

ORDINARY MEETING OF COUNCIL
MONDAY, 23 JULY 2012

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	KELLY PARTINGTON - CORALIE COURT, ARMADALE.....	4
5	APPLICATIONS FOR LEAVE OF ABSENCE	5
5.1	REQUEST FOR LEAVE OF ABSENCE – CR BUSBY	5
6	PETITIONS	5
	NIL.....	5
7	CONFIRMATION OF MINUTES	5
	MINUTES OF ORDINARY COUNCIL MEETING HELD ON 9 JULY 2012.....	5
8	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION.....	5
1	ECONOMIC DEVELOPMENT	5
2	CONSULTATION & COMMUNICATION	5
3	MARKETING & PUBLIC RELATIONS	6
9	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN – WITHOUT DISCUSSION	7
10	REPORTS.....	7
10.1	SPECIAL COMMUNITY SERVICES COMMITTEE MEETING - 10 JULY 2012	7
10.2.1	COMMUNITY SERVICES DIRECTORATE 2012-13 DRAFT BUDGET (1.1).....	8
10.2	DEVELOPMENT SERVICES COMMITTEE MEETING - 16 JULY 2012	8
10.2.1	ROAD NAMING - LOTS 54 AND 800 SKEET ROAD, HARRISDALE (1.1).....	8
10.2.2	DISPOSAL OF A PORTION OF LOT 251 GILLAM DRIVE, KELMSCOTT (PORTION OF RESERVE 37213) TO OWNER OF LOT 211 GILLAM DRIVE, KELMSCOTT (2.1).....	9
10.2.3	PUBLIC OPEN SPACE STRATEGY, PRECINCT H - REVOKE RESOLUTION D21/3/12 - DISPOSAL OF LOT 211 WANDOO STREET, MT NASURA (2.2).....	10
10.2.4	PROPOSED AMENDMENT NO.67 TO TOWN PLANNING SCHEME NO.4 - MODIFICATIONS TO NORTH FORRESTDALÉ DEVELOPMENT CONTRIBUTION PLAN NO.3 (3.1).....	11

10.2.5	COUNCIL POLICY REVIEW - POLICY ADM 11 - VESTING OF CROWN RESERVES IN URBAN AREAS - DEVELOPMENT SERVICES (4.1)	13
10.2.6	AUTHORISED PERSON - PLANNING COMPLIANCE (4.2).....	13
10.2.7	PLANNING INSTITUTE OF AUSTRALIA (WA DIVISION) 2012 STATE CONFERENCE - 13 & 14 SEPTEMBER 2012 - PERTH (4.3).....	14
10.2.8	SUITABLE CONTROLS OF GOMPHOCARPUS FRUTICOSIUS (OR NARROW LEAF COTTON BUSH) (4.4).....	14
10.2.9	FUTURE PLANNING OF ORCHARD AREAS (4.5)	14
10.2.10	DEVELOPMENT SERVICES DIRECTORATE 2012-2013 DRAFT BUDGET (4.6)	14
10.2.11	PRECINCT I (1).....	15
10.3	CITY STRATEGY COMMITTEE MEETING - 17 JULY 2012	15
10.3.12	LIST OF ACCOUNTS PAID - JUNE 2012 (1.1)	15
10.3.13	MONTHLY STATEMENT OF FINANCIAL ACTIVITY - JUNE 2012 (1.2).....	16
10.3.14	2012-2013 DRAFT BUDGET - CHIEF EXECUTIVE'S OFFICE (1.3)	16
10.3.15	2012-2013 DRAFT BUDGET - CORPORATE SERVICES DIRECTORATE (1.4)...	16
10.3.16	MANAGEMENT AGREEMENT - MARMUM MIA MIA INDIGENOUS CORPORATION - WILLOW HEIGHTS - SETTLERS' COMMON, LOT 811 TRITON CRESCENT, BEDFORDALE (2.1)	17
10.3.17	LEASE - SCOUTS WA - RESERVE NO 42144 - SAN JACINTA ROAD, SEVILLE GROVE (2.2).....	17
10.3.18	LEASE - SCOUTS WA - RESERVE 33493 TOWNLEY STREET, ARMADALE (2.3)18	
10.3.19	COUNCIL POLICY REVIEW - CORPORATE SERVICES (2.4)	18
10.3.20	TRADERS PERMIT APPLICATION - RUSSIAN GYPSY FORTUNE CARD READER (2.5).....	19
10.3.21	TENDER 5/12: TENDER FOR SUPPLY OF PERSONNEL (3.1)	20
10.3.22	LIGHT RAIL PLANNING (3.2).....	20
10.3.23	CONFERENCE ATTENDANCE - ENVIRO 2012 CONFERENCE - 7TH AUSTRALIAN CONFERENCE AND EXHIBITION TITLED	20
10.3.24	GREENWASTE KERBSIDE COLLECTION - ADDITIONAL FEE FOR UNRESTRICTED GREENWASTE COLLECTION SERVICE (3.4).....	21
10.3.25	EMERGENCY POWER SUPPLY TO ADMINISTRATION BUILDINGS (3.5).....	21
10.3.26	POWER OUTAGES - ADMINISTRATION BUILDINGS (3.6).....	21
10.3.27	STAFF ESTABLISHMENT LEVELS - 2012 (3.9).....	21
10.3.28	PROPERTY MAINTENANCE WORKS - ARMADALE ARENA COMPLEX (3.10)22	
10.3.29	CONSIDERATION OF BUDGET ALLOCATION FOR ORGAN REPAIRS (1)	22
10.3.30	GOVERNMENT OFFICE ACCOMMODATION (3.7).....	22
10.3.31	PERFORMANCE REVIEW 2011-12 - CHIEF EXECUTIVE OFFICER (3.8).....	22
10.4	CHIEF EXECUTIVE OFFICER'S REPORT - 23 JULY 2012	23
10.4.32	COUNCILLOR'S INFORMATION BULLETIN - ISSUE NO. 13/2012 (1.1)	23
11	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	23
12	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION NIL	23 23
13	MATTERS FOR REFERRAL TO STANDING COMMITTEES - WITHOUT DISCUSSION	23
14	MATTERS REQUIRING CONFIDENTIAL CONSIDERATION..... NIL	24 24
15	CLOSURE	24

