



**ORDINARY MEETING OF COUNCIL
TUESDAY, 29 MARCH 2016**

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 TUESDAY,
29 MARCH 2016 AT 7.10PM.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor, Cr Zelones, declared the meeting open at 7.10 pm.

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

PRESENT:

Mayor, Cr H A Zelones OAM JP presided over	River Ward
Deputy Mayor, Cr R Butterfield	River Ward
Cr G Nixon	Jarrah Ward
Cr C M Wielinga	Jarrah Ward
Cr C Frost	Lake Ward
Cr M Silver	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
Cr C A Campbell JP	Palomino Ward

IN ATTENDANCE:

Mr A F Maxwell	A/Chief Executive Officer
Mr P Sanders	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: 14

LEAVE OF ABSENCE:

Nil

APOLOGIES:

Apology received from Cr DM Shaw and Cr JA Stewart

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

Nil

4 PUBLIC QUESTION TIME

1 Leanne Smith - Cathedral Avenue, Brigadoon

1. Re. Tender 1/16 and Council's Policy ADM 19

What is Council's definition of "best practice approach", how many members were on the Tender Assessment Panel and did one of the members possess any technical knowledge?

The Mayor advised that Council adheres to its policy and management practice in relation to the procurement of goods and services.

Executive Director Technical Services (EDTS) confirmed that a 3 member panel assessed Tender 1/16 with expertise in governance, technical and financial knowledge.

2. With medium to high risk projects, price alone is not the deciding factor with organization ability and experience and technical knowledge all being important factors. As such, why was cost given a weighting of 40% and capability/experience just 15% with the selected tenderer scoring lowest in every criteria except for cost?

The Mayor advised that all tenders were evaluated by a panel against the criteria set and the recommendation to Council was that the recommended tenderer was best suited for the job.

2 Margaret Johnson - Wallangarra Pony Club

Can Council confirm equestrian experience of the tenderer in constructing a cross country course and was the specifications provided appropriate for the tender?

The Mayor advised that the experience was questioned by Committee and it was confirmed that the constructed course would require to be signed off by an accredited builder. The EDTS advised that the specifications for this tender was one of the best and provided every detail of what is required for construction of the course.

3 Stephen Sewell - Wallangarra Drive, Bedfordale

Given the significantly low tender price submitted by the recommended tenderer can we (rate payers and users of the course) expect the build to feature the latest best and safe practice features in terms of construction detail, layout and fixings?

(For example Spirafix anchor rods for fixing portable fences to the ground a

major safety consideration ensuring fences don't move or roll if impacted by horse and/or rider)

Additionally, Given the rated inexperience of the preferred tenderer, if there is a requirement following the completion of the course for modifications to be completed to meet sign off by PCAWA or EA delegates what is the City's contingency plans to manage these costs?

The Mayor advised that sufficient information was provided to the satisfaction of the Assessment Panel by the successful tenderer to deliver on the project within specifications and cost. As advised earlier the constructed course will require approval by an accredited builder.

4 **Kate Ingham - 5 Mustang Road, Champion Lakes**

Given the significantly low tender price submitted by the recommended tenderer can we (rate payers and users of the course) expect the build to feature the latest best and safe practice features in terms of construction detail, layout and fixings?

(For example Spirafix anchor rods for fixing portable fences to the ground a major safety consideration ensuring fences don't move or roll if impacted by horse and/or rider)

Additionally, Given the rated inexperience of the preferred tenderer, if there is a requirement following the completion of the course for modifications to be completed to meet sign off by PCAWA or EA delegates what is the City's contingency plans to manage these costs?

The Mayor advised that sufficient information was provided to the satisfaction of the Assessment Panel by the successful tenderer to deliver on the project within specifications and cost. As advised earlier the constructed course will require approval by an accredited builder.

MOVED Cr R Butterfield that question time be extended (7.15pm)
Motion Carried (12-0)

5 **Julie Conroy - Central Park Avenue, Canning vale (President Wallangarra Pony Club)**

Would Council consider deferring its decision for a month till this is investigated by all parties involved?

The Mayor advised that a resolution to defer could be put forward when council considers the item later in the meeting.

The EDTS advised that an event has been scheduled by the Pony Club in July and any deferral will delay construction of the course in time for this event.

