



INFORMATION BULLETIN

ISSUE NO. 8/2005

13 April 2005



Information Bulletin

Issue No. 8/2005

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Local Government News

Issue No.12.05

1 April 2005

HEADLINES

- GRANTS CO-ORDINATION FORUM
- ELECTORAL ADVERTISING
- BEYOND BETTER TENDERING
- LOCAL GOVERNMENT COMMUNITY SERVICES ASSOCIATION NATIONAL CONFERENCE
- ASSOCIATION SURVEY – SERVICE DELIVERY TO ABORIGINAL COMMUNITIES
- ELECTED MEMBER DEVELOPMENT PROGRAM
- GST IN AND OUT OF THE OFFICE
- NON-MOTORISED TRANSPORT INFRASTRUCTURE - CYCLING
- SHIFTING REALITIES – CREATING ENERGY

ISSUES UPDATE

GRAINS CO-ORDINATION FORUM

The Association, in conjunction with the Department for Planning and Infrastructure and Main Roads WA, is holding a Forum to address issues relating to grain logistics co-ordination.

Two venues have been arranged and invitations were sent to Councils with an interest in grain logistics. The Forums will be held in Williams on **Tuesday 5 April** and in Perth on **Wednesday 6 April**.

Please register your attendance by fax to Alana Allen on (08) 9321 8378 by no later than **Monday 4 April 2005**.

For further information, please contact Transport and Roads Support Officer, Alana Allen, on (08) 9213 2059 or email aallen@walga.asn.au.

ELECTORAL ADVERTISING

The Notice of Election will be published in The West Australian on **Wednesday 6 April**. The Association will coordinate a second round of extraordinary electoral advertising for vacancies where no nominations were received (in-person elections only).

For further information, please email Services Manager, Andrew Blitz, ablitz@walga.asn.au.

BEYOND BETTER TENDERING

A professional development program on Local Government tendering and contract management will be held on **Thursday 14 April** at Burswood Convention Centre.

The program includes presentations on tendering skills, current issues, best practice, industry expectations, and tendering and governance. Please note that registrations (\$297 + GST) close on **Friday 8 April**.

For further information, please contact Workplace Solutions Support Officer, Kristy Faulkner, on (08) 9213 2097 or email kfaulkner@walga.asn.au.

LOCAL GOVERNMENT COMMUNITY SERVICES ASSOCIATION NATIONAL CONFERENCE – DEADLINE EXTENDED

The national Local Government Community Services Association conference will be held in Melbourne from **Wednesday 26 to Friday 28 October**. Conference themes are Democracy and Rights, Community Planning, Cultural Vitality and Health, and Leisure and Well Being.

The Conference organisers are calling for abstracts for conference papers by **Friday 22 April**. Abstracts should be no more than 550 words and address one of the conference themes. They may explore a case study, planning and policy models, highlight initiatives and / or aspects of local innovation. Papers may be presented in symposium, workshop or learning incubator style. Abstracts must be submitted on an Abstract Form which can be downloaded from the Local Government Community Services Association website under Just Communities Conference www.lgcsaa.org.au/default.asp.

The deadline extension was requested by the WA Local Government Association to ensure that Western Australian Councils were directly informed of the conference and were given the opportunity to consider presenting.

For further information, please contact Yvonne Crouch on (03) 9686 3833 or email yvonne@lgpro.com.

ASSOCIATION SURVEY – SERVICE DELIVERY TO ABORIGINAL COMMUNITIES

Over many years, Local Government has been castigated for not meeting its obligations to Aboriginal communities.

What are these obligations, and is it true that Councils are ignoring the needs of Aboriginal residents and Aboriginal communities?

The Association has emailed a survey to all Councils to gain a snapshot of current Local Government practices, identify the issues Councils face and to elicit solutions. Information from the survey will be included in a Local Government Discussion Paper that will inform

discussions with the State and Commonwealth on a role for Local Government in the post ATSiC environment.

Please complete the survey by **Thursday 19 May**. It should only take twenty minutes to complete and is available under 'announcements' on the Local Government Portal www.councils.wa.gov.au.

For further information, please contact Policy Manager Community, Michelle Mackenzie, on (08) 9213 2065 or email mmackenzie@walga.asn.au.

ELECTED MEMBER DEVELOPMENT PROGRAM

Module 1A: Getting Started – An introduction to Local Government

The purpose of this introductory module is to provide newly Elected Members with relevant information that will assist in the transition from private citizen to Councillor in a practical and effective manner. It also presents an opportunity for other Elected Members to refresh their knowledge.

Getting Started will be held in:

- Broome on **Monday 23 May**
- Cue on **Tuesday 24 May**
- Kalgoorlie-Boulder on **Thursday 26 May**
- Karratha on **Friday 27 May**
- Carnarvon on **Friday 27 May**
- Esperance on **Monday 30 May**
- Dalwallinu on **Wednesday 1 June**
- Geraldton on **Thursday 2 June**
- Merredin on **Wednesday 8 June**
- Kwinana on **Thursday 9 June**
- Northam on **Friday 10 June**
- Bunbury on **Monday 13 June**
- Narrogin on **Tuesday 14 June**
- Busselton on **Wednesday 15 June**
- Albany on **Thursday 16 June**
- Perth on **Monday 23 May, Monday 30 May and Tuesday 7 June,**

NB: These dates are tentative

For further information, please contact Training Coordinator, Heather Bewsher, on (08) 9213 2098 or email hbewsher@walga.asn.au.

GST IN & OUT OF THE OFFICE

The next program of the Local Government Tax Service will be a basic GST course to be held on **Friday 27 May**. The program is suitable for finance staff at an introductory level, and non-finance staff involved in contracts and transactions which require an understanding of GST concepts and compliance requirements.

For further information, please email lgtax@walga.asn.au.

NON-MOTORISED TRANSPORT INFRASTRUCTURE – CYCLING

Main Roads WA invites practitioners to attend a full-day seminar covering the planning, design, construction and maintenance of bicycle networks and facilities throughout Western Australia.

Key Presenters from Main Roads will cover:

- The benefits of cycling and how cycling fits with strategic planning and policy objectives at the national, state and local level.
- Information on the types, needs and responsibilities of bike users and how this will influence provision for cycling in the transport system.
- Practical experience in applying the principles of bicycle network planning.
- Practical experience in applying design standards, and the ability to critically review existing and new facilities for safety and accessibility.
- Information on international and national good practice in relation to cycling facilities and networks.

When: Wednesday 27 April

Where: Institute of Engineers Australia, 712 Murray Street, West Perth

Cost: \$100 (incl GST)

Bookings are essential as numbers are limited. Registrations close on **Wednesday 20 April**.

For further information, please contact Jaime Jewell on (08) 9323 4124 or email jaime.jewell@mainroads.wa.gov.au.

SHIFTING REALITIES – CREATING ENERGY TO REVITALISE ORGANISATIONS

One of Europe's most innovative business leaders, Dr Göran Carstedt (former CEO, IKEA & Volvo), will conduct a lively and thought provoking presentation that demonstrates how to tap into the energy of people to create something that matters deeply. Using practical examples from two of the world's most successful companies, he will show how you can breathe life into an organisation to create something truly extraordinary.

The cost for the seminar starts at \$140.00 for early registrations and a discount applies to group bookings.

The seminar will be held at the Sheraton Perth Hotel from 9:00am to 12:30pm on **Wednesday 8 June**.

For further information, please visit the seminar website www.emergingleaders.com.au or contact Emma Rains on 8212 1711.

DIARY DATES

4 April	Northern Country Zone
6 April	State Council
25 April	State Council Agenda Deadline
23 May	South Metropolitan Zone
25 May	South East Metropolitan Zone
26 May	Central Metropolitan Zone
26 May	North Metropolitan Zone
26 May	East Metropolitan Zone
1 June	State Council
6 June	AGM Agenda Deadline
27 June	State Council
25 July	South Metropolitan Zone
27 July	South East Metropolitan Zone
28 July	Central Metropolitan Zone
28 July	North Metropolitan Zone
28 July	East Metropolitan Zone
6-9 August	Local Government Week
10 August	State Council
29 August	State Council Agenda Deadline
26 September	South Metropolitan Zone
28 September	South East Metropolitan Zone
29 September	Central Metropolitan Zone
29 September	North Metropolitan Zone
29 September	East Metropolitan Zone
5 October	State Council
31 October	State Council Agenda Deadline
28 November	South Metropolitan Zone
30 November	South East Metropolitan Zone
1 December	Central Metropolitan Zone
1 December	North Metropolitan Zone
1 December	East Metropolitan Zone
7 December	State Council

Local Government News

Issue No.13.05

8 April 2005

HEADLINES

- NEW BILL PAYMENT SERVICE
- ELECTED MEMBER DEVELOPMENT PROGRAM
- COMMONWEALTH HEALTH ENQUIRIES
- ASSOCIATION HONOURS
- 2005-2006 WA LOCAL GOVERNMENT DIRECTORY
- 2005 ANNUAL GENERAL MEETING
- ELECTED MEMBER / SENIOR STAFF CHANGES
- RECREATION GRANTS FOR PEOPLE WITH DISABILITIES

HEADLINES

- IFRS REFERENCE PACKAGE
- SOLAR PASSIVE DESIGN WORKSHOPS FLYER

ISSUES UPDATE

NEW BILL PAYMENT SERVICE

All Councils have been made aware of the new bill payment service being provided to Local Government by Bill EXPRESS, allowing ratepayers to pay rates or infringements through the internet, telephone or over the counter via the newsagency network. This new service replaces the Local Government BillPay service through Telstra which will cease in **June**.

The response to the new Bill EXPRESS service has been overwhelming with more than 80 Councils agreeing to proceed with the new service. Due to the timeframes required to implement the new system in time for the next rates period, it is imperative that any Council that has not registered their interest in this new service do so immediately.

To register or for further information, please contact Services Manager, Brian O'Mara, on (08) 9213 2070 or email bomara@walga.asn.au.

ELECTED MEMBER DEVELOPMENT PROGRAM

Module 4: Teamwork, Communication & Conflict in Local Government

This module emphasises the importance of maintaining equilibrium, often under trying circumstances. It is vital that an Elected Member has an understanding of what makes for effective teamwork, what supports or undermines it, and that conflicts are likely to arise. This module contains valuable information to assist Elected Members to be more effective in their roles.

Date: Tuesday 26 April
Time: 9:00am to 4:30pm
Venue: Local Government House,
15 Altona Street, West Perth
Cost: \$148.50 (incl. GST) for Workplace Solutions Members
\$162.80 (incl. GST) for nonmembers

Module 10: Change Management

This module aims to enhance the ability of Elected Members to respond to and manage change in the most effective manner possible by understanding the origins of change, the positive aspects of change, and identifying methods and styles for coping with it in their Councils.

Date: Tuesday 26 April
Time: 1:00pm to 4:30pm
Venue: Local Government House,
15 Altona Street, West Perth
Cost: \$148.50 (incl. GST) for Workplace Solutions Members
\$162.80 (incl. GST) for nonmembers

For further information, please contact Training Coordinator, Heather Bewsher, on (08) 9213 2098 or email hbewsher@walga.asn.au.

COMMONWEALTH HEALTH ENQUIRIES

Councils have the opportunity of making submissions to three national health inquiries.