CITY OF ARMADALE

MINUTES

OF ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 23
JULY 2012 AT 7.00 PM.

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 JP presided over	River Ward
Deputy Mayor, Cr R Butterfield	River Ward
Cr J A Stewart	Heron Ward
Cr G Nixon	Jarraah Ward
Cr C M Wielinga	Jarraah Ward
Cr K Busby	Minnawarra Ward
Cr M H Norman	Minnawarra Ward
Cr G A Best	Neerigen Ward
Cr M Geary	Neerigen Ward
Cr M S Northcott	Palomino Ward (7-7.25pm)
Cr L Sargeson	Palomino Ward

IN ATTENDANCE:

Mr R S Tame	Chief Executive Officer
Mr A F Maxwell	Executive Director Corporate Services
Mr I MacRae	Executive Director Development Services
Mr K Ketterer	Executive Director Technical Services
Mr N Kegie	A/Executive Director Community Services
Mrs S D'Souza	CEO's Executive Assistant

Public: 3

LEAVE OF ABSENCE:

Leave of Absence previously granted to Cr D M Shaw and Cr J H Munn.

APOLOGY

Apology received from Cr MacDonald.

MOVED Cr H A Zelones that the apology from Councillor MacDonald be accepted.

225/7/12

MOTION not opposed, DECLARED CARRIED

(11/0)

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

Nil

4 PUBLIC QUESTION TIME

1 Kelly Partington - Coralie Court, Armadale

Owner of a unit and member on the Body Corporate on the strata made up of 36 units at Coralie Court.

How is Council dealing with antisocial behaviour within our community? Is there a department that us ratepayers can coordinate with such as Neighbourhood Watch and Safe City programs?

The Mayor advised that there is Council representation on the Neighbourhood Watch Committee and the City's Community Services officers will be able to assist with relevant details of this Committee. However, in regard to occurrences and control of antisocial behaviour the police is the first point of contact.

Secondly how can the Council assist with getting the Water Corp. accessway that runs between Sixth Avenue and Seventh Road cleaned up. This is covered with graffiti and junk dumped over the fences. Despite contact with both Homeswest and Water Corp. over the last 12 months nothing has been done. The accessway is an eye sore and in its current state a fire hazard.

The Mayor advised that Council officers would inspect the accessway and take appropriate action.

Has Armadale Council accepted the State legislation in regard to cat sterilisation and if not, when will it be? There is a large number of dumped cats and roaming feral cats and Rangers advise that nothing can be done at this stage.

The Mayor advised that the Cat Act passed by Parliament in November 2011 has a two-phase approach. Phase 1 to be implemented by November 2012 and Phase 2 a year later in November 2013 which will be when penalties will commence for any contravention of this Act. Officers are working towards enforcing this law.

5 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Request for Leave of Absence – Cr Busby

Request for leave of absence received from Cr Busby for the period:

Saturday, 28th July 2012 to Wednesday, 15th August 2012 inclusive.

MOVED Cr J A Stewart

That Council receive and grant request for leave of absence from Cr Busby for the period:

**Saturday, 28th July 2012 to Wednesday, 15th August 2012 inclusive
[includes 1 Ordinary Council Meeting – 13th August 2012]**

226/7/12 **MOTION not opposed, DECLARED CARRIED (11/0)**

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 9 JULY 2012.

MOVED Cr G A Best that the Minutes of the Ordinary Council Meeting held on 9 July 2012 be confirmed as a true and accurate record.

227/7/12 **MOTION not opposed, DECLARED CARRIED (14/0)**

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

ECONOMIC DEVELOPMENT

- On Wednesday 11 July 2012 the Mayor had a meeting with Ms Rachel Smith to discuss the progress of the Armadale App.

CONSULTATION & COMMUNICATION

- On 12th July 2012 at 5:30pm the Mayor along with other councillors attended the Launch of Rivers Regional Council's Educational DVDs which was held at the City of Gosnells offices.
- On 13th July 2012 the Mayor attended the monthly Board meeting of the Heritage Council of WA.
- The same afternoon the Mayor met with a local resident regarding a number of issues most of which but not all related to the Kelmscott Town

Centre. Most of the issues are related to the area still under the planning control of the MRA. Some landscaping issues are being referred to Technical Services.

