

**SPECIAL COUNCIL MEETING
MONDAY, 5 MAY 2014**

MINUTES

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CITY OF ARMADALE

MINUTES

OF SPECIAL COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON MONDAY, 5
MAY 2014 AT 7:45 PM.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor, Cr Zelones, declared the meeting open at 7.45 pm.

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

PRESENT:

Mayor, Cr H A Zelones JP presided over	River Ward
Deputy Mayor, Cr R Butterfield	River Ward
Cr G Nixon	Jarrah Ward
Cr C M Wielinga	Jarrah Ward
Cr C Frost	Lake 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 C A Campbell JP	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 G Davies	A/Executive Director Technical Services
Mrs S D'Souza	CEO's Executive Assistant

Public: 18 Press: 1

LEAVE OF ABSENCE:

Leave of Absence previously granted to Cr D M Shaw and Cr J A Stewart

APOLOGIES:

Nil

3 PUBLIC QUESTION TIME

1 Margaret Cala - Karrakup

1. Why is the City of Armadale engaging in tonight's meeting when the Local Government Advisory Board has not yet delivered its decision on what and how amalgamations and boundary changes will take place? Are they pre-empting a decision from the board or attempting to sway the board's decision?
2. Has the City of Armadale discussed proposed Local Government Reform and in particular the area in Ward B with representatives from the land development and building industries regarding simplification of development and building approvals. If so what assurances have been given?
3. Despite media statements from the Mayor of Armadale saying that his Council will not sacrifice projects in the event of Local Government Reform, what assurances is he prepared to give to the residents of Serpentine-Jarrahdale that they will not become the poor relations in an amalgamated Council and lose Community Facilities duplicated within the City of Armadale, a particular interest to the equestrian community are the trotting complex, Darling Downs Estate and the Peel Pony Club?

The Mayor advised as follows:

1. *The City is simply responding to a request from the Local Government Advisory Board through all Local Implementation Committees for Council to submit, by the 15th of May, its intentions on what the future ward boundaries might be under the City's and the Government's proposal for a boundary change with the Shire of Serpentine-Jarrahdale. Following a discussion at a workshop as to what the new ward structure might be, this report is now being submitted tonight for Council consideration. Local governments are being given very short time frames to consider issues to do with structural reform and if the LGAB and Government approves the new boundaries there will be a whole lot of other matters to be dealt with.*
2. *The City has not had any discussions with the development or building industry about any issues associated with the boundary changes with Serpentine-Jarrahdale nor has it been lobbied by them and I am personally not aware of any issues they might be wishing to be addressed by the reform process.*
3. *In the event of any boundary change a new Council will be elected in October 2015 and hence no assurances can be given on what that Council may or may not do. However, if I am part of that new Council, and believe other Councillors present will feel similar, we would seek to be as fair and equitable as possible. Under this proposed ward structure there is a possibility that up to 4 SJ Councillors could be elected on the new Council and all Councillors represent equal numbers of electors.*

2

Jan Star - Jarrahdale

1. In the event of the takeover of the Northern Section of Serpentine-Jarrahdale (we could say the amalgamation into) - Will the City of Armadale respect the environmental planning strategies of Serpentine-Jarrahdale in particular landscape protection and the guidelines for drainage and nutrient management?

The Mayor advised that any new Council will be very conscious of the environmental issues within SJ. The City has a long history of sound environmental management and is involved on a number of environmental and landcare Committees. I know you are aware the City has given the Shire of SJ its strong support on environmental matters and has worked alongside the Shire on such issues in the planning of the metropolitan area.

2. Presumably the Council does realise the Ward changes effectively deny the rural areas of Serpentine-Jarrahdale in how they are to be incorporated into a fast growing urban area in Ward B. Is the Council going to be able to give any reassurance that there will be continued productive rural activity?

The Mayor pointed out that proposed Ward B and Ward D both include rural areas. Hence, Ward B would not be treated any different than the way the City currently treats its rural residential and rural productive areas.

3. Could I please draw to your attention to an error in table 2 in the total representation ratio in the total. Page 5

The Mayor advised that this information was provided by the Shire of J but will however be reviewed and any errors corrected.

