

ORDINARY MEETING OF COUNCIL
MONDAY, 25 JULY 2016

MINUTES

CONTENTS

| | | |
|-----------|---|----------|
| 1 | DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS..... | 3 |
| 2 | RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE..... | 3 |
| 3 | ADVICE OF RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE..... | 4 |
| 4 | PUBLIC QUESTION TIME | 4 |
| 1 | MS K TREBLE, 6 GLOAMING WAY, DARLING DOWNS | 4 |
| 2 | MR G FARRELL, 7 GLOAMING WAY, DARLING DOWNS | 4 |
| 3 | MS E BERTOLA, 199 HOPKINSON ROAD, DARLING DOWNS..... | 5 |
| | <i>QUESTION TIME CLOSED AT 7.11PM</i> | <i>5</i> |
| 5 | APPLICATIONS FOR LEAVE OF ABSENCE | 5 |
| 6 | PETITIONS | 5 |
| | NIL | 5 |
| 7 | CONFIRMATION OF MINUTES | 5 |
| | MINUTES OF ORDINARY COUNCIL MEETING HELD ON 11 JULY 2016..... | 5 |
| 8 | ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION..... | 6 |
| 1 | CONSULTATION & COMMUNICATION | 6 |
| 2 | MARKETING & PUBLIC RELATIONS | 6 |
| 3 | GOVERNANCE & ECONOMIC DEVELOPMENT..... | 6 |
| 9 | QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN – WITHOUT DISCUSSION | 7 |
| 10 | REPORTS..... | 7 |
| 10.1 | CITY STRATEGY COMMITTEE MEETING - 18 JULY 2016 | 7 |
| 10.1.1 | LIST OF ACCOUNTS PAID - JUNE 2016 (1.1)..... | 7 |
| 10.1.2 | MONTHLY STATEMENT OF FINANCIAL ACTIVITY - JUNE 2016 (1.2)..... | 7 |
| 10.1.3 | RATE EXEMPTION APPLICATION - COMMUNITY HOUSING LIMITED - ASSESSMENT 289105 LOT 24, 24/191 RAILWAY AVENUE KELMSCOTT, ASSESSMENT 312392 & 312801 LOT 207 & 393 10 & 29 XANTHIUM CIRCLE SEVILLE GROVE (1.3)..... | 8 |
| 10.1.4 | LOCAL LAW REVIEW (2.1)..... | 8 |
| 10.1.5 | ARMADALE REGIONAL BUSINESS ASSOCIATION (TRADING AS BUSINESS ARMADALE) - REQUEST FOR FUNDING 2016/2017 (3.1) | 9 |

| | | |
|-----------|---|-----------|
| 10.1.6 | CONTRACT OF EMPLOYMENT - SENIOR EMPLOYEE (3.2)..... | 9 |
| 10.2 | DEVELOPMENT SERVICES COMMITTEE MEETING - 19 JULY 2016..... | 9 |
| 10.2.7 | LOT 600 HOPKINSON ROAD, HILBERT - PROPOSED TELECOMMUNICATIONS INFRASTRUCTURE (1.1)..... | 10 |
| 10.2.8 | PLANNING INSTITUTE OF AUSTRALIA - STATE CONFERENCE 'URBAN INNOVATIONS' - PERTH - 2ND SEPTEMBER 2016 (2.1)..... | 11 |
| 10.2.9 | 9TH INTERNATIONAL URBAN DESIGN CONFERENCE - CANBERRA ACT - 7TH TO 9TH NOVEMBER 2016 (2.2)..... | 11 |
| 10.3 | CHIEF EXECUTIVE OFFICER'S REPORT - 25 JULY 2016..... | 11 |
| 10.3.10 | COUNCILLORS' INFORMATION BULLETIN - ISSUE NO. 13/2016 (1.1)..... | 12 |
| 11 | MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN | 12 |
| 12 | URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION | 12 |
| | NIL | 12 |
| 13 | MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION | 12 |
| | NIL | 12 |
| 14 | MATTERS REQUIRING CONFIDENTIAL CONSIDERATION..... | 12 |
| | NIL | 12 |
| 15 | CLOSURE..... | 12 |

