



SPECIAL MEETING OF ELECTORS
WEDNESDAY, 13 JULY 2005

M I N U T E S

OF THE SPECIAL MEETING OF ELECTORS HELD IN THE IN THE **FUNCTION ROOM**,
COUNCIL'S ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON
WEDNESDAY, 13 JULY 2005 COMMENCING AT 7.00 PM

1. DECLARATION OF OPENING

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

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

PRESENT:

Mayor, Cr L Reynolds JP
presided over:

Deputy Mayor, Cr J H Munn JP CMC	Minnawarra Ward
Cr J Knezevich	Minnawarra Ward
Cr R J Tizard	Neerigen Ward
Cr G A Best	Neerigen Ward
Cr A L Cominelli JP	Lake Ward
Cr C J MacDonald	Lake Ward
Cr H A Zelones JP	River Ward
Cr R Butterfield	River Ward
Cr J Everts	Palomino Ward
Cr G T Wallace	Palomino Ward
Cr L Scidone	Jarrahdale Ward
Cr J A Stewart	Heron Ward

IN ATTENDANCE:

Mr R S Tame	Chief Executive Officer
Mr J Ellis	Executive Director – Armadale Redevelopment Authority
Mr I MacRae	Executive Director Development Services
Mr A Bruce	Executive Director Technical Services
Mr C Askew	Executive Director Community Services
Ms C Buck	Public Relations Co-ordinator
Mrs S D'Souza	CEO's Executive Assistant

Public: 37
Press: Nil

APOLOGIES:

Apology received from Cr Hart.

3. BUSINESS OF THE MEETING

- 3.1** The purpose of the meeting is to discuss matters relating to the proposed Armadale Redevelopment Authority's Scheme Amendment No.3 which involves changing the Armadale Redevelopment Authority's precinct boundary to include the land occupied by Minnawarra House and Orchard House and the land between those buildings and Armadale Road and Orchard Road and the adjacent railway land.

The Form-1 Request for a Special Meeting containing 125 signatures submitted the following points for discussion:-

- a. *The concerns of electors about the proposed Armadale Redevelopment Authority Amendment No.3 which involves changing the Armadale Redevelopment Authority's precinct boundary to include the land occupied by Minnawarra House and Orchard House and the land between those buildings and Armadale Road and Orchard Road and the adjacent railway land.*
- b. *To provide an opportunity for the Mayor to explain why the proposed redevelopment should proceed at the cost of losing the above buildings and the grassed open land for recreation.*
- c. *To consider the following motions:*
 - a. *That the people of Armadale oppose the Armadale Redevelopment Authority's Amendment No.3*
 - b. *That the people of Armadale oppose redevelopment of the site occupied by Minnawarra House and Orchard House and including*

- the grassed open land bordered by the Woolworths carpark, Orchard Road, the adjacent railway land, and Armadale Road.*
- c. *That the people of Armadale request the City Council to reject the Armadale Redevelopment Authority's Amendment No.3*
 - d. *That the people of Armadale nominate the buildings of Minnawarra House and Orchard House, and the land bordered by the Woolworths carpark, Orchard Road, the adjacent railway land, and Armadale Road, for inclusion in the Armadale City's Municipal Heritage Inventory for which nominations of buildings and places are being sought by the City Council, due to the roles that the buildings and land have played in the history of Armadale, and their association with the community, and*
 - e. *That the people of Armadale request that the Armadale City Council make a formal request to the Minister for Planning and Infrastructure and the Western Australian State Minister for Heritage, for orders protecting these buildings and this land, from redevelopment other than necessary maintenance and repairs.*

Any other matters relating to the protection of Minnawarra House and Orchard House and the land bordered by the existing Woolworths carpark, Orchard Road, Armadale Road and the railway land

INTRODUCTION

The Mayor welcomed everyone to the Special Meeting of Electors which was called under Section 5.28 of the Local Government Act 1995. It has been called to discuss the concerns held by some residents about proposed changes by the Armadale Redevelopment Authority to the land use zoning of a parcel of land on which two buildings, commonly known as Minnawarra House and Orchard House stand, along with the adjoining vacant land.

Council representatives at the front table were introduced:

Cr Jeff Munn	-	Deputy Mayor
Cr Zelones	-	Chairman of Development Services Committee
Mr Ray Tame	-	Chief Executive Officer
Mr Ian MacRae	-	Executive Director Development Services
Mr John Ellis	-	Executive Director – Armadale Redevelopment Authority

The Mayor then introduced the other Councillors in attendance

Cr Guenter Best	Cr June MacDonald
Cr Ruth Butterfield	Cr Scidone
Cr Alison Cominelli	Cr Jim Stewart
Cr Jim Everts	Cr Bob Tizard
Cr John Knezevich	Cr Graham Wallace

Cr Pat Hart was an apology as she was chairing a meeting of Council's environmental advisory group.

Before dealing with the request for a meeting received by Council, the Mayor emphasised that this was not a Public Meeting, but a Special Meeting of Electors controlled by the Local Government Act of 1995. As such, the people who would normally participate are those who are on (or eligible to be on) the 2005 City of Armadale Electoral Roll.

The Local Government Act in allowing Special Electors Meetings confers on the Mayor the responsibility of chairing the meeting, and for deciding the manner in which the meeting should be run. The Mayor indicated that he intended to permit informality to allow the widest possible airing of views whilst retaining normal meeting good manners. However, if necessary, he would invoke the full range of Council's Standing Orders to retain order.

The Mayor reminded the meeting that no one present enjoyed any privilege or protection from laws relating to defamation and encouraged everyone to focus on the issues. Prefacing remarks with the words "Without Prejudice" as sometimes happens at this type of meeting does not confer any protection to the speaker. The meeting is being recorded purely for purposes of preparing Minutes for report to Council.

Everyone should be aware that while it is Council's statutory obligation to host this Special Meeting of Electors , given that Council is not the decision making authority, essentially it's role is to facilitate discussion and then advise the ARA of the range of views expressed by residents during the meeting. The ARA will make a decision on the Amendment based on any or all of the information that they receive.

The Business of the Meeting

To summarise the Form 1 – Request, it asks essentially three things:

- For Council to note the concerns of residents who are opposed to the ARA changing the boundary of its retail area to include the Minnawarra and Orchard houses, along with adjoining land;
- For the Mayor to explain why the proposed development should proceed at the cost of those two buildings; and
- It suggests some motions that might be moved towards the end of the meeting.