The House of Representatives Health and Aging Committee will examine the roles and responsibilities of the different spheres of government, including Local Government, for health and related services. For further information, please visit www.aph.gov.au/house/committee/haa/healthfunding/index.htm. Submissions close on **Friday 6 May**.

The Productivity Commission is undertaking a research study of health workforce issues, including the supply of, and demand for, health professionals and proposed solutions to shortages. The study will look at issues such as: institutional, regulatory and other factors across the health and education sectors affecting the supply of health workforce professionals; the structure and distribution of the health workforce; and factors affecting the demand for services. For further information, please visit www.pc.gov.au. Submissions close on **Sunday 31 July**.

The Association will develop representative submissions to these two Inquiries and will seek information from Councils on these issues.

In addition, a Senate Select Committee is inquiring into the provision of mental health services, including coordination and funding of services, support for carers, people with mental illness in custody and the overall effectiveness of the national mental health strategy. Submissions close on **Thursday 28 April**.

For further information, please contact Policy Manager Community, Michelle Mackenzie, on (08) 9213 2065 or email mmackenzie@walga.asn.au.

ASSOCIATION HONOURS

Councils are reminded that nominations for the Association Honours Program will close on **Friday 29 April**.

The Honours program is an important way of publicly recognising and celebrating the outstanding achievements and lasting contributions made by our Elected Members and officers to their respective Councils, to Local Government as a sector and to the wider community.

There are five categories of award within the program: the Local Government Medal; Life Membership; Certificate of Appreciation; Long and Loyal Service Award; and Distinguished Service Award.

Additional nomination packs are available on request, please email info@walga.asn.au. For further information, please contact Corporate Services Support Officer, Meredith Neilsen, on (08) 9213 2013 or email mneilsen@walga.asn.au.

2005-2006 WA LOCAL GOVERNMENT DIRECTORY

The Association encourages regional cooperation between its member Councils and will utilise the cover of the 2005-2006 Directory to support and promote this ethos.

Groupings of Councils that wish to showcase the initiatives that they have embraced within their region are invited to submit a cover concept and short description of their cooperative initiative/s for the Directory. Submissions must contain:

- high resolution colour photograph/s;
- colour logos of participating Councils;
- brief description of the initiative/s, and
- name of contact person.

Submissions should be emailed or forwarded by mail on CD-ROM or floppy disk to the Association by **COB on Friday 3 June**.

For further information, please contact Policy Liaison and Support Officer, Marie Swart, on (08) 9213 2040 or email mswart@walga.asn.au.

2005 ANNUAL GENERAL MEETING

The Association's 2005 Annual General Meeting will be held on **Sunday 7 August** as part of Local Government Week.

There is no other event on the Local Government calendar that brings together hundreds of delegates from Councils across Western Australia to debate issues of Statewide significance and to express a united voice on the core issues affecting Local Government and their diverse communities.

As a member-driven forum, all Councils have the opportunity to put forward relevant issues for debate, with the outcomes forming important input into the policy agenda pursued by the Association with State and Federal Governments.

The Annual General Meeting also includes the President's annual report on emerging opportunities and challenges confronting Local Government, together with a précis on key Association achievements and the strategic focus for the coming year. Other speakers invited to address delegates include the new Minister for Local Government, new Opposition Spokesperson for Local Government and the Australian Local Government Association President.

Members seeking to put forward motions for debate at the Annual General Meeting must do so by **Friday 17 June 2005**. Information on the preparation of motions has been disseminated to all Councils.

For further information, please contact Executive Manager Corporate Services, Nick Wood, on (08) 9213 2020 or email nwood@walga.asn.au.

ELECTED MEMBER / SENIOR STAFF CHANGES

Over the past twelve months, there have been quite a number of changes in Elected Members, CEOs and senior staff at Councils. Whilst the Association is confident that most of this information has been captured in the Association's database, it would be appreciated if Councils would keep the Association informed of changes, particularly as they relate to the positions listed on each Council's page in the WA Local Government Directory.

Provision of this information will ensure the integrity of the Association database and also assist in preliminary preparations for the 2005-2006 Local Government Directory.

For further information, please contact Policy Liaison & Support Officer, Marie Swart, on (08) 9213 2040 or email mswart@walga.asn.au.

RECREATION GRANTS FOR PEOPLE WITH DISABILITIES

The Disability Services Commission is seeking a broad range of applications from Commission funded services or Councils (including applications in partnership with community organisations / groups) that demonstrate the ability to increase the opportunity for people with disabilities to access the community through the development and implementation of recreation initiatives.

A mandatory briefing session will be held for all potential metropolitan respondents from **2:00pm** to approximately **4:30pm** on **Tuesday 12 April**. Please RSVP by **COB on Monday 11 April** on 9426 9273. Country organisations that wish to link via videoconference are requested to register by **Friday 8 April**. For further information, please contact Simone Bastin on (08) 9426 9367.

*A 'Request for Application to Develop and Implement Recreation Initiatives for People with Disabilities in Western Australia' is available by visiting www.ets.gem.wa.gov.au or contact the Contracts Officer on (08) 9426 9787. Applications close at **11am on Wednesday 27 April**.*

Please note, the Association apologises for the late notice of this item, regrettably we were only advised yesterday.

MEDIA RELEASES

8 April Councils Talk Turkey on Getting Grain to Port

DIARY DATES

25 April	State Council Agenda Deadline
23 May	South Metropolitan Zone
25 May	South East Metropolitan Zone
26 May	Central Metropolitan Zone
26 May	North Metropolitan Zone
26 May	East Metropolitan Zone
1 June	State Council
6 June	AGM Agenda Deadline
27 June	State Council
25 July	South Metropolitan Zone
27 July	South East Metropolitan Zone
28 July	Central Metropolitan Zone
28 July	North Metropolitan Zone
28 July	East Metropolitan Zone
6-9 August	Local Government Week
10 August	State Council
29 August	State Council Agenda Deadline
26 September	South Metropolitan Zone
28 September	South East Metropolitan Zone
29 September	Central Metropolitan Zone
29 September	North Metropolitan Zone
29 September	East Metropolitan Zone
5 October	State Council
31 October	State Council Agenda Deadline
28 November	South Metropolitan Zone
30 November	South East Metropolitan Zone
1 December	Central Metropolitan Zone
1 December	North Metropolitan Zone
1 December	East Metropolitan Zone
7 December	State Council



ALGA NEWS

National News for Local Government

'yes'
OPTUS

Friday 1 April 2005

Australian Local
Government Association

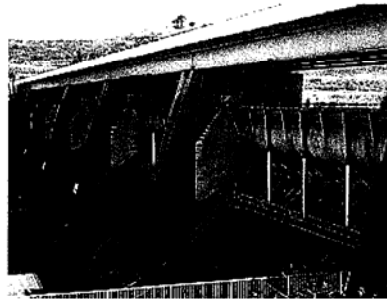
ISSN: 1447-980X

Stop Press: Austrade tsunami seminars

Austrade will next week hold seminars in five capital cities primarily aimed at businesses and business enterprises interested in reconstruction work in areas hit by the Indian Ocean tsunamis. Further information can be obtained by calling 13 28 78 or the Austrade website (www.startexporting.gov.au/tsunami/index1.rsp).

'Something of a hole' in water fund

Medium sized water projects may find it hard to attract funding from the Australian Government's \$2 billion water fund, ALGA President, Cr Paul Bell, told the National Water Summit in Sydney this week. Cr Bell said the Australian Water Fund was a welcome and much needed initiative, but it would fund very large projects of national significance at one end and much smaller, community projects at the other. Local Government would be able to access small community water grants and was eligible to compete for major project funding.



However, it may be hard to secure funding for medium sized water infrastructure projects developed by Councils. Cr Bell said there was 'something of a hole' in the water reform strategy that should be plugged. He called on the Australian Government to provide support for cash-strapped Councils to assist with water and other infrastructure priorities. This should come in three forms - a move to properly resource Local Government across the board through access to a fair share of national taxation revenue, the development of a *Roads to Recovery*-style program for non-road Council infrastructure and a regional infrastructure program that involved Federal and State Government assistance to help reduce the cost of Local Government infrastructure loans. The proposals are set out in ALGA's Federal Budget submission - *Towards a Fair share*.

Anderson outlines water programs

Deputy Prime Minister, John Anderson, this week used the National Water Summit to outline the purpose and functions of the three funding programs available under the \$2 billion Australian Water Fund.



- Water Smart Australia - \$1.6 billion over five years for projects 'to accelerate the uptake of smart technologies and practices'
- Raising national water standards - \$200 million to lift national capacity to measure, monitor and manage water resources
- Community water grants - \$200 million over five years with grants of up to \$50,000 to deliver 'on the ground' projects to increase water use efficiency, improve health of rivers and aquifers and community education.

"These programs will accelerate the uptake of smart technologies and practice in water use and increase our capacity to monitor, measure and manage water resources in the long term, as well as encouraging communities to be proactive in increasing water use efficiency," Mr Anderson said.

Cooma-Monaro first to access water fund



The Cooma-Monaro Council in NSW has become the first Council to secure a grant from the Australian Water Fund. It was among the first seven community water grants announced by the Prime Minister on World Water Day on March 22. The Council receives \$45,000 to ensure the town of Nimmitabel (pop 250) will be able to meet domestic needs without carting water.

A 24% reduction in water use is expected through the provision of an effluent reuse system at the town's wastewater facility, water tank connections to public facilities, a water audit, subsidised installation of rainwater tanks, and retrofitting dual flush toilets and water efficient shower roses. For more information about the Australian Water Fund Communities Program phone (02) 6274 1469 or email awfcp@deh.gov.au.

From the President

There is growing momentum for national action on the state of Australia's infrastructure. At the weekend, the Business Council of Australia released its own national action plan to fix existing problems with infrastructure and plan for future prosperity.



While big business clearly has a degree of self-interest in this debate, much of what it says makes sense and complements calls by ALGA for additional Federal funding to help Local Government address its infrastructure shortfall. As the BCA has said, infrastructure problems are endemic, not only with export bottlenecks at our ports, but in water, energy and road and rail transport systems throughout the country. A national approach, coordinated at the COAG level, is one option for consideration.

The BCA also says that Commonwealth, State and Local Governments need to act to fix existing problems with the nation's infrastructure and develop new infrastructure to support future growth. That action also requires the positive and financial input of the private sector. It also requires recognition from the business sector that there is one sphere of Government that does not enjoy access to growth fund and is seriously disadvantaged by current funding arrangements. A solution to our infrastructure problems also requires Local Government to gain access to a fair share of national taxation revenue.

Cr Paul Bell
ALGA President

Another transport infrastructure review

A review of Australian transport infrastructure - the second in as many weeks - was announced on Wednesday. The House of Representatives Transport and Regional Services Committee will look at the capacity of road and rail to handle Australia's freight task. Submissions are due on 9 May. This follows the independent review of transport corridor bottlenecks announced by the Prime Minister in mid-March. Meanwhile, pressure continues to grow for more infrastructure funding with the Business Council of Australia releasing an 'infrastructure action plan' at the weekend. It called for the Council of Australian Governments to draw up a national, integrated infrastructure reform agenda covering urban and rural water, energy, road and rail transport and urban growth.