CITY OF ARMADALE

MINUTES

OF ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 25
JULY 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 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 P Sanders | Executive Director Development Services |
| Mr K Ketterer | Executive Director Technical Services |
| Mrs S D'Souza | CEO's Executive Assistant |

Public: 7 Press: 1

LEAVE OF ABSENCE:

Nil

APOLOGIES:

Apology received from Cr K Busby

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

Nil

4 PUBLIC QUESTION TIME

1 Ms K Treble, 6 Gloaming Way, Darling Downs

Q1 My question is why does the tower need to be built near our homes, why can't it be put at the back of the tip near the other tower that is already there at the Tonkin Highway. There is power, there is communication, and there are stable grounds there and this location will not interfere with the operation of the tip.

The Mayor advised that a specific location has been applied for and that is what Council needs to consider. Officers suggested an alternative location to the applicant but for a number of reasons they could not choose the site mentioned. In its current location there is less likelihood it would come in contact with trucks, bulldozers and other equipment. Another factor is that access to the tower would require traversing the entire length of the site. The compromise was that it could be moved a further 90m away.

2 Mr G Farrell, 7 Gloaming Way, Darling Downs

Q1 Have looked around schools and based on a rough measurement the nearest tower is around 250metres away from a school. Isn't there a restriction on the distance for location of towers?

The Mayor advised that the closest residence is 245metres away, second closest 256m and the third 338m. On the southern side it was 272m. There are no schools at this particular location.

However, for the tower approved along Nicholson Road close to the Carey Baptist School the distance from houses there is 130 - 135metres and on Ranford Road near Ballanup Lake the distance is 106m.

Q2 With 2 Towers now being located here will the radiation from these towers not be doubled?

The Mayor advised that there is no documented evidence on radiation from these towers however studies show more concern with the frequent use of cell phones close to the head.

Given the growth of the SJ Shire, particularly rising density in the Byford area, this tower will improve access to telecommunication services more to the SJ residents rather than Armadale.

Q3. Do you think this tower will devalue my property value?

The Mayor advised that in addition to the comments in the report there is no correlation between location of these towers and devaluation of properties. Rather, in relation to cell and data access, whether be this by land line or by cell it does devalue areas where telecommunication services are unavailable.

3 **Ms E Bertola, 199 Hopkinson Road, Darling Downs**

Q1. If this tower were to go to the northern side of the tip where this area has been proposed urban residential, is that going to have a 250m buffer around those houses?

The Mayor advised that as a waste site there is a buffer zone around it of 500m. Houses won't be coming up closer than that until the site itself changes use and what happens in the future is hard to say. Right now that is an active landfill and recycling site and that is the buffer that has been put around it.

There is no buffer requirement on the tower itself and comments made earlier was to give an indication of the distance of houses from existing towers.

Question time closed at 7.11pm

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 11 JULY 2016.

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

236/7/16 **MOTION not opposed, DECLARED CARRIED** (13/0)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1 Consultation & Communication

- On Monday 25 July met with representatives from the Armadale Salvation Army Church to discuss matters regarding various programs and services they run in the City of Armadale.

2 Marketing & Public Relations

- On Wednesday 13 July attended the City of Gosnells Citizenship Function at their Administration Centre.
- On Friday 22 July, along with Crs Campbell and Norman, attended the Cecil Andrews High School Scholarship Awards.
- On Monday 25 July, Cr Ruth Butterfield attended the John Calvin Christian College to present the 2016 CoA Scholarship Award.

3 Governance & Economic Development

- On Tuesday 12 July attended the WAPC's Statutory Planning Committee meeting.
- On Wednesday 13 July attended the WAPC's, Executive Finance and Property Committee meeting.
- On Tuesday 19 July attended the inaugural meeting of the WALGA's State Council Executive Committee meeting. The formation of an Executive Committee for WALGA has resulted from a review of its Governance Charter and the request for quicker turnaround times for LG emerging issues and urgent matters between State Council meetings.
- On Wednesday 20 July, attended and Chaired the Armadale City Centre Liaison Group meeting. The main subject of discussion was the functionality of the Jull Commercial Centre and issue around security.
- On Thursday 21 July Crs Best, Busby, Executive Director Yvonne Loveland and the Mayor attended the final meeting of the Connected Communities Board.
- On Monday 25 July the Mayor and Cr Shaw represented the City on the Metro East Joint Development Assessment Panel held here this afternoon. Two applications for determination were heard. The first submitted through the City of Gosnells and the second the City of Armadale for the proposed Hall and Prior Aged Care facility in Kelmscott.