Question time closed at 7.28pm

5 APPLICATIONS FOR LEAVE OF ABSENCE

1 Request for Leave of Absence - Cr Busby and Cr Norman

Request for leave of absence received from:

- Cr K Busby for the period Tuesday 19th April to Sunday 24th April 2016 inclusive; and
- Cr M Norman for the period Monday 4th April to Wednesday 20th April 2016 inclusive

MOVED Cr G Nixon

That Council grant leave of absence to:

- Cr Kerry Busby for Tuesday 19th April to Sunday 24th April 2016 inclusive (does not include an Ordinary Council meeting); and
- Cr Matthew Norman for Monday 4th April to Wednesday 20th April 2016 inclusive (includes 1 Council meeting – 11 April)

75/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 14 MARCH 2016.

MOVED Cr K Busby that the Minutes of the Ordinary Council Meeting held on 14 March 2016 be confirmed as a true and accurate record.

76/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

8 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

1 Consultation & Communication

- On 15th March, along with Crs Busby and Best, attended the Business Armadale AGM held in the CoA Function Room.
- On 23rd March attended the Armadale City Centre Liaison Group meeting held here at the City offices.

2 Marketing & Public Relations

- On 16th March attended the Armadale Primary School to have a photo with the kids who have been making the habitat boxes in conjunction with the Men's Shed.

- Later that evening, Cr Ruth Butterfield attended the Armadale Youthcare Council Chaplain Dedication Services for 2016 held at Cecil Andrews Senior High School.
- On 17th March hosted the Dale Christian College in the Council Chambers and gave a presentation to Year 4/5 students on Local Government.
- On 20th March, along with Crs Silver and Best, attended the 2016 Harmony Festival held at Bakers House Harrisdale where I gave a short speech.
- On 23rd March attended the Armadale Arts Festival Program Launch where I gave a speech. The Armadale Arts Festival runs from the 1st April for 17 days. There will be 30 events showcasing a wide range of high quality talent in our region.
- On 26th March officially opened the Bedforddale Bush Markets on Easter Saturday.

3 Governance & Economic Development

- On 16th March attended the WAPC Member briefing in the city.
- On 24th March met with Matt Keogh and Labor's Shadow Communication Minister, Jason Clare to discuss the NBN and internet access in Armadale.
- On 29th March attended the WAPC meeting in the city.

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

Nil

10 REPORTS

10.1 CITY AUDIT COMMITTEE MEETING

Report of the City Audit Committee held on 21 March 2016.

MOVED Cr H A Zelones that the report be received.

77/3/16

MOTION not opposed, DECLARED CARRIED

(12/0)

BUSINESS ARISING FROM REPORT

Recommendation CA2/3/16 - Compliance Audit Return - 2015 Calendar Year

MOVED Cr H A Zelones

That Council:

- **Adopts the Compliance Audit Return for the 2015 calendar year as presented in the attachment; and**
- **Acknowledges the joint certification which is to be signed by the Mayor and Chief Executive Officer.**

78/3/16

MOTION not opposed, DECLARED CARRIED

(12/0)

Recommendation CA3/3/16 - Update - Actions Taken on Last Interim Audit Management Report

MOVED Cr H A Zelones

That Council notes the actions taken by Management on matters raised by the Auditor in his last Interim Audit Management Report i.e.:

- **Matter 1 - Investments of Surplus Funds - an internal control document with regards to investment procedures has been prepared and is operational and investment reconciliations are now signed by the preparer and countersigned by an independent senior officer.**
- **Matter 2 - Purchasing and Payments – the *Responsibility Structure* (which is the framework within the City’s computer system which controls the process of ordering and invoice payment approvals) has been amended such that in future the approval process of purchase orders and invoices for payment will be segregated, i.e. an officer with authority to approve a purchase order cannot approve the invoices relating to that purchase order. The segregation of duties/responsibilities is scheduled for implementation in early April 2016.**
- **the Responsibility Structure for the raising and approving of purchase orders and invoices for payment has been amended such that in future the approval process of purchase orders and invoices for payment will be segregated. The segregation of duties/responsibilities is scheduled for implementation in early April 2016.**
- **Matter 3 – Creditors - the monthly creditor reconciliations and the general ledger cross check with the creditors aged trail balance is now being signed by the preparer and countersigned by an independent senior officer.**
- **Matter 4 - Rates - the monthly rates and ESL reconciliations are now being signed by the preparer and countersigned by an independent senior officer.**
- **Matter 5 - Sundry Debtors - the monthly debtors reconciliation is**

now printed, signed by the preparer and countersigned by a reviewer.