Congress to have regional and urban focus

Regional and urban transport issues will be covered by two major symposia at this year's National Local Roads and Transport Congress to take place in Launceston on 3-5 July under the theme Unifying Local Government's Transport Agenda. The urban symposium will focus on 'managing transport demand'. Bronwyn Pollock, Director, Community Partnerships at the Australian Greenhouse Office and Cr Jackie Fristacky from the City of Yarra will lead debate on transport sustainability. A concurrent symposium will feature freight movement and its impact on the local road system. Speakers from the National Transport Commission, the Australian Trucking Association and the Australasian Railway Association will provide differing perspectives on the impacts and options for road and rail in coping with sharp growth in freight traffic. Register now via ALGA's Roads Congress website.

Insurance minco's last hurrah

ALGA board member, Cr Max Amber, will represent Local Government at the 8th and final Ministerial Meeting on insurance issues to be held in Darwin next week. The Ministerial Council will discuss the latest monitoring report on insurance costs and premiums. The report reveals a 15% decrease in public liability premiums in the six months to June last year, reversing the previous pattern of sharp premium increases. The chair of the Ministerial Council, Federal revenue Minister, Mal Brough, has announced that the monitoring reports will continue for a further three years, a move strongly supported by ALGA. This work will complement the development of a national claims and policies database. Other agenda items include an insurance industry presentation, medical assessment panels and the development of a long-term care scheme for the catastrophically injured. The Ministerial Council has successfully coordinated substantial tort law reform across State and Territory Governments.

Three health enquiries underway

Councils have the opportunity of making submissions to no less than three national health inquiries. The House of Representatives Health and Ageing Committee will examine the roles and responsibilities of the different spheres of Government - including Local Government - for health and related services. Submissions close on 6 May. Meanwhile, a Senate select committee is inquiring into the provision of mental health services, including coordination and funding of services, support for carers, people with mental illness in custody and the overall effectiveness of the national mental health strategy. Submissions close on 28 April and the Productivity Commission is undertaking a study of health workforce issues including the supply of, and demand for, health professionals and proposed solutions to shortages. Submissions are due by 31 July.

Local Government finance data out soon

The Australian Bureau of Statistics will next month publish the Local Government finance collection for 2003-04. This will be included in the publication Government Finance Statistics, Australia, due for release on 15 April. It contains consolidated financial statements for the Local Government sector in each State / Territory together with a dissection of expenses by purpose. The publication will be available through the Ausstats homepage on the ABS website. More detailed data will also be available for purchase after publication. The ABS has thanked Councils for their cooperation in providing data for this annual publication.

NZ Councils face the axe

New Zealand's 86 Local Councils could be scrapped and replaced with two provincial Governments, one each for the North and South Islands with powers similar to Australian States. The plan is set out as one option in a controversial green paper released yesterday by New Zealand Local Government Minister, Imma Furphy. NZ Councils have reacted angrily, saying the move was an assault on the fundamental principles of local democracy. Any move to 'Australianise' the nation would be strongly opposed, they said.

**E-government Seminar
8 April 2005, Hobart**

You are invited to attend a free half-day E-government Seminar in Hobart presented by the Australian Government Information Management Office (AGIMO), Department of Finance and Administration. The seminar ***E-government - Achieving better outcomes for individuals, business and the community*** will be held on Friday 8th April 2005 from 9 am to 12.30 pm at the Grand Chancellor Hotel in Hobart.

The seminar program includes practical guidance on how to measure demand for and predict value from e-government. It highlights a range of case studies from Australian, Tasmanian and Local Government agencies. The case studies showcase the benefits from online services available in Tasmania. Registration is essential for this seminar and is available online via the Department of Finance and Administration. Details of the seminar program and online registration are available.

Please contact Marie Cavanaugh, marie.cavanaugh@finance.gov.au or telephone (02) 6215 1642 should you require further information. If you are unable to attend the seminar and wish to order a free video of the seminar, send the seminar title, your name and postal address to e-government@agimo.gov.au.

2005 Building & Financing Local Government Infrastructure Conference

ALGA President, Cr Paul Bell, will be a keynote speaker at a two day conference on new financing initiatives for Local Government infrastructure to be held in Sydney on 7-8 April 2005.



The Conference will also be addressed by Federal Minister for Local Government and Roads, Jim Lloyd, who will outline progress towards the development of a national framework for Public Private Partnerships (PPPs), tax changes impacting on PPPs, and the outlook for road funding through AusLink. The NSW Minister for Infrastructure and Planning, Craig Knowles, will outline trends in Local Government financing and the State Government's new framework for PPPs. Senior Executives from Councils across Australia will explain in detail how they have worked with the private sector to finance and construct substantial Local Government infrastructure including the:

- Redevelopment of civic centres
- New roads
- Social and recreational infrastructure
- New technologies, such as waste treatment and water treatment plants

There will be an update on Cardinia Shire's innovative PPP that is leading to 50 km of unsealed roads in this outer Melbourne municipality. Probity, due diligence and project management issues will also be outlined by a range of experts at the Building and Financing Local Government Infrastructure Conference 2005, will build on the lessons and experience of the successful 2004 Financing Infrastructure Conference which attracted more than 180 Local Government and business delegates including more than 40 CEOs and Mayors.

For more information:

Visit: www.halledit.com.au
Telephone: (03) 9530 8900

Forthcoming events

- Local Government and Planning Ministers Council expected to meet to consider progress on cost shifting IGA, April 2005
- Federal Budget, 10 May 2005
- Security in Government Conference, 10 – 12 May 2005, National Convention Centre, Canberra
- MAV International Local Government Asset Management Conference (www.mav.asn.au/asset2005), 25 – 26 May 2005, Melbourne Convention Centre
- International Cities, Town Centres and Communities (ICTC) Conference (www.ictcsociety.org), 31 May – 3 June 2005, Rydges Capricorn Convention Centre, Yeppoon, Queensland
- ALGA's National Local Roads Congress, 3 – 5 July 2005, Launceston, Tasmania
- National General Assembly of Local Government (www.alga.asn.au), 6 – 10 November, Canberra

For a full listing of forthcoming events, see ALGA's Events Calendar at:
www.alga.asn.au/events

ALGA News is distributed by the by the Australian Local Government Association free to subscribers, every Friday. It presents information and news about Local Government issues from a federal perspective. Distribution within Councils is encouraged. ALGA news can be read online each week at www.alga.asn.au/news. Back issues can be found at www.alga.asn.au/new/archive.

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ALGA NEWS

National News for Local Government

'yes'
OPTUS

Friday 8 April 2005

Australian Local
Government Association

ISSN: 1447-980X

ALGA pursues public health partnerships with Feds

ALGA is to lobby the Federal Health Minister, Tony Abbott, to develop a public health partnership between federal and local government. The plan, set out in ALGA's Federal Budget submission, calls for 25 public health packages - each worth \$800,000 over four years - to be offered to councils, or groups of councils, on a competitive basis. Each package would require successful applicants to design and deliver local or regional public health outcomes. Proposals that build synergies with



other council initiatives such as public safety, environmental health, food safety, and sport and recreation programs would receive priority. ALGA President, Cr Paul Bell, said that there was growing awareness of the need to find new ways to minimise illness, injury and disability through cost effective public health initiatives. "There is now a pressing need for an efficient, effective and direct strategy to deliver Australian Government public health programs and initiatives to local communities," Cr Bell said. While the proposal may not be secured in this year's Budget, Cr Bell was optimistic that it could gain support next year. "It is a sensible way to advance our mutual goals in this important area," Cr Bell said.

More sought for immunisation, HACC



ALGA is calling on the Australian Government to boost funding for council immunisation programs and Home and Community Care (HACC) services ahead of this next month's Federal Budget. The HACC program represents the major Australian and state government effort in community care and provides services to around 700,000 Australians each year. In many states, local government is a major provider of public sector community care services including those provided as part of HACC. Funding has failed to keep pace with carer wages and the growing demand for services. ALGA is seeking an initial 20% in HACC funding and at least 6% real growth per annum thereafter. ALGA is also seeking fair funding for council immunisation services. Local government provides nearly 20% of preschool immunisations. Despite rising costs, the increasing complexity of immunisation schedules and introductions of new vaccines, Australian Government support for immunisation by local government has not increased. The Australian Government should commit to regularly reviewing recurrent funding levels to local government to ensure that

subsidies reflect changes in the cost of delivering immunisation services. An additional \$11.6 million a year is sought in ALGA's Federal Budget submission.

ALGA ageing survey out next week

ALGA will next week release the results of its major ageing and awareness action survey. The survey, an initiative of the Australian Local Government Population Ageing Plan, was undertaken to gauge awareness of population ageing within local government and to determine the level of local government action on population ageing issues. ALGA received 232 responses to the survey, representing 35% of Australia's 673 local councils - an excellent effort. The results indicate the impact of population ageing will be extensive, with 93% of councils believing that population ageing will have an 'impact' on their municipality - 28% described the likely impact as 'severe'. ALGA would like to thank all councils that participated in the survey. The survey results will be available on ALGA's Planning for an ageing community website when released on 15 April.



From the President

This week, the issue of financing and building local government infrastructure was discussed at length at a Hallmark conference in Sydney. In my keynote address, I argued that much local government infrastructure was nearing the end of its useful life and in need of renewal and replacement.



Population pressures and demographic change were placing additional pressure on many areas, including outer metropolitan councils, regional cities and coastal zones. ALGA is arguing for a three pronged approach, calling for a fair share of national taxation revenue, R2R-style partnership programs to address areas of need, such as infrastructure, and a whole-of-government approach to helping local government access infrastructure borrowings, with state and federal grants to reduce the time and cost of loans. I was pleased that the NSW infrastructure and planning minister also called for a whole-of-government approach to infrastructure provision, with local government playing an important part in a national approach. I will also speak at a launch in Brisbane next week of a major paper on national infrastructure. The paper is being prepared by the Committee for Economic Development of Australia. I hope this will add further impetus to the mounting campaign for much greater investment in public infrastructure. Stay tuned.

Cr Paul Bell
ALGA President

ALGA cautions VIC farmers on R2R call

ALGA has called on Victorian farmers to lobby for more road funding rather than restriction of *Roads to Recover Mark II* to regional councils only. ALGA President, Cr Paul Bell, said the existing formula was well supported by councils across the country. The current formula already sees the lion's share of funding go to regional councils, with \$850 million of the \$1.2 billion heading for the bush. The existing formula is based on road length and population. "Local roads comprise 680,000 km - or nearly 85% - of all Australian roads," Cr Bell said. "Urban councils face their own

road maintenance and renewal problems. One of the great strengths of the *Roads to Recovery* program is that it helps all councils with their transport infrastructure. The best approach to providing additional assistance is to keep growing the pie, not shovelling funding from one area to another," Cr Bell said. The Victorian farmers' call came in a submission to the Senate inquiry into the AusLink legislation.

First post-ATSIC agreement signed

The Australian and NT governments this week signed the first bilateral agreement on Indigenous service delivery in the post-ATSIC era. The five year agreement is the first bilateral agreement under the new Council of Australian Governments indigenous service delivery framework, which aims to improve outcomes by cutting unnecessary duplication, reduce red tape and harness mainstream government programs to ensure they meet the needs of Indigenous Australians. The agreement includes a housing schedule that will cut administrative duplication. Under this schedule, the Australian Government will move \$22 million a year in existing funding to the NT, which will administer housing programs on behalf of both governments. The agreement will be underpinned by a rigorous accountability regime. ALGA has been pressing for improved Indigenous housing outcomes and, as a member of COAG, has fully supported the whole of government approach to service delivery.