In terms of how the meeting will proceed, the Mayor indicated that he would first of all respond with Council's position on Amendment 3, i.e.. why should the proposed development proceed, given that to do so will mean the loss of two buildings and some of the adjacent grassed area?

The Executive Director of the Armadale Redevelopment Authority who has carriage of the proposed rezoning, will then be invited to make a brief presentation in order that the meeting is clear about what Amendment No 3 will allow and to make sure that everyone has a similar start point when discussion commences. Questions would be invited at the end of the presentation, as that will then quite naturally lead into a period of discussion. This will allow all present to clarify any issues before consideration of the proposed motions, or any others, that are put forward, and that relate to the business of the meeting.

For question time, it is proposed that Ms Jan Clarke as the instigator of the request for this meeting will be given the first opportunity to speak. As only matters of direct relevance to the meeting request may be discussed, discussions tonight would need to be focussed on the impact of Amendment 3 on the land, buildings, and the services delivered from them. Issues of commercial timing, demand, etc are not matters for a rezoning proposal, but are rather elements to be considered, if appropriate, when a Development Application is received.

There is a roving microphone and the microphone will be brought as people are identified. As mentioned earlier, the meeting is being recorded so people are requested to state their name and address before asking a question or making any comment.

Once all the questions or doubts have been canvassed, the meeting can move into the process of any motions that people want to put to Council. The Form-1 Request has already foreshadowed some motions and others relating to the business of the meeting can be accepted.

The Mayor requested that if any member of the public present is not entitled to be an elector in the City of Armadale that they simply refrain from voting on any of the motions.

Declarations of Interest

Cr Reynolds advised that three years ago when the ARA was set up and Council nominated its representatives on the ARA Board a very deliberative action was taken to preserve councillors right to deal with planning issues at Council. At the ARA, development matters are delegated to a sub-committee to ensure that there would be no conflict of interest for Council representatives. Hence, when it comes to planning matters at Council, Cr Reynolds and Cr Zelones are able to continue to discuss and vote as Council spokespeople in their role as Mayor and Chair of Development Services Committee respectively.

Cr Reynolds and Cr Zelones disclosed that they are members on the Armadale Redevelopment Authority Board. As a consequence, they advised that there may be a perception on the basis of their disclosed non-financial interest that their impartiality may be affected but declared they would set aside that association, consider the matter on its merits and vote accordingly.

Cr Scidone disclosed that he has an association with the previous landowner of the property subject of proposed Amendment-3. As a consequence, he advised that his impartiality on the basis of his disclosed non-financial interest that his impartiality may be affected but declared he would set aside that association, consider the matter on its merits and vote accordingly.

Why Should Amendment 3 Proceed?

The Mayor provided the following comments in response to point (2) of the Form-1 Request:-

I understand that I am being asked to identify how it fits into the broader vision for Armadale. A vision that is largely shared by your Council and the Redevelopment Authority. While we sometimes disagree on fine detail, the shared broad vision is very much as Council articulated it on the basis of very strong community input before, during, and after the Armadale Enquiry by Design process in December 1999.

At the outset, can I assure you all that Council is aware, that the services currently offered from both Minnawarra and Orchard Houses are important to many members of our community? Council supports their continued delivery from a location near to the Armadale CBD. Council also has emphasised with the ARA the need for us to be able to continue to deliver an expansive range of major and minor community events from the Minnawarra Park precinct.

We were unhappy with the original Enquiry by Design outcome and ARA Concept Plan for the City Centre which envisaged mixed land uses, including residential units on part of the land currently occupied by the two houses. Any residential development in that area would have significantly restricted our civic events, and smacked of a form of elitism. Council has always sought a land use that was open to all members of the public, and that made passing traffic on Armadale Road aware that our town centre was open to them as well. However, in all studies, in whatever form the redevelopment of this land was to take, it was expected that neither Minnawarra House nor Orchard House would remain.

Council has for many years acknowledged that for a healthy town centre to develop, it needed to be balanced either side of Jull Street and Third Road. The existing shopping centre, with its back to the Jull Street "main street" had over the years meant that traders outside of the centre have struggled to survive. While we are supportive of an expanded shopping centre on the eastern side of Jull Street, it needs to be balanced in time by an equal attractor on the western side, and we will encourage both of them to have strong street addresses rather than being inwardly focussed. Then and only then, will the "main street" fulfil its role, and we will have a genuinely balanced town centre with strong connections between the two centres.

For many years you have heard Council apologise for the need to levy relatively high rates on residential properties. It is because, per head of population; per kilometre of road; per hectare of reserves; etc, we have a very small and underperforming commercial and industrial rate base and are almost unique in the Perth urban area in this respect – only Mundaring and to a lesser degree Kalamunda suffer as we do.

We need to expand our industrial and commercial rate bases to offset the impact on residential rates, but more importantly, as we try to create a more sustainable city, we need to bring more jobs to our region. Jobs that will provide hope for our young folk in particular, but for people of all ages. We need a variety of job types, but especially part time

and casual work as is provided by the retail sector to match the changing demographics of our society.

Let me share some statistics with you that we don't publish too often, but which we are using to seek federal assistance with education facilities.

- *The state unemployment level is 4.8%, but in Armadale it is 6.3% - doesn't sound much worse, but in fact it is 31% worse, significantly it is highest amongst breadwinners;*
- *Youth unemployment is currently just below 30% for females, and in the high 30's for males.*
- *Our young people become disillusioned and as a result they participate in TAFE and University at a rate more than 25% below the state averages. Perhaps even worse, only 52% of them bother to stay at school beyond the compulsory leaving age.*

In 1996 or thereabouts our consultants measured that some \$80M a year of retail spending by our community was occurring outside of our area because we didn't have the range of shops and entertainment to keep it local. That figure is now probably well over \$100M. Why then is this figure relevant? Essentially because Council and the ARA take it into account when we examine opportunities for retail expansion in our town centre, and because largely it measures the level of community dissatisfaction with the retail offerings in Armadale at present. We and potential developers can add it to the surge in population that is occurring in both the Armadale and Serpentine-Jarrahdale regions when trying to determine how much retail floor space is required.

Private dwelling approvals for Armadale over the 12 months just ended were over 300 for the first time since 1994/95 and this year could be 500+. This growth pattern is expected to continue for 10 – 15 years, peaking at over 1,000 new homes per annum. Similarly Byford in particular is expanding as quickly as their Council can accommodate change.

