

**ORDINARY MEETING OF COUNCIL
MONDAY, 24 SEPTEMBER 2012**

MINUTES

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CITY OF ARMADALE

MINUTES

OF ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 24
SEPTEMBER 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 D M Shaw	Heron Ward
Cr G Nixon	Jarraah Ward
Cr J H Munn JP CMC	Lake Ward
Cr K Busby	Minnawarra Ward
Cr M H Norman	Minnawarra Ward
Cr G A Best	Neerigen Ward
Cr M Geary	Neerigen Ward
Cr L Sargeson	Palomino Ward

IN ATTENDANCE:

Mr R S Tame	Chief Executive Officer
Mr I MacRae	Executive Director Development Services
Mr K Ketterer	Executive Director Technical Services
Ms Y Coyne	Executive Director Community Services
Mrs S D'Souza	CEO's Executive Assistant

Public: Nil

LEAVE OF ABSENCE:

Leave of Absence previously granted to Cr C M Wielinga and Cr C J MacDonald

APOLOGIES:

Apology received from Cr M S Northcott.

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

Nil

4 PUBLIC QUESTION TIME

Nil

5 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Request for Leave of Absence – Cr J H Munn, Cr J A Stewart & Cr G Nixon

Request for leave of absence received from

- Cr J H Munn for the period 5th October to 9th October 2012 inclusive
- Cr J A Stewart for the period Friday 5th October to Sunday 14th October 2012
- Cr G Nixon for the following periods:
 - Saturday 29th September 2012 to Sunday 7th October 2012 inclusive
 - Friday 19th October to Tuesday 30th October 2012 inclusive

MOVED Cr R Butterfield

That Council grant leave of absence received from

- **Cr J H Munn for the period 5th October to 9th October 2012 inclusive (includes 1 ordinary Council meeting – 8th October 2012).**
- **Cr J A Stewart for the period Friday 5th October to Sunday 14th October 2012 (includes 1 Ordinary Council Meeting – 8th October 2012)**
- **Cr G Nixon for the following periods:**
 - **Saturday 29th September 2012 to Sunday 7th October 2012 inclusive (does not include an Ordinary Council meeting)**
 - **Friday 19th October to Tuesday 30th October 2012 inclusive (includes 1 Ordinary Council Meeting – 22nd October 2012)**

347/9/12

MOTION not opposed, DECLARED CARRIED

(11/0)

6 PETITIONS

1 Closure of Ward Crescent Cul-de-sac (Cr Ruth Butterfield)

Cr Butterfield tabled a petition signed by 27 residents, the prayer of which reads:-

We, the undersigned, call on the City of Armadale to investigate the closure of the laneway at the end of Ward Crescent in Kelmscott. This recommended closure is due to property and vehicle damage (including regular burglaries) in Ward Crescent, which has escalated in recent months.

Following a meeting of concerned residents in Ward Crescent, it was determined that the thoroughfare leading from Ward Crescent to Camillo Road was promoting dysfunctional and antisocial persons to frequent the area and we believe this is an issue that can be addressed with a relatively simple solution.

We believe the closure of the Ward Crescent cul-de-sac would significantly reduce foot traffic passing our properties and subsequently minimise the likelihood of the street being subjected to criminal behaviour.

While we appreciate the issue of crime in the Kelmscott/Armadale area is one that is multi-faceted and will not be solved overnight, we firmly believe that this one simple measure will at least minimise the criminal elements we have come to regularly endure over the past two years. This measure will clearly enhance the security to ratepayers in Ward Crescent.

MOVED Cr R Butterfield

That Council receive the petition and refer it to the Development Services Committee.

348/9/12 MOTION not opposed, DECLARED CARRIED (11/0)

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 10 SEPTEMBER 2012.

MOVED Cr L Sargeson that the Minutes of the Ordinary Council Meeting held on 10 September 2012 be confirmed as a true and accurate record.

