

**ORDINARY MEETING OF COUNCIL
MONDAY, 24 OCTOBER 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 MONDAY, 24
OCTOBER 2016 AT 7.00PM.

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 OAM JP presided over	River Ward
Deputy Mayor, Cr R Butterfield	River Ward
Cr D M Shaw	Heron Ward
Cr G Nixon	Jarraah Ward
Cr C M Wielinga	Jarraah Ward
Cr C Frost	Lake Ward
Cr M Silver	Lake 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 R S Tame	Chief Executive Officer
Mr A F Maxwell	Executive Director Corporate Services
Mr P Sanders	Executive Director Development Services
Mr K Ketterer	Executive Director Technical Services
Ms Y Loveland	Executive Director Community Services
Mrs S D'Souza	CEO's Executive Assistant

Public: 2

LEAVE OF ABSENCE:

Leave of Absence previously granted to Cr K Busby and Cr M H Norman

APOLOGIES:

Apology received from Cr J A Stewart

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

Nil

4 PUBLIC QUESTION TIME

1 Mr Bill Davis - 35 Bodicoat Drive, Armadale

Q1 Re. Proposed Upgrade to Armadale District Hall – Have recently read all the submissions regarding the Town Hall Upgrade and having difficulty figuring out which submissions have been classified as:

- a. Generally for the proposed upgrade
- b. Generally against the proposed upgrade, or
- c. Which would be just classified as comments

Could I please have a copy of all the submissions which have been categorised as generally supportive of the proposed upgrade or a list identifying those supportive submissions by referring to the document numbers of the FOI Report I have received.

The Mayor advised that the question will be taken on notice and a response provided in writing.

Q2 When considering the public submissions is council likely to put a greater weight on the submission of a long time Armadale resident who gives a well thought out and passionate advocacy to retain the town hall's heritage values as opposed to a submission which only comments that more parking is needed, or another submission which offers to help council with the design of a heliport on the roof of the district hall for better access to the town centre?

The Mayor advised that no weight is given to particular submissions. The comments in each of the submissions are categorised depending on what it relates to i.e. heritage, parking etc and this is summarised in a report to Council. Councillors can take on board the information when weighing up in their opinion whether it is important or not.

Q3. What can I write on future submissions to council so that my name and address is not deleted from that submission at any time so that councillors can contact me to discuss my submission if they wish?

The Mayor advised that Mr Davis could request that his name remain on the submission or he could forward a copy of his submission directly to councillors directly as these details are publicly available.

Question time closed at 7.06pm

5 APPLICATIONS FOR LEAVE OF ABSENCE

1 Request for Leave of Absence (Cr Colin Campbell)

Request for leave of absence received from Cr Colin Campbell for the period Wednesday 24 May 2017 to 8 August 2017.

MOVED Cr G A Best

That Council grant leave of absence to Cr C A Campbell for the period Wednesday 24 May 2017 to Tuesday 8 August 2017 inclusive (includes 4 Ordinary Council meetings – 12 June, 26 June, 10 July and 24 July 2017).

MOTION not opposed, DECLARED CARRIED (11/0)

6 PETITIONS

Nil

7 CONFIRMATION OF MINUTES

**7.1 PREVIOUS ORDINARY COUNCIL MEETING
HELD ON 10 OCTOBER 2016.**

MOVED Cr G Nixon that the Minutes of the Ordinary Council Meeting held on 10 October 2016 be confirmed as a true and accurate record.

MOTION not opposed, DECLARED CARRIED (11/0)

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

1 Consultation & Communication

-
- On Wednesday 12 October met with the Chairman of the Heritage Council to discuss various Heritage matters including the progress of the new Heritage Act with which the Mayor was closely involved.
 - On Tuesday 18 October the Mayor along with the CEO, Neil Kegie, and Andrew Barnett attended a meeting with the Principals of the new Primary and High Schools in Harrisdale. We were given a tour of the new and partially completed City facility at the East Harrisdale Shared site which is one of nine similar shared sites being developed over the next 15 years. We toured both the Pavilion and the High School. Both are outstanding facilities. Following the official opening possibly before Christmas, the CEO will consider a function or event at this new facility.