- **Matter 6 - Journal Entries - an internal control document with regards to the use, authorisation and control over journal entries has been prepared and is operational.**

79/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

10.2 CITY STRATEGY COMMITTEE MEETING

Report of the City Strategy Committee held on 21 March 2016.

MOVED Cr M Geary that the report be received.

80/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

BUSINESS ARISING FROM REPORT

Recommendation CS19/3/16 - List of Accounts Paid - February 2016

MOVED Cr M Geary

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

Municipal Fund

Accounts paid totalling \$8,794,755.91 on Vouchers 26242–26390, Batch 1861-1866, 1868-1869, 1871 Direct Debits and PY01.16-PY01.17

Trust Fund

Accounts paid totalling \$172,926.73 on Vouchers 5062-5117 and Batch 1867 and 1870

81/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

Recommendation CS20/3/16 - Monthly Statement of Financial Activity - February 2016

MOVED Cr M Geary

That Council, pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996* (Financial Activity Statement Report) accept the Statement of Financial Activity for the eight (8) month period ended 29 February 2016.

82/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

Recommendation CS21/3/16 - Basis of Rates for the 2016/17 Rating Year

MOVED Cr M Geary

That Council pursuant to Section 6.28 of the *Local Government Act 1995*, request the Minister for Local Government to determine, with effect from the 1 July 2016, the method of valuation for the following nine (9) properties as being the gross rental valuation of the land given the properties are used predominantly for non-rural purposes i.e.:

Assess	Lot Diagram/Plan Details	Address
390196	Lot 9004; D/P 401251, Lot 554-555 D/P 32566, Lot 9005; D/P 405419	Gray Road, Haynes
376063	Lot 201,202,5001,5002 D/P 402532	Stillwell Circuit, Hilbert
384462	Lot 9000 D/P 402532 Registered D/P 406077	Lexington Ave, Hilbert
160882	Lot 9000 D/P 404325 Lot 9001 D/P 404326 Lot 9002 D/P 404327 Lot 9003 D/P 404925 Lot 9004 D/P 405181	Doryanthus Ave, Piara Waters
118455	Lot 71 D/P 44492	Brookton Hwy, Karragullen
234128	Lot 1 D/P 254999	Hilbert Rd, Hilbert
234132	Lot 51 D/P 98851	Hilbert Rd, Hilbert
244058	Lot 7 D/P 23958	Irymple Rd, Roleystone
306799	Lot 9501 D/P 64404	Warton Rd, Piara Waters

83/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

Recommendation CS22/3/16 - Draft Strategic Community Plan 2016-2031

MOVED Cr M Geary, SECONDED Cr K Busby

That Council:

- 1. Notes the receipt of the City of Armadale Strategic Community Plan Research Report 2016 - Growing Armadale.**
- 2. Pursuant to clause 19C (7) of the *Local Government (Administration) Regulations 1996*, adopts the Strategic Community Plan 2016-2031 as presented at Attachment 2.1.2.**

84/3/16 **MOTION DECLARED CARRIED BY ABSOLUTE MAJORITY RESOLUTION OF COUNCIL (12/0)**

Recommendation CS23/3/16 - Tender No. 1/16 Fletcher Park Cross Country Course Construction

Committee Recommendation

That Council, with Tender Number 1/16 for the Fletcher Park Cross Country Course Construction, accepts the tender from Terra Firma Constructions for a period of twelve (12) weeks commencing from the date of contract for the consideration of \$107,012 (exclusive of GST) in accordance with the submitted tender, Council's contract documentation and Budget allocation.

In moving the following motion Cr Norman requested that further information be provided on the matters raised by the public in relation to the tender with this report being recommitted to the Technical Services Committee.

MOVED Cr M Norman, SECONDED Cr R Butterfield

OPPOSED Cr C Frost

That Recommendation CS23/3/16 be not adopted and recommitted to the April 2016 meeting of the Technical Services Committee.