349/9/12 MOTION not opposed, DECLARED CARRIED (11/0)

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1 Economic Development

- On 11th September, along with Mr Tame and Mr MacRae, met with the CEO of the MRA and officers from the Armadale Office to discuss the Kelmscott Town Centre. In particular, the future outcome and Normalisation back to the City's planning control. A further report will be presented to a future Development Services Committee meeting
- On 12th September had the opportunity to attend a Master Class planning exercise facilitated by Jeb Brugman. The class undertook a planning exercise for 2 activity centres in the metro area Perth and a Public Open Space project.
- On 13th and 14th September 2012, along with Crs Butterfield and Wielinga, attended the annual Planning Institute of Australian Conference in Perth. A further report will be available in the information bulletin.
- On 17th September 2012, met with staff from Armadale Shopping City along with Rachel Smith from Connected Communities to update them on the deployment of the Armadale App.
- On 18th September 2012 met with the Marketing Committee of the Armadale Business Association to brief them on the deployment of the Armadale App. Rachel and the Mayor have been invited to a Women in Business meeting to promote the economic benefits of the free App for business in the region.
- On 21st September was invited to address the Manex committee here at the City of Armadale on the deployment of the Armadale App and to discuss various governance questions with our senior directors. A soft launch of the App is anticipated within the next two weeks and am hoping to brief Councillors' further on this project on a date to be confirmed.
- On 24th September, along with Rachel Smith, gave Marketing staff at the Armadale Central Shopping Centre an update on the deployment of the Armadale App.

2 Consultation and Communication

- On 11th September 2012, along with Crs MacDonald and Munn, Snr Sgt Bouwman and the Mayor met with approximately 8 Forrestdale residents to discuss ongoing crime and antisocial behaviour issues in the Forrestdale area. Residents presented a significant amount of information on persons, places and activities for police follow up.
- On 13th September, along with the CEO, attended a Stockland Lunch. The Mayors and CEOs of Rockingham and Wanneroo were also in attendance and were given a briefing on Stockland projects in the Metro

area. We had the opportunity to discuss the issues which affect our respective regions. Members of the Stockland team were also present. Some of these members are relatively new to Perth which gave them the opportunity to be better briefed on our Local Government Authorities.

- On 14th September attended the monthly meeting of the Heritage Council
- On 19th September, along with the CEO, met with Barry Urban, the Labor candidate for Darling Range. Mr Urban is a current Councillor at the Shire of Serpentine Jarrahdale and former officer with the WA Police Service. He is familiar with many crime and antisocial issues in the Armadale & S/J regions as he was a serving officer at the Armadale and Mundijong police stations.
- On 21st September, along with my fellow Councillors, their partners and senior executive staff, we attended a function at the Araluen Botanic Park. We were given a short tour and briefing by Grant Nixon on various aspects of the history and operation of the park. Although wet and cold, the time taken to present an update was appreciated. Following this function we shared a meal at the Araluen resort dining room.

3

Marketing & Public Relations

- On 18th September, attended the annual Richard Sheppard Memorial Awards at the Champion Centre. The awards are an incentive for Aboriginal children to continue their studies through to Year 12 high school.
- On 20th September, attended an Indigenous Literacy Day event at the Champion centre. The purpose of the event is to encourage reading & writing from an early age among aboriginal children.
- On 21st September, was interviewed by Jenny Seaton from Curtin FM radio as to our Library school holiday programs.
- On 22nd September was invited by both Channel 9 and 10 for an interview in regard to the Piara Waters incident and to discuss what action Council intended to take.
- Yvonne Bradfield, Tourism Development Co-ordinator was awarded the GWN7 Tourism Visitor Centre Manager of the Year for 2012 at the GWN7 Awards Gala Dinner on Thursday 20th September in Mandurah. This was in recognition of Yvonne's work in the Tourism sector and particularly with Visitor Servicing. It is an award well deserved given Yvonne's enthusiasm.