3

Jackie Dynes - Jarrahdale

1. What democratic consultative process has the City of Armadale undertaken to ensure that this action taken by Council tonight in regard to Ward B is in line with the wishes of residents and electors of the City of Armadale or the residents of the Shire of Serpentine-Jarrahdale?

The Mayor advised that the process for reviewing ward boundaries is prescribed in the Local Government Act. Councillors in its discussion at a workshop last week was very conscious to come up with the most fair and equitable representation for both communities. From the proposed map it can be seen that the 2 wards that have been suggested to cover the SJ area north of Mundijong Road does exactly that. The City's submission to the LGAB is based on a one vote, one value and also takes into account the population growth of both areas. It would not be surprising to see the Byford ward in future probably shrinking in size due to its growth as attempts are made to maintain equity of representation in the rapid growth areas.

2. So that means there was no democratic process pursued at all, it was all done in a workshop. Who was part of the workshop and did SJ and Murray have any part in the workshop?

The Mayor advised that the City follows a representative democratic process common to all local governments, including the Shire of SJ, i.e. the process is being dealt with by the duly elected representatives of this City. The City's proposed ward structure will be referred to the Local Implementation Committee for endorsement prior to this being submitted to the LGAB. This is the most reasonable outcome that the City could achieve given the constraints provided under legislation and the Local Government reform process. The workshop involved only the City of Armadale

3. So will SJ and Murray come to this next LIC meeting with their suggestions for wards – both different Councils are going to do that?

The Mayor advised that he could not speak on behalf of the other Councils and could only respond to the City's ward structure proposal.

4

Merri Harris - Byford

1. Just a follow up on one of the other questions, I assume that the Council is aware both Wards B and C fall entirely within the Peel Harvey Catchment Council and are therefore subject to an awful lot of different conditions and legislative requirements?
2. What process under the Local Government Act of 1995 is the City of Armadale following to create wards and determine representation issues within another Local Government area before any decisions have been made by the body appointed to make those decisions?

The Mayor advised as follows:

1. *The City is aware of the legislative requirements of the Peel Harvey Catchment Council.*
2. *This Council has been requested by the Local Government Advisory Board through the Local Implementation Committee to submit a new proposed ward structure and it is complying with that request.*
3. What justification for the residents of the City of Armadale is Council going to put forward as reason for using a boundary change as a means of taking over another Local Government and in the process diminishing the representation of the electors of the City of Armadale?

The Mayor advised that the reform process is one that has been put forward by the Government. The community is well aware of this Council's numerous submissions in response to the process. The Robson Report put forward several suggestions that would severely impact on the governance of this district. This Council has acted in the best interests of its community in complying with the Government's reform mandate. In making decisions we have had to second guess what the Government's decision might be and put forward the case that will best protect the interests of the district. Most local governments in the metropolitan area are responding to the Government's proposal for their district, trying to negotiate an outcome that they believe protects their community's interest. That is what the City of Armadale is doing.

Moved Cr Norman that public question time be extended
Motion Carried (12-0)

5 Jackie Dynes - Jarrahdale

4. It sounds to me from what has been said that the Local Government Advisory Board's recommendations will mean nothing because it sounds like the decision has already been made - is that what you would have imagined? Did you just say that you speak to other Councils and other people in the Metropolitan area and they all think it's a done deal?

The Mayor clarified that the process that the City of Armadale is following is similar to what a number of other local governments in the metropolitan area are doing, whether it be a boundary change or an amalgamation. The Government has already stated and put forward its preference to the LGAB. The arbitrator is this process is the LGAB. The Minister has consistently made it known that the LGAB will be independent and make its own conclusions after considering all submissions. There will be no howls or complaints from us if this whole process is for some reason brought to an end or cancelled. The City is simply complying with the requirements of the Government.

5. You said basically you are not fighting what the State Government is proposing. The residents and ratepayers elect a Council to work for them to run their City or Shire, surely the Council is then more responsible to do what the residents and ratepayers of that district would want rather than what the State Government wants or the Minister wants. Have you done any canvassing of your residents and ratepayers to find out what their wishes are?