2 Marketing & Public Relations

- On Friday 14 October attended the Kelmscott Show along with Crs Frost, Sargeson, Silver and Butterfield. Despite the evening being potentially rained out a surprising number of residents stopped by to chat.
On Saturday 15 October again attended the Kelmscott Show Councillor Tent most of the day, along with Crs Sargeson, Silver, Best, Nixon and Butterfield. Also attended the Heritage FM tent at the show to give an interview and along with Cr Butterfield attended the President's Lunch at the Kelmscott Show.
- On Monday 17 October Cr Butterfield attended a book launch "Aarons Promise" that was held at the Roleystone Fire Station. The book was written by local Chris Cairns.
- On Wednesday 19 October, along with Cr Sargeson, participated in the official opening of a new Chiropractic Business in Seville Grove called 'Back in Motion'.
Later that afternoon attended the Ripper Reader party at the Armadale Library.
That evening stopped in to speak with attendees at the annual Neighbourhood Watch AGM. Cr Campbell was also in attendance as Council's representative.
- On Thursday 20 October attended the Southern Hills Christian College to present a Certificate to one of the winners of the City's 2016 School Scholarships.
- On Friday 21 October, along with Crs Stewart, Sargeson and Best, attended the screening of a short film of the growth Cultural Development within the City of Armadale.
- On Saturday attended the Armadale RSL's Annual Dinner.

3 Governance & Economic Development

- On Tuesday attended a Planning Commission Special Meeting in Perth.
- On Wednesday 12 October attended the WAPC EF&P Meeting in Perth.
- On Thursday 13 October attended a Planning Commission Meeting in Perth.
- On Thursday 20 October along with Cr Shaw attended a Metro East JDAP meeting held here at the City to consider the proposed aged facility to be built in Kelmscott just off Page Rd. The recommendation was supported and has been referred to the WAPC for approval.
That evening, along with Council's representatives Cr Wielinga and Cr Frost, attended a meeting with the Rivers Regional Council hosted by the City.

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

Nil

10 REPORTS

10.1 CITY STRATEGY COMMITTEE MEETING

Report of the City Strategy Committee Meeting held on Monday 17 October 2016.

MOVED Cr M Geary that the report be received.

MOTION not opposed, DECLARED CARRIED (11/0)

BUSINESS ARISING FROM REPORT

Recommendation CS79/10/16 - List of Accounts Paid - September 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 \$44,489,033.86 on Vouchers 27331–27535, Batch 1946-1960, 1963, Direct Debits and PY01.06-PY01.07

Trust Fund

Accounts paid totalling \$2,570,882.00 on Vouchers 5628-5701, Direct Debit and Batch 1961-1962

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation CS80/10/16 - Monthly Statement of Financial Activity - September 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 three (3) month period ended 30 September 2016.

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation CS81/10/16 - Rate Exemption Clifton Gospel Trust - Lot 78, 304 Churchman Brook Road Bedfordale

MOVED Cr M Geary

That Council pursuant to Section 6.26(2)(d) of the *Local Government Act 1995*, approves the application received from the Clifton Gospel Trust for a rate exemption for the property Lot 78, 304 Churchman Brook Road, Bedfordale (A380608) on the basis the property is used exclusively by a religious body as a place of public worship – this rate exemption is to apply from 12 September 2016.

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation CS82/10/16 - Tender No. 20/16 - Building Upgrade To Greendale Centre
12 Coombes Ave, Armadale

MOVED Cr M Geary

That with Tender No. 20/15 – Building Upgrade to Greendale Centre, 12 Coombe Ave, Armadale - and subject to Dale Cottages Inc.’s prior signing of the Greendale Centre Lease Agreement (prior Council Resolution CS3/1/16 refers), that Council:

- 1. Accepts the tender from McCorkell Construction for the consideration of \$1,487,850.00 (excluding GST), in accordance with their submitted tender, the contract documentation provided by the City and the existing 2016/17 budget allocation.**
- 2. Notes that the City will be required to carry out complementary services in addition to those in the tender submissions and that the cost of these services plus a contingency provision can be accommodated within the existing 2016/17 budget.**

