



ORDINARY MEETING OF COUNCIL
MONDAY, 28 MAY 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, 28
MAY 2012 AT 7.00 PM.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Deputy Mayor, Cr Butterfield, declared the meeting open at 7.01 pm.

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

PRESENT:

Deputy Mayor, Cr R Butterfield	River Ward
presided over	
Cr J A Stewart	Heron Ward
Cr D M Shaw	Heron Ward
Cr G Nixon	Jarrah Ward
Cr C M Wielinga	Jarrah 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 M S Northcott	Palomino Ward
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
Ms Y Coyne	Executive Director Community Services
Mrs S D'Souza	CEO's Executive Assistant
Ms C Thomson	Secretarial Assistant

Public: 8

Press: 1

LEAVE OF ABSENCE:

Leave of Absence previously granted to Cr H A Zelones and Cr C J MacDonald

APOLOGIES:

Nil

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

Nil

4 PUBLIC QUESTION TIME

Mrs D Kapirnas - 15 Magpie Place, Brookdale

Q1 Besides the Armadale Shopping City what is Council doing to beautify Armadale and in particular the Brookdale area?

The Deputy Mayor advised that there are too many initiatives that Council has implemented over the past decade to list for this meeting.

At this point Ms Kapirnas interrupted the Deputy Mayor, directed a few derogatory comments to Councillors and left the meeting.

Question Time closed at 7.04pm

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 14 MAY 2012.

MOVED Cr J A Stewart that the Minutes of the Ordinary Council Meeting held on 14 May 2012 be confirmed as a true and accurate record.

140/5/12 MOTION not opposed, DECLARED CARRIED (12/0)

**8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT
DISCUSSION**

CONSULTATION & COMMUNICATION

On Tuesday 15th May Councillor Norman attended and spoke at the National Volunteer Week Event on behalf of Mayor Zelones.

On 23rd May Cr Butterfield attended Clifton Hills Primary School and read stories to the children for the National Simultaneous Reading Time.

On Monday 28th May Councillor Northcott attended and laid a wreath at the USA Memorial Day on behalf of Mayor Zelones, held at the Flame of Remembrance at Kings Park in Perth.

ECONOMIC DEVELOPMENT

On Thursday 17th May Cr Munn, Cr Nixon and Cr Wielinga attended the Rivers Regional Council Workshop held at the City of Gosnells. Two presentations were held one from Phoenix Energy (previously Moltoni Energy) and one from New Energy. Both companies are anticipating building waste to energy facilities within the City of Rockingham near the border with Town of Kwinana within the next couple of years.

MARKETING & PUBLIC RELATIONS

On the 15th May Cr Butterfield attended the Climate Change Declaration Signing Ceremony to receive the certificate on Mayor Zelones behalf, this ceremony was held at the City of Stirling- Reception Room.

On Friday 25th May Cr Butterfield along with, Councillors Best, Munn, Northcott, Norman, and Nixon attended the Armadale Region Business Association (ARBA) Breakfast – with Mark McGowan (Leader for the Opposition)

GOVERNANCE

On 22nd May Cr Butterfield attended the meeting of Mayors' and Presidents' at the City of Belmont to discuss and finalise WALGA's response to the Metropolitan Local Government Review Panel Findings.

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

Nil

10 REPORTS

10.1 DEVELOPMENT SERVICES COMMITTEE MEETING

Report of the Development Services Committee on 21 May 2012 .

MOVED Cr D M Shaw that the report be received.