Following a successful submission prepared by Yvonne, the City of Armadale has been chosen to host the Visitor Service Conference and the GWN7 Tourism Awards Gala Dinner in 2013. This will be a great opportunity to showcase the City to over 100 delegates in the Tourism industry.

Recommendation D65/9/12 - Final Adoption - Local Planning Policy PLN 2.4 Tree Preservation

MOVED Cr D M Shaw

That Council:

1. **Adopt the Local Planning Policy PLN 2.4 Tree Preservation as shown in Attachment "3.1.3" of the Minutes.**
2. **Publish a notice in a newspaper circulating in the district stating the Local Planning Policy PLN 2.4 Tree Preservation has been adopted, and forward a copy of the policy to the Western Australian Planning Commission.**

352/9/12

MOTION not opposed, DECLARED CARRIED

(11/0)

Recommendation D66/9/12 - Review of Local Planning Policy PLN 4.2 - Advertisements (Signage) and Repeal of the Local Law related to Signs, Hoardings and Billposting.

MOVED Cr D M Shaw, SECONDED Cr R Butterfield

That Council:

1. **Initiate the amendment of Local Planning Policy PLN 2.4 as shown at Attachment "3.2.2" and advertise the draft Local Planning Policy for a period of 28 days in accordance with Clause 2.4 of Town Planning Scheme No.4.**
2. **Pursuant to section 3.16 of the *Local Government Act 1995*, agree** to repeal the City of Armadale Local Law relating to Signs, Hoardings and Billposting.**

**** ABSOLUTE MAJORITY REQUIRED**

353/9/12

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY DECISION OF COUNCIL

(11/0)

Recommendation D67/9/12 - Review and Update of the Local Planning Strategy (TPS No.4)

MOVED Cr D M Shaw

That Council:

1. **Adopt the draft revised Local Planning Strategy subject to any edits and modifications to the satisfaction of the Executive Director Development Services for the purposed of seeking public and State Government comments.**

2. **Forward to the WAPC and request its permission to advertise for public and State Government comments, the draft revised Local Planning Strategy which:**
 - a) sets out the long-term planning directions for the City's development 2015-25;
 - b) reflects new and updated State and regional planning policies; and
 - c) provides the rationale for the zones and other provisions proposed for the Scheme.
3. **Prepare a formal consolidation of TPS No.4 in accordance with Division 5 Section 88 of the Town Planning and Development Act and request public and State Government comments on whether the Scheme continues to be effective, needs amending, or whether an entirely new Scheme needs to be prepared.**

354/9/12 **MOTION not opposed, DECLARED CARRIED (11/0)**

Recommendation D68/9/12 - Dedication of Lot 66 (Diagram 41473) Urana Road, Armadale as Road Reserve

MOVED Cr D M Shaw

That Council:

1. **Request the Minister for Lands to dedicate the Right of Way (ROW) described as Lot 66 on Diagram 41473 Urana Road, Armadale as shown on the attached plan as road reserve.**
2. **Indemnify the Minister for Lands against any claims for compensation in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.**

355/9/12 **MOTION not opposed, DECLARED CARRIED (11/0)**

Recommendation D69/9/12 - Public Access Ways (PAWs)

MOVED Cr D M Shaw

That Council note the above information and request officers to update the Pedestrian Access Way Closure list in the Information Bulletin, so that it only includes information on PAWs that are currently active or require action by the City.

356/9/12 **MOTION not opposed, DECLARED CARRIED (11/0)**

Recommendation D70/9/12 – Councillor’ item - Review of Information Bulletin

MOVED Cr D M Shaw

That the matter regarding the City’s Information Bulletin being generally reviewed and updated, be referred to the City Strategy Committee for action and/or report back to Committee.

357/9/12 **MOTION not opposed, DECLARED CARRIED (11/0)**

10.2 CITY STRATEGY COMMITTEE MEETING

Report of the City Strategy Committee on 18 September 2012 .

MOVED Cr M H Norman that the report be received.