With reform being very prominent in the press this last year the community have been kept informed and there have been no concerns raised by our public. A number of residents have spoken to councillors independently rather than in a public forum, including a number of SJ residents. I believe that the community has a strong level of confidence in this Council as it is successfully managing the rapid residential growth and environmental issues in the area. The City has fought long and hard throughout the reform process and canvassed the community's views at key points. Armadale has strongly opposed proposals that would have had greater impact.

Question time closed at 8.05pm

4 BUSINESS OF THE MEETING

4.1 SPECIAL CHIEF EXECUTIVE OFFICER'S REPORT

LOCAL GOVERNMENT REFORM - WARDS & REPRESENTATION

WARD : ALL
FILE No. : M/369/14
DATE : 29 April 2014
REF : IM/TM
RESPONSIBLE : Executive Directors
MANAGER : Development
Services and
Corporate Services

In Brief:

- The LGAB is due to present a report on the proposals presented on Local Government Reform in mid-2014. Part of the considerations being given relate to representation arrangements regarding which the LGAB will recommend to the Minister.
- This report proposes a ward and representation structure for a new expanded local government that would meet the necessary criteria.

It is recommended that:

1. the LGAB be advised of the City's proposal for the new wards and representation structure in the event of the Board's support of the boundary change previously submitted by the City, be implemented as follows:
 - the abolition of all current wards in the district of Armadale and the northern portion of the Shire of Serpentine-Jarrahdale.
 - the division of the City's expanded district into seven (7) wards in accordance with Map 3 in this report.
 - 14 councillors for the new district with two councillors for each ward.
 - Any minor boundary corrections as a result of the final Local Government Advisory Board recommendation to be incorporated into the new ward structure
 - The method of filling the office of Mayor is to be election by the council from amongst the councillors.
2. Note that the selection of ward names will be subject to further advice.
3. Advise the Shires of Serpentine-Jarrahdale and Murray of the City's proposal

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

Good Governance and leadership – to ensure governance policies, procedures and activities align with legislative requirements and best practice.

Legislation Implications

Local Government Act 1995, ie

- Section 2.2 – districts may be divided into wards
- Section 2.3 – names of districts and wards
- Section 2.18 – fixing and changing the numbers of councillors
- Schedule 2.2 – Provisions about names, wards and representation.

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Direct costs to undertake the review has been in staff resource time which has been accommodated within the adopted budget. Some unforeseen costs could be incurred arising from printing and advertising in view of this initiative being in addition to the 2013 ward boundary review.

Consultation

1. Local Implementation Committee April 8th 2014.
2. Councillor workshop held on 28th April 2014

BACKGROUND

The State Government announced its proposal for new local government boundaries for metropolitan Perth in July 2013. The State Government's Local Government Reform initiative anticipated the reduction of metropolitan local governments from 30 to 14 and envisioned the City amalgamating with the Shire of Serpentine-Jarrahdale.

In October 2013 the City submitted a proposal to the Local Government Advisory Board (LGAB) to extend the southern boundary of the City to Mundijong Road and thereby incorporate the northern portion of the Shire of Serpentine-Jarrahdale.

Council reviewed its ward boundaries in 2013 in accordance with Schedule 2.2 of the Local Government Act 1995 and resolved to divide the City into seven wards, allocate ward names and designate that there be two councillors for each ward. Council also resolved to undertake another review in 2 to 3 years' time. Accordingly, there is no necessity to review ward boundaries at this time to accord with the Act's requirements. However, a ward review has been prompted by the State Government's Local Government Reform initiative and the Local Government Advisory Board has requested each Local Implementation Committee to submit a preferred ward structure and representation model for the newly expanded local governments.

The LGAB is due to present a report on the proposals presented on Local Government Reform in mid-2014. Part of the considerations being given relate to representation arrangements regarding which the LGAB will recommend to the Minister. If the Minister responds to the LGAB by the implementation of changes to local government structures it will be by the issuing of Governor's Orders. Within such an Order there will be clauses detailing the ward structure, the total number of councillors and the number of councillors per ward.

The City's proposal was for a boundary change, not an amalgamation. A boundary change would not result in a new local government being formed but would require a changed ward structure.