85/3/16 **MOTION DECLARED CARRIED** (7/5)

Recommendation CS24/3/16 - Spring into Armadale 2015 project update

MOVED Cr M Geary

That Council receive and note the attached report "Spring into Armadale Marketing Campaign 2015."

86/3/16 **MOTION not opposed, DECLARED CARRIED** (12/0)

Recommendation CS25/3/16 - Forrestdale Business Park Update

MOVED Cr M Geary

That Council note the progress on development of the Forrestdale Business Park and continue to support and promote its growth in accordance with the City's Economic Development Strategy 2013-2017.

87/3/16 **MOTION not opposed, DECLARED CARRIED** (12/0)

Recommendation CS26/3/16 - Performance Review 2015-2016 - Chief Executive Officer

MOVED Cr M Geary

That Council:

1. **receive the report and appoint the following councillors to the “CEO Review Panel”**
 - **Cr Zelones (Mayor)**
 - **Cr Butterfield (Deputy Mayor)**
 - **Cr Geary (Chair of City Strategy Committee)**
 - **Cr Wielinga**
 - **Cr Nixon**

2. **invite Mr John Phillips of JCP Consulting to join the panel to provide independent facilitation and professional advisory services.**

88/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

Recommendation CS27/3/16 - Proposed Short Annual Leave - Chief Executive Officer

MOVED Cr M Geary

That Council note the Chief Executive Officer’s absence on leave from Tuesday 29 March to Friday 1 April 2016 inclusive and appoint the Executive Director Corporate Services, Mr Tony Maxwell, as Acting Chief Executive Officer, during Mr Tame’s absence.

89/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

Recommendation CS28/3/16 - Growing Armadale Survey Data (Referral Matter)

Committee Recommendation

That Council note the Growing Armadale Survey Data report.

In moving the following motion Cr Wielinga requested for the further data to be provided within the existing budget as there was merit in Councillors having the detail of the community’s suggestions/improvements made in response to the survey.

MOVED Cr CM Wielinga, SECONDED Cr G Nixon
OPPOSED Cr K Busby

That Recommendation CS28/3/16 be not adopted and replaced as follows:

That Council obtain the raw data comments (within the existing budget) from the Growing Armadale consultation surveys and provide that data to Councillors in an excel spreadsheet format sorted by suburbs.

90/3/16 MOTION DECLARED CARRIED (7/5)

10.3 DEVELOPMENT SERVICES COMMITTEE MEETING

Report of the Development Services Committee held on 22 March 2016 .

Corrections:

Page 209 Outcome of voting on Recommendation D5/3/16 to read “(6/0)”

Page 232 Outcome of voting on Recommendation D7/3/16 to read “(7/0)”

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

91/3/16 MOTION not opposed, DECLARED CARRIED (12/0)

BUSINESS ARISING FROM REPORT

Recommendation D5/3/16 - Former Roleystone Primary School - Local Development Plan

Cr Campbell declared a non-financial interest in this item on the basis that through his employment he has had dealings on this matter in an advisory capacity. Cr Campbell left the meeting at 8.04pm

MOVED Cr C M Wielinga

That Council:

- 1. Advertise the proposed Local Development Plan for Lots 1352 and 3268 Robin Road, Roleystone for a period of 28 days subject to the notation on the thinning of trees being removed and an additional notation being included identifying the Private Communal Property /Open Space.**
- 2. The applicant shall submit further information to the City during the advertising period relating to the following matters:**
 - a) Written advice from the Department for Planning regarding the proposed reduced minimum lot areas for the R12.5 code;**
 - b) The Black Cockatoo Habitat Survey prepared by Bioscience in June 2015 be updated (including recommendations) to reflect the current LDP;**
 - c) The Fire Management Plan prepared by Bioscience in November 2015 be updated (including recommendations) to reflect the current LDP and referred to DEFS for their approval;**

- d) **Further comment on the need for the east-west roads that are proposed on the LDP adjacent to the two buildings and undercover area.**

92/3/16 **MOTION not opposed, DECLARED CARRIED (11/0)**

Cr Campbell returned to the meeting at 8.05pm

Recommendation D6/3/16 - Proposed Expansion of Extractive Industry (Gravel Quarry) Lot 9 Brookton Highway, Karragullen

MOVED Cr CM Wielinga, SECONDED Cr R Butterfield
OPPOSED Cr M Geary

That Recommendation D6/3/16 be not adopted.