Mobile phone infrastructure code

A revised industry code governing the planning and installation of new telecommunications facilities has been registered by the Australian Communications Authority. It improves consultation between telecommunication carriers, industry groups and community members when new facilities such as mobile towers are being planned and installed. Councils will be able to request an additional five business days to comment on a carrier's draft community consultation plan. Carriers must now provide reasons if they do not accept a council's comments on consultation plans.

Broadband penetration still poor

Australia's household penetration of broadband services was one of the poorest in the OECD, Optus Chief Executive, Paul O'Sullivan, told a Committee for Economic Development of Australia luncheon this week. Only 20% of Australian households accessed broadband compared to 42% in Canada, 64% in Hong Kong and 76% in South Korea. He said a 'big reason' this had happened was because Telstra had kept broadband prices high. Broadband penetration only took off when Optus entered the DSL market in early 2004 and Telstra responded with sharp price cuts, he said. Broadband services then jumped to 1.5 million in December last year, more than doubling in a 12 month period. Meanwhile, the head of a national broadband provider in South Australia said this week that Telstra's prices for intra-state backhaul circuits were standing in the way of providing broadband to the bush. Simon Hackett, Managing Director of Internode, told the Sydney Morning Herald that high-speed affordable broadband could be delivered to country towns in a year if the consumer watchdog made access to Telstra long haul regional fibre into Telstra exchanges available to providers at a reasonable price.

World environment awards

The United Nations has this week launched its **World Environment Day** (5th June) awards. With the theme '**Think Global, Act Local**', the awards aim to recognise those, including local governments, whose work serves to protect, manage or restore the environment. Major award categories include:

- Local government awards for excellence in overall environmental management; best specific environmental initiative.
- Green Cities award for the best council that has demonstrated excellence in the implementation of innovative eco-sustainable solutions in our cities,
- Excellence in marine and coastal management award for conservation and management of marine, coastal or estuarine environments, and
- Excellence in water management award for the conservation, recycling and use of water in either rural or urban regions.

Council are encouraged to apply for these awards. Nominations close on 10th May and guidelines, entry criteria and nomination forms can be downloaded from www.unaavictoria.com.au or call (03) 9482 3655.

Review of vegetation framework

The National Vegetation Framework is under review. There has been significant change in native vegetation management across Australia since the framework was forged in 1999. The review will reconsider principles and desired outcomes, and update information including best practice mechanisms and attributes. Councils are invited to provide initial comments on the current framework and suggestions for improvement by 13th May.

Make your information accessible

With almost 12% of adult Australians having a print disability, councils should announce and promote their willingness to make their information accessible, Jay Richards of the National Information and Library Service, said this week. Determining the needs and number of residents was the challenge. "Step one is to get the word out (at little or no cost) through their website, newsletter and information documents, libraries and community centres", Mr Richards said. "This will create feedback, suggestions and public participation. Step two is to know that 11.7% of Australian adults have a print disability. A majority have independent lifestyles and a strong desire to access public information. This will indicate to council accurate information needs, preferred formats and number of residents. Step three, Accessible Information Solutions - a subsidiary of the National Information and Library Service - can cross reference council postcodes to their national database. This will indicate the number of residents routinely receiving information in accessible formats from governments, community organisations and business."

Local Government Infrastructure CD

The proceedings of the **Building and Financing Local Government Infrastructure 2005**, held in Sydney, can now be ordered as a two-CD set. The CDs contain more than 11 hours of speaker presentations from speakers including Craig Knowles, the NSW Minister for Infrastructure and Planning, and Cr Paul Bell, the President of the ALGA.

A range of legal, financing and construction experts outlined ways in which local government can innovatively build new infrastructure to replace ageing traditional infrastructure assets, including roads, as well as respond to the demands for new recreational, community and health infrastructure.

Presentations by councils including Baulkham Hills, Banyule, Coffs Harbour, Darebin, Mildura and Parramatta focused on the lessons learnt by the councils, and the solutions which they had been able to develop with private sector providers.

The cost of the twin-CD set is \$150 including GST and postage.

To order the CD, please download an order form from www.halledit.com.au or email olivia@halledit.com.au or phone (03) 8534 5000.

Forthcoming events

- Permaculture: Creating Pathways to Sustainability Symposium (www.permaculturemelbourne.org.au), 11 April 2005, Melbourne
- Local Government and Planning Ministers Council expected to meet to consider progress on cost shifting IGA, April 2005
- Federal Budget, 10 May 2005
- MAV International Local Government Asset Management Conference (www.mav.asn.au/asset2005), 25 – 26 May, Melbourne Convention Centre
- International Cities, Town Centres and Communities (ICTC) Conference (www.ictcsociety.org), 31 May – 3 June 2005, Rydges Capricorn Convention Centre, Yeppoon, Queensland
- ALGA's National Local Roads Congress (www.alga.asn.au/policy/roads/congress/2005), 3 – 5 July, Launceston, Tasmania
- National General Assembly of Local Government (www.alga.asn.au), 6 – 10 November, Canberra

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Local Government Bulletin

Issue 2 - April 2005



Editorial

The Local Government Bulletin is an electronic newsletter and update service for Local Governments prepared by Jackson McDonald, providing a regular source of information about legal issues affecting Local Government.

In this second issue you will find a broad range of articles dealing with:-

- amendments to the *Local Government Act* effected by the *Local Government Amendment Act 2004*;
- calculation of fees for the issue of a Building Licence; and
- the recent decision by the Full Court of the Court of Appeal in *Town of East Fremantle v Cornell* and its implications for Local Governments in relation to liability for compensation for injurious affection resulting from town planning schemes.

Also included with this issue are details of a workshop being conducted by Jackson McDonald on 11 May 2005 on the recent amendments to the *Occupational Safety and Health Act*.

The Local Government Bulletin is distributed electronically to various Local Government officers. We encourage its wider distribution within Local Governments, although we ask that it be distributed in its entirety. Any officer or elected member who has not received a copy directly and would like to be included on the direct distribution list, please send an email to jskinner@jacmac.com.au with "Add to Distribution List" as the subject. Similarly, if you have received a copy but don't wish to, please send an email with "Remove from Distribution List" as the subject.

For further advice on any of the matters dealt with in the Local Government Bulletin please contact the person referred to at the end of each article. Contact details, as well as information about our Local Government legal services team, will appear at the end of each edition.

Finally, we welcome any feedback on the content of the Local Government Bulletin or any suggestions for future articles. Again, please email jskinner@jacmac.com.au.

Julius Skinner
Consultant
Jackson McDonald
Editor

Workshop on amendments to the Occupational Safety and Health Act

In the first issue of Local Government Bulletin we highlighted amendments to the *Occupational Safety and Health Act* ("**OSH Act**"). The second stage of the amendments came into effect on 4 April 2005, dealing particularly with Provisional Improvement Notices.

Jackson McDonald is holding a ½ day workshop for employers on the amendments to the OSH Act on **Wednesday, 11 May 2005**. This is a practical and hands-on session, which will include the opportunity to examine case studies in small groups with discussion led by a lawyer and an OSH practitioner. Attendees will be provided with an update on legislative changes, including an insight into the use of Provisional Improvement Notices in the workplace. The workshop sessions will provide practical tips for risk management in the area of OSH in the context of real-life scenarios.

The speakers will be Timothy Mason and Maria Saraceni, partners of Jackson McDonald, and Michael Morgan, Director of RiskLink.

The seminar will be followed by a light lunch and an opportunity to discuss the issues raised with the presenters and fellow participants.

An invitation to the seminar will be issued shortly.

Local Government Amendment Act 2004

The *Local Government Amendment Act 2004* ("Amendment Act") was assented to on 12 November 2004 and the Governor's proclamation and various Regulations were published in a special edition of the Government Gazette on 31 March 2005.

The Amendment Act is the first detailed review and amendment of the *Local Government Act* ("LG Act") since the LG Act came into operation in July 1996. This article picks out some of the more important changes that Local Government officers and elected members should be aware of. These and other matters may be covered in more detail in future issues of the Local Government Bulletin if required.

Requirement for special majority decisions of Council deleted (effective 7 May 2005)

In almost all instances the requirement for a "special majority" of Council has been deleted and replaced with a requirement for an "absolute majority". The difference only arose for Councils with more than 11 offices of members, in which case a special majority required a decision of at least 75% of the number of members of the Council whereas an absolute majority required a decision of at least 50% of the number of members of the Council. Now, apart from a decision under s.2.11(2) of the LG Act dealing with the method of electing the Mayor or President, the absolute majority requirements will apply to all Local Governments.

Changing the method of electing the Mayor or President (effective 21 January 2005)

The Amendment Act introduces new provisions requiring a Local Government to hold a referendum prior to changing the system of electing the Mayor or President from the election by the electors method to the election by the Council method. A new s.2.12A sets out the procedure for holding such a referendum, including a requirement for local public notice prior to the referendum, and a new s.2.11(4) provides that the method of electing the Mayor or President is changed "if the result of a poll declared under section 2.12A(4) is that a majority of electors of the district who voted at the poll voted in favour of the change".

Impounding and disposal of abandoned vehicle wrecks (effective 7 May 2005)

A new s.3.40A will allow authorised employees to remove and impound a vehicle that, in the opinion of the Local Government, meets the new definition of an "abandoned vehicle wreck". If within 7 days of the vehicle being removed no owner has been identified, or if an owner has been identified but has not responded to a notice to collect the vehicle within 7 days of that notice being given, the Local Government can then declare that the vehicle is "abandoned vehicle wreck" – which then allows the Local Government to sell or otherwise dispose of the vehicle within a further 7 days under s.3.47(2)(b), rather than the period of 2 months which otherwise applies.

A potential difficulty with these new provisions is the initial requirement that, in the opinion of the Local Government, the vehicle is an "abandoned vehicle wreck". The definition is as follows:-

"abandoned vehicle wreck" means a vehicle:-

- (a) *that is not operational;*
- (b) *the owner of which has not been identified by the local government after using all reasonable avenues to do so;*
and
- (c) *that has a value that is less than the prescribed value calculated in the prescribed manner.*
[set out in reg.29A of the *Local Government (Functions and General) Regulations* as a value of \$200.00, based on the value of such vehicles in the local area]

All three elements must be met and it remains to be seen what will be required on the part of an authorised employee or a Local Government to form the necessary opinion – which must be formed prior to the vehicle being removed. At the very least it appears likely that an authorised employee will have to have made some assessment as to whether the vehicle is "operational" (whatever that might mean), to have made all "reasonable" forms of enquiry to identify the owner of the vehicle and also to have made some assessment of the value of the vehicle in accordance with provisions set out in the Regulations.

Closing of thoroughfares (effective 7 May 2005)

s.3.50 of the LG Act has been substantially redrafted to:-

- allow closure of a thoroughfare for up to 4 weeks without any prior notice requirement;
- allow closure of a thoroughfare for more than 4 weeks, by local public notice (subject to the existing procedures set out in s.3.50(4) and s.3.50(5)); and
- delete the time limit for closure of 4 years so as to allow closures to be indefinite.