358/9/12 **MOTION not opposed, DECLARED CARRIED (11/0)**

BUSINESS ARISING FROM REPORT

Recommendation CS89/9/12 - List of Accounts Paid - August 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 \$10,099,439.14 on Vouchers 18026 – 18197, Batch 1309-1321,1323, 102037-102055, 200119, 300260, PY01.03-PY01.04 & PY99.02

Trust Fund

Accounts paid totalling \$2,145,996.25 on Vouchers 2342-2405, 400178 - 400179 &, Batch 1322

359/9/12 **MOTION not opposed, DECLARED CARRIED (11/0)**

Recommendation CS90/9/12 - Monthly Statement of Financial Activity - July 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 1 month period ended 31 July 2012.

360/9/12 **MOTION not opposed, DECLARED CARRIED (11/0)**

Recommendation CS91/9/12 - Monthly Statement of Financial Activity - August 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 2 months period ended 31 August 2012.

361/9/12 MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation CS92/9/12 - Tender No 12/12 - Landscape Maintenance of the Arion Estate, Harrisdale

MOVED Cr M H Norman

That Council:

1. Notes that Programmed Property Services have withdrawn their tender in relation to Tender No.12/12.
2. Accepts the tender submitted by Cobey Maintenance Services in relation to Tender No 12/12 – Landscape Maintenance of the Arion Estate, Harrisdale, for a period of two (2) years commencing 1 October 2012, for a cost of \$106,395.60 (including GST), in accordance with the submitted tender, Council's contract documentation, and Budget allocation.
3. Authorise the Chief Executive Officer to extend the contract for a one (1) period of 12 months to 31 August 2015, subject to satisfactory performance by the contractor, and price adjustments as specified in the Request for Tender Document, Clause 4.1.

362/9/12 MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation CS93/9/12 - Government Office Accommodation

MOVED Cr M H Norman

That the Report in regard to Government Office Accommodation be considered under item 14 'Matters Requiring Confidential Consideration' as the matters to be discussed, if disclosed, would reveal information that has a commercial value to a person.

363/9/12 MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation CS94/9/12 – Councillors’ Items

MOVED Cr M H Norman

That Council refer the items relating to:

- 1. Rapid Transit Symposium**
- 2. Role & Responsibilities of the City Audit Committee**
- 3. Jull Street Mall Reactivation**

to the relevant Directorate for action or report to the appropriate Committee.

364/9/12 **MOTION not opposed, DECLARED CARRIED** **(11/0)**

10.3 CHIEF EXECUTIVE OFFICER’S REPORT

Report of the Chief Executive Officer .

MOVED Cr G Nixon that the report be received.

365/9/12 **MOTION not opposed, DECLARED CARRIED** **(11/0)**

BUSINESS ARISING FROM REPORT

LGMA Annual State Conference 2012 - 31st October to 2nd November 2012, Fremantle

No nominations were received for attendance at this Conference.

MOVED Cr R Butterfield

That Council make no elected member nomination for the 2012 LGMA Annual State Conference.

366/9/12 **MOTION not opposed, DECLARED CARRIED** **(11/0)**

Councillor’s Information Bulletin - Issue No. 17/2012

MOVED Cr K Busby

That Council acknowledge receipt of Issue No 17/2012 of the Information Bulletin.

367/9/12 **MOTION not opposed, DECLARED CARRIED** **(11/0)**

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

13 MATTERS FOR REFERRAL TO STANDING COMMITTEES – WITHOUT DISCUSSION

1 Public Artworks (Cr Ruth Butterfield)

That the matter of a policy in regard to acquisitions, commissioning and funding of public artworks be referred to the Community Services Committee.