One of the issues that retailers will face in the future in Armadale as shoppers become more discerning in where they shop, is the need to provide protected parking spaces – from the burning sun in summer, and from the wind and rain in winter. One of the prime uses of the land to be rezoned is to provide undercover parking, along with the rest of the development.

Generally Strategic Regional Centres can expand to 85,000 sq metres, with developers making their own judgment about whether there is sufficient market strength to merit this floor area. Even with both the ING and the Westzone extensions, we will be more than 15,000 sq metres short of that.

There has been a range of retail floor space studies undertaken by a range of parties – our own Shrapnel report which dealt largely with the relative roles of Armadale and Kelmscott, those undertaken by both ING and Westzone, and other studies commissioned by the ARA to inform their decision making. Council, mindful of the need to match supply to demand, but without treading into areas that might be seen to be a restraint of trade, asked the ARA to further consider the timing of the supply of floor space. This we understand that they have done.

Council is therefore of the view that there is a compelling case for the land to be rezoned to permit future retail use and that position, I understand is not opposed by the owners of the

existing retail facilities in Armadale, only the timing of when any extra floor space should be provided.

The issue of when and how that extra retail space is provided is a difficult and different question, one now left properly to the Development Application stage. Some would even argue that it is none of Council's business under planning law even at that time, although naturally we will have a view and we will make it known to the ARA. The ARA will need to consider those issues and the Minister has flagged with them a need for staging of the supply of "specialty store" floor space.

Thus Council, while it supports the continued efforts of the groups associated with both Orchard House and Minnawarra House, believes that there is a strong need to generate a truly balanced, healthy town centre providing extra jobs and retail opportunities for shop keepers and shoppers alike, and that this will at some time require the relocation of the two groups to other premises so that the land can be used to support retail activity.

Council's advice to the ARA following our 14th June meeting has been that it supports the rezoning on the basis that groups' activities are relocated successfully, and that the development will be in a form that will allow us to continue to use the land between the shopping centre and Armadale Road for some of our events.

Presentation by ARA

The Mayor invited Mr John Ellis, Executive Director of the ARA to explain Amendment-3 to the ARA's Planning Scheme and as to why it considers the amendment worthy of determination.

Mr John Ellis delivered a powerpoint presentation covering the following:

- **ARA Precinct Areas**

Put into context what the ARA is about and what it is hoping to achieve in Armadale, i.e. facilitate the economic and social revitalization of Armadale. The areas under ARA's jurisdiction include:

- Champion Lakes Development
- Champion Drive Development (quality residential development)
- Forrestdale Business Park (190 ha of general industrial land)
- Brookdale Residential Development (1500 ha of future urban land) the area is now subject of a national demonstration project in urban water management
- City Centre of Armadale – Armadale is one of two strategic regional centres in the south east region. However, the Armadale strategic regional centre is not achieving its role in a planning context.
- Kelmscott District Centre (part of this Centre has more recently come under the jurisdiction of the ARA for a short period of time).

- **Commerce Avenue Perspective** – This is one of the first projects underway and the upgrade of Commerce Avenue is to achieve a “boulevard” which will complement the railway station and forecourt.
- **Railway Station Precinct** – Following construction of the new Armadale station, the focus now is on the proposed two buildings flanking the station. The proposed building south of the forecourt is the proposed Education Access Centre for which the ARA has contracted architects to commence the Facility Design and Management Study. Education is not well catered for in Armadale and that is a principal focus of the ARA. It is proposed that the Centre will house senior secondary education, Curtin university, Swan Tafe and hopefully other tertiary institutions in the future.
To the north of the forecourt is the proposed Government Sector office building and the ARA is working vigorously to attract government agencies and departments to relocate.
- **Enquiry By Design** – The genesis of the ARA was the Armadale Enquiry By Design (EBD) process which commenced in late 1999 and completed in early 2000. The Armadale EBD looked at the attributes of the City Centre and some of the critical issues identified included street circulation and also the opportunity to get appropriate retail and commercial development in the city centre to enable it to achieve its status as a strategic regional centre. It should be noted that the area north of the existing Woolworths site and which is (partly) subject to the proposed Amendment No.3 was identified as appropriate for redevelopment in the EBD process.
- **City Centre Concept Plan** – The ARA had to put a redevelopment scheme in place prior to assuming any development planning powers. This scheme overrides the City’s existing town planning scheme in the city centre. The Concept Plan which accompanied the scheme was a descriptive plan and not a statutory plan which showed intent and also flagged further development north of the Woolworths site.
- **Proposed Amendment No.3** – The recent fact sheet put out by the ARA to overcome some of the misconceptions that were being voiced in the community included an aerial photograph indicating the impact of Amendment No. 3. The photo (refer Attachment A-1 to these Minutes) shows the area which was already subject to expansion under the Concept Plan and the area which is covered under Amendment No. 3. This includes Minnawarra House and Orchard House but excludes the carob tree which is outside the proposed development area. It should be noted though that the existing zoning over the area subject of the amendment which is “Civic and Cultural” does permit office buildings, residential development, markets and a range of built form activities, but excludes shops.

As part of the public consultation process with the Concept Plan and Redevelopment Scheme a proposal was put forward that the boundary be amended and as a result this amendment is now being considered to the scheme.

In conclusion, Mr Ellis reiterated the Mayor’s comments that the ARA is committed to relocating the existing community facilities which operate from Minnawarra and Orchard Houses. Discussions were commenced with both parties in October last year and early

this year a community consultant had been appointed to work closely with both facilities to assist them in relocation.

A copy of the PowerPoint presentation is attached. (**Refer to Attachment "A-2" to these Minutes.**

4 QUESTIONS FROM THE FLOOR

4.1 Mr Bret Busby – 2 Pelham Street, Armadale

Refer to the articles in the local newspapers – Examiner on 16 June and the Comment on 21 June regarding the November 2004 decisions of the Council and the affect of the decisions of the Council on 20 June 2005 where both articles stated that this would proceed “if the Council approved it”. The Mayor said at that meeting that Council had no veto power. Would the ARA proceed with this amendment if it was definitely opposed by the Council?

The Mayor clarified that this was a Special Electors meeting which is a statutory requirement of Council. Any questions to the ARA would need to be directed via the Mayor who may choose to ask the ARA representative to respond. In this instance, the Mayor invited Mr Ellis to respond.