At the meeting of the Local Implementation Committee on April 8th 2014 it was resolved that the Ward Structure Model for the new expanded City of Armadale and Shire of Murray be referred to the next meeting of LIC for consideration (6th May). Accordingly, a review of ward boundaries has been undertaken to establish the manner in which wards can be so designed to reflect existing communities of interest and anticipated population changes. Firstly, the current ward structure needs to be understood.

Currently the City of Armadale has 14 councillors representing seven wards. As shown on Map-1 (**Attachment 1**) and the supporting Table 1 which is derived from a report prepared and adopted by Council in March 2013.

Table 1 - Ward system adopted for City of Armadale March 2013

Ward No.	Ward name	Number of Councillors	Number of electors	Councillor to elector ratio	% Ratio deviation
1	Jarrah	2	5,776	2,888	7.7%
2	Neerigen	2	5,364	2,682	0.1%
3	River	2	5,789	2,895	8.0%
4	Heron	2	5,296	2,648	-1.2%
5	Minnawarra	2	5,314	2,657	-0.9%
6	Palomino	2	5,166	2,583	-3.6%
7	Lake	2	4,823	2,412	-10.0%
Totals		14	37,528		
		<i>per Councillor</i>	<i>2,680.6</i>		
		<i>per ward</i>	<i>5,361</i>		

Similarly the Shire of Serpentine-Jarrahdale undertook a ward review in 2011 and the associated table was adopted as the basis for the current ward system. The ward boundaries currently applied for the Shire are shown on Map-1 (**Attachment 1**) for the area north of Mundijong Road. The basis for the current ward structure was established by the Shire in 2011 and is summarized on Table 2.

Table 2 – Shire of Serpentine-Jarrahdale Ward Review 2011

WARDS –forecast growth	No of councillors	Population per councillor	Population	% ratio deviation	% of the total Shire population
North-west Ward	2	1:2494	4988	-3.07%	21.6
Byford Ward (North)	4	1:2636	10544	-2.54%	45.6
Southern Ward	3	1:2539	7589	+1.58%	32.8
TOTAL	9	9:2569	23121	-	100

Note: This table shows population and not number of electors.

It should be noted that all of the North-west and North wards fall within the area subject to the City's boundary change proposal – as does a portion of the Southern ward (including the Mundijong townsite).

DETAILS OF PROPOSAL

The City has obtained data on the current electors within the City of Armadale and the Shire of Serpentine-Jarrahdale from the Western Australian Electoral Commission. This data is

derived from the March 2014 Federal Senate Election. In addition, the City has utilized population forecasts from its consultant “.id” to ensure that ward boundaries include sufficient capacity to accommodate growth, where such growth can be predicted to occur.

A ward and representation structure for an amended local government district needs to be developed according to the factors prescribed in the Act. While all factors are to be considered, the fundamental democratic principle of one vote, one value is considered essential. Adhering to the factors will ensure that the City of Armadale will be well positioned to represent and govern its expanded community.

The following assumptions were made in considering options and providing a recommended structure. These assumptions are in accordance with the City’s earlier submission to the Robson Report, the Minister and the LGAB, i.e. .

1. The new local government will be divided into wards.
2. 14 councillors will serve on the new local government.
3. The wards will be designed to be of a similar size in terms of electors and be represented by two councillors each.
4. The method of election for the Mayor of the new local government will be an election amongst the councillors. Each of the City of Armadale and the Shire of Serpentine-Jarrahdale have adopted such a process.

It should be noted that should this proposal be adopted the 3 wards of the current Shire of SJ, represented by 9 councillors as shown in Table-2 above, will now become 3 wards of 2 councillors each, albeit 2 wards in the City of Armadale and 1 ward in the Shire of Murray.

Clause 8 of Schedule 2.2 of the Act prescribes the matters to be considered in respect of wards, notably that the Council is to have regard, where applicable, to:

- community of interests; and
- physical and topographic features; and
- demographic trends; and
- economic factors; and
- the ratio of councillors to electors in the various wards.