Principal activities (effective 31 March 2005)

The provisions of the LG Act regarding principal activity planning have been removed. Sections 5.52, 5.53(2)(c) and (d), 5.56, 5.57 and 5.58 are all repealed and replaced with a new s.5.56 referring generally to a plan "for the future of the district". Details of the "plan for the future" are set out in reg.19C and reg.19D of the *Local Government (Administration) Regulations*.

Voting (effective 7 May 2005)

The Amendment Act introduces a new offence under s.5.21(5) of failing to vote at a Council or Committee meeting. The provisions of s.5.21(2), however, are unchanged and provide only that a Council or Committee member who is "present at a meeting ... is to vote". It remains to be seen how this requirement will be interpreted in a prosecution of the new offence involving, for example, a failure to vote on a single, specific matter dealt with at a meeting, particularly if the member is not present during the consideration of that specific matter.

Confidential information (effective 7 May 2005)

s.5.95 of the LG Act is amended to include the ability to refuse to allow the inspection of information on the basis that the information has been prescribed by Regulations as being "confidential". This will allow greater flexibility in terms of dealing with such issues, as the prescription of matters in Regulations can be achieved more easily than amendment of the LG Act.

The Amendment Act also removes the CEO's discretion to exclude from inspection information in a contract of employment that is of a "private nature". Instead, the information that can be excluded will again be prescribed by Regulations.

Reg.29A of the *Local Government (Administration) Regulations* sets out the initial information prescribed for the purposes of the above amendments.

Additional notices under s.3.25 (effective 7 May 2005)

The Amendment Act introduces four new circumstances in which a notice may be issued by a Local Government under s.3.25(1) of the LG Act, as follows:-

- removal of bees that are likely to endanger the safety of any person or create a serious public nuisance;
- ensuring that an unsightly, dilapidated or dangerous fence or gate that separates land from land that is local government property is modified or repaired;
- taking specific measures to prevent a nuisance created by artificial light being emitted from land or natural or artificial light being reflected from something on land; and
- removal or making safe anything that is obstructing or otherwise prejudicially affected a private thoroughfare so as to prevent or minimise danger to anyone using the thoroughfare.

Generally these new circumstances for the issue of a notice are straightforward, although it is interesting to note the use of the term "nuisance" and particularly the term "serious public nuisance". These terms are not used in any of the other provisions of Schedule 3.1 and are terms that have a specific meaning at law. It remains to be seen whether the Courts will apply that legal meaning, which would restrict the circumstances in which the notices may be issued.

Julius Skinner
Consultant

Fees for the issue of a Building Licence

There are several potential issues in relation to the calculation of fees for the issue of a Building Licence under the provisions of the *Building Regulations 1969* ("**Regulations**").

Reg.24(1) provides that the scale of fees set out in the Table to reg.24 is chargeable in respect of an application for a Building Licence and Item 1 of the Table refers to fees calculated by reference to a set percentage of "*the estimated value of the proposed construction as determined by the local government*".

Reg.24(2) provides as follows:-

For the purposes of item 1 of the Table to this regulation –

- (a) *where the construction work is to be carried out under a contract, the estimated value of construction work shall be the contract price, where that price includes value for at least each of the components referred to in paragraph (b); and*
- (b) *where the construction work is to be carried out other than under a contract or under a contract the contract price for which does not include value for each of the following components, the estimated value of the construction work shall be the sum of the value of all goods (including manufactured goods) forming part of the construction work, labour, services necessary, fees payable, overheads to be met and profit margin.*

Although different words are used, it seems safe to presume that the "*estimated value of the proposed construction*" referred to in the Table to reg.24 is intended to be the same as the "*estimated value of construction work*" referred to in reg.24(2). On that basis, certain things appear to follow:-

- if the contract for the construction work in question comprises only the four components set out in reg.24(2)(b), the Building Licence fee is calculated by reference to the "contract price";
- if the contract for the construction work in question includes matters in addition to the four components set out in reg.24(2)(b), the Building Licence fee is again calculated by reference to the "contract price", including that part of the contract price referable to the additional components, no matter what those additional components may be; and
- if the contract for the construction work in question does not include all four of the components set out in reg.24(2)(b), the Building Licence fee is calculated only by reference to the sum of the value of those four components, no matter what the "contract price" may be and no matter what else may be included in the contract.

Clearly, it is crucial for the purposes of calculating the fee for a Building Licence to ascertain firstly whether the construction work is to be carried out "under a contract" and, if so, to identify and obtain a copy of the contract. It is then necessary to ascertain whether the contract price includes value for at least each of the four components set out in reg.24(2)(b). None of these steps are necessarily straightforward and the process is certainly amenable to manipulation. For example, it may be possible to make specific provision in a contract for a large construction that the contract price does not include value for one of the components set out in reg.24(2)(b), thus seeking to avoid calculation of the Building Licence fee by reference to the entire contract price and opening up further difficulties in terms of assessing the value of the components referred to in reg.24(2)(b).

Particularly for large construction projects, Local Governments should be alive to the need to closely examine what may be said to be the contract under which the construction is to be carried out and the provisions of that contract – and, if necessary, to obtain specific advice on the content of the contract.

Julius Skinner
Consultant

Case note – Town of East Fremantle v Cornell [2005] WASCA 18

On 18 February 2005 the Full Court of the Court of Appeal delivered its judgment in the matter of *Town of East Fremantle v Cornell*, in which the Town of East Fremantle appealed against the Supreme Court's findings that Mr & Mrs Cornell's property had been injuriously affected by the making of the Town of East Fremantle Town Planning Scheme No.2 ("Scheme"). The Court of Appeal upheld the Supreme Court's findings in a majority decision.

There were a number of issues in the appeal but perhaps the most important was the interpretation of the circumstances in which compensation for injurious affection is able to be claimed.

Mr & Mrs Cornell's property ("Property") was designated as a place of heritage value under the Scheme. Section 12(2a)(b)(i) of the *Town Planning and Development Act* ("TPAD Act") provides that land shall not be deemed to be injuriously affected by reason of any provision of a town planning scheme dealing with any of the matters specified in clause 10 of the First Schedule of the TPAD Act (which includes zoning and the designation of the places of heritage significance) unless the town planning scheme "permits development on the land for no purpose other than a public purpose".

The Scheme provided that a person shall not, without the special approval of Council, carry out any development in a place designated as a place of heritage value.

A majority of the Court of Appeal found that the phrase "permits development" in s.12(2a)(b)(i) "indicates development being positively authorised rather than merely not prohibited". The majority went on as follows:-

Section 12(2a)(b)(i) is concerned with the purpose for which development is to be undertaken. A scheme may permit development for a particular purpose, or use, even though it is subject to certain development standards. ... The effect of such a provision is not to prohibit the use. The provision permits development for the stated purpose but requires it to comply with certain standards.

That is to be contrasted with a provision that prohibits a use subject to a dispensing power. In this case, the EF Scheme prohibits the respondent from carrying out any development on the land without the special approval of the Council. An instrument that prohibits activities subject to a power to grant exemption from the prohibition cannot properly be described as an instrument that permits the activity. ... In this case a scheme that prohibits a landowner from carrying out development without the special approval of the authority cannot properly be described as a scheme that permits private development of the land.

The Court of Appeal also found that the requirement in the Scheme for "special approval" distinguished the situation from the general requirement under the Scheme for planning approval for all development. Even though the Scheme contained a definition of "special approval" which required little more than a decision by an absolute majority, the Court of Appeal applied the reasoning in its decision in *Wines v Shire of Harvey* [2000] WASCA 39 and found that in the context of an application for approval of development in a place of heritage value, the requirement for "special approval" meant that approval for any development of a private nature "will only be granted in an exceptional case where the development is or is rendered compatible with the public purpose of ensuring that the place is preserved in an undamaged state".

The Court of Appeal therefore upheld the finding of the Supreme Court that, for the purposes of s.12(2a)(b)(i) of the TPAD Act, the Scheme "permit[ted] development on the land for no purpose other than a public purpose".

The Court of Appeal went on also find that the Scheme did, in fact, injuriously affect the Property and upheld the Supreme Court's assessment that this amounted to a reduction in value of approximately \$250,000.

Comment

As indicated above, the decision in *Town of East Fremantle v Cornell* dealt with a number of issues, but the issue referred to above is perhaps the most important because it indicates that compensation for injurious affection may be available in far wider circumstances than previously anticipated by Local Government. Also, it indicates that the potential payments of compensation may be significant.

As a result of this decision Local Governments should review the provisions of their town planning schemes to ensure, so far as is possible, that they avoid the interpretations placed on the provisions of the Town of East Fremantle Town Planning Scheme No.2 by the Court of Appeal.

Jackson McDonald Local Government services

Jackson McDonald is the only large, independent commercial law firm in Western Australia. Our reputation as one of the State's leading law firms has been built over 80 years by providing high quality legal services to a local, national and international client base.

Our excellent track record demonstrates our commitment to providing clients with the very best, commercially focussed legal advice, delivered in a personalised, responsive and cost-effective manner.

Our specialist Local Government team understand the wide-ranging legal issues confronting Local Governments and comprises experienced practitioners that have the collective expertise to fully address your legal needs in the following areas:

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- Town planning and development
- Environment and health
- Interpretation of legislation
- Enforcement
- Employee, industrial relations and occupational safety & health
- Commercial and property
- Litigation and dispute resolution



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MEDIA RELEASE

8 April 2005

Councils Talk Turkey on Getting Grain to Port

More than 120 delegates from Councils, Main Roads WA and the Department for Planning and Infrastructure attended two important Forums this week to strategise on getting grain from the farm gate to port, to ensure Australia's economy continues to flourish.

Delegates focused on the need to get grain from the farm to bulk receiving points, and then onto port, as well as how the vast number of parties involved in achieving this task can manage their particular operations better to get the job done, particularly when grain production is estimated to double in the next twenty years.

Western Australian Local Government Association President, Cr Bill Mitchell, said, "This Forum has provided a real opportunity for Councils to get together and talk about the serious business of grain production and the contribution Local Government makes to this task.

"Deteriorating rail and road infrastructure, and tightening finances mean that the right investment decisions need to be made by those responsible for providing the vital transport networks needed to support the grain industry. Councils in this State manage 72% of the State's road network and getting grain from the farm gate to bulk receiving points is predominately undertaken on local roads."

Councils also have a responsibility for ensuring good planning within their communities and another focus of the Forum was on ensuring that grain receiving points are located on sites most conducive to the needs of the local community and with the best access possible to existing transport infrastructure.

Cr Mitchell said, "While the Forums predominately focused on identifying and discussing Local Government's role in the grain logistics chain, the Association recognises that it is imperative that we engage with other parties such as Co-operative Bulk Handling, the Australian Wheat Board, farmer organisations, the State Government, rail operators and heavy haulage operators.

"I see these Forums as a starting point in achieving a collective view from Councils on where the expanding grain production will take us in the future. We encourage other parties involved in the grain task to do the same, and then we can get together and work out how each of our objectives can be achieved to ensure our State continues to prosper."

Ends



Information Bulletin

Issue No. 8/2005

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<p>➤ City Strategy Lilac Divider</p>	<ul style="list-style-type: none"> ▪ Nil
<p>➤ Development Services Yellow Divider</p>	<ul style="list-style-type: none"> ▪ Nil
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1.1 EMPLOYEE MOVEMENTS

New Staff:

- Nil

Staff Leaving:

- Ian McCutcheon has resigned from his position as Engineering Technical Officer, effective 14 April 2005.