141/5/12 MOTION not opposed, DECLARED CARRIED

(12/0)

BUSINESS ARISING FROM REPORT

Recommendation D28/5/12 - State Administrative Tribunal Review - Proposed Office Building, Lots 31 and 32 (43 and 45) William Street, Armadale

MOVED Cr D M Shaw

That Council:

- 1. Refuse the application for Planning Approval for development of an Office building as shown on the amended plan for Lots 31 and 32 (43 and 45) William Street, Armadale for the following reasons:**
 - a) Non-compliance with Clause 5C.6.1 of Town Planning Scheme No.2 whereas on-site parking is deficient by 20 bays. Clause 5C.6.1 is as follows:**

5C.6.1 Car parking is to be provided in accordance with the standards for respective uses detailed in Schedule 11A, unless otherwise approved by the City in accordance with the provisions of clause 5.5. Unless otherwise approved or required by the City, required car parking is to be provided on the site of the proposed development.
 - b) Approval of the development without sufficient car parking to support the proposed land use would not be in the interests of orderly and proper planning and preservation of the amenity of the area. If a development is approved which prejudices the ability of the customers of other adjacent businesses to obtain proximal car parking then this could impose a detrimental economic impact on adjacent businesses. In addition, the inability of the local area to provide for the demand for car parking may lead to an increase in ad hoc car parking on verges and other no parking areas which may impact on the safety of pedestrians and drivers.**
 - c) It is not appropriate to approve a reduction in the amount of car parking required under the Town Planning Scheme No.4 due to the large staff numbers of the proposed occupiers (45 staff) and the significant daily customer numbers of approximately 250 people. All of the required parking should be provided on site.**
 - d) The development as proposed constitutes overdevelopment of the site as the size of the building leaves insufficient land for the required number of car bays to be provided on site and no provision for landscaping of the car parking areas. The over-development therefore will affect both parking supply in the local area and the streetscape.**
- 2. Advise the Applicant and the State Administrative Tribunal of the Council's decision in this regard.**

Recommendation D29/5/12 - Final Adoption - Amendment No.61 - Town Planning Scheme No.4 - Rezoning of Reserve 24458 Robin Road, Roleystone

MOVED Cr D M Shaw

That Council:

1. Pursuant to Part 5 of the *Planning and Development Act 2005* to adopt, with modification, Amendment No.61 to Town Planning Scheme No.4 to:
 - a) rezone Reserve 24458 (Lots 1352 and 3268) Robin Road, Roleystone from “Public Purpose - Primary School” to “Residential - Restricted Use No.X”;
 - b) include a new entry within Schedule 3 - Restricted Uses in appropriate numerical order as follows:

No.	Description of Land	Restricted Use	Conditions
X.	Reserve 24458 (Lots 1352 and 3268) Robin Road, Roleystone	<p>The location and accessibility characteristics make this site suitable for a development catering for aged and/or dependent persons up to a maximum density as permitted under the Government Sewerage Policy.</p> <p>The following uses listed in the base Residential zone shall be uses that are Not Permitted ("X") in the Restricted Use Area:</p> <ul style="list-style-type: none"> • Single Dwelling (other than for Aged or Dependent Persons Dwellings) • Single Bedroom Dwelling (other than for Aged or Dependent Persons Dwellings) • Grouped Dwelling (other than for Aged or Dependent Persons Dwellings) • Multiple dwellings (other than for aged or dependant persons dwellings) <p>The following uses that are Not Permitted (X) in the Residential zone shall be uses that are discretionary (“D”) in the Restricted Use Area:</p> <ul style="list-style-type: none"> • Park Home Park 	<p>X.1 All other permitted use classes listed in the base Residential zone shall be Discretionary (“D”) in the Restricted Use area.</p> <p>X.2 ‘Park Home Park’ shall only be considered as a discretionary land use where an application proposes to maximise the development potential of the site in accordance with Condition X.4.</p> <p>X.3 Reserve 24458 (Lots 1352 and 3268) Robin Road, Roleystone being amalgamated prior to any approvals for development, subdivision or strata being issued.</p> <p>X.4 The base density of R5 may be increased to R12.5, and the one-third reduction of the required R12.5 site area per dwelling applicable from the Residential Design Codes of Western Australia in respect of development catering for aged and/or dependant persons, may be applied in</p>