93/3/16 **MOTION LOST (1/11)**

MOVED Cr HA Zelones, SECONDED Cr M Geary
OPPOSED Cr CM Wielinga

That Council:

- A) **Approves the application for Planning Approval for the extension of the Existing Extractive Industry on Lot 9 Brookton Highway Karragullen subject to the following conditions:**

1. **In accordance with Clause 72 of the Planning and Development (Local Planning Schemes) Regulations 2015, this approval is valid for a temporary period of 5 years from the date of this approval, after which time, the use shall cease and all associated structures / hardstand / equipment / fixtures shall be removed and the site reinstated and restored within 90 days to the satisfaction of the Executive Director Development Services.**
2. **The Environmental Management Plan being amended to the satisfaction of the Executive Director Development Services prior to undertaking of clearing works in the “Proposed Stage 1” and “Proposed Stage 2” extraction areas. The approved management plan is to be continuously implemented to the satisfaction of the Executive Director Development Services.**
3. **Amendment of the Dieback Management Plan to the satisfaction of the Executive Director Development Services prior to undertaking of clearing works in the “Proposed Stage 1” and “Proposed Stage 2” extraction areas. The approved management plan is to be continuously implemented to the satisfaction of the Executive Director Development Services.**
4. **The Dust Management Plan is to be amended to specifically state the methods and equipment to be used for dust**

suppression within the operational areas (including stockpile areas) and the access road/driveway, to the satisfaction of the Executive Director Development Services. The approved management plan is to be continuously implemented to the satisfaction of the Executive Director Development Services.

- 5. Continued implementation of the approved Weed Control Management Plan is to occur in conjunction with the implementation of the Revegetation Management Plan.**
- 6. Continued implementation of the approved Stormwater, Soil and Erosion Management Plan, to the satisfaction of the Executive Director Technical Services.**
- 7. A report (audit) on compliance with the approved management plans shall be submitted to the City on an annual basis by the 29th July each year. The annual audit must include:
 - a) an identification of the sources and nature of all emissions, discharges and wastes generated on the site.**
 - b) an assessment of dust amenity (dust deposition) and health impacts (total suspended particulate, particulate matter less than 10 micron).**
 - c) an assessment of environmental impacts associated with its operations and its compliance with planning and environmental requirements, in particular assessment of:
 - (i) its operations measured against the Environment Protection (Noise) Regulations and this shall include but not be limited to a complete operational noise survey;**
 - (ii) the verification of the maintenance of a minimum 2 metre separation to groundwater level; and**
 - (iii) to verify that any potential contaminants not limited to acid sulphates, are not liberated from the dual systems as a result of mining activities.****
 - d) an evaluation of its response to any complaints.**
 - e) a review of operational and management practices relating to environmental performance and the management of environmental risk, including emergency response, contingency plans and other measures to prevent or minimise environmental impacts and any additional measures required to ensure compliance within accepted standards.**
 - f) The results of monitoring that is conducted throughout the year at such times and for such periods and reported as specified in the Environmental Management Plan.**
 - g) A suitably qualified and experienced person to the satisfaction of the City must conduct the audit.****

8. The landowner is to maintain a clearly marked vegetated 10m northern buffer and a 100m western buffer (exclusive of firebreaks) between the top of all quarry pits and the property boundary to the satisfaction of the Executive Director Technical Services. Screening vegetation is to be established within the buffer (in a scattered configuration) at the standard density of - three rows, 5m apart, one tree per 10m and shrub rows 5m apart, one shrub per 2m. Screening vegetation is to be native and dieback resistant.
9. The vegetation buffer areas required by Condition 8, above, and areas of indigenous vegetation outside of the area approved for excavation and associated activities (Access, storage, stockpiling, truck parking etc.) shall be clearly marked utilising markers such as; star pickets with bright coloured capping at an average interval of one per 6m to prevent encroachment by machinery or any other materials that could damage the vegetation.
10. Operating hours are restricted to 6.00am to 7.00pm Monday to Friday. Operations permissible prior to 7.00am are limited to the loading of no more than five trucks which can also traverse in and out of premises prior to this time, in accordance with the supplementary acoustic report dated 9th October 2014. This includes the operation of front end loaders, used inside the quarry pit to load gravel into the trucks. Operations prohibited prior to 7.00am include, but are not limited to the operation of bulldozers, water trucks, fuel trucks and rock breaking machines involved in the extraction of raw material from the landscape.
11. The applicant shall ensure that the site is kept in a neat and tidy condition at all times. When vehicles and equipment are not in use they shall be located in such a manner as to minimise their view from neighbouring residents and public roads to the satisfaction of the City.
12. Any buildings/structures associated with the excavation activities such as site office, toilet facilities and sea containers used for storage are to be located so that they are screened from view from any adjacent roads or properties to the satisfaction of the City.
13. The crossover from Brookton Highway to the access road to be maintained in good order in accordance with the City of Armadale's standard industrial crossover specifications to the satisfaction of the Executive Director Technical Services.
14. All driveways shall be constructed using road base quality material and bitumen sealed to limit dust generation and to ensure that no visible dust or material from the site extends beyond the site boundary to the satisfaction of the Executive