Other Staff Movements:

- Nil

Current Recruitment Activity:

- Public Relations Coordinator – currently in completion stages, not yet finalised.



Information Bulletin

Issue No. 8/2005

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TECHNICAL SERVICES COMMITTEE REPORT ON OUTSTANDING MATTERS			
ITEM	REFERRING COMMITTEE	COMMENTS	OFFICER RESPONSIBLE
<u>Armadale Shale Quarry – Management Plan</u> <i>Refer T145/02 25 November 02</i>	Technical Services	Further report to future Technical Services Committee.	Manager Technical Services
<u>Gillam Drive, Kelmscott – Verge Streetscaping</u> <i>Refer T106/10/03 27 October 03</i>	Technical Services	Further report to future Technical Services Committee.	Manager Engineering and Design / Manager Parks
<u>Armitage Road – Temporary Road Closure/Parking arrangements</u> <i>Refer T23/04/04 27 April 04</i>	Development Services/ Technical Services	Further report to future Development Services Committee. Future report to Technical Services Committee	Executive Director Development Services. Manager Engineering and Design.
<u>Road Calming to Jarrah Road Roleystone and other items associated with upgrading of the Roleystone Shopping Centre</u> <i>Refer T29/04/04 27 April 04</i>	Technical Services	Further report to future Technical Services Committee.	Manager Engineering and Design.
<u>Junk Busters Premises</u> <i>Refer T65/06/04 of 28 June 04</i>	Technical Services	Progress report to Technical Services Committee, required May 2005.	Coordinator Waste Management
<u>Tomah Street, Armadale – Traffic Management, Resurfacing and Parking Petition</u> <i>Refer T89/09/04 27 September 04</i>	Technical Services	Further report to future Technical Services Committee	Manager Engineering and Design
<u>Lack of Lighting at Cross Park Precinct, Roleystone</u> <i>Refer T91/09/04 27 September 04</i>	Technical Services	Further report to future Technical Services Committee	Manager Engineering and Design
<u>Tender 35/04 – Construction of Culvert 5206 Champion Drive over Southern River</u> <i>Refer T15/02/05 28 March 04</i>	Technical Services	Further report to March Technical Services Committee	Manager Engineering and Design

**BUSHCARE AND ENVIRONMENTAL
ADVISORY COMMITTEE**

MINUTES

**Wednesday 9 February 2005– 6.30 PM
Committee Room – City of Armadale Administration Centre**

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1. ATTENDANCE, APOLOGIES & LEAVE OF ABSENCE

Member/Deputy Member	Affiliations
Cam Clay	Chairman Bedforddale Volunteer Fire Brigade Nominee & Armadales Gosnells Landcare Group
Cr Bob Tizard	City of Armadale Councillor
Adrian Choules	Friends of Goolamrup
David James	Friends of Forrestdale
Beth Laurie	Armadales Gosnells Landcare Group
Ian Colquhoun	Roleystone Dieback Action Group
John Herpen	Churchman Brook Bushland Association
Ken Downsborough	Palomino Reserve Catchment Group
Michael Moltoni	Armadales Settlers' Common
Ron Van Delft	City of Armadale
Corinne Gaskin	City of Armadale
Yvonne Ward	City of Armadale
Apologies	
Cr Pat Hart	Armadales City Rivercare
Kim Fletcher	Friends of Armadales Shale Quarry
Juliette Green	Friends of Canning Mills Reserve
Leo Den Hollander	Armadales Settlers' Common
Gwen Watson	Armadales City Rivercare
Simone Tuten	Friends of Canning Mills Reserve

Michael Moltoni, deputy for Leo Den Hollander on the Armadales Settlers' Common Committee, was welcomed by Committee Members.

2. DISCLOSURES OF FINANCIAL INTEREST

Nil.

3. PUBLIC QUESTION TIME

Nil.

4. DEPUTATIONS

Nil.

5. PROJECTS FOR COUNCIL'S NOTICE

The following projects are listed for Council's notice. The Project/ Group leader for all projects listed in the table below has agreed to conduct the works with due regard to the City's safety and training requirements for bushcare activities as described in the City's Friends Group Manual.

RECOMMEND

That Council be advised that the Project/ Group leader listed in the table below has been co-opted to the Bushcare and Environmental Advisory Committee to protect or rehabilitate bushland by facilitating works by volunteers for this Committee to extent of the scope of works and volunteer duties described.

Project/ Group leader	Group (if any)	Span of dates	Scope of works/ volunteers duties
Adrian Choules	Friends of Goolamrup	Fortnightly – from Sunday, 12 February 2005	Weeding and watering
Ian Colquhoun	Hillandale Bushcare Group	Sunday, 13 February 2005	Dieback injecting at Hookway Reserve
Ken Downsborough	Palomino Reserve Catchment Group	Saturday, 26 Feb 2005	Busy bee – general tasks.

6. CONFIRMATION OF MINUTES

Moved Ian Colquhoun: That the Minutes of the Bushcare and Environmental Advisory Committee meeting held on 16 November 2004 be adopted.

CARRIED

7. CORRESPONDENCE AND INFORMATION

7.1. Correspondence in

- Ecoplan News Issue 52 Summer 2005
- NRM in WA – published by the NRM Council of WA
- Forrestdale Community Day Flyer
- Armadale Community Day Flyer
- Great Australian Night Stalk – Acknowledgement of participation and Certificate

8. BUSINESS ARISING

8.1. Items for public comment

8.1.1. General

Proposal/ policy or document	Copies available from	Closing date or date to be considered by Council standing Committee
Jandakot Regional Park Draft Management Plan	www.naturebase.net/national_parks	Considered by Council 17 Jan 2005. Comment to Conservation Commission by 24 Feb 2005.
Towards a Biodiversity Conservation Strategy for Western Australia	www.naturebase.net	Comment to the Department of Conservation and Land Management by 15 April 2005.

Committee was advised that the Jandakot Regional Park Draft Management Plan had been considered by Council on 7 February 2005 and that although Council was generally supportive it could not endorse the draft Plan while it contained a recommendation to close Keane and Gibbs Road in Forrestdale.

Committee was of the view that the Jandakot Regional Park Draft Management Plan should be adopted without change as further fragmentation of the Park would have an extremely detrimental effect on the fauna within the Park and to the biodiversity of the area.

RECOMMEND

**MOVED: Mr David James/SECONDED: Mr Adrian Choules:
OPPOSED: Cr Bob Tizard**

The Bushcare & Environmental Advisory Committee is of the view that the Jandakot Regional Park Draft Management Plan should be adopted. That further fragmentation of the Park would, in the opinion of the Committee, have an extremely detrimental effect on the fauna within the Park and on the biodiversity of the area.

CARRIED

8.1.2. Planning applications & scheme amendments

Planning applications or scheme amendments deemed as having significant environmental issues currently out for public comment include: Nil.

8.1.3. *Items of interest from the Council Committee or Council minutes or agenda*

Committee	Item of Interest
Council 20 December 2004	Resolution to continue the City's annual contribution to the Armadale Gosnells Landcare Group of \$30,000 with AGLG determining the best way to utilise funds to achieve catchment management objectives.

8.2. BEAC Annual Calendar

At its June 2000 meeting BEAC resolved to adopt an annual calendar, which was last updated in November 2002 (amended February 2004) in order to help ensure the Committee fulfils its Terms of Reference. Items listed for the next few months (as updated at previous meetings) or that may need further discussion appear below.

February

- Commence planning for Minnowarra Festival

8.3. Grant watch information report

- Bushland Benefits – New off-reserve biodiversity conservation assistance program offered by CALM.
- Swan Alcoa Landcare Program 2006 applications open. Close mid 2005.

Cr Bob Tizard, for members' information, advised that applications for SALP funding will need to be finalised earlier this year.

8.4. Information items (i.e. progress reports relevant to previous business) to note.

8.4.1. *Plenary Session*

Organisation of February's plenary is underway. A date is not yet confirmed for the event.

The Environmental Officer advised that the topic for the Plenary Session had been changed to reflect the recent bush fires occurring in the hills areas of Perth. Two speakers from CALM, will speak on the impact of the fire on the flora and fauna.

8.4.2. *Swan NRM Update - New Natural Resource Management Officers*

Six new positions (to be based at SERCUL) were advertised by the Swan Catchment Council. The new positions have been filled as follows:

- Julie Robert - Regional NRM Coordinator
- Tom Atkinson – Level 4 NRM Water Management Officer
- Steve May – Level 3 NRM Water Management Officer

- Paul Lock – Level 4 NRM Natural Diversity Officer
- Kellie Cassells – Level 4 NRM Water Management/ Sustainability Officer
- Zoe Fulwood – Level 3 NRM Water Management/ Sustainability Officer
- Jason MacKay – Level 4 NRM Water Management Officer

On 23 December 2004 Council resolved to continue in its contribution of \$30,000 per annum to the Armadale Gosnells Landcare Group, and enable the group to determine the best way to utilise funds to achieve catchment management objectives. The City of Gosnells similarly resolved to continue in its contribution of these funds, to enable the landcare group to directly employ a Catchment Coordinator. Martin Gehrman is now employed as Catchment Coordinator by the Armadale Gosnells Landcare Group directly.

8.4.3. Volunteer Strategy

The first of a series of BEAC advertisements for volunteers started in January 2005. No new volunteers have responded to the first advertisement 'Never Say Die'.

The Environmental Officer advised that recent advertisements placed for volunteers to help with dieback had drawn no response. Another advertisement will be placed at the end of March. It was to be hoped that this ad will generate a better response than those placed previously.

8.4.4. Community Days

The City of Armadale Community Development team wish to advise BEAC of the following proposed dates for community days. Forrestdale 17th April 2005 and Armadale 1 May 2005.

The Environmental Officer enquired as to whether Committee was in favour of a display at the proposed Community Days and if so, could members provide feedback on topics to be included.

Committee to give consideration to suitable topics/ ideas and bring them back to the next meeting of BEAC on 9 March 2005.

Dr Colquhoun advised that the communication plan for the Dieback Working Group is now being put in place and an application has been made to LotteryWest for funding.

8.4.5. BEAC Annual Report October 2003 – October 2004

The BEAC Annual Report is now complete and has been circulated to BEAC members and the City's libraries. Thank you to all those groups who submitted their Friends Groups Reports, and to the BEAC Committee for their contribution in 2004.

8.5. Press Releases

BEAC members to table any information relating to possible upcoming press releases.

8.6. Reminder list –items in progress or scheduled for future meetings

Item	Progress
Terms of Appointment – regarding the turnover of terms.	<i>Awaiting a Council item. To occur before next election of Council.</i>
Development of Path Construction Guidelines	<i>Draft Policy and Management Practice under internal review to ensure compliance with other operational procedures</i>
Watch on <i>EP Act</i> for roadside vegetation clearing regulations (BEAC April 2004)	<i>Regulations gazetted 30 June.</i>
Levels of Service Report – Parks Department. It is expected to address the issue of contacting Reserve Custodians prior to works occurring in their reserve.	<i>A copy of this report to be provided to BEAC when it goes to Council.</i>
Time periods for payment of invoices (Sept 03).	<i>DEFERRED until Business Process Review Complete.</i>
Terms of Reference for Armadale Settlers Common Management Committee and the Bungendore Park Management Committee.	<i>See comments below.</i>
Consider review of City of Armadale Dieback Policy.	<i>See comments below.</i>
Invite community newspapers to attend a BEAC meeting and provide direction on ‘what constitutes a good press release and photo’.	<i>No progress</i>

• **Levels of Service Report**

Dr Ian Colquhoun requested that follow up take place with Manager Parks in regard to the need for the City to employ a staff member with bush regeneration skills.