			<p>addition to the R12.5 density subject to:</p> <ul style="list-style-type: none">a) The development catering for aged persons, as per the definition within the Residential Design Codes of Western Australia.b) The provision of independent soil testing and a detailed geotechnical investigation that supports the design, construction and location of the proposed development and wastewater treatment facilities.c) Approval from the Department of Health Western Australia (and if required the Economic Regulation Authority) and / or the City in respect of wastewater treatment facilities.d) Submission and approval of a Detailed Area Plan (DAP) prior to any approvals for development, subdivision and / or strata being issued.e) Where the one-third density bonus is applied, significant trees located on the western and southern side of the existing oval shall be retained to the satisfaction of the City. <p>X.5 The DAP referred to in the previous Condition</p>
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			<p>shall address the following issues:</p> <ul style="list-style-type: none">a) A common set of design principles in keeping with the area, including roof pitch, built form, building materials, fencing, the retention of the significant trees to the west and south of the oval and landscaping, setbacks, and privacy.b) Vehicular access to be derived from Robin Road. <p>X.6 The City may impose Conditions on any development, subdivision and/or strata approval to require:</p> <ul style="list-style-type: none">a) The preparation and implementation of a Fire Management Plan for the site, including a specific requirement that all development shall be constructed to 'AS3959 – Construction of Buildings in Bushfire Prone Areas' standards or superseded standard.b) The negotiation of a Public Open Space contribution between the landowner / developer and the City.c) The relocation and / or upgrade of stormwater drainage pipes on site as necessary at the landowner /
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			<p>developer's cost.</p> <p>d) The inclusion of a Public Access Easement on the Certificate of Title allowing for occasional public access to, and use of, the western portion of the site that includes the oval and substantial vegetation.</p>
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c) amend the Scheme Maps accordingly.

2. Authorise the Mayor and Chief Executive Officer to execute the Amendment documents.
3. Forward the amendment documentation to the Western Australian Planning Commission for its consideration and requests the Hon Minister for Planning and Infrastructure grant final approval to the amendment.
4. Endorse the comments made in this report regarding the submissions received on this scheme amendment for inclusion in the schedule of submissions to be forwarded to the Western Australian Planning Commission.
5. Advise the submitters and the applicant of its decision.

143/5/12

MOTION not opposed, DECLARED CARRIED

(12/0)

Recommendation D30/5/12 - Naming of Armadale Settlers Common east walk trails

MOVED Cr D M Shaw

That Council approach the Geographic Names Committee (GNC) seeking approval for the following walk trail names in the Armadale Settlers Common as shown on the attached plan:

- ♦ **Baliff Trail; Bandin Trail; Coppice Trail; Golden Whistler Trail; Jeeriji Trail; Karak Trail; Port Hole Trail; Snotty Gobble Trail; Stellata Trail; and Sawtooth Trail.**

144/5/12

MOTION not opposed, DECLARED CARRIED

(12/0)

Recommendation D31/5/12 - Road Naming - Champion Glades Subdivision

MOVED Cr D M Shaw

That Council:-

- 1. Approach the Geographic Names Committee (GNC) seeking approval for the following new road names for the naming of roads on road reserves: "Goland Lane", "Ninham Lane", "Paramor Road" and "Semple Road" (or suitable road types acceptable to the GNC) in the 'Champion Glades' Estate subdivision on Lots 7 and 65 Lake Road, Camillo as shown on the attached plan.**
- 2. Approach the GNC seeking approval for the following new road names for the naming of laneways constructed on privately-owned common property: "Child Lane", "Gard Lane" and "Maslen Lane" (or suitable road types acceptable to the GNC) in the 'Champion Glades' Estate subdivision on Lots 7 and 65 Lake Road, Camillo as shown on the attached plan.**
- 3. Hold in reserve for the present the name 'Yewers' until the GNC has approved the names above, or use it as necessary where any of the names above may not meet GNC approval or future stages of this estate or Champion Lakes.**

145/5/12

MOTION not opposed, DECLARED CARRIED

(12/0)

Recommendation D32/5/12 - Road Naming - Lot 2 Skeet Road, Harrisdale

MOVED Cr D M Shaw

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) for the subdivision of Lot 2 Skeet Road, Harrisdale as shown on the attached plan:**

Arkose Crescent; Basalt Road; Flint Street; Granite Road; Gypsum Avenue; Limestone Rise; Sandstone Promenade; Slate Way and Travertine Street.