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

1 Recommendation CS93/9/12 - Government Office Accommodation (Item 2.2 of City Strategy Committee Report)

Report Recommendation

That Council:

1. Endorse in principle the submission of a proposal for providing accommodation for a Government agency in the Armadale Civic precinct.
2. Adopt the attached Business Plan for advertising for public comment in accordance with s3.59 of the Local Government Act 1995.
3. Pursuant to section 6.8 of the *Local Government Act 1995* :-
 - (i) authorise* the following expenditure :
Consultancy – Civic Precinct - \$150,000
 - (ii) amend the 2012-2013 Annual Budget as follows :
Expenditure
Consultancy – Civic Precinct Planning – increase by \$150,000

Revenue
Transfer from Civic Precinct Reserve Account – increase by \$150,000

for the purposes of engaging consultants with expertise in the various disciplines required to prepare a proposal in response to the State Government's Request for Proposal to provide office accommodation, eg. building plans and related documentation, cost estimates, development timeframes, risk analysis.

*ABSOLUTE MAJORITY RESOLUTION REQUIRED

MOVED Cr M H Norman that the meeting be closed to members of the public as the discussions on this matter are confidential under Section 5.23(2) in that, if disclosed, would reveal information that has a commercial value to a person.

MOTION not opposed, DECLARED CARRIED (11/0)

7.15pm Meeting declared closed. There were no members of the public or press in attendance at this meeting.

MOVED Cr J H Munn that Standing Orders be suspended to allow Council to discuss various aspects of this proposal.

MOTION not opposed, DECLARED CARRIED (11/0)

Council discussed matters as to how this particular proposal related to the overall Civic Precinct project and its impact on the City's Financial Plan. Recognising the City's urgent accommodation needs it was agreed that investigations continue for submission of this proposal but that any final endorsement be made following further discussion/consideration at the Councillor Workshop and the October round of meetings.

MOVED Cr J H Munn that the meeting be adjourned.

MOTION not opposed, DECLARED CARRIED (11/0)

*7.45pm Meeting adjourned
8.00pm Meeting reconvened*

MOVED Cr J H Munn that the meeting be opened to members of the public and that Standing Orders be resumed.

MOTION not opposed, DECLARED CARRIED (11/0)

MOVED Cr M Geary

That Council amend Recommendation CS93/9/12 as follows:-

- That a part (1) be added as follows and that the remaining parts be renumbered accordingly.
 1. **Endorse the investigation into the Civic Precinct to determine the City's capability of providing accommodation to external parties.**
- In part (2) the word 'submission' be replaced with 'preparation'
- In part (4), the last para be replaced as follows:-
for the purposes of preparing a business case for the City which may allow the preparation of a proposal in response to the State Government's Request for Proposal to provide office accommodation in Armadale, eg. building plans and related documentation, cost estimates, development timeframes, risk analysis.

MOVED Cr M H Norman SECONDED Cr J A Stewart

That Recommendation CS93/9/12, as amended, be adopted.

That Council:

1. **Endorse the investigation into the Civic Precinct to determine the City's capability of providing accommodation to external parties.**
2. **Endorse in principle the preparation of a proposal for providing accommodation for a Government agency in the Armadale Civic precinct.**
3. **Adopt the attached Business Plan for advertising for public comment in accordance with s3.59 of the Local Government Act 1995.**
4. **Pursuant to section 6.8 of the *Local Government Act 1995* :-**
 - (i) **authorise* the following expenditure :**
Consultancy – Civic Precinct - \$150,000
 - (ii) **amend the 2012-2013 Annual Budget as follows :**
Expenditure
Consultancy – Civic Precinct Planning – increase by \$150,000

Revenue
Transfer from Civic Precinct Reserve Account – increase by \$150,000

for the purposes of preparing a business case for the City which may allow the preparation of a proposal in response to the State Government's Request for Proposal to provide office accommodation in Armadale, eg. building plans and related documentation, cost estimates, development timeframes, risk analysis.

369/9/12

MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY DECISION OF COUNCIL

(11/0)

15

CLOSURE

The Mayor, Cr Zelones, declared the meeting closed at 8.10pm

MINUTES CONFIRMED THIS 8th DAY OF OCTOBER 2012

MAYOR