Director Technical Services.

- 15. Where damage is caused to the road pavement and/or bitumen seal adjacent to the access as a result of heavy haulage operations from the subject site, such damage shall be rectified at the applicant's expense and to the satisfaction of the Executive Director Technical Services.**
- 16. A maximum speed limit of 25 kilometres per hour shall be applied to all internal roads, driveways and vehicle access ways and signs in this regard shall be displayed at the entrances to the site.**
- 17. If the storage of more than 200L of liquid chemicals or fuels on-site is proposed, a management plan to ensure accidental spills or contaminated storm water from accidental spill are retained on-site and adequately cleaned up before being disposed of at a facility appropriate to the waste type shall be submitted to and approved by the Executive Director Development Services and the works specified by the management plan implemented thereafter.**
- 18. If on site refuelling of vehicles is proposed to occur then a hardstand refuelling area bunded and drained to a pollutant receptor to prevent any spilled fuel entering the natural ground shall be provided on site to the satisfaction of the City. All refuelling shall take place within this hardstand area.**
- 19. No chemicals or potential liquid contaminants shall be disposed of on-site.**
- 20. The landowner shall implement measures to minimise the risk of spills or leaks of chemicals including fuel, oil or other hydrocarbons and shall immediately remove and safely dispose of any liquid resulting from spills or leaks of chemicals including fuel, oil or other hydrocarbons, whether inside or outside the low permeability compounds.**
- 21. Continued implementation of the approved Emergency Management Plan that addresses emergency response, access/egress and water supplies must be completed to the satisfaction of the Executive Director Community Services prior to excavation commencing.**

ADVICE NOTES

- AN1. The application and a copy of this decision has been referred to the Western Australian Planning Commission for determination under the Metropolitan Region Scheme and you will be advised in writing by that authority once a determination in this regard has been made.**
- AN2. The landowner must comply with the City's Extractive**

Industry Local Laws.

- AN3. With regard to Condition 2 above, revision of the Environmental Management Plan shall address the following requirements:**
- a. A map illustrating revegetation areas including “Stage 1 Rehabilitation Area” and “Stage 2 Rehabilitation Area” and “proposed rehabilitation area” to a density equivalent to the higher density of either of the following:
 - i the existing percentage cover native vegetation as per the flora survey March 2015; or**
 - ii 1 tree per 100 square meters;****
- b. Revegetation as per (a) above with dieback resistant native species.**
 - c. Revegetation as per (a) above with the same proportion of shrub/ tree/ herb vegetation structure as the “Proposed Stage 1 Extraction Area” and “Proposed Stage 2 Extraction Area”.**
 - d. a revegetation schedule for the areas described in (a) that is specific and measurable. This shall include a schedule which shows dates for seedling installation, direct seeding, expected plant numbers, techniques for soil stabilisation, weed control, audit protocols (i.e.: monitoring transects) and other that may be relevant to revegetation.**
 - e. specific mechanisms for returning surface soil stability in the areas described in part (a);**
 - f. measurable techniques to ensure that soil chemistry has been returned to a ‘self-sustaining’ level in the areas described in part (a);**
 - g. techniques for surveying post-rehabilitation vegetation density and diversity as an indicator of success in the areas described in part (a);**
 - h. identification of the weeds that occur in the areas described in part (a) and detail of a species specific weed management schedule;**
 - i. time bound mechanisms for surveying and auditing implementation of a. through i. above;**
 - j. identifies mechanisms for the reestablishment of fauna habitat in the “proposed Stage 1 Rehabilitation Area” and “proposed Stage 2 Rehabilitation Area” such as the translocation of grass trees; and**
- h. Rehabilitation/revegetation work that has been identified as unsatisfactory and subsequently received maintenance within the initial two years is to be maintained for a further two years after remediation.**