- 2. Hold in reserve for the present the names: Gritstone, Siltstone and Shale, until the Geographic Names Committee has approved the names above, or use them as necessary where any of the road names may not meet GNC approval.**

146/5/12

MOTION not opposed, DECLARED CARRIED

(12/0)

Recommendation D33/5/12 - Final Adoption - Amendment No.65 - Town Planning Scheme No.4: Deletion of 'Advertisement' from the Use Class Zoning Table and Modifications to Schedule 5 'Exempted Advertisements'

Cr M Norman declared a non-financial interest in Recommendation D33/5/12 on the basis of his nature of employment in the real estate industry. As a consequence he advised that in view of this association there may be a perception that his impartiality on the matter may be affected, but declared that he would set aside this association, consider the matter on its merits and vote accordingly.

MOVED Cr D M Shaw

That Council:

- 1. Pursuant to Part 5 of the *Planning and Development Act 2005* to adopt, with modifications, Amendment No.65 to Town Planning Scheme No.4 to:**
 - a) **Deleting the use 'Advertisement' and Notation 1 from the Use Class Zoning Table, and;**
 - b) **Amending Schedule 5 'Exempted Advertisements' relating to 'Property Transactions' and 'Display Homes' as follows:**

Land use and/or development	Exempted Sign	
Property Transactions. Advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows: (a) Dwellings	(a) One sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed. The sign should be located on the property, however the sign may be permitted on the verge immediately adjacent to the property subject to satisfying the following requirements: <ul style="list-style-type: none"> • The sign shall not obstruct any footpath, road, shared path or pedestrian movements. • The sign shall not obstruct sightlines to the satisfaction of the City. 	Each sign shall not exceed an area of 2m²

<p>(b) Multiple Dwellings, Shops, commercial and industrial properties.</p> <p>(c) Large properties comprised of shopping centres, buildings in excess of four storeys or properties in excess of 5 hectares.</p>	<ul style="list-style-type: none"> • The sign shall not be erected on or affixed to any natural feature, bridge, power or light pole, traffic sign or any other structural feature or affect any services. • The sign shall be securely fixed and maintained in a safe condition. • The ground area is to be reinstated to its original condition once the sign is removed. <p>(b) One sign as (a) above.</p> <p>(c) One sign as (a) above, but are not permitted on the verge unless 2m² or less in area.</p>	<p>Each sign shall not exceed an area of 3m²</p> <p>Each sign shall not exceed an area of 10m²</p>
<p>Display Homes. Advertisement signs displayed for the period over which homes are on display for public inspection.</p>	<p>One sign only for each dwelling on display, erected on the property boundary.</p> <p>Or</p> <p>One sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.</p> <p>(i) In addition, one portable sign advertising the display home is permitted during the hours in which the property is open for display. The sign is permitted on the property or the verge immediately adjacent to the dwelling and is subject to satisfying the following requirements:</p> <ul style="list-style-type: none"> ▪ The sign shall not obstruct any footpath, road, shared path or pedestrian movements. ▪ The sign shall not obstruct sightlines to the 	<p>2m²</p> <p>5m²</p> <p>0.2m²</p>

	<p>satisfaction of the City.</p> <ul style="list-style-type: none"> ▪ The sign shall not be erected on or affixed to any natural feature, bridge, power or light pole, traffic sign, or any other structural feature. 	
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2. Authorise the Mayor and Chief Executive Officer to execute the Amendment documents.
3. Forward the amendment documentation to the Western Australian Planning Commission for its consideration and requests the Hon Minister for Planning grant final approval to the amendment.
4. Endorse the comments made in this report regarding the submissions received on this scheme amendment for inclusion in the schedule of submissions to be forwarded to the Western Australian Planning Commission.
5. Advise the submitters and the applicant of its decision.