- On Monday the 16th, the Mayor met with Catherine Webster who is a local nurse practitioner and is currently running for pre-selection for the seat of Armadale and for the Liberal party. She wanted to meet in order to introduce herself and to discuss and familiarise herself with local issues.
- On 18th July 2012, Executive Director Technical Services, Kevin Ketterer and the Mayor held a meeting with the Armadale RSL representatives:
 - President Mr Peter Hillbrick, Hon Secretary Mr Anthony Mulvaney, Vice President Mr Graham Newey and Committee member Mr Mark Briggs) in relation to the RSL clubrooms and surrounds. A future on site meeting is planned in order to address the issues raised.
- On 22nd July 2012, Councillor Ruth Butterfield attended, in my stead, the Annual Conference of the Armadale Ward of the Perth Southern River Stake- Church of Jesus Christ Latter-day Saints (LDS) where she spoke with a small group of youths and young adults about community involvement. This was held at the LDS Chapel, Carawatha Avenue in Armadale.

MARKETING & PUBLIC RELATIONS

- On 10th July 2012 the Mayor held a Television interview with Charlotte Hamlyn for the - ABC 7:30pm report- as a follow up for the Kelmescott/Roleystone fire recovery. The key messages communicated during the interview were:
 - Proud of the resilience of the community.
 - The City did our best throughout the entire process to support and assist our community.
 - We successfully lobbied State and Federal Government for financial assistance to remove debris and manage demolition for those who lost property.
 - Our Building and Planning departments have been working with residents and offering expert advice and assistance, especially in offering advice regarding rebuilding in bushfire areas.

While the interview went well the story that went to air did leave out some significant information on the recovery statistics. The aired story seems to dwell on the issue of only 5 homes occupied since Feb 2011 and the compensation or lack thereof.

For Councillor and public information, the official status of the rebuilding is as follows;

- Homes finished and occupied - 5
- Homes finished and not occupied (internal finishes remaining) - 9
- Homes under construction - 7

- Site works commenced - 7
- Building license issued but not commenced - 2

As you can see there is a significant difference between the story that went to air and the facts of the recovery process.

- On 17th July 2012 the Mayor attended the Preview of Artworks for the Minnowarra Art Awards with Kieran Kinsella (CEO Metropolitan Redevelopment Authority), Graham McArthur (Representative from Stockland) and the curator of the art award Louise Morrison. The preview of the artworks was to formally meet and greet with Graham and Kieran prior to the Minnowarra Art Award Opening Night and consult with them as they made their choices relating to their commission and acquisition.
- On the 18th of July the Mayor along with Crs Butterfield, Busby, Best, Nixon, Stewart, Sargeson, MacDonald, Northcott and Norman attended the Opening of the Minnowarra Art Award at the Armadale District Hall.
- On Thursday morning (19th July 2012) the Mayor attended a photo shoot to congratulate the winners of the Ask Armadale competition. There were four winners in all, Janet Gardiner from Armadale, Luke Keelan from Seville Grove, Jeff Bullock & Angela Perkins from Roleystone (unfortunately only Jeff was able to make the shoot). All winners have been presented or posted \$500 cheques from the City.
- On Thursday afternoon, the Mayor attended another photo shoot promoting a new film to be shot in the Armadale region entitled “The Children”. This film has received the backing of FilmWest and will hopefully receive the required private funding for the film to be made.

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

Nil

10 REPORTS

10.1 SPECIAL COMMUNITY SERVICES COMMITTEE MEETING

Report of the Special Community Services Committee on 10 July 2012 .

MOVED Cr J A Stewart that the report be received.

228/7/12

MOTION not opposed, DECLARED CARRIED

(11/0)

BUSINESS ARISING FROM REPORT

Recommendation C37/7/12 – Community Services Directorate 2012-13 Draft Budget

MOVED Cr J A Stewart

That Council approves and refers the Draft 2012-2013 Community Services Directorate Budget Report as presented, to the Special City Strategy Committee Meeting scheduled to be held on 31st July 2012 (the business of that meeting being to make recommendation to Council on the 2012-13 Annual Budget) for consideration and inclusion in Council’s 2012-2013 Annual Budget.

229/7/12

MOTION not opposed, DECLARED CARRIED

(11/0)

10.2 DEVELOPMENT SERVICES COMMITTEE MEETING

Report of the Development Services Committee on 16 July 2012 .

CORRECTIONS:

Page 77 The mover should read “Cr J A Stewart”

Page 83 In the Councillor’s item - the words in brackets
“strategic.....City” be deleted

MOVED Cr C Wielinga that the report, subject to the above corrections, be received.

230/7/12

MOTION not opposed, DECLARED CARRIED

(11/0)

BUSINESS ARISING FROM REPORT

Recommendation D41/7/12 - Road Naming - Lots 54 and 800 Skeet Road, Harrisdale

MOVED Cr C Wielinga

That Council:

- 1. Approach the Geographic Names Committee (GNC) seeking approval for the following new road names (or suitable road types acceptable to the GNC) in the Heron Park subdivision on Lots 54 and 800 Skeet Road, Harrisdale as shown on the Location Plan (included in this report), being:**
 - ♦ Leopold Road; Olinda Street; and Gleeson Way.
- 2. Extend the existing road name Silvershot Avenue.**
- 3. Hold in reserve for the present the names “Manberry”, “Ogilvie” and “Pyramid” until the Geographic Names Committee has approved the names above, or use them as necessary where any of the names may not meet GNC approval or for other roads in the area.**