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation CS83/10/16 - Council Policy Review - Public Question Time

MOVED Cr M Geary

That Council:

- 1. Pursuant to section 2.7(2)(b) of the *Local Government Act 1995* adopt Policy EM 6 Public Question Time as amended and presented as an Attachment to this Report;**
- 2. Notes the attached associated Management Practice.**

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation CS84/10/16 - 2017 Calendar of Council & Committee Meetings

MOVED Cr M Geary

RECOMMEND CS84/10/16

That Council, pursuant to Regulation 12(1) of the *Local Government (Administration) Regulations 1996*, approves for local public notice purposes, the following Council and Committee meeting dates, times and places for the period January 2017 to December 2017 inclusive.

1. MEETING DATES

MONTH 2017	Council	Technical Services Committee	Community Services Committee	City Strategy Committee	Development Services Committee	Councillor Workshops/ Information Sessions
Jan	23/01/2017	16/01/2017 at 5:30pm	17/01/2017 at 5:30pm	16/01/2017	17/01/2016	30/01/2017
Feb	13/02/2017 27/02/2017	6/02/2017	7/02/2017	20/02/2017	21/02/2017	
Mar	13/03/2017 27/03/2017	8/03/2017	7/03/2017	20/03/2017	21/03/2017	
Apr	10/04/2017	3/04/2017	4/04/2017			
May	8/05/2017 29/05/2017	1/05/2017	2/05/2017	1/05/2017 22/05/2017	2/05/2017 23/05/2017	
Jun	12/06/2017 26/06/2017	7/06/2017	6/06/2017	19/06/2017	20/06/2017	
Jul	10/07/2017 24/07/2017	3/07/2017	4/07/2017	17/07/2017	18/07/2017	31/07/2017
Aug	14/08/2017 28/08/2017	7/08/2017	8/08/2017	21/08/2017	22/08/2017	
Sep	11/09/2017 26/09/2017	4/09/2017	5/09/2017	18/09/2017	19/09/2017	
Oct	16/10/2017 *23/10/2017	2/10/2017	3/10/2017	9/10/2017	10/10/2017	30/10/2017
Nov	13/11/2017 27/11/2017	6/11/2017	6/11/2017	20/11/2017	21/11/2017	
Dec	18/12/2017	4/12/2017	5/12/2017	11/12/2017	12/12/2017	

* Denotes Special Council Meeting

2. MEETING TIMES AND PLACES

All Ordinary and Special Council meetings to be held in the Council Chambers, Administration Centre, 7 Orchard Ave, Armadale, and commence at 7.00pm

All Committee meetings to be held in the Committee Room, Administration Centre, 7 Orchard Ave, Armadale, and commence at 7.00pm unless otherwise specified.

All meetings, unless otherwise specifically resolved, are open to the public.

Any variation to this 2017 calendar of meetings will if practical, be advised by prior local public notice.

MOTION not opposed, DECLARED CARRIED

(11/0)

Recommendation CS85/10/16 - Christmas Hours - December 2016 to January 2017

MOVED Cr M Geary

That Council approve the attached Schedule-1 “City Business Hours December 2016 to January 2017

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation CS86/10/16 - Switch Your Thinking Memorandum of Understanding

MOVED Cr M Geary

That Council endorse the SEREG Terms of Reference 2015-2020 and SEREG Memorandum of Understanding 2015-2020.

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation CS87/10/16 - State Election Strategy (Referral Matter)

MOVED Cr M Geary

That Council consider this matter as part of the City’s Advocacy Strategy.

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation CS88/10/16 - Advocacy Strategy

MOVED Cr M Geary

That Council endorse the Advocacy Strategy 2016 (Draft shown attached) to guide the City’s efforts in securing a commitment from both Government and Opposition candidates in the lead-up to the March 2017 State Election, with additional information and targets/solutions on Community Services to be included and circulated in the near future.

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation CS89/10/16 - LGMA Annual State Conference - 9-11 November 2016, Fremantle

MOVED Cr M Geary

That Council make no elected member nomination for the 2016 LGMA Annual State Conference.