- AN4. With regard to Condition 3 above, revision of the Dieback Management Plan shall address the following:**
- a. include a map identifying of specific entry/ exit points and hygiene management techniques at these points (wash down techniques etc);**
 - b. include a map showing the location for stockpiles of disease and non-disease material;**
 - c. include a map showing proposed diversion locations of stormwater;**
 - d. include an audit schedule for demonstration of compliance; and**
 - e. include specific mechanisms for the notification of the public of the likelihood of material extracted from the “Proposed Stage 2 Extraction Area” containing phytophthora dieback.**
- AN5. With regard to Condition requiring a Spill Management Plan, the Department of Water’s “Non-structural controls Best Management Practice Guidelines” provides guidance on this matter. The Guidelines are available on the internet at:**
<http://www.water.wa.gov.au/PublicationStore/first/84968.pdf>.
- AN6. The compounds described in conditions 18 and 20 shall:**
- a. be graded or include a sump to allow recovery of liquid;**
 - b. be chemically resistant to the substances stored;**
 - c. include valves, pumps and meters associated with transfer operations wherever practical - otherwise the equipment shall be adequately protected e.g. bollards and contained in an area designed to permit recovery of chemicals released following accidents or vandalism;**
 - d. be designed such that jetting from any storage vessel or fitting will be captured within the bunded area - see for example Australian Standard 1940-1993 Section 5.9.3 (g);**
 - e. be designed such that chemicals which may react dangerously if they come into contact, are in separate bunds in the same compound or in different compounds; and**
 - f. be controlled such that the capacity of the bund is maintained at all times e.g. regular inspection and pumping of trapped uncontaminated rain water.**
- AN7. The applicant is to ensure truck operators comply with the**

conditions of approval and ensure that their operations do not adversely impact on the community by way of truck speeds, control of litter and following designated truck routes.

- B) That the submitters be advised of the Council decision in this regard.**

94/3/16

MOTION DECLARED CARRIED

(11/1)

Recommendation D7/3/16 - Appointment of Authorised Officers - Building Act 2011

MOVED Cr C M Wielinga

That Council:

- 1. Approve the appointment of the following officer classes as “Authorised Officers” 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 compliance, s102 Obtaining information and documents, s103 Use of force and assistance, s104 Directions generally and s105 Obstruction of authorised persons:**
 - **Building Assessment Officer, Adam Freeman**
 - **Senior Building/Health Compliance Officer, Archibald McGregor Smyth**
 - **Senior Building Surveyor (Commercial), Martin O’Shea**

- 2. Appoint Senior Building/Health Compliance Officer, Archibald McGregor Smyth as an Authorised Person to make, lay and swear Prosecution Notices under the Criminal Procedures Act 2004 on behalf of the City of Armadale in relation to the following Acts, Regulations and Local Laws:**
 - **Health Act 1911**
 - **Strata Titles Act 1985**
 - **Health (Treatment of Sewage & Disposal of Effluent & Liquid Waste) Regulations 1974**
 - **Local Government Act 1995**
 - **Residential Design Codes 2013**
 - **Planning & Development Act 2005**
 - **Town Planning Scheme (TPS) No.4**
 - **Environment, Animals and Nuisance Local Laws 2002**
 - **Fencing Local Law 2011**

- 3. Authorise Senior Building/Health Compliance Officer, Archibald McGregor Smyth to appear in Court on Council’s behalf on matters relevant to the Acts, Regulations and Local Laws mentioned in Part (1) and Part (2) above.**

4. **The abovementioned authorisations to remain in effect whilst the appointed persons are employed by the City of Armadale.**

95/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

Recommendation D8/3/16 - Dedication of Unallocated Crown Land as a Public Road

MOVED Cr C M Wielinga

That Council:

1. **Requests the Minister for Lands to dedicate as a public road the following unallocated Crown land listed below pursuant to Section 56 of the Land Administration Act 1997.**
 - **Lot 166 Gunnamatta Place, Kelmscott**
 - **Lot 66 Poad Street, Champion Lakes**
 - **Lot 66 Travers Gardens, Kelmscott**
 - **Lot 66 Soldiers Road, Roleystone**
 - **Lot 66 Jarrah Road, Roleystone**
2. **Indemnifies the Minister of 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 pursuant to Section 56(4) of the Land Administration Act 1997.**
3. **Advise the respondent(s) of Council's determination.**

96/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

Recommendation D9/3/16 - Armadale City Centre Structure Plan and Parking Strategy

MOVED Cr C M Wielinga

That Council:

1. **Note the status information contained in the above report on current CBD parking and proximity of bays to the Armadale District Hall.**
2. **Include a comprehensive parking strategy as a major component of the Consultant Study Brief for the *Armadale City Centre Structure Plan* that is to be prepared in 2016.**
3. **Prepare the *Armadale City Centre Structure Plan and Parking Strategy* in accordance with the City's adopted *Local Planning Strategy* which identifies it as a priority *Action*.**

4. Prepare the above strategy to the requirements of the Western Australian Planning Commission's *State Planning Policy 4.2 Activity Centres for Perth and Peel*.

97/3/16 MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation D10/3/16 - Petition Regarding Proposed Survey Strata - Lot 512 (No.55) Morundah Place, Kelmscott

MOVED Cr C M Wielinga

That Council:

1. Acknowledge receipt of the petition and forward a copy of the petition to the WAPC.
2. Advise the organiser of the petition of the above decision.

98/3/16 MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation D11/3/16 - Council Policy Review - DEV 1 Street Numbering - Development Services

MOVED Cr C M Wielinga

That Council:

1. Pursuant to Section 2.7(2)(b) of the *Local Government Act 1995* adopt the amended Council Policy DEV 1 – Street Numbering for a further three (3) years or such earlier date as Council may determine from time to time.

99/3/16 MOTION not opposed, DECLARED CARRIED (12/0)

Recommendation D12/3/16 - Review of Delegation of Authority No. 23

MOVED Cr C M Wielinga, SECONDED Cr C Frost

That Council confirms the following amended delegation as having ongoing applications relevance and accuracy -

Local Government Act 1995

DELEGATED AUTHORITY			
No:	Section	Delegation Described	Assigned by CEO
23	9.49 (A)(4) &(5)	That Council pursuant to Section 9.49(A) of the Local Government Act 1995, delegates to the Chief Executive Officer, Executive Director Development Services, Executive Director Technical Services and Executive Manager Development Services, authority to sign the following documents and/or deeds on behalf of	No

		<p>the City, including lodgement, removal, withdrawal, surrender or modification:</p> <ul style="list-style-type: none">• Notifications, covenants and easements under the Transfer of Land Act 1893;• Reciprocal access and/or parking agreements;• Rights of carriageway agreements;• Caveats under the Transfer of Land Act 1893; and• Easements or deeds of easement under the Land Administration Act 1997 and/or Strata Titles Act 1985.	
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100/3/16 **MOTION DECLARED CARRIED BY AN ABSOLUTE MAJORITY RESOLUTION OF COUNCIL (12/0)**

Recommendation D13/3/16 - Planning Institute of Australia Congress - Brisbane - 11 to 13 May 2016

MOVED Cr C M Wielinga

That Council:

1. **Nominates Cr Wielinga to attend the PIA Planning Congress to be held at the Brisbane Convention and Exhibition Centre from Wednesday 11th May to Friday 13th May 2016.**

101/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

10.4 CHIEF EXECUTIVE OFFICER'S REPORT
Report of the Chief Executive Officer .

MOVED Cr G A Best that the report be received.

102/3/16 **MOTION not opposed, DECLARED CARRIED (12/0)**

BUSINESS ARISING FROM REPORT

Recommendation - Councillors' Information Bulletin - Issue No. 5/2016

MOVED Cr K Busby

That Council acknowledge receipt of Issue No 5/2016 of the Information Bulletin.

103/3/16 **MOTION not opposed, DECLARED 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

Nil

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Zelones, declared the meeting closed at 8.12pm

MINUTES CONFIRMED THIS 11th DAY OF APRIL 2016

MAYOR