231/7/12

MOTION not opposed, DECLARED CARRIED

(11/0)

Recommendation D42/7/12 - Disposal of a portion of Lot 251 Gillam Drive, Kelmscott (Portion of Reserve 37213) to Owner of Lot 211 Gillam Drive, Kelmscott

MOVED Cr C Wielinga, SECONDED Cr Best

That Council:

1. Revoke that part of prior Council resolution (D74/9/11) 26 September 2011 which reads:**

“2. Agrees in principle to dispose of portions of Lot 251 Gillam Drive, Kelmscott to:

ii) Mr K. Kyriakouleas on behalf of Kekna Pty Ltd to purchase an approximate area of 565m² (area subject to survey by a licensed surveyor) portion of Lot 251 Gillam Drive Kelmscott for an amount of \$50,426.25 (Ex. GST) by way of Private Treaty in accordance with Section 3.58(3) of the Local Government Act, 1995”.

2. Authorise City officers to issue a Directions Notice under Section 214 of the *Planning and Development Act, 2005* to Mr A. Corea business owner of “The Marble Man” business at Lot 211 Gillam Drive, Kelmscott (Certificate of Title Volume 1577, Folio 711) to remove all materials, rubbish, storage, equipment, fixtures and/or structures, which includes but is not limited to the following:

- **Wooden barrels, gallon drums plastic buckets, drums, wood, crates and boxes;**
- **Marble cuttings and ‘cut off’s’;**
- **Metal, metal frames, glass doors, tables/stools, tyres, plastic, general storage of goods and rubbish, tree stumps;**
- **Wheel barrels and other tools; and**
- **Sea container and concrete slab.**

from the City’s approximate 565m² portion of Lot 251 (portion of Reserve 37213) Gillam Drive, Kelmscott within 65 days.

3. Notes that following negotiations with the landowners of Lot’s 851 and 212 Gillam Drive, Kelmscott and progression of Part 2 above, officers will present a report to Council on the outcomes of negotiations of the sale of Lot 251 (portion of Reserve 37213) Gillam Drive, Kelmscott to either the owner of Lot 851 Gillam Drive, Kelmscott and/or the owner of Lot 212 Gillam Drive, Kelmscott.

4. Authorise the Chief Executive Officer to sign and lodge application forms for a revised subdivision application and application for new titles and any other transfer of land or other document associated

with the subdivision, sale and settlement of Lot 251 (portion of Reserve 37213) Gillam Drive, Kelmscott.

5. **Note that funds from the sale of Lot 251 (portion of Reserve 37213) Gillam Drive, Kelmscott be receipted as follows, 70% of the proceeds being transferred to the City's POS – Precinct A – Trust Category No. 13 and 30% being transferred to the City's Regional Recreation Infrastructure Trust Category No. 47.**

****ABSOLUTE MAJORITY RESOLUTION REQUIRED**

232/7/12

MOTION DECLARED CARRIED by ABSOLUTE MAJORITY (11/0)

Recommendation D43/7/12 - Public Open Space Strategy, Precinct H -
Revoke Resolution D21/3/12 - Disposal of Lot 211 Wandoo Street, Mt Nasura

MOVED Cr C Wielinga, SECONDED Cr R Butterfield

OPPOSED Cr Busby

That Council:

1. Revoke** that part of prior Council resolution (D21/3/12) 26 March 2012 which reads:
 - “2. *Agrees to dispose of Lot 211 Wandoo Street, Mt Nasura to T.P. Berry for an amount of \$200,000 (Inc. GST) by way of private treaty in accordance with Section 3.58(3)(b) of the Local Government Act, 1995*”.
2. Agrees to terminate the Contract between the City and T.P. Berry for the sale of Lot 211 Wandoo Street, Mt Nasura for a breach of Clause 1.5 of the Contract for Sale of the Land by Offer and Acceptance and Clause 1.5 of the 2011 General Conditions, Joint Form of General Conditions for the sale of Land.
3. In accordance with the Contract of Sale of Land by Offer and Acceptance provide written notice to T.P. Berry Terminating the Contract.
4. Agrees to dispose of Lot 211 Wandoo Street, Mt Nasura by way of private treaty in accordance with Section 3.58(3) of the *Local Government Act, 1995*
5. Include a notification under Section 70A of the Transfer of Land Act advising of the need to avoid development under the tree.

The Mayor ruled that Recommendation D43/7/12 be split and put in the form of two separate motions i.e first motion for parts 1 to 4 and second motion for part 5..