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation CS90/10/16 – Proposed Annual Leave – Chief Executive Officer

MOVED Cr M Geary

That Council:

1. **note the Chief Executive Officer’s absence on leave from 31 October to 25 November 2016 inclusive and from 28 December 2016 to 3 February 2017 inclusive.**
2. **appoint the Executive Director Technical Services, Mr Kevin Ketterer, as Acting Chief Executive Officer, during the first period of Mr Tame’s absence, i.e. 31 October to 25 November 2016 and appoint Mr Glyn Davies as Acting Executive Director Technical Services for the same period.**
2. **appoint the Executive Director Corporate Services, Mr Tony Maxwell, as Acting Chief Executive Officer, during the second period of Mr Tame’s absence, i.e. 28 December 2016 to 3 February 2017 and appoint Mrs Felicity Baxter as Acting Executive Director Corporate Services for the same period.**
- 3.

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation CS91/10/16 – Councillor Item - Council Display at Kelmscott Show

MOVED Cr M Geary

That Council refers the Councillor’s Item - Council Displays at the Kelmscott Show – to the relevant Directorate for action and/or report to the appropriate Committee.

MOTION not opposed, DECLARED CARRIED (11/0)

10.2 DEVELOPMENT SERVICES COMMITTEE MEETING

Report of the Development Services Committee held on Tuesday 18 October 2016.

MOVED Cr D M Shaw that the report be received.

MOTION not opposed, DECLARED CARRIED (11/0)

BUSINESS ARISING FROM REPORT

Recommendation D39/10/16 - Appointment of Authorised Officers - Building Act 2011

MOVED Cr D M Shaw

That Council:

1. **Approve the appointment of the following officer class as an “Authorised Officer” pursuant to section 96 (s100, s101, s102 and s103) of the *Building Act 2011* for the**

purpose of s100 Entry Powers, s101 Powers after entry for compliance purposes, s102 Obtaining information and documents, s103 Use of force and assistance, s104 Directions generally and s105 Obstruction of authorised persons to:

- **Building Assessment Officer, Rebecca Wellstead.**
2. **The abovementioned authorisation to remain in effect whilst the appointed person/officer is employed by the City of Armadale and shall cease when the person/officer ceases employment with the City.**

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation D40/10/16 - Proposed Storage Shed - Roleystone Community Garden - Cross Park - Lot 1 (No.44) Jarrah Road, Roleystone

MOVED Cr D M Shaw

That Council:

- A) **Approves the Application for Planning Approval for a storage shed on Lot 1 Jarrah Road, Roleystone (Cross Park) in accordance with the attached plans and subject to the following conditions:**
1. **Prior to works occurring onsite, revised plans shall be submitted to and approved by the City's Planning Services Department that modify the proposal by:**
 - a. **Decreasing the size of the storage shed to a maximum floor area of 42sqm, maximum pitched roof height of 4.2m and maximum wall height of 3.0m;**
 - b. **Relocate the storage shed north of the existing hardstand area to ensure retention of the light pole; and**
 - c. **Demonstrate that no existing vegetation or infrastructure will be impacted by the storage shed.****to the satisfaction of the Executive Director Development Services.**
 2. **Execution of a lease for the portion of land as shown on the approved site plan prior to commencement of works on site, to the satisfaction of the Executive Director Corporate Services.**
 3. **The storage shed shall only be used for purposes incidental to its storage use by the Roleystone Community Garden and Market, and shall not be used for residential, commercial, industrial or formal meeting purposes to the satisfaction of the Executive Director Development Services.**
 4. **No existing vegetation or infrastructure shall be removed from Cross Park, to the satisfaction of the Executive Director Technical Services.**
 5. **Imported soil and/or fill shall be certified as being free of dieback to the satisfaction of the Executive Director Technical Services.**
 6. **A schedule of external colours and materials shall be submitted to the City's Planning Services department and approved by the Executive Director Development Services. The development shall be completed and maintained in accordance with the approved schedule to the satisfaction of the Executive Director Development Services.**