147/5/12 MOTION not opposed, DECLARED CARRIED

(12/0)

10.2 CITY STRATEGY COMMITTEE MEETING

Report of the City Strategy Committee on 22 May 2012 .

CORRECTIONS:

Page 168 In the ADM-19 Policy – 4th dot point – the word “procured” to be added after the word “services” and policy be reaffirmed with amendment.

Page 172 Cr Norman’s interest declaration to read:
Councillor Norman disclosed that as a member of the Dale Cottages Inc. Board he had an association with this item. As a consequence he advised that in view of this association there may be a perception that his impartiality on the matter may be affected. He declared that he would set aside this association, consider the matter on its merits and vote accordingly.

MOVED Cr M H Norman

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

148/5/12 MOTION not opposed, DECLARED CARRIED

(12/0)

BUSINESS ARISING FROM REPORT

Recommendation CS36/5/12 - List of Accounts Paid - April 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 \$7,633,501.70 on Vouchers 17250 – 17412, Batch 1260-1269, 1271, 101953-101966, 300242, PY01.20-PY01.21

Trust Fund

Accounts paid totalling \$831,421.65 on Vouchers 2129-2173, Batch 1259 & 1270.

149/5/12 **MOTION not opposed, DECLARED CARRIED (12/0)**

Recommendation CS37/5/12 - Monthly Statement of Financial Activity - April 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 10 months period ended 30 April 2012.

150/5/12 **MOTION not opposed, DECLARED CARRIED (12/0)**

Recommendation CS40/5/12 - Council Policy Review - Corporate Services

RECOMMEND

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 13 – Petitions in City Premises**
- **ADM 15 – Record Keeping**
- **ADM 19 – Procurement of Goods & Services**
- **EM 4 – Requests for Reports by Councillors**
- **EM 12 – Orderly Conduct at Meetings**
- **EM 13 – Provision & Use of Mayoral Vehicle (as amended)**

MOVED C Norman; SECONDED Cr Wielinga:

That Recommendation CS40/5/12 be dealt with in two separate parts to allow an amendment to Policy EM-13.

151/5/12 **MOTION not opposed, DECLARED CARRIED (12/0)**

MOVED Cr D S Shaw that Recommendation CS40/5/12 be amended with part (1) being as follows:

That Council pursuant to section 2.7(2)(b) of the *Local Government Act 1995*,:

1. **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 13 – Petitions in City Premises**
 - **ADM 15 – Record Keeping**
 - **ADM 19 – Procurement of Goods & Services**
 - **EM 4 – Requests for Reports by Councillors**
 - **EM 12 – Orderly Conduct at Meetings**

152/5/12 **AMENDMENT not opposed, DECLARED CARRIED (12/0)**

MOVED Cr M H Norman SECONDED Cr C Wielinga, that Recommendation CS40/5/12 be amended, with part (2) being as follows:

OPPOSED Cr Munn

That Council pursuant to section 2.7(2)(b) of the *Local Government Act 1995*,:

2. **amend Policy EM-13 – Provision & Use of Mayoral Vehicle as follows and reaffirm the continued application and operation of this Policy (as amended) for a further three (3) years or such earlier date as Council may determine from time to time.**
 - **delete the word “prestige” and add the word “to the equivalent standard of the CEO” after the word vehicle.**

153/5/12 **AMENDMENT DECLARED CARRIED (8/4)**

MOVED Cr M H Norman that Recommendation CS40/5/12 amended as follows be adopted.