MOVED Cr C Wielinga SECONDED Cr R Butterfield

That Council:

1. **Revoke** that part of prior Council resolution (D21/3/12) 26 March 2012 which reads:**
 - “2. *Agrees to dispose of Lot 211 Wandoo Street, Mt Nasura to T.P. Berry for an amount of \$200,000 (Inc. GST) by way of private treaty in accordance with Section 3.58(3)(b) of the Local Government Act, 1995*”.
2. **Agrees to terminate the Contract between the City and T.P. Berry for the sale of Lot 211 Wandoo Street, Mt Nasura for a breach of Clause 1.5 of the Contract for Sale of the Land by Offer and Acceptance and Clause 1.5 of the 2011 General Conditions, Joint Form of General Conditions for the sale of Land.**
3. **In accordance with the Contract of Sale of Land by Offer and Acceptance provide written notice to T.P. Berry Terminating the Contract.**
4. **Agrees to dispose of Lot 211 Wandoo Street, Mt Nasura by way of private treaty in accordance with Section 3.58(3) of the *Local Government Act, 1995***

**** ABSOLUTE MAJORITY RESOLUTION REQUIRED**

233/7/12

MOTION DECLARED CARRIED by ABSOLUTE MAJORITY (11/0)

MOVED Cr C Wielinga, SECONDED Cr R Butterfield
OPPOSED Cr Busby

That Council:

5. **Include a notification under Section 70A of the Transfer of Land Act advising of the need to avoid development under the tree.**

234/7/12

MOTION DECLARED CARRIED (8/3)

Recommendation D44/7/12 - Proposed Amendment No.67 To Town Planning Scheme No.4 - Modifications to North Forrestdale Development Contribution Plan No.3

MOVED Cr C Wielinga

That Council:

1. **Pursuant to Part 5 of the *Planning and Development Act 2005*, initiate Amendment No.67 to Town Planning Scheme No.4 to modify Part 6B and Schedule 13B – Development Contribution Plans – Development Contribution Plan No.3 as follows:**
 - a) **Modify Clause 3.4.1 of Schedule 13B by deleting the number “10” and inserting the number “10.6”.**

- b) **Modify Clause 3.4.2 (a) (i) of Schedule 13B for the calculation of payments to date (B) after the words "Area equivalent of the land holding of an owner" by inserting the following "prior to the gazettal of Amendment No.67 and the lots produced at the rate of 10.6 lots per hectare for the Area equivalent of the land holding of an owner after the gazettal of Amendment No.67".**
 - c) **Modify Clause 3.4.2 (a) (i) of Schedule 13B for the calculation of and Common Infrastructure Works cost (C) by deleting the number "10" and inserting the number "10.6".**
 - d) **Modify Clause 3.4.2 (a) (ii) of Schedule 13B for the calculation of the Estimate Lot Yield (D) by deleting the number "10" and inserting the number "10.6".**
 - e) **Modify Clause 6B.5 (f) by deleting the reference to a "Building Licence" and replacing it with "Building Permit or Building Approval Certificate";**
 - f) **Insert a new Clause under 6B.7.3 as follows:**
 - "6B.7.3 (a) Within any Development Contribution Area the City may satisfy the provisions of Clause 6B.7.1 by establishing separate reserve accounts for Cost Contributions by individual owners or groups of owners.**
 - (b) Such separate reserve accounts can be kept for accounting or administration purposes including, but without limiting the generality of the foregoing, for the purpose of accounting to each owner for interest accrued on the owner's Cost Contributions relevant to a particular Development Contribution Area.**
 - (c) Notwithstanding 6B.7.3 (b), any reserve account for an individual owner is to contain only funds relevant to Cost Contributions for a particular Development Cost Contribution Area, and all individual accounts for a particular Development Contribution Area are to be identified as belonging to that Development Contribution Area."**
2. **Refers the above Amendment to Town Planning Scheme No.4 to the Environmental Protection Authority (EPA) pursuant to section 81 of the *Planning and Development Act 2005*. Should the EPA advise that the amendment does not require assessment, advertise the amendment for a period of 42 days.**
 3. **Authorise the Mayor and the Chief Executive Officer to execute the Amendment documents.**
 4. **Forward a copy of the amendment to the Western Australian Planning Commission for information.**

Recommendation D45/7/12 - Council Policy Review - Policy ADM 11 - Vesting of Crown Reserves in Urban Areas - Development Services

MOVED Cr C Wielinga

That Council pursuant to section 2.7(2)(b) of the *Local Government Act 1995*, reaffirm the continued application and operation of Policy ADM 11 – Vesting of Crown Reserves as amended in Attachment “4.1.1” for a further period of three (3) years or such earlier date as the Council may determine from time to time.

236/7/12

MOTION not opposed, DECLARED CARRIED

(11/0)

Recommendation D46/7/12 - Authorised Person - Planning Compliance

MOVED Cr C Wielinga

That Council:

- 1. Appoint Sarah Miriam Wilkins, Liaison & Compliance Officer as an Authorised Person under Section 9.10 of the Local Government Act.**
- 2. Appoint Sarah Miriam Wilkins, Liaison & Compliance Officer as an Authorised Person to make, lay and swear Prosecution Notices under the Criminal Procedure Act 2004 on behalf of the City of Armadale in relation to the following Acts, Regulations and Local Laws:**
 - Planning and Development Act 2005 and any similar Act, or any regulations prepared under this Act in force at the time;**
 - Local Government Act 1995 and any similar Act, or any regulations prepared under this Act in force at the time;**
 - City of Armadale Town Planning Scheme No.4 and any other City of Armadale Gazetted Town Planning Scheme;**
 - Street Numbering Local Law and any similar Local Laws in force at the time.**
 - Local Laws Relating to the Removal of Refuse, Rubbish and Disused Materials and any similar Local Laws in force at the time;**
 - Local Laws Relating to Signage and any similar Local Laws in force at the time;**
 - Property Local Law and any similar Local Laws in force at the time;**
 - Local Laws Relating to Parking and Parking Facilities and any similar Local Laws in force at the time;**
 - Activities and Trading in Thoroughfares and Public Places Local Law and any similar Local Laws in force at the time;**
- 3. Authorise Sarah Miriam Wilkins, Liaison & Compliance Officer to appear in Court on Council’s behalf on matters relevant to the Acts, Town Planning Schemes, Regulations and Local Laws mentioned in Part (2) above.**