Mr Ellis - In regard to any zoning changes, development applications or other major changes which impact on the community the ARA is required to refer these to the City for comment. The ARA, as part of its consultation process, seeks advice from major stakeholders. It does enjoy an excellent working relationship with the City and would give full and serious consideration to all its submissions. However the ARA is a statutory authority and can make independent lawful decisions and is under no obligation to adopt the City's recommendation.

The Mayor cited one instance when the ARA did not take on board Council's advice, i.e. provision of parking for the ING development where ING sought a special arrangement with the Board for provision of a lesser number of parking bays than would normally be required. Council's position was that the parking requirement should not be relaxed.

4.2 Ms Jillian Betts – 52 Jade Street, Armadale

Why did the Council vote to support the proposed ARA Scheme Amendment No.3 at its meeting on 20 June 2005 when it knew that there was going to be a Special Electors meeting on this issue? Why couldn't the decision be deferred until after this special meeting?

The Mayor advised that all of the issues had been very clearly canvassed in the community and Council took all of these into account prior to making a decision to support the amendment before the closure of submissions on 27 June 2005, The request for an Electors meeting was received just prior to Council considering the Committee recommendation and Council's resolution did indicate that any supplementary information arising from the special electors meeting would be forwarded to the ARA.

4.3 Mr R Fletcher – 117 Carawatha Avenue, Mt Nasura

Armadale Road was established about 1983 and it had taken into account all the requirements for a flyover, intersection with south west highway etc. so how can the amendment boundary now impinge on the road reserve as there still needs to be a grade separation between the railway and Armadale Road? The diagrams advertised do not indicate as to what is going to happen at that intersection/flyover site.

There is also a sign on Memorial Park that this was going to be the Plaza Centre and the encroachment on that park now has been massive.

The Mayor advised that Government agencies completed a study of the Armadale rail crossing about five years ago, that determined the land required for a grade-separated crossing. The original land purchase acquired the total lots, pending confirmation as to how much was required for roads. It was appropriate that in the interim, the property be used for community purposes. Final design of the rail crossing has not yet been done but the agencies have advised the ARA that part of the land is not required for road purposes.

4.4 Ms M Horne – 47 Third Avenue, Kelmscott

Why can't Minnawarra House and Orchard House stay and the development go ahead in the existing boundaries?

This issue is for the potential developer and one of these could be the ratio of rentable space that they need to achieve a commercially viable development. It should be noted that since 1999 as part of the Enquiry By Design it was indicated that Minnawarra and Orchard Houses would not be maintained long term. It was always acknowledged that there would be a redevelopment of that area of Armadale.

4.5 Ms Margaret McRae – 24 Cambell Road, Armadale

To prevent the loss of both Orchard and Minnawarra House would it be possible to build multiple stories thus saving ground space?

It is a double storey development with the ground floor being parking with a level of retail space. However, these are decisions that the developer will make at the time of making a development application. At this stage it is a request by the developer to make an amendment that will enable retail development in this area.

(Concern was expressed here about development on Memorial park and the sign on it).

The Mayor emphasized that Memorial Park will not be resumed or built on and invited the CEO to comment on what sign was being mentioned here.

Mr Tame advised that signs were put up on Memorial Park during the cinema development and have been there during the whole process. However, these were recently removed as the cinemas have now been completed. The cinema development did not encroach on Memorial Park but used part of the park temporarily for construction. In return, the developers have significantly enhanced the park environs entirely at their cost.

4.6 Ms Sylvia Mason – Lot 9 Buchanan Road, Roleystone

I am concerned with the quality of this area – Armadale is mostly bungalows, high density buildings. At the moment located in the City Centre we have ancient historical aboriginal sites, a quality park with river and water courses running through it with the potential for a fantastic cultural tourist project. I am concerned about the waterway which should be reforested to prevent increasing global warming.

The watercourse will not change in any way from what it is at the moment.

4.7 Mrs Pearson – Puffin Fresh Donuts at Armadale Shopping City

Have there been any studies carried out and if not, why not, to assess the impact additional retail stores will have on those already in existence.

There have been at least four studies done. ING have done a study partly to look at its own potential to develop but also with regard to competition. Westzone have done a study with independent consultants to advise them on whether both the ING and Westzone proposals, if they go ahead, will be able to remain commercially viable. Obviously, the companies will not be investing the money in developing if they did not have a satisfactory study result. The City also did a study on the relativity between Armadale and Kelmscott, the number of square metres of retail space that could be supported in the City Centre given recent population figures. Finally the ARA has commissioned independent investigations of all the original studies to guide its own decision.

4.8 Mrs Rosie Reynolds – 105 Third Avenue, Kelmscott

You are worried about money going to Carousel, yet you are using ratepayers money to subsidise the Grand Cinemas.

This question has no relevance to Amendment No.3 but the Mayor chose to provide an explanation. Council consulted with the community over a very lengthy period of time and a modern “multi-screen” cinema was the one demand that came out consistently to every community satisfaction survey. These included studies conducted to do with youth issues, senior issues, general community issues. For about 15 years, private developers were invited to build cinemas on certain sites and a number of approvals

were given by the Council. Only one was on a site not approved by Council. Inspite of these approvals no cinema development ever commenced. The applicants advised this was due to financial viability and the same can be said for the development of shopping centres, as often financial viability is only examined once approvals have been sought. However, an expectation had been created in the community for cinemas. As a consequence, the Council advertised that it would undertake a tender process and invited developers to submit, in a competitive environment, just what kind of support they would be seeking to make a multi-screen cinema development financially viable. The whole process was open and the community was made fully aware of Council's negotiations in this regard.

4.9 Mrs Jillian Betts – 52 Jade Street, Armadale

We already have a cinema and did Council subsidise the other one?

The Mayor clarified that at the time of undertaking the tender process this cinema was not operating. This particular cinema operator was invited to participate in the tender process but chose not to.

4.10 Mr Gary Gambin – 11 Nowra Place, Kelmscott

I am a tenant of the Armadale Shopping City. You mentioned that there are a large number of people looking for work but for at least the last 6 months it has been really difficult to find dedicated, hard working young people.

The Mayor accepted this as a statement.