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 July 2016.

MOVED Cr M Geary that the report be received.

237/7/16 **MOTION not opposed, DECLARED CARRIED (13/0)**

BUSINESS ARISING FROM REPORT

Recommendation CS51/7/16 - List of Accounts Paid - June 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 \$11,669,375.03 on Vouchers 26868-27053, Batch 1907-1915, 1917, Direct Debits and PY01.25-PY01.26.

Trust Fund

Accounts paid totalling \$309,461.36 on Vouchers 5405-5491 and Batch 1916.

238/7/16 **MOTION not opposed, DECLARED CARRIED (13/0)**

Recommendation CS52/7/16 - Monthly Statement of Financial Activity - June 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 twelve (12) month period ended 30 June 2016.

239/7/16 **MOTION not opposed, DECLARED CARRIED (13/0)**

Recommendation CS53/7/16 - Rate Exemption Application - Community Housing Limited - Assessment 289105 Lot 24, 24/191 Railway Avenue Kelmscott, Assessment 312392 & 312801 Lot 207 & 393 10 & 29 Xanthium Circle Seville Grove

MOVED Cr M Geary

That Council:-

- 1. Pursuant to Section 6.26(2)(g) of the *Local Government Act 1995*, approves a rates exemption on property assessment 289105 Lot No 24, 24/191 Railway Avenue Kelmscott, Lots 207 & 393, 10 & 29 Xanthium Circle Seville Grove effective from 1 July 2016, on the basis that:-**
 - (a) the land is and continues to be used exclusively for disability health accommodation, and**
 - (b) this decision to grant a rates exemption is subject to the City firstly receiving from the property owner (Department of Housing) and the lessee (Community Housing Limited) written confirmation that the rates exemption granted in this instance will be passed on and received by Community Housing Limited.**
- 2. Advise Department of Housing (owner) and Community Housing Limited that this rate exemption will be reviewed annually to confirm all (3) properties continue to be used exclusively for charitable purposes and therefore remain eligible for a rate exemption.**

240/7/16

MOTION not opposed, DECLARED CARRIED

(13/0)

Recommendation CS54/7/16 - Local Law Review

MOVED Cr M Geary, SECONDED Cr Butterfield

That Council in accordance with the provisions of Section 3.12(4) of the *Local Government Act 1995* makes the following local laws as attached to this agenda:

- City of Armadale Activities and Trading in Thoroughfares and Public Places Amendment Local Law 2016**
- City of Armadale Fencing Amendment Local Law 2016**
- City of Armadale Standing Orders Amendment Local Law 2016**

241/7/16

MOTION not opposed, DECLARED CARRIED by an ABSOLUTE MAJORITY RESOLUTION OF COUNCIL

(13/0)

Recommendation CS55/7/16 - Armadale Regional Business Association
(Trading as Business Armadale) - Request for Funding 2016/2017

MOVED Cr M Geary

That Council:

- 1. Note the issues raised in this report and the Business Armadale Financial Contribution Submission May 2016;**
- 2. Allocate \$17,000 (ex GST) from the 2016/17 Annual Budget to assist Business Armadale in implementing key action items to assist them to achieve their projected growth targets; and**
- 3. Maintain Diamond Level Sponsorship of Business Armadale for 2016/17, at a cost of \$5,000 (ex GST).**

242/7/16 **MOTION not opposed, DECLARED CARRIED** (13/0)

Recommendation CS56/7/16 - Contract of Employment - Senior Employee

Mr Ketterer declared a financial interest in Recommendation CS56/7/16 on the basis that it relates to his contract of employment with the City. Mr Ketterer left the meeting at 7.15pm.