4. **Authorise Sarah Miriam Wilkins, Liaison & Compliance Officer in accordance with Clause 11.1.2 of the City's Town Planning Scheme No.4 to enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.**

237/7/12 **MOTION not opposed, DECLARED CARRIED (11/0)**

Recommendation D47/7/12 - Planning Institute of Australia (WA Division)
2012 State Conference - 13 & 14 September 2012 - Perth

MOVED Cr J A Stewart

That Council nominate Cr Zelones and Cr Wielinga to attend the PIA State Conference to be held at the Pan Pacific Hotel Perth, on 13 and 14 September 2012, with costs incurred to be charged to GL Account 210128.1046.02.

238/7/12 **MOTION not opposed, DECLARED CARRIED (11/0)**

Recommendation D48/7/12 - Suitable Controls of Gomphocarpus Fruticoides
(or narrow leaf cotton bush)

MOVED Cr C Wielinga

That the matter of investigation of suitable controls of Gomphocarpus Fruticoides (or narrow leaf cotton bush) be referred to the appropriate Directorate for action and/or report back to Committee.

239/7/12 **MOTION not opposed, DECLARED CARRIED (11/0)**

Recommendation D49/7/12 - Future Planning of Orchard Areas

MOVED Cr C Wielinga

That the matter of the future planning of orchard areas be considered in the forthcoming Local Planning Strategy.

240/7/12 **MOTION not opposed, DECLARED CARRIED (11/0)**

Recommendation D50/7/12 - Development Services Directorate 2012-2013
Draft budget

MOVED Cr C Wielinga

That Council approves and refers the Draft 2012-2013 Development Services Directorate Budget Report as presented, to the Special City Strategy Committee Meeting scheduled to be held on 31st July 2012 (the business of that meeting being to make recommendation to Council on the

**2012-13 Annual Budget) for consideration and inclusion in Council's
2012-2013 Annual Budget.**

241/7/12 MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation D51/7/12 – POS Strategy Precinct I

MOVED Cr C Wielinga

That the report on POS Strategy - Precinct I be submitted as soon as possible after the completion of the Parks & Reserves Facilities Strategy.

242/7/12 MOTION not opposed, DECLARED CARRIED (11/0)

Cr Northcott retired from the meeting at 7.25pm

10.3 CITY STRATEGY COMMITTEE MEETING

Report of the City Strategy Committee on 17 July 2012 .

CORRECTION:

Page 163 In the first dot point of the Committee Discussion the word
“year” has been misspelled.

MOVED Cr M H Norman that the report, subject to the above correction, be received.

243/7/12 MOTION not opposed, DECLARED CARRIED (10/0)

BUSINESS ARISING FROM REPORT

Recommendation CS57/7/12 - List of Accounts Paid - June 2012

MOVED Cr M H Norman

That Council note the List of Accounts paid as presented in the attachment and summarised as follows:

Municipal Fund

Accounts paid totalling \$26,530,143.22 on Vouchers 17628 – 17843, Batch 1283-1293, 1295, 101989-102015, 200113, 300245-300248 & PY01.25-PY01.26

Trust Fund

Accounts paid totalling \$3,425,971.38 on Vouchers 2234-2292, 400169 - 400170 &, Batch 1294

244/7/12 MOTION not opposed, DECLARED CARRIED (10/0)

Recommendation CS58/7/12 - Monthly Statement of Financial Activity - June 2012

MOVED Cr M H Norman

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 12 months period ended 30 June 2012.

245/7/12 **MOTION not opposed, DECLARED CARRIED (10/0)**

Recommendation CS59/7/12 - 2012-2013 Draft Budget - Chief Executive's Office

MOVED Cr M H Norman

That Council approves and refers the Draft 2012-2013 Chief Executive's Office Budget Report, as presented, to the Special City Strategy Committee Meeting scheduled to be held on 31st July 2012 (the business of that meeting being to make recommendation to Council on the 2012-13 Annual Budget) for consideration and inclusion in Council's 2012-2013 Annual Budget.

246/7/12 **MOTION not opposed, DECLARED CARRIED (10/0)**

Recommendation CS60/7/12 - 2012-2013 Draft Budget - Corporate Services Directorate

MOVED Cr M H Norman

That Council approves and refers to the Special City Strategy Committee Meeting scheduled to be held on 31st July 2012 (the business of that meeting being to make recommendation to Council on the 2013 Annual Budget) for consideration and inclusion in Council's 2013 Annual Budget:-

- 1. the Draft 2013 Corporate Services Directorate Budget Report as presented, and**
- 2. the unfunded proposal to implement the Integrated Planning & Reporting Framework at an estimated cost of \$150,000.**

247/7/12 **MOTION not opposed, DECLARED CARRIED (10/0)**

Recommendation CS61/7/12 - Management Agreement - Marmum Mia Mia Indigenous Corporation - Willow Heights - Settlers' Common, Lot 811 Triton Crescent, Bedfordale