4.11 Ms Trudi Pollard – 2 Otway Place, Bedfordale

When you come into Armadale, Minnawarra Park presents a beautiful entrance to the City and by putting a Woolworths site there now will ruin this. Can the building not be made double storied and shifted towards the car park so that the area is kept beautiful and attractive. Orchard and Minnawarra Houses have provided so much for Armadale and should remain. The dollars don't count it's the people who live in Armadale that count and we are asking that this area be made attractive as no other suburb has an entrance like Armadale.

Council in its resolution of the 20th June 2005 advised the ARA to be mindful of the fact that the shopping centre should be shifted further from Armadale Road and to complete the landscaping of the open space. The developer made a conscious effort to integrate the cinema with the surrounding parkland and Council has similar expectations for them to achieve the same aesthetic quality development for this area of land. In terms of the ability to relocate the services being offered by both Minnawarra and Orchard Houses, similar alternative accommodation is being sought by the ARA.

4.12 Mr Jeff Green – 47 Sixth Road, Armadale

You mentioned about 30,000 extra people coming into the district and current unemployment figures to justify the shopping centre expansion and the fact that this will provide employment. But what about the extra 30,000 people, don't they need employment as well?

There is a need to accelerate the employment rate to achieve a balance between employment and population. At the moment Armadale is very much a dormitory suburb with no local employment with most people traveling to the industrial areas or CBD. As the ARA pointed out in the presentation there is an emphasis on activity at Forrestdale Business Park, Champion Lakes and the City Centre that is going to create employment opportunities for people in the District.

4.13 Ms Jillian Betts – 52 Jade Street, Armadale

In the Concept Plan it was indicated that you would build on the existing strengths. The area of Minnawarra Park extending to the west, north of Minnawarra House is a great asset as it is very beautiful. Any development there would encroach and detract hugely from the current entrance statement. Why can't the ARA be mindful of that and leave the existing area as it is and indicate that they build upwards. You mentioned the Enquiry By Design, but we did not hear about this development till the beginning of last year and we would have expected that the people directly affected would be contacted for input. Also people cannot visualize concept plans and a scaled model would be better understood. I would ask that the ARA strongly consider leaving that area as it is and not go ahead with Amendment No.3. Minnawarra House and Orchard House is a mini cultural centre and work hard to build self esteem in the community. In my submission I mentioned that an important cultural asset in the community brings talent and that in turn builds up business and provides employment and that has equal standing to shopping centre developments.

The Council is supporting the continuation of the activities of both Minnawarra and Orchard Houses.

4.14 Ms Sylvia Hall – Lowanna Way, Armadale

If we are going to have another 30,000 people in Armadale and another residential estate coming up in Byford, where are these people going to go when they visit for the Minnawarra Festival, Highland Gathering and Australia Day fireworks which are quite overcrowded now. We should keep every available open space which is generally being denuded in every town.

If for any reason the crowds do get too large for any of these events then Council may need to consider moving some of these events to another location, such as Champion Lakes. However, there are no plans to do so at present.

4.15 Ms Margaret McRae – 24 Cambell Road, Armadale

In response to a question at the Council meeting of 20th June 2005 as to why we need another shopping centre given that there are already empty shops in the existing Shopping City, it was indicated that the interest was only of a commercial nature. Why can't we follow Fremantle which is all about culture, community and small shops and markets, e.g. Pioneer Village. Council does not subsidise them in any way and that is not fair. I also feel most distressed about all the trees disappearing as a result of more development.

The intention is always to maintain a balanced City Centre and that's just not about commercial. The Council Administration Centre was a location floated for possible commercial development during discussion on concept plans and Council disagreed and chose to keep this area for civic and cultural purposes. It will remain as part of the City's cultural precinct.

4.16 Ms Jan Clarke – 3 Amethyst Crescent, Mt Richon

I have spoken to a few tenants of Orchard House and they are quite concerned about having to shift. There was a community day held there recently and it was a beautiful afternoon. Where will these be held in future. A lot of young and old people use the grassed area behind Minnawarra and Orchard House. 16 years ago we bought in Armadale because of the country living city style theme and we are particularly attached to that and am very disheartened that I haven't had my voice heard in this aspect.

Mrs Clarke was assured that her voice is being heard.

4.17 Ms Trudi Pollard – 2 Otway Place, Bedfordale

I would like to lend a book to the developer written by Richard Florida to do with having a very good community, lots of arts and social activity which draws people to an area. There are many communities in Australia where people have preserved their wildlife, countryside and old heritage buildings and made those a feature of the community so that they are now bringing in money from tourism.

The comments were noted.

4.18 Mr Bret Busby – 2 Pelham Street, Armadale

I understand that an amount of \$350,000 was invested by the Council in the new picture theatre and at the Council meeting of 20th June 2005 the Council approved to pay about \$45,000 to Westzone. I note that the Minister for Planning is not present at the meeting tonight being the person responsible for this and who is also a ratepayer. Given her action in the commissioning of a referendum of residents in what is now Mt Richon as to whether that locality should be renamed and given Sections 1.3 (2b) (2c) and Section 2.10 (a) of the Local Government Act and as the ARA representative made consultation with the major shareholder in this and as the council has shown

that it has the money and as it is appropriate in law why did we not have a referendum on this issue by which the Council would have been bound before Council voted on resolution D83/6/05 to make a submission in support of this amendment.

Tonight is a meeting of electors of the City of Armadale. It is not for purposes of discussion on the activities of the State Government or the Member for Armadale. The State and local members have their own communication mechanisms.

Even if the Council paid to conduct a referendum the ARA is not bound to accept that result and would only take it as advisory. However, the result of such a consultation might be surprising as a number of people have responded in favour of the proposed development. Councillors in making its decision have weighed all the comments and responses the City has received. The cost of conducting a referendum would be \$120,000 and Council did not see that as an appropriate expenditure – if that was the case then nearly every rezoning or development issue would need to go to a referendum and nothing would be achieved.

4.19 Ms W Chapel – 22 Daley Street, Byford (Retailer in Armadale City & Armadale Plaza)

I have 3 teenage children and would like to be positive about this community. We need to be able to accept change for the benefit of our young community today. For instance, the trees in Commerce Avenue have been replaced by the train station and it does look beautiful. The community has got to move along and we need to be able to accommodate for the youth and on their behalf I would like to see a balance achieved here for the whole community. With regard to employment of young people, on an average I do receive about 10 resumes a day and have had to turn away a lot of people. We should be more positive about the future.