That Council pursuant to section 2.7(2)(b) of the *Local Government Act 1995*,:

1. **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 13 – Petitions in City Premises
- ADM 15 – Record Keeping
- ADM 19 – Procurement of Goods & Services (as amended)
- EM 4 – Requests for Reports by Councillors
- EM 12 – Orderly Conduct at Meetings

2. amend Policy EM-13 – Provision & Use of Mayoral Vehicle as follows and reaffirm the continued application and operation of this Policy for a further three (3) years or such earlier date as Council may determine from time to time.

- delete the word “prestige” and add the word “to the equivalent standard of the CEO” after the word vehicle.

154/5/12

MOTION not opposed, DECLARED CARRIED

(12/0)

Recommendation CS41/5/12 - Management Agreement Greendale Centre - Dale Cottages Inc

Councillor Norman disclosed that as a member of the Dale Cottages Inc. Board he had an association with this item. As a consequence he advised that in view of this association there may be a perception that his impartiality on the matter may be affected. He declared that he would set aside this association, consider the matter on its merits and vote accordingly.

MOVED Cr M H Norman

That Council:

1. **approve an extension to the Management Agreement with Dale Cottages Inc. for the Greendale Centre, Coombe Ave, Armadale for a further twelve (12) months to expire 30 June 2013 noting that all current terms and conditions, other than the renewal option will continue as is.**
2. **prior to the 30 June 2013 be provided with a further report on the future management options of the Greendale Centre.**

155/5/12

MOTION not opposed, DECLARED CARRIED

(12/0)

Recommendation CS42/5/12 - 2012 WALGA Annual General Meeting - Registration of Voting Delegates

MOVED Cr M H Norman

That Council:

1. **register Cr Zelones and Cr Butterfield as its voting delegates for the 2012 WALGA Annual General Meeting to be held on Wednesday, 1 August 2012.**

2. **register Cr MacDonald and the Chief Executive Officer as its deputy voting delegates in the event that either Cr Zelones or Cr Butterfield are unable to attend the WALGA AGM on 1 August 2012.**

156/5/12 **MOTION not opposed, DECLARED CARRIED (12/0)**

Recommendation CS43/5/12 – Provision of Electronic Aids (Cr Munn)

MOVED Cr M H Norman

That Council:

Officers investigate the advanced technology options available for Councillors and provide a report to Council.

157/5/12 **MOTION not opposed, DECLARED CARRIED (12/0)**

Recommendation CS44/5/12 – Councillors' items

MOVED Cr M H Norman

That Council refer the following Councillors' items in regard to:

- **“Springtime in Araluen” Festival 2012**
- **WA Police Forum**

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

158/5/12 **MOTION not opposed, DECLARED CARRIED (12/0)**

10.3 CHIEF EXECUTIVE OFFICER'S REPORT

Report of the Chief Executive Officer .

MOVED Cr M S Northcott that the report, including the late report items, be received.

159/5/12 **MOTION not opposed, DECLARED CARRIED (12/0)**

BUSINESS ARISING FROM REPORT

Recommendation - Councillors Information Bulletin - Issue No. 9/2012

MOVED Cr M S Northcott

That Council acknowledge receipt of Issue No 9/2012 of the Information Bulletin.

160/5/12 **MOTION not opposed, DECLARED CARRIED (12/0)**

Recommendation - Appointment of Authorised Officers and New
Delegations Building Act 2011

MOVED Cr D M Shaw

That Council:

1. Pursuant to Section 127 of the Building Act 2011 delegate

- **Section 20 - Approve or refuse a Building Permit.**
- **Section 21 - Approve or refuse a Demolition Permit.**
- **Section 58 - Issue an Occupancy Permit or Building Approval Certificate.**
- **Section 65 - Consider extending the period of duration of an Occupancy Permit or a Building Approval certificate.**
- **Section 110 - Issue Building Orders.**
- **Section 117 - Revoke Building Orders.**

to Co-ordinator Building Services – Ross Galbraith.