MOVED Cr M H Norman

That Council, pursuant to section 3.58 of the *Local Government Act 1995*, grants to the Marmum Mia Mia Indigenous Corporation a Management Agreement for the use of the Willow Heights building located on Lot 811 Triton Crescent, Bedfordale and the use of Lot 810 Carradine Rd and Lot 812 Albany Hwy, Bedfordale in Settlers Common, as bordered yellow on the plan attached to this report, under the following basic terms and conditions:

- ⇒ **Purpose:** Meetings, training programmes and activities managed by the corporation and bush medicine and community garden
- ⇒ **Term:** Five (5) years.
- ⇒ **Commencement Date:** 1 July 2012.
- ⇒ **Rent:** \$50 per annum plus GST.
- ⇒ **Outgoings:** All normal outgoings to be the responsibility of the occupant.
- ⇒ **Maintenance:** Occupant to be responsible for all routine maintenance to the inside of the premises.
- ⇒ **Insurance:** Occupant to maintain Public Liability insurance to a minimum of \$20,000,000. The City shall be responsible for building insurance.

248/7/12 MOTION not opposed, DECLARED CARRIED (10/0)

Recommendation CS62/7/12 - Lease - Scouts WA - Reserve No 42144 - San Jacinta Road, Seville Grove

MOVED Cr M H Norman

That Council enter into a lease agreement with Scouts WA under the following basic terms and conditions:

- Lessee:** Scouts WA
- Leased Premises:** All of Reserve 42144, San Jacinta Road, Seville Grove
- Term:** Ten (10) years with no options for renewal
- Commencement Date:** Date of approval by Minister for Lands
- Rent:** \$50 per annum plus GST adjusted in line with Council Policy
- Outgoings:** All normal outgoings to be the responsibility of the lessee
- Maintenance:** Lessee to be responsible for all building maintenance
- Insurance:** Lessee to be responsible for building and public liability insurance

249/7/12 MOTION not opposed, DECLARED CARRIED (10/0)

Recommendation CS63/7/12 - Lease - Scouts WA - Reserve 33493 Townley Street, Armadale

MOVED Cr M H Norman

That Council enter into a lease agreement with Scouts WA under the following basic terms and conditions:

Lessee:	Scouts WA
Leased Premises:	All of Reserve 33493, Townley Street, Armadale
Term:	Ten (10) years with no options for renewal
Commencement Date:	Date of approval by Minister for Lands
Rent:	\$50 per annum plus GST adjusted in line with Council Policy
Outgoings:	All normal outgoings to be the responsibility of the lessee
Maintenance:	Lessee to be responsible for all building maintenance
Insurance:	Lessee to be responsible for building and public liability insurance

250/7/12

MOTION not opposed, DECLARED CARRIED (10/0)

Recommendation CS64/7/12 - Council Policy Review - Corporate Services

MOVED Cr M H Norman

That Council:

pursuant to section 2.7(2)(b) of the Local Government Act 1995, reaffirm 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 16 - Equal Employment Opportunity

251/7/12

MOTION not opposed, DECLARED CARRIED (10/0)

Recommendation CS65/7/12 - Traders Permit Application - Russian Gypsy Fortune Card Reader

MOVED Cr M H Norman

That Council approves, pursuant to the City's *Activities and Trading in Thoroughfares and Public Places Local Law*,

- 1) a trader's permit being issued to Ms F Primianno to trade in the Jull Street Mall as a Russian Gypsy Card Reader/Lokota Sweat Lodge Card Reader subject to the following permit conditions:
 - Area to which permit applies – refer to Area 3 on map within Jull Street Mall;
 - Days and Hours of Trading – Monday to Sunday, 8.00 am to 5.00 pm
 - Vehicle access within the mall area is to be strictly before 8.00am and after 5.00pm
 - Type of goods to be traded – Russian Gypsy Card Reader/Lokota Sweat Lodge Card Reader;
 - Fee – \$50 plus \$150 per month during three (3) month trial period;
 - Period of permit – three (3) months from the date permit is issued
 - The applicant obtaining public liability insurance for an amount not less than \$20,000,000;
 - Compliance with the *Activities and Trading in Thoroughfares and Public Places Local Law* and any other applicable legislation; and
 - the City reserving the right to cancel the permit should substantiated complaints be received;
 - All litter is to be removed immediately after close of business and the area is to be left in a clean and tidy state.

- 2) if there has been no substantiated complaints received and the applicant has complied with all permit conditions, an annual permit for a further twelve (12) months be granted commencing from the expiry of the (3) month trial period, referred to in (1) above; at the annual fee of \$500.

252/7/12

MOTION not opposed, DECLARED CARRIED

(10/0)

Recommendation CS66/7/12 - Tender 5/12: Tender for Supply of Personnel

MOVED Cr M H Norman

That Council:

Accept the tenders of Flexistaff, IPA Personnel, Logo Appointments, Hays Specialist Recruitment and Ambrosini Professional Placements for the period of July 30 2012 to June 30 2014 in accordance with their submitted tender, Council's contract documentation and budget allocation. Work will allocated generally as follows:

Schedule	Panel
A - Technical- Trades	Flexistaff, IPA Personnel, Logo Appointments and Hays Specialist Recruitment
B – Clerical – Admin – Customer Services	IPA Personnel, Flexistaff, Hays Specialist Recruitment and Logo Appointments
C - Finance	IPA Personnel, Logo Appointments, Ambrosini Professional Placements and Hays Specialist Recruitment
D - Other Professionals	Ambrosini Professional Placements, IPA Personnel, Logo Appointments and Hays Specialist Recruitment

253/7/12 **MOTION not opposed, DECLARED CARRIED (10/0)**

Recommendation CS67/7/12 - Light Rail planning

MOVED Cr M H Norman

That Council forward a letter to the Minister for Transport concerning the need for the currently funded light rail studies to take account of the need to serve developing outer suburbs in the SE Corridor referring to the submission made by Council in response to Public Transport for Perth in 2031.