The City has developed a ward boundary modelling tool which calibrates the elector data, enabling rapid estimation of potential ward boundaries and constituent electors. The operation of this tool has taken account of current ward boundaries (for the City of Armadale and the Shire of Serpentine-Jarrahdale) and has provided a proposal that provides some capacity for growth in the rapid growth areas and compensates in the slower growing areas. Applying the modelling tool in the context of the prescribed criteria listed above resulted in the following proposed ward structure.

The proposed ward structure is illustrated on Map-2 (**Attachment 2**).

ANALYSIS

Community of interests

Recognition had been given to the existing communities in the Shire of Serpentine-Jarrahdale in particular by ensuring that all of these electors are located within the two southern wards. In addition the centres of Armadale, Kelmscott and Byford are completely contained in their

own wards. Hills communities fall within a single ward and the current Lake ward with its rapidly growing new community is retained largely without change.

Existing ward boundaries have been taken into account noting that these historically reflect community of interests.

Physical and topographic features

The main topographical feature of the district is the Darling Scarp and the hills beyond. The hills areas of the City of Armadale are included in a single ward partly in recognition of the Darling Scarp and the Hills areas with their common interests and concerns.

Demographic trends

There are currently 41,834 electors in the City of Armadale and 9,935 in the northern portion of the Shire of Serpentine-Jarrahdale. In total there would be 51,769 electors in the combined area. In the event of the City's expanded district being divided into seven wards each ward would contain an average of 7395 electors, although this number would obviously grow in view of the City of Armadale currently growing by 3,466 persons pa and the Shire of Serpentine-Jarrahdale growing by 1,617 persons pa.

Both the City of Armadale and the Shire of Serpentine-Jarrahdale are experiencing rapid population growth. In future years the former is predicted to grow at an average rate of 3.83% pa and the latter at 5.05% pa. The population growth is particularly occurring, and likely to occur, in those localities identified in Table 3.

Table 3 - High Growth Localities

	2011	2016	2021	Av. Annual % change
Brookdale-Wungong	2983	3395	4072	4.02
Champion Lakes	715	1452	1961	5.96
Harrisdale	3950	6552	9034	5.73
Haynes	134	531	2944	22.95
Hilbert	589	2563	8005	20.29
Piara Waters	2693	8286	13066	9.55
Byford (NW)	3358	6137	8017	5.38
Byford (SW)	889	3277	6361	13.96
Mundijong (E)	375	779	1264	10.14
Mundijong (W)	959	1141	1554	5.80

Source: ABS 2011 Census and .id Forecasts

The proposed ward structure recognises the demographic changes taking place by proposing those most rapidly growing to have a lesser number of electors in the knowledge that the initial over-representation will soon be rectified.

Economic factors

Industrial areas have been retained within single wards as have the main city and town centres - providing an economic focus of the particular wards.

The ratio of councillors to electors in the various wards.

Table 4 provides an analysis on the number of electors in each of the proposed wards and the deviation from the average in terms of councillor representation.

Table 4 - Ward representation under proposed ward structure

Ward Location	Number of Councillors	Number of electors	Councillor to elector ratio	% Ratio deviation
A – Forrestdale/Haynes	2	6,705	3352	-9.1%
B – SJ Rural/Hilbert	2	6,362	3180	-14.0%
C – Byford/Mundijong	2	6,414	3207	-13.3%
D – Roleystone/Bedforddale	2	8,186	4,093	+10.7%
E – Kelmscott/Mt Nasura	2	8,013	4,006	+8.4%
F – Armadale	2	8,090	4045	+9.4%
G – Champion Lakes/Seville Grove	2	7,996	3,998	+8.1%
Totals	14	51,769	3,697	-

Source: City of Armadale from WA Electoral data 2014.

The Minister for Local Government has previously indicated that he will not consider changes to ward boundaries and representation that result in ward councillor/elector ratios that are greater than plus or minus 10% of the average councillor/elector ratio for that local government. As the growth in this particular local government is not occurring uniformly across the district it is likely that a 10% margin would be exceeded quite rapidly in the few wards subject to rapid growth. For instance the current Lake ward is growing at an average of 1629 persons pa and given the City's 2014 population of 75,004 such a rate of growth would result in the Lake ward exceeding the 10% margin in less than one year. Accordingly it is proposed that it be submitted to the LGAB that the difference between the more rapidly growing wards and those with a more static population be permitted to exceed 10% noting that as the analysis is based on 2014 data, and that by the time of their introduction in 2015 the ratio deviation would be reduced.