The comments were noted.

4.20 Ms E Pendlebury – 14 Amethyst Crescent, Armadale

I also have 3 children, 2 of whom are employed and brought up in Armadale. I think that if you are putting money into shops then you should also put money into high schools in the area. I used to live on Church Avenue and a number of years ago the trees were chopped down and these have not been replaced. The trees on Commerce Avenue were also chopped down because of white ants and now there are only little trees with no shade and I need to stand at the railway station every morning with no protection from the rain and wind. I do like living in Armadale and do support Minnawarra House.

The comments were noted.

At this point the Mayor reminded the meeting to direct questions only in relation to Amendment No.3.

4.21 Mr R Fletcher – 117 Carawatha Avenue, Armadale

I was very impressed when you spoke about achieving a balance in the town but you did not mention the “golden triangle”. Can you explain why that is not at this point in time being looked at as a viable option for shopping centre development? It has been in limbo for about 27 years. You also mentioned the track record of Westzone is that the parking for the movie house was guaranteed from the Woolworths parking space. If that's going to be made into specialty shops with no road then the development will impinge on Memorial Park. The recent work done in the park is a credit to the parks staff and I would not like to see the developer take over this park too.

The Mayor indicated that the recent works in Memorial park were funded by Westzone and gave his assurance that Memorial Park will not be affected in any way. The parking will increase substantially as the undercroft to the new building will be for parking. In regard to the land on the other side of the railway station, developers are not keen to invest money in that area. Likely future of the area would probably be high density residential with some ground floor commercial but is not suitable for a major shopping centre. About 25 years ago this was debated and many people today think that the current Shopping City should have been on the other side of the railway line. However, the land will not be wasted and the ARA plans indicate that there will be some additional 600 parking bays on the western side.

4.22 Mr M Warburton – Tenant at Armadale Shopping City

The population projections from the Government Department of Planning (DPI) are not due until next month and these figures should be used as the basis for making planning decisions. Why can't the ARA wait until these figures are released before proceeding with Amendment No.3

The DPI figures that are updated each year are based on advice they get directly from the land developers. Council's planning officers have had discussions with developers directly and have got updated figures which have been reported to DPI. Council's figures have been updated to the best of its ability and the most recent up date was a couple of months ago.

Mr Ellis advised that one of the realities with population forecasts that are segregated into local government areas is that the initial framework is the expected population growth for the entire metropolitan area and the de-segregation is partly influenced by what developer intentions are. DPI, in updating the figures, do take into consideration previous growth patterns and balance this with developer intentions. The growth patterns in Armadale have not been very positive in recent times and what the ARA in conjunction with the City is trying to instill in the area is an impetus to move forward.

4.23 Mr M Warburton – Tenant at Armadale Shopping City

I am aware of a retailer in Albany where there were plans for a larger retail department store and one of the reasons used was to bring more employment to the region. Once the shopping centre was opened it created only 6 full time jobs with a few part time jobs. So it should not be assumed that all retail development will create job employment.

The comments were acknowledged.

4.24 Ms Sylvia Mason – Lot 9 Buchanan Road, Roleystone

I am concerned about the number of empty shops in the Shopping City, the number of businesses closing down in the Armadale-Kelmscott industrial area. Small businesses are just as important as major retail development. Over and over again shopping centres are being used as solutions to employment when it's well known that small businesses build viable strong communities, provide employment and intellectual capital.

The Mayor acknowledged these comments. It is not being said that retail is the solution to all ills. What is simply being discussed today is amendment No.3 to the ARA Development Scheme that deals with retail land. One of the things that Council and ARA has put more effort into the last 6 months is to lift the standard of education being offered in the District and feel that it is critically important that young people in Armadale are given a better opportunity at school and then opportunity for jobs as well. Education is not being ignored, Armadale has already succeeded in securing the first tranche of university places that will be taught within the community and now it is vigorously trying to achieve an Australian Technical College. This will provide training for young people, in particular, in traditional skills that are in short supply at the moment.

4.25 Mr Bret Busby – 2 Pelham Street, Armadale

You made reference to the high residential rates that are ever increasing in Armadale being charged due to a lack of commercial rates. Does this scheme mean that Council guarantees that residential rates will be significantly decreased due to the increase in commercial rates that will result.

If and when we achieve a strong commercial rate base, the Council of the day, will make decisions of how it may offer concessions to residential rates. At the moment, Council is in a position where the rate in the dollar struck for both commercial and residential is exactly the same. We simply need more commercial development to share the cost with residential owners. Council is examining ways in which it can improve the delivery of services to all of the community, including the CBD of both Armadale and Kelmscott.

4.26 Ms Margaret McRae – 24 Cambell Road, Armadale

Will Council be prepared to support Pioneer Village in particular the Pioneer Village cinema as Council has done nothing to help this business?

The Mayor refuted this statement as it was Council who forced the previous owners to sell the desolated property so that through new ownership it could be rehabilitated and Council assisted in every way possible with its redevelopment. With regard to the cinemas, it was mentioned earlier that the operator, prior to re-establishing his business in Pioneer Village, was invited to participate in the tender process for cinemas in the CBD. Council was not prepared to support a major cinema complex on the Pioneer Village site away from the CBD and the main retail area.

4.27 Ms Jillian Betts – 52 Jade Street, Armadale

I too have teenage children who after having visited both the Pioneer Village cinemas and Grand cinemas would still prefer to travel to Carousel as there is more entertainment on offer there. I don't see what this new development is going to provide for them after the cinemas close that will entice the young people to stay.

That is exactly why both Shopping Centres are being encouraged to develop and complement the popular initiative of a cinema. The retail development will create more shopping and bring more people into the City Centre. The other after-hours businesses in the area like the Fox and Hound and restaurants could be encouraged to expand and redevelop to attract younger people. In terms of the shopping centre development, both the ING and Westzone developments as a combination will be providing the range of opportunities that Carousel offers.

4.28 Ms Jillian Betts – 52 Jade Street, Armadale

I am very concerned about the visual pollution that will come as a result of this development. The entrance to Armadale will then be a Big W complex and a petrol station and it will impact on our entry statement.

As indicated earlier, Council has not sighted detailed drawings to comment on details of the development proposal.

