.

17/1/16 **MOTION not opposed, DECLARED CARRIED** (11/0)

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 Workshop on Aquatic Centre (Cr Ruth Butterfield)

That the matter of a Councillor Workshop in relation to the Aquatic Centre be referred to the City Strategy Committee.

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Zelones, declared the meeting closed at 7.36pm

MINUTES CONFIRMED THIS 8th DAY OF FEBRUARY 2016

MAYOR