OPTIONS

Council could:

1. Agree to the proposed future ward structure and forward it to the LGAB.
2. Undertake further discussion with affected parties prior to making a recommendation on future ward structures.
3. Note the analysis but take no further action.

CONCLUSION

The local government reform process initiated by the State Government is likely to result in changes to the ward structure. It is desirable to anticipate the likely requirements and prepare for the changes. Accordingly an analysis has been undertaken based on 2014 electoral information resulting in a new ward structure incorporating the northern portion of the Shire of Serpentine-Jarrahdale. The recommended proposed structure (illustrated on Map 2) would meet the criteria set out in the Local Government Act.

Council Discussion

A minor modification to the proposed ward structure was proposed by Cr Geary as follows:

- 1. Mt Richon to move from Ward B to the Bedforddale/Roleystone proposed ward D. This will keep the suburb in the same ward rather than currently being split in 2 and aligns it more to the hills area than the larger lot areas on South Western highway.*
- 2. South Armadale industrial area to move from Ward B to Ward F. This aligns this industrial area with the commercial centres in Ward F rather than with predominantly residential areas in Ward B.*

The CEO confirmed this relatively minor change was in accord with principles discussed at the workshop.

Map 3 outlining these minor modifications was tabled.

Table 4 below depicts ward representation for the amended map.

Table 4 - Ward representation under proposed ward structure (amended for Map 3)

Ward Location	Number of Councillors	Number of electors	Councillor to elector ratio	% Ratio deviation
A – Forrestdale/Haynes	2	6,705	3352	-9.1%
B – SJ Rural/Hilbert	2	6,112	3180	-17.3%
C – Byford/Mundijong	2	6,414	3207	-13.3%
D – Roleystone/Bedforddale	2	8,413	4,093	+13.8%
E – Kelmscott/Mt Nasura	2	8,013	4,006	+8.4%
F – Armadale	2	8,113	4045	+9.7%
G – Champion Lakes/Seville Grove	2	7,996	3,998	+8.1%
Totals	14	51,769	3,697	-

Source: City of Armadale from WA Electoral data 2014

Council agreed with the proposed 7 ward structure as depicted on Map 3. The officer's recommendation referring to Map 2 was therefore altered to refer to Map 3, included in the Minutes of this report.

MOVED Cr M Geary

That Council:

- 1. Advise the Local Government Advisory Board that the City's proposal for the new wards and representation structure in the event of the Board's support of the boundary change previously submitted by the City, be implemented as follows:**

- a. **Abolish all current wards in the district of Armadale and the northern portion of the Shire of Serpentine-Jarrahdale.**
 - b. **Divide the City of Armadale's expanded district into seven (7) wards in accordance with Map 3 in this report.**
 - c. **The number of offices on the council is to be 14 and the number of councillors for each ward is to be two (2).**
 - d. **Any minor boundary corrections as a result of the final Local Government Advisory Board recommendation to be incorporated into the new ward structure.**
 - e. **The method of filling the office of Mayor is to be election by the council from amongst the councillors.**
2. **Note that the selection of ward names will be subject to further advice.**
 3. **Advise the Shire of Serpentine-Jarrahdale and the Shire of Murray of the City's proposal.**

144/5/14

MOTION not opposed, DECLARED CARRIED

(12/0)

5

CLOSURE

The Mayor, Cr Zelones, declared the meeting closed at 8.17pm

MINUTES CONFIRMED THIS 12TH DAY OF MAY 2014

MAYOR

SPECIAL MEETING OF COUNCIL		
ATTACHMENTS		
5 MAY 2014		
ATT NO.	SUBJECT	PAGE
4.1 LOCAL GOVERNMENT REFORM - WARDS & REPRESENTATION		
4.1.1	Map 1 - Existing Ward Boundaries	16
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