Mr Ellis advised that there are design guidelines in place to guide development in the City Centre and there are also signage policies. Visual amenity is taken seriously and businesses in the City Centre have had to change their conventional signage to be more in keeping with Armadale's tradition. The ARA will most certainly be taking these guidelines into account in approving any development. The people can be assured that any development in this area will improve the existing back-end of Woolworths that the public is being confronted with today from Armadale Road. The development proposal will be advertised for public comment and this discussion is only about rezoning that area of land. The development process is a rigorous one and the public will be given ample opportunity for comment at that stage.

4.29 Mr Jeff Green – 47 Sixth Road, Armadale

In my letter to the ARA there were several points raised and one of them was to do with architectural style of the cinemas. I have a book titled “Timeless way of Building” and was wondering if the ARA has heard of the book. What I am concerned about is that at both ends of Jull Street there is a heritage theme while in the middle we have a shopping centre and it does not fit in with the context of Armadale. Is there a chance that the developers do something about not continuing that style of architecture?

The cinemas are seen as a terrific contribution to the City's architecture. Both shopping centre developers have been advised by Council and the ARA that the design of any new development would need to complement the area.

4.30 Mrs Tracy Pearson – Puffin Fresh Donuts, Armadale Shopping City

I had asked about what studies had been done and what impact these would have on the existing stores. If another donut shop was to open how would that not impact my business?

Council does not really have any control over what businesses come up – another donut shop could quite easily be opened in Jull Street now.

4.31 Mrs Tracy Pearson – Puffin Fresh Donuts, Armadale Shopping City

Why is there a need for two shopping centres in the area which will only bring in the same sort of specialty shops that already exist? Also the Shopping City is extending for that particular purpose so why approve two shopping centres.

If the choice is provided in Armadale then people will choose to shop here rather than go down to Carousel. The number of people who will be shopping in the district will also be larger than it currently is and it may be that the donut shop's viability will be enhanced rather than detract from further development. Council is not in a position to indicate that only one shopping centre can operate in the town.

4.32 Mr Jeff Green – 47 Sixth Road, Armadale

In my letter to the ARA I indicated that when the Armadale Shopping City was built Armadale Road was not built. If it had been then I could guess where the shopping centre would have been so the placating statement to Mr Scidone that his land bought off him at cheap rural rates by the Government “would never be used for commercial purposes” has now nearly been proved to be untrue. As you know the Jarrah tree in the Armadale Shopping City was promised to be kept - but within 10 years that condition was no longer required by the Council. What about promises – at the Minnawarra Park meeting we were told that the other part of the lake is actually owned by the same people that owned the land where Minnawarra House is and we were promised that part of the lake would never be developed.

The land is owned by the same people who owned the land on the western side of Orchard Avenue. Now that the boundaries for the road reserve have been confirmed the ARA has been advised that the time has now come for WA Planning Commission to hand that land over to the Council. Once it is handed over to the Council, then it can be assured that the lake would not be developed. However, a different Council in 10 years time will be entitled to make a decision depending on circumstances at the time.

4.33 Ms Margaret McRae – 24 Cambell Road, Armadale

In regard to the development of the railway station, when developers went bankrupt and the site was left desolated - what assurances can you give that the proposed developers for the shopping centre are financially viable and do they have to provide proof that the project can be completed without going bankrupt.

In terms of the railway station, it was the builders who went bankrupt and the State Government as the developer contracted another builder to complete the project. In terms of the financial viability of any of the developers, there will be signed contracts with potential lessees and those are the people who will need to be convinced that Westzone can provide the building and it is not Council or the ARA. The matter under discussion tonight however is about the current zoning of land and the possible future use of this land.

4.34 Ms Jillian Betts – 52 Jade Street, Armadale

The carob tree is located outside the area of the proposed amendment. However, its roots come up to the building of Minnawarra House and if this building is demolished then there is likely to be impact on the tree. What strategies will the Council recommend to the ARA to protect the carob tree.

The Council will recommend that an arborist be consulted for advice. The Council is very aware of the carob tree and Cr Scidone has particularly pointed out its relevance to his family so every precaution will be taken to maintain the tree.

4.35 Mr Bret Busby – 2 Pelham Street, Armadale

The photograph on the screen today shows Woolworths but does not include the car park that runs between the Gull Station and Woolworths. Why can't the existing Woolworths car park be built over and the existing store be built on top. So instead of the development going north and encroaching on the land that includes the grassed area why can't this be extended towards the City Centre.

If the developer could have achieved a development without having to go through the process of acquisition of land, relocation of the current tenants etc. which is going to cost a significant amount of money, they would not have approached the ARA for use of this land. It is suggested that the matter may be taken up with the developer directly.

4.36 Mr R Fletcher – 117 Carawatha Avenue, Armadale

The Minnawarra House building should be heritage listed as it belonged to Hughie Aitken, Chair of the Road Board 1948-49. This house is now going to disappear if the rezoning goes through.

The matter has been examined very carefully. There have been a number of additions to the building over the years so that it no longer retains any of its original form. Council understands that a number of people feel strongly about the two buildings and what has occurred there so there will be a need to record its history.

4.37 Mr R Fletcher – 117 Carawatha Avenue, Armadale

I would like to congratulate the Council on having this meeting to allow the public to have their say, even though I disagree with the responses.

The Mayor acknowledged the comments.

Decisions of the Meeting

MOTION-1

MOVED Mr Busby; SECONDED Mrs Betts

- a. That the people of Armadale oppose the Armadale Redevelopment Authority's Amendment No.3
- b. That the people of Armadale oppose redevelopment of the site occupied by Minnawarra House and Orchard House and including the grassed open land bordered by the Woolworths carpark, Orchard Road, the adjacent railway land, and Armadale Road.
- c. That the people of Armadale request the City Council to oppose the Armadale Redevelopment Authority's Amendment No.3

MOTION CARRIED (unopposed)

MOTION-2

MOVED Mrs Betts; SECONDED Ms MacRae

That the people of Armadale nominate the buildings of Minnawarra House and Orchard House, and the land bordered by the Woolworths carpark, Orchard Road, the adjacent railway land, and Armadale Road, for inclusion in the Armadale City's Municipal Heritage Inventory for which nominations of buildings and places are being sought by the City Council, due to the roles that the buildings and land have played in the history of Armadale, and their association with the community.

MOTION CARRIED (Unopposed)

MOTION-3

MOVED Mrs Betts; SECONDED Ms MacRae

That the people of Armadale request that the Armadale City Council make a formal request to the Minister for Planning and Infrastructure and the Western Australian State Minister for Heritage, for orders protecting these buildings and this land, from redevelopment other than necessary maintenance and repairs.