7. Any future signage must relate to the use of the storage shed by the Roleystone Community Garden, to the satisfaction of the Executive Director Community Services.
 8. No materials shall be stored in car parking areas.
 9. Air conditioning units, compressors and other equipment related to utilities shall be screened from public view and positioned so as to avoid any adverse effects, including noise, on the occupants of nearby residential properties to the satisfaction of the Executive Director Development Services.
 10. Satisfactory arrangements being made with the Executive Director Technical Services for connection to existing utility services.
 11. Satisfactory arrangements being made with the Executive Director Technical Services for collection of waste.
 12. To meet drainage requirements the developer/owner shall, to the specifications and satisfaction of the Executive Director Technical Services:
 - a. Submit a stormwater management plan incorporating water sensitive design principles for approval and implement the approved plan thereafter; and,
 - b. Relocate, remove or upgrade any drainage infrastructure on the lot or within the adjoining road reserve that is impacted by the proposed development.
 13. The number of vehicles (including staff vehicles) attending the storage shed shall not exceed the number of parking bays available at any one time.
 14. All conditions shall be complied with prior to exercising the right of this approval.
- B) That in addition to standard advice notes, the applicant be advised:**
- A. With regard to Condition 2, the applicant is advised that development approval does not constitute a lease agreement. The applicant is advised to contact the City's Governance and Administration Department to finalise the lease.
 - B. Compliance with the Building Code of Australia is required. In this regard, a Building / Demolition Permit application shall be submitted to the City's Building Department and approved prior to the erection / demolition of any structures on the subject site.
 - C. With regard to Condition 6 requiring submission of a colour and material schedule, it is expected that the colour and material schedule will be submitted and approved prior to the submission of a Building Permit Application.
 - D. With regard to Condition 7, limited sponsorship signage may be permitted to the satisfaction of the Executive Director Community Services.
 - E. With regard to part b) of the Condition 17, the City advises that there are drainage pipes on this lot. Please liaise with the City's Technical Services before undertaking any works on site or lodging a Building Permit.
 - F. The City's Health Services advise that there are risks associated with the handling, storage and usage of chemicals, potting mixtures and fertilisers. Consideration should be given to general health and safety issues based on the nature of the activities undertaken.

- C) **Note that the final Community Garden area will be determined through a future lease agreement between the City and the Roleystone Community Garden.**

MOTION not opposed, DECLARED CARRIED (11/0)

Recommendation D41/10/16 - Perth Transport Plan @3.5 Million and Beyond

Cr Campbell declared a non-financial interest in this item on the basis that his employer is associated with the Ministry responsible for PP3.5 by belonging to the same Party room. As a consequence, he advised that there may be a perception on the basis of his disclosed non-financial interest that his impartiality may be affected but declared that he would set aside that association, consider the matter on its merits and vote accordingly.

Cr Zelones declared a non-financial interest in this item on the basis that he is a WA Planning Commissioner. As a consequence, he advised that there may be a perception on the basis of his disclosed non-financial interest that his impartiality may be affected but declared that he would set aside that association, consider the matter on its merits and vote accordingly.

MOVED Cr D M Shaw

That Council:

- 1. Endorse the preparation of a submission to the Department of Transport with regard to the *Perth Transport Plan for 3.5 Million People and Beyond* in accordance with the City's comments contained in the agenda report, which aim to further the interests and continued economic development of the City of Armadale community and the South Metropolitan and Peel Sub-Region.**

MOTION not opposed, DECLARED CARRIED (11/0)

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

MOVED Cr G A Best that the report be received.

MOTION not opposed, DECLARED CARRIED (11/0)

BUSINESS ARISING FROM REPORT

Recommendation - Councillors' Information Bulletin - Issue No. 19/2016

MOVED Cr C Frost

That Council acknowledge receipt of Issue No 19/2016 of the Information Bulletin.

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

Nil

14 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

Nil

15 CLOSURE

The Mayor, Cr Zelones, declared the meeting closed at 7.18pm

MINUTES CONFIRMED THIS 14th NOVEMBER 2016

MAYOR