The Environmental Officer advised that a response had been received from Manager Parks and that he was in the process of obtaining information in regard to the BEAC request.

• **Terms of Reference for Armadale Settlers’ Common Committee & Bungendore Park Management Committee**

Cr Bob Tizard advised that Terms of Reference for the Settlers’ Common Management Committee and Bungendore Park Management Committee were considered and approved

by Council at its meeting on 7 February 2005. Also the current membership of both Committees was ratified. This outcome was due to the efforts of the Bushcare & Environmental Committee and recognition was also due to Ron Van Delft for his role in bringing this about.

- **Consider review of City of Armadale Dieback Policy**

The Environmental Planner advised he had held discussions with the CEO in regard to the approach to be taken. It was very much one of looking at the existing process and improving it. The focus is going to be on looking at how the Management Practice can be rewritten and it is understood that a Dieback Working Group Officer has agreed to help review the Dieback Policy. Committee was of the view that any rewrite of the Dieback Policy includes the following:

- that Rangers in particular, in formulating strategic fire plans, are aware of any dieback policy;
- a policy statement that the City of Armadale will only purchase tube stock from NIASA accredited nurseries.

The Environmental Officer advised that this matter had been discussed with the Horticultural Officer whose response was that the City of Armadale purchased stock from nurseries that are not necessarily Nursery Industry of Australia accredited but which do undertake soil testing to ensure plants are dieback free.

RECOMMEND

MOVED: Dr Ian Colquhoun/SECONDED: Mr Ken Downsborough:

BEAC requests that in a review of the City of Armadale Dieback Policy, Council, as part of that review, investigate and insist that all tube stock be purchased from NIASA accredited nurseries.

CARRIED

9. GENERAL BUSINESS – items for discussion

9.1. Presentation on Strategic Trail Routes – Current and Future

The Environmental Planner advised that a report had been presented to Council recommending Strategic Trails Routes, maps of which are available for perusal. The idea is that this is a long term plan for trails within the City of Armadale. It shows existing paths and trails, ones which are believed to be able to be funded through subdivision and planning processes and others which are basically unfunded. The idea is that they will become the more important walking routes within the City and members are requested to identify those walking trails which are missing from these maps. Council resolved that consultation occur with community groups and any other relevant walking groups and it was requested that members who know of any walking groups which could provide input, that details be forwarded to the Environmental Planner. Plans can be taken home and

missing trails be marked on them. All changes to be provided to him within the next two to three weeks.

9.2. BEAC Awards presentation 5 December 2004

Approximately 50 people attended the BEAC Awards Presentation Event at Araluen Botanic Park on 5 December 2004. Feedback from people on the day indicates that the event was enjoyable and provided a valuable opportunity to socialise with other environmentally minded people.

Discussion of the event is invited.

Ken Downsborough requested that consideration be given for a process to be put in place whereby the volunteer hours/times be automatically sent to AGLG's Catchment Coordinator to be registered and accumulated on a spread sheet for the annual award process.

RECOMMEND

MOVED: Mr Adrian Choules/SECONDED: Mr Ken Downsborough

That the BEAC Awards be again held in 2005, to recognise the contributions of environmental volunteers.

CARRIED

9.3. Minnowarra Festival

In 2004, BEAC's display at the Minnowarra Festival was in the Council tent. Feedback at the time indicated that the display was difficult to find, and blended in with other Council information (consisted of a large poster, Bushcare Directory, and Friends Group Manual). At the October meeting of BEAC 2004, BEAC identified the need to undertake self-promotion opportunities.

Ideas are sought from the Committee on the BEAC display at the Minnowarra Festival.

The Environmental Officer to put together some ideas for the BEAC display at the Minnowarra Festival and Committee Members to provide their ideas/feedback to the next meeting of BEAC in March 2005.

9.4. City of Armadale State of the Environment Report Review

On 17 January 2005, a Councillor Workshop was held to determine the scope of consultation required for the State of the Environment Report Review.

A stakeholder workshop will be held on 7pm Wednesday 2 March 2005. Invitations have been circulated to all Friends Groups.

The Environmental Officer advised that on 17th January 2005 a Council Workshop was held on the Review of the State of the Environment Report. The current situation is that three internal reports have been prepared as a part of the review process. The first reports on indicators from the 1999 State of the Environment Report, updating data and expanding the scope of indicators. The second is a report on expectations on Local Government in environmental management, looking at other state documents that had any actions for Local Government. The third internal report undertakes a gap analysis between the current state of the environment, threats, expectations and areas where action is currently taken. The next stage of the review process is a Friends Group Workshop for which a letter of invitation has already been circulated and this will be held on 2 March 2005.

9.5. BEAC equipment

Cr Frank Green has been storing equipment that was donated to BEAC by the former Friends of Bob Blackburn Reserve. This equipment is available to friends groups on request. The equipment includes a wheelbarrow, 2-door metal filing cabinet, and a number of small hand tools. Suggestions for a new storage location are sought.

Cr Bob Tizard advised that Armadale Settlers' Common Management Committee has storage space available for the equipment donated to BEAC by the former Friends of Bob Blackburn Reserve and would be happy to make it available to other groups who may wish to use it.

RECOMMEND

MOVED: Mr Ken Downsborough/SECONDED: Dr Ian Colquhoun:

That the offer from Armadale Settlers' Common Management Committee to store and use the equipment donated by the former Friends of Bob Blackburn Reserve be agreed to on the proviso that the equipment is made available for use by other groups.

CARRIED

9.6. Spread of Caltrop

Potential outbreaks of the weed Caltrop have been raised to the Committee's attention. New infestations within the Tonkin Highway extension (in areas likely to be vegetated as a part of landscaping requirements) have been reported in the Gosnells area.

9.7. Meeting Dates 2005

The following meeting dates are proposed for 2005. All meetings (except August) will occur on the second Wednesday of each month, at 6.30pm in the City of Armadale's Committee Room.

Wed 9 March 2005	Wed 3 August 2005
Wed 13 April 2005	Wed 14 September 2005
Wed 11 May 2005	Wed 12 October 2005
Wed 8 June 2005	Wed 9 November 2005
Wed 13 July 2005	December – no meeting

The Environmental Officer advised that Simone Tuten was unable to attend meetings at 6.30 pm and this should be kept in mind when setting the proposed meeting dates and times for 2005. Also that Juliette Green will be resigning from BEAC but Simone Tuten has expressed an interest in taking her place. Committee Members were of the view that the 6.30 pm time slot was acceptable to the majority and should continue.

RECOMMEND

MOVED: Cr Bob Tizard/SECONDED: Dr Ian Colquhoun:

BEAC members are notified that the Bushcare and Environmental Advisory Committee will meet in the City's Committee Room at 6.30pm on the second Wednesday of the month, with the exception of August, when the meeting will be held on Wednesday, 3 August 2005.

CARRIED

9.8. Around the table & issues of concern/ new items for discussion

Adrian Choules

Goolamrup Reserve

It is understood that the City of Armadale is going to do what work is deemed necessary to stabilise the drainage problem at Goolamrup Reserve. This matter had been raised and discussed previously at the Bushcare & Environmental Advisory Committee on 16 November 2004.

Madeira Vine

In October 2004 concerns were raised about an infestation of Madeira Vine along a 50 metres section of the river reserve just down from Roberts Road. Subsequent to the matter being raised, the Madeira Vine was successfully treated commercially and it is expected that follow up treatment will occur each year over the next five years. Persons with knowledge of Madeira Vine have advised that it is great that it was identified and treated as quickly as it was.

Cr Bob Tizard

City of Armadale Environmental Award – David James

Cr Bob Tizard advised that David James had been awarded the City of Armadale Environmental Award for 2005 and congratulated him on behalf of BEAC.

Rezoning Subdivision Applications – Carradine Road

Rezoning Subdivision Applications in Carradine Road have been approved, resulting in four blocks of land that will have riparian rights, which is of some concern. There is to be work done on perceived problems, as in the future more people will be drawing from the brooks that exist, and environmental needs may not be catered for. There will be an investigation as to how those sorts of applications can be approved with the minimum impact on the brooks.

Michael Moltoni

Armadale Settlers' Common

Funding for the rehabilitation of the gravel pit at Armadale Settlers' Common has been approved. Shortly machinery and earthworks will be in place to carry out the proposed rehabilitation works. Seed propagation will occur and volunteers will be invited along to carry out the proposed tasks.

The Annual Report for the Armadale Settlers' Common Management Committee has been finalised.

John Herpen

Friends of Churchman's Bushland

- The Friends of Churchman's Bushland will hold a meeting on Monday, 21 February 2005.
- The entrance from Stocker Road has now been resolved by the termination of the lease with Alan Moore. This will result in a user-friendly entrance.

Ron Van Delft

Congratulations

The City's Environmental Planner extended his congratulations to the Armadale Settlers' Common Management Committee and Roleystone Dieback Action Group for their success in receiving funding for environmental works.

David James

Forrestdale Lake – Fire

A small fire occurred at Forrestdale Lake some five – six weeks ago. It occurred on a calm night and about a hectare of bush was burnt out.

Jandakot Regional Park Draft Management Plan

Requested that Members be supportive of the Jandakot Regional Park Draft Management Plan as it is very important to make sure that the Park is not fragmented endangering the fauna in the Park.

Ken Downsborough

Spraying of Road Verges

One of the contractors engaged by the City of Armadale to spray road verges appears to have done so with faulty equipment. This has resulted in the browning of leaves on trees and grass trees in areas where this faulty spray was used.

Temporary Crossing of the Wungong – Tonkin Highway

The temporary crossing over the Wungong River is about to be removed. Will do a little bit of work with spoil that has gone into the river and this will be put up on the bank.

Ian Colquhoun

Roleystone Dieback Action Group

\$9,600 of funding has been received from Swan Alcoa Landcare Program. This will be used towards planting and dieback injecting in reserves where volunteers are unable to complete a project and it is needed to hire a contractor to complete the project.

Insurance

The matter of insurance was discussed with Julie Robert at the recent SALP cheque presentation. Julie advised that alternative insurance could be obtained from another organisation at a cheaper rate, which will reduce contribution needed from BEAC to \$300.

Corinne Gaskin

2005 Bush Walks

Pat Hart has supplied a list of suggestions for the 2005 Bush Walks to BEAC members. It is requested that members give consideration to those suggested and provide feedback at the next meeting of BEAC in March 2005.

Resignation – Juliette Green

Juliette Green has indicated that she will be tendering her resignation from the Bush Care & Environmental Advisory Committee.

Plenary Session

Reminder that a Plenary Session will be held on 24 February 2005.

10. NEXT MEETING & CLOSURE

Wednesday, 9 March 2005 6.30pm Committee Room, City of Armadale Administration Centre.

MEETING CLOSED AT 8.45 PM.