MOVED Cr C Frost

That Council:

endorse the CEO's action in offering Mr Kevin Ketterer a new contract of employment for the position of Executive Director Technical Services for a period of 5 years commencing 11 July 2016 and expiring on 10 July 2021. The salary level to be within the range established for Executive Directors from time to time by Council and other terms and conditions generally in accordance with the previous contract and as determined by the Chief Executive Officer.

243/7/16 **MOTION not opposed, DECLARED CARRIED** (13/0)

Mr Ketterer returned to the meeting at 7.16pm

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

MOVED Cr D M Shaw that the report be received.

244/7/16 **MOTION not opposed, DECLARED CARRIED** (13/0)

BUSINESS ARISING FROM REPORT

Recommendation D24/7/16 - Lot 600 Hopkinson Road, Hilbert - Proposed Telecommunications Infrastructure

MOVED Cr D M Shaw

That Council:

A) Approves the application for a telecommunications monopole and associated structures at Lot 600 Hopkinson Road, Hilbert subject to the following conditions:

- 1. Execution of a lease for the portion of land as shown on the approved site plan prior to commencement, to the satisfaction of the Executive Director Corporate Services.**
- 2. The monopole and associated structures shall be painted in an appropriate colour scheme to reduce reflectivity and blend in with the surrounds to the satisfaction of the Executive Director Development Services.**
- 3. A Landscape Plan shall be submitted to and approved by the Executive Director Development Services to provide visual screening of the infrastructure compound as seen from Hopkinson Road and Lot 9003 to the north. All landscaping shall be installed as per the approved plan prior to occupancy of the development and maintained thereafter.**
- 4. Removal of any existing trees is to be in accordance with the attached approved plans and to the satisfaction of the Executive Director Technical Services.**
- 5. All conditions shall be complied with prior to exercising the right of this approval.**

B) That in addition to standard advice notes, the applicant be advised:

- 1. The applicant is advised that the Armadale Landfill and Recycling Facility operates under licence from Department of Environment Regulation and that the Telecommunications Infrastructure is to be managed so as not to conflict with the conditions of that licence. This includes the approved Fire Management Plan.**
- 2. With regard to Condition 1, the City requires the monopole and any attached infrastructure to be painted Colorbond 'Shale Grey' and the equipment shelter to be clad with Colorbond 'Paperbark' (or equivalent colours) to blend in with the surrounds.**
- 3. The applicant is advised that this approval does not constitute approved variations to the lease arrangements. The applicant**

is advised to contact the City's Governance team to finalise the lease (and vehicle access) arrangements.

- C) Advise the submitters of the Council decision in this regard and provide a copy of the ARPANSA Fact Sheet.
- D) Notes the revised location of the development for the purposes of the leasing arrangements approved in Council Resolution CS50/6/15 and that approval from Shire of Serpentine Jarrahdale is no longer required for an additional vehicle access point on Hopkinson Road.

245/7/16 MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation D25/7/16 - Planning Institute of Australia - State Conference 'Urban Innovations' - Perth - 2nd September 2016

MOVED Cr D M Shaw

That Council:

That no nomination be made for an Elected Member to attend the Planning Institute of Australia State Conference 'Urban Innovations' to be held on Friday, 2nd September 2016 in Perth.

246/7/16 MOTION not opposed, DECLARED CARRIED (13/0)

Recommendation D26/7/16 - 9th International Urban Design Conference - Canberra ACT - 7th to 9th November 2016

MOVED Cr D M Shaw

That Council:

That no nomination be made for an Elected Member to attend the 9th International Urban Design Conference to be held in Canberra, ACT from 7th to 9th November 2016.

247/7/16 MOTION not opposed, DECLARED CARRIED (13/0)

10.3 CHIEF EXECUTIVE OFFICER'S REPORT

Report of the Chief Executive Officer .

MOVED Cr G A Best that the report be received.

248/7/16 MOTION not opposed, DECLARED CARRIED (13/0)

BUSINESS ARISING FROM REPORT

Recommendation - Councillors' Information Bulletin - Issue No. 13/2016

MOVED Cr G Nixon

That Council acknowledge receipt of Issue No 13/2016 of the Information Bulletin.

249/7/16 **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

Nil

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Zelones, declared the meeting closed at 7.20pm

MINUTES CONFIRMED THIS 8TH DAY OF AUGUST 2016

MAYOR