254/7/12 **MOTION not opposed, DECLARED CARRIED (10/0)**

Recommendation CS68/7/12 - Conference Attendance - Enviro 2012 Conference - 7th Australian Conference and Exhibition Titled "Integrating Business and the Environment"

MOVED Cr M H Norman

That Council make no nomination with regards to Councillor attendance at the Enviro 2012 Conference being held 24-25 July 2012, in Adelaide.

255/7/12 **MOTION not opposed, DECLARED CARRIED (10/0)**

Recommendation CS69/7/12 - Greenwaste Kerbside Collection - Additional Fee for Unrestricted Greenwaste Collection Service

MOVED Cr M H Norman

That Council approve retention of the current greenwaste service, with the restriction of 6m³, of greenwaste collection, as per previous years, and that no additional service or fee be introduced in the 2013 Budget year.

256/7/12 **MOTION not opposed, DECLARED CARRIED** (10/0)

Recommendation CS70/7/12 - Emergency Power Supply to Administration Buildings

MOVED Cr M H Norman

That Council give consideration to the inclusion of an Emergency Power Supply to maintain full operation of the City's Administration Buildings at an amount of \$170,000, in the list of unfunded proposals in the 2012/2013 Annual Budget.

257/7/12 **MOTION not opposed, DECLARED CARRIED** (10/0)

Recommendation CS71/7/12 - Power Outages - Administration Buildings

MOVED Cr M H Norman

That Council note the Report "Emergency Power Supply to Administration Buildings".

258/7/12 **MOTION not opposed, DECLARED CARRIED** (10/0)

Recommendation CS72/7/12 - Staff Establishment Levels - 2012

MOVED Cr M H Norman

That Council:

Receive the CEO's Staff Establishment Report for 2012/13 and refer the matter of 3 further additions to the City's Staff Establishment 2012/13 to the Special City Strategy Committee meeting scheduled for 31st July 2012 for consideration in conjunction with other unfunded proposals.

259/7/12 **MOTION not opposed, DECLARED CARRIED** (10/0)

Recommendation CS73/7/12 - Property Maintenance Works - Armadale Arena Complex

MOVED Cr M H Norman

That Council:

- 1. note the Executive Director Technical Services' report on "Property Maintenance Works – Armadale Arena Complex".**
- 2. request further report as additional information becomes available.**

260/7/12 **MOTION not opposed, DECLARED CARRIED** **(10/0)**

Recommendation CS74/7/12 - Consideration of Budget Allocation for Organ Repairs

MOVED Cr M H Norman

That Council refer the Councillor item in regard to "Consideration of Budget Allocation for Historical Artifacts" to the relevant Directorate for action and/or report to the appropriate Committee.

261/7/12 **MOTION not opposed, DECLARED CARRIED** **(10/0)**

Recommendation CS75/7/12 - Government Office Accommodation

MOVED Cr M H Norman

That Council support submission of the City's Expression of Interest for the provision of office accommodation for the Department for Child Protection as outlined in the confidential attachment to this report.

262/7/12 **MOTION not opposed, DECLARED CARRIED** **(10/0)**

Recommendation CS76/7/12 - Performance Review 2011-12 - Chief Executive Officer

MOVED Cr M H Norman

That Council:

- 1. Receive and endorse the Confidential CEO's Performance Evaluation Report.**
- 2. Endorse the CEO's Objectives and Outcomes for the review period 2012-2013 as contained in the attachment to this report.**

3. **Schedule the next review of the CEO's performance to be commenced by 30th April 2013 and completed before 24th June 2013.**

263/7/12 **MOTION not opposed, DECLARED CARRIED (10/0)**

10.4 CHIEF EXECUTIVE OFFICER'S REPORT

Report of the Chief Executive Officer .

MOVED Cr R Butterfield that the report be received.

264/7/12 **MOTION not opposed, DECLARED CARRIED (10/0)**

BUSINESS ARISING FROM REPORT

Recommendation - Councillor's Information Bulletin - Issue No. 13/2012

MOVED Cr R Butterfield

That Council acknowledge receipt of Issue No 13/2012 of the Information Bulletin.

265/7/12 **MOTION not opposed, DECLARED CARRIED (10/0)**

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

13 MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION

Cr Wielinga That the matter of developing a Council Policy regarding councillors being informed of functions, events and meetings within their ward, prior to these occurring, within the community be referred to the Community Services Committee.

Cr Busby That the matter of time limits on parking within Jull Street be referred to the Technical Services Committee.

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Zelones, declared the meeting closed at 7.35pm

MINUTES CONFIRMED THIS DAY ON 13TH OF AUGUST 2012

MAYOR