Approve the appointment of the following officer classes as “Authorised Officer” pursuant to section 96 (s100, s101, s102 and s103) of the Building Act 2011 for the purpose/s of s100 Entry Powers, s101 Powers after entry for purposes of compliance, s102 Obtaining information and documents, s103 Use of force and assistance, s104 Directions generally and s105 Obstruction of authorised persons.

To Co-ordinator Building Services – Ross Galbraith

161/5/12 **MOTION not opposed, DECLARED CARRIED (12/0)**

Recommendation - Araluen Botanic Park - Land Matters

MOVED Cr M H Norman

That this item be dealt with under “Matters Requiring Confidential Consideration” as the matter to be discussed, if disclosed, would reveal information on a commercial transaction that is of value to a person or persons.

MOTION CARRIED (12/0)

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 extending the footpath, parking and kerbing in front of the Roleystone College adjacent to the water tank in Brooks Road, be referred to the Technical Services Committee.

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

**1 ARALUEN BOTANIC PARK (ABP) - LAND MATTERS (CEO
REPORT - LATE ITEM)**

MOVED Cr J H Munn

That the meeting be closed to members of the public as the matter to be discussed, if disclosed, would reveal information on a commercial transaction that is of value to a person or persons.

162/5/12 MOTION CARRIED (12/0)

Cr Nixon declared a financial interest in this item as he is employed by Araluen Botanic Park.

Cr Nixon left the meeting which was then closed to members of the public at 7.47pm

MOVED Cr J H Munn that Standing Orders be suspended to allow discussion on a wide range of issues.

163/5/12 MOTION CARRIED (11/0)

Following receipt of official advice from DEC on 24th May 2012, the CEO referred his confidential advice to Councillors under separate cover and briefed councillors on:

- *information on hand as to the State Government's acquisition of additional property for Araluen Botanic Park; and*
- *the sequence of events following DEC's application to the City, the City's consideration of the proposal and clarification on the extent of marketing proposed for Spring 2012.*

Some members of Council expressed disappointment that DEC were apparently limiting the extent of a springtime festival in 2012.

The CEO advised that the City was only able to respond to the application from DEC (the property's "owner") and needed to remain consistent in its address of matters relating to access and traffic management around the park.

A modest celebration of springtime in Araluen in 2012 with successful address of traffic and parking issues will set a firm blueprint for future events at the Park.

Council was assured that City staff continued to work with all agencies and the ABPF towards arrangements where Araluen can conduct its business as a unique tourist destination with full support of the local community.

Council requested an amendment to the recommendation to include advice to Local MLAs of Council's support of ABP.

164/5/12 MOVED Cr J H Munn that Standing Orders be resumed.
MOTION CARRIED (11/0)

165/5/12 AMENDMENT not opposed, DECLARED CARRIED

MOVED Cr C Wielinga that part 1 of the recommendation contained in the CEO's Report be amended to read:

That Council:

1. **advise Department of Environment and Conservation, Araluen Botanic Park Foundation and Local Members of the Legislative Assembly of its continued support of the Araluen Botanic Park as a premier tourist destination within the City.**
2. **support the Araluen Botanic Park Foundation in its efforts to accommodate parking within the confines of the park, and the proposal to extend the area of the park towards this end.**
3. **looks forward to receiving details of amended traffic management arrangements for access to Araluen Botanic Park over the August to October period of 2012.**

166/5/12 **MOTION not opposed, DECLARED CARRIED (11/0)**

167/5/12 MOVED Cr M H Norman that the meeting be opened to members of the public.
MOTION CARRIED (11/0)

*Meeting declared open at 8.22pm.
Cr G Nixon returned to the meeting.*

As no members of the public or press returned to the meeting there was no need for Resolution 166/5/12 to be read aloud.

15 **CLOSURE**

The Deputy Mayor, Cr Butterfield, declared the meeting closed at 8.23pm

MINUTES CONFIRMED THIS ON 11TH JUNE 2012.

MAYOR