MOTION CARRIED (Unopposed)

MOTION-4

MOVED Mrs Pearson; SECONDED Mr Fletcher

The Amendment be withdrawn until more studies are carried out and more information made public, to ensure that the catchment area can support more retail floor space.

Opposed Mr Busby

MOTION CARRIED (17-6)

MOTION-5

MOVED Mrs Betts; SECONDED Ms Milton

That Council be asked to hold a Local Government referendum on the issue of whether Amendment No 3 should proceed.

MOTION CARRIED (Unopposed)

MOTION-6

MOVED Mrs Betts; SECONDED Mrs Reynolds

That the Armadale City Council seeks from the ARA an undertaking not to remove the tenants of Minnawarra House or Orchard House, until satisfactory alternative accommodation is provided to the satisfaction of the tenants.

MOTION CARRIED (Unopposed)

MOTION-7 (Procedural)

MOVED Mr Busby

That the minutes of this meeting indicate that apart from voting on the motion put by Mrs Pearson, councillors did not take part in the voting of any other motions.

The Mayor ruled that the record of the meeting will show whose present and where all motions were either opposed or unopposed. Not everyone present at this meeting is required to vote. Councillors were in attendance to observe and provide advice and would be publicly determining and making a decision on all motions from this meeting at a future Council meeting.

MOTION-8

MOVED Mr Green

That this meeting calls upon the Council and the ARA to ensure that they remain vigilant about the enforcement of their design guidelines.

MOTION CARRIED (Unopposed)

Additional items not subject of resolutions are:-

Mrs Betts asked that Council recommend to the ARA that the proposed development application be advertised in the local papers with a public comment period extending up to 6/8 weeks and that architect models for both shopping centre developments be drawn up for public viewing.

The ARA will be advised accordingly.

In response to a query regarding the availability of the Minutes of this meeting, the Chief Executive Officer advised that this will be available to the public in two weeks time, i.e. Friday 29th July 2005, as part of the Council Agenda for 1st August 2005 Council meeting. The Agenda will be available on the website and at each of the public libraries. However, as Council in its resolution of 20th June 2005 indicated that supplementary information from this meeting be forwarded to the ARA, a record of the motions from this meeting will be submitted early next week to the ARA.

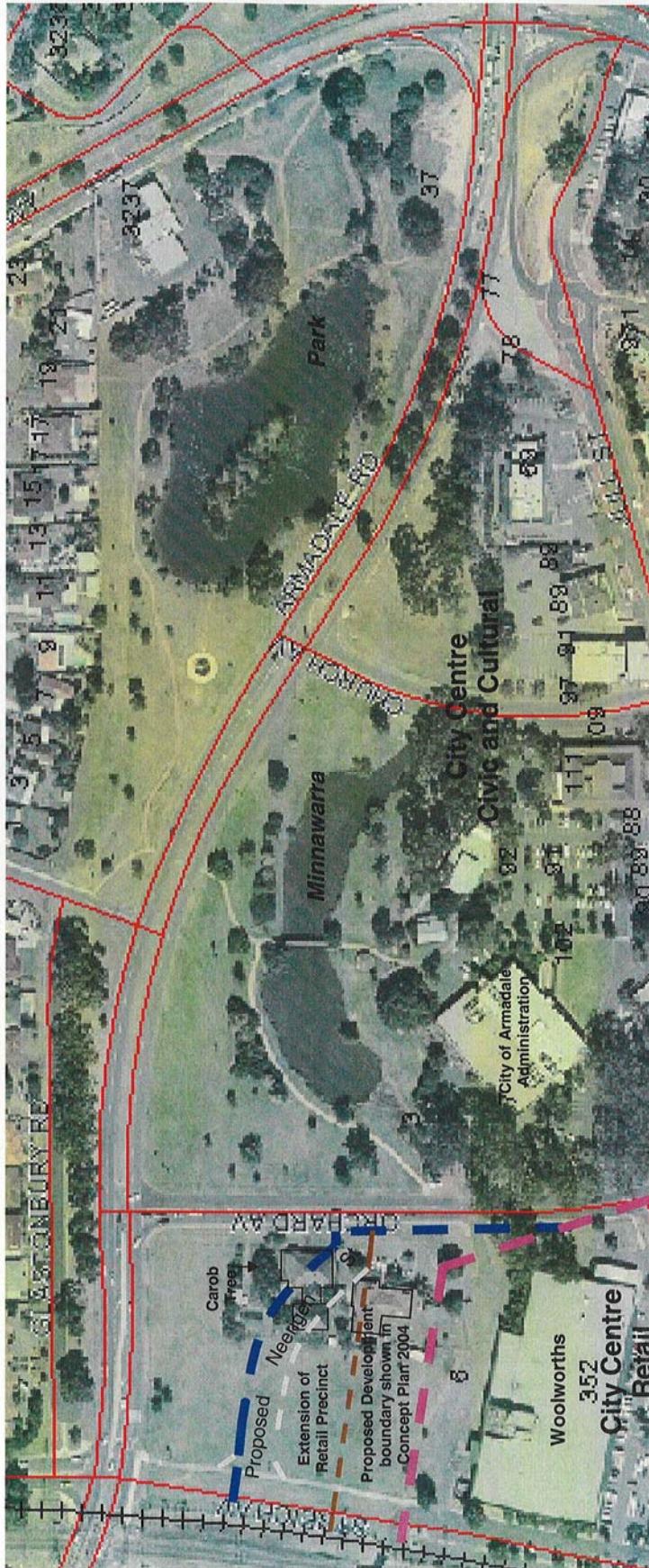
6 CLOSURE

The Mayor thanked the public for their attendance and declared the meeting closed at 9.15 pm

Attachments

- A-1 Photograph of the area subject of Amendment No.3
- A-2 Powerpoint Presentation made at the Special Meeting of Electors held on 13th July 2005

**Impact of Proposed Amendment 3 on land around
Minnawarra House & Orchard House
Armadale which is not part of the formal Minnawarra Park.**



- | Legend | | |
|---------------------------------------|----------------------------------------------------|--|
| — | Amended Precinct Boundary | |
| — | Existing Precinct Boundary | |
| — | Extent of redevelopment shown on Concept Plan 2004 | |