REVIEW OF WA'S DEFAULT OPEN SPEED LIMIT

In August 2002, Councils were approached to ascertain views on a review being undertaken by the Road Safety Council's Speed Management Taskforce of WA's default open road speed limit. The review related to reducing the default open speed limit from 110km to 100km on **non-speed zoned roads** that are typically unsealed and narrow sealed roads.

While the research for the review was undertaken in 2002, the Discussion Paper has only now been presented to the Speed Management Taskforce for consideration with a recommendation that WA's Default Open Speed Limit be reduced to 100km.

The process from this point forward is that the recommendation will now be referred to the Road Safety Council Officers Support Group (ROSCOS) and ultimately to the Road Safety Council for consideration.

The Association is aware from the Discussion Paper that the majority of Councils (72%) support the retention of the 110km default open speed limit. On the basis, the Association is intending to inform the Local Government representatives on ROSCOS and the Road Safety Council that the position of Local Government on this issue is:

1. That it is considered premature to implement a reduction in the State's default speed limit from 110km to 100km on **non-speed zoned** roads and on the basis of feedback from Councils to the Discussion Paper on the Review of W's Default Open Speed Limit, the introduction of a change is opposed at this point in time.
2. That the Road Safety Council be requested to undertake over the next 2 year an education campaign to inform Local Governments and their communities of the benefits in reducing the Default Open Speed Limit from 110km to 100km.

Given that the feedback from Councils was originally sought by the Speed Management Taskforce in 2002, it would be appreciated if you could notify the Association if your Council has changed its position on this issue since that time and whether you support the position proposed by the Association.

COPPER CHROME ARSENATE (CCA) TREATED TIMBER – PUBLIC HEALTH ISSUES

The following correspondence was received from the Department of Public Health Western Australia:

"I am writing to you in relation to the Australian Pesticides and Veterinary Medicines Authority's (APVMA) Review of Arsenic Timber Treatment Products dated March 2005. In the review the APVMA recommends that it:

'prohibit the use of CCA on timber intended for structures such as garden furniture, picnic tables, exterior seating, children's play equipment, patio and domestic decking and handrails.'

Manufacturers of treated timber have been given till 11 March 2006 to comply with the APVMA conditions.

This decision is likely to affect your jurisdiction if you use or approve the use of CCA treated timber structures.

The APVMA's decision is based upon there being insufficient information (according to current legislative requirements for pesticide registration) for the APVMA to be satisfied that the continuing use of CCA is safe for timber use in structures with which the general community are likely to come into frequent and intimate contact.

However, there is currently no evidence to indicate that existing CCA timber structures pose a health risk to the public. The Commonwealth Department of Health and Human Service's Office of Chemical Safety (OCS) undertook a health risk assessment for the APVMA review and concluded that;

'there is no compelling evidence from the available data to conclude that there was likely to be an unacceptable risk to public health from exposure to arsenic from CCA treated timber. Based on this finding, there would not seem to be any good justification for taking immediate action to remove existing CCA treated playground structures.'

Studies recently published in the scientific literature have supported the OCS health risk assessment. The studies included measurement of the amount of arsenic on children's hands after playing on CCA timber playgrounds and a detailed risk assessment. Both studies indicated that though children will have an increased arsenic intake when playing on CCA timber, the intake is very low and not of a health concern.

The US EPA and the European Union have reached a similar conclusion to that of the APVMA. They have not recommended that existing structures be removed.

The Department of Health (DoH) considers that there are currently no health risks associated with CCA timber playgrounds and related structures and therefore does not recommend that they

be dismantled. Pending further discussions with the APVMA and State Departments of Health on the implementation of the recommendations, the DoH is recommending as an interim measure that jurisdictions consider replacing CCA treated picnic tables, exterior seating, children's play equipment, decking and handrails when these structures require maintenance rather than repairing them. The timber should be disposed of to landfill and not burnt."

MID NEWS taskforce

Metropolitan Illegal Dumping Taskforce Newsletter Issue 1 2005

The amount of illegal rubbish dumping in Western Australia has increased significantly over the past decade, and particularly in the last five years where anecdotal evidence suggests that the amount of dumping has nearly doubled.

In 2003 the Metropolitan Illegal Dumping Taskforce (MIDT) formed by representatives of Conservation and Land Management (CALM), Water Corporation, the Shires of Kalamunda, Gosnells and Wanneroo; the Cities of Swan and Armadale; and the Town of Kwinana and Industry groups. The Taskforce has evolved from the Darling Range Rubbish Group (DRRG) and meet quarterly at the CALM Swan Regional Offices, Kensington.

Stev Slavin, Chairman of MIDT said that "illegal dumping is of a particular concern in areas of state forest that form part of Perth's water catchment. These catchments provide for about half of the water supplies for Perth, Mandurah and the Agricultural and Goldfields Water Supply Scheme, and face the threat of contamination, Mr Slavin said". "In addition, rubbish dumping causes visual pollution, threatens flora and fauna with toxins and weed infestation, and can lead to fires when car bodies are set alight. The financial cost of cleaning up illegally dumped rubbish is significant, with CALM alone estimating the cost at \$200,000 for the areas of its jurisdiction."

A variety of factors have been identified by the Taskforce as causing the rapid increase in dumping. Primarily it appears that both individuals and businesses are seeking to avoid tipping costs, especially those associated with more heavily regulated items such as tyres, car bodies and hazardous waste such as asbestos. Commercial waste haulers and building contractors seeking to avoid waste disposal overheads are becoming brazen in the amount and regularity with which they are dumping.

Presently the penalties for dumping are not sufficient to deter illegal dumping. The Litter Act allows for on-the-spot fines of up to \$200 and a fine of up to \$1000 if the matter is dealt with in court. The fines are on a par with proper disposal costs for a person who needs regular waste disposal. The enforcement of these fines is also difficult, given the small number of surveillance and enforcing officers, the remote areas where rubbish is dumped and that it is dumped in the evening or at the weekend.



Illegal dumping at a development site in the Malaga area (City of Swan)

An analysis of strategies to deal with the illegal dumping problem is currently being developed by the Metropolitan Illegal Dumping Taskforce. Overall, an integrated solution to the problem is sought – one that deters dumpers with fines and enforcement, diverts dumped waste to the proper recycling and landfill streams and involves the community in cleaning up, rehabilitating and monitoring areas of bushland.

For more information about illegal dumping, contact the MIDT Coordinator, Amy Warner on 9278 0648.

Informing the Community

A key strategy of the MIDT Business Plan is to inform the general community and businesses about the escalating illegal dumping phenomenon and the associated issues. Educating the public has been undertaken through MIDT presence and displays at key events.



Ian Kiernan launching Clean Up Australia Day 2004 at Balannup Lake, Forrestdale.

Clean Up Australia Day 2004

The Clean Up Australia Day 2004 launch focused on the illegal dumping issue and was held in the City of Armadale at Balannup Lake, Forrestdale.

A general clean up of dumped rubbish was conducted and displayed for attendees to view. Car bodies, asbestos, white goods and tyres were just some of the waste items that were retrieved from this area.

The Armadale 4 WD Association volunteered their time and vehicles to remove the car bodies with Sims Metal taking the vehicles off site for crushing and recycling.

The event was also attended by the Minister for the Environment, Judy Edwards. Minister Edwards was overwhelmed by the level of dumping in the area and recognised the need for Stakeholders to work together.

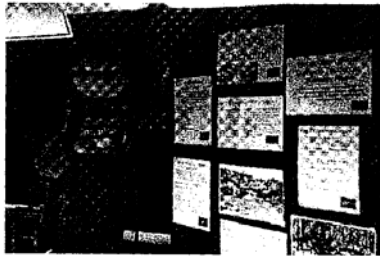
A big thankyou to all parties involved.

Presentations

An integrated approach by key Stakeholders is another strategy identified in the MIDT business plan to reduce illegal dumping.

Presentations have been delivered at a number of events and to internally to organisations that have been identified as needing to be involved including:

- WA Rangers Association 2003
- Waste and Recycling Conference 2004
- The Water Corporation
- The Shire of Kalamunda
- Conservation & Land Management
- The Waste Management Branch
- The Combined Charity Bin Committee



Charlie Chuditch and the illegal dumping display at the launch of CALM's 5 new national parks day

The Coordinator has again been invited to speak at the WA Rangers Conference 2005 and will discuss the findings of research currently being undertaken.

Displays have been another effective tool in getting MIDT's message out to the community about negative effects of illegal dumping.

A number of displays have been held including:

- CALM's 5 New National Parks Day 2003
- Clean Up Australia Day Launch 2004
- The Paraquad Society Fair 2004
- Litter Abatement Taskforce 2004
- Clean Up Australia Day Launch 2005
- Clean Sites Launch 2005

The Metropolitan Illegal Dumping Taskforce is looking forward to running a media campaign soon.



Information Bulletin

Issue No. 8/2005

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OUTSTANDING REPORT

COMMUNITY SERVICES COMMITTEE REPORT ON OUTSTANDING MATTERS – MARCH 2005		
ITEM	DEPT.	ACTION/STATUS
<p><i>Lease – Armadale Golf Course – (June 2003)</i></p> <p>That Council refer the matter of tenure and implementation of appropriate management controls for the Armadale Golf Club Clubhouse to the Community Services Directorate for consideration and report back to the Community Services Committee.</p>	Recreation Services	Golf Course Lease has been finalised. Negotiations underway with Armadale Golf Club re: Management Agreement for the clubhouse facility. Matter to be finalised by May 2005.
<p><i>Kelmscott Soccer Club – Proposal to Use Pries Park (February 2004) (August 2004)</i></p> <p>That a report to the October 2004 Community Services Committee meeting be prepared that identifies the issues associated with the Kelmscott Soccer Club's future, canvassing possible options for Council's consideration and recommending a strategy for the future use and development of both Frye Park, Pries Park and other relevant alternatives. (C120/8/04)</p>	Recreation Services	Matter reported to the November Community Services Committee Meeting. Council resolved not to approve the Kelmscott Soccer Club's request to relocate to Pries Park at this time. Further consultation to occur with the Club and an additional report to be presented to the April Community Services Committee Meeting.
<p><i>Dob in a Hoon Program for Armadale (January 2005)</i></p> <p>That Council recommit the "Dob in a Hoon" program, pending:</p> <ol style="list-style-type: none"> a. further information in regard to the processes used and outcomes arrived at by other local government authorities with regard to their "Dob in a Hoon" programs. b. information from the new Officer in Charge at Armadale Police Station as to what measures are being taken currently by the Armadale Police in regard to Hoon behaviour. (C6/1/05) 	Community Development	Subject to workloads and available resources, matter to be reported to a future Community Services Committee.
<p><i>Pioneers' Reunion Venue</i></p> <p>That Council continues the current practice of rotating the Pioneers' Reunion at the Armadale, Kelmscott and Roleystone Halls and investigate additional venues at which to hold the function within the City of Armadale.</p> <p>The matter of qualifications to become a Pioneer to be investigated by officers and referred to a future meeting of the Community Services Committee. (C9/1/05)</p>	Community Services	Subject to workloads and available resources, matter to be reported to a future Community Services Committee meeting.
<p><i>Sporting Clubs Financial Update</i></p> <ul style="list-style-type: none"> ▪ That a further report be submitted to the April Community Services Committee on the status of 	Recreation Services	Update report for all clubs presented to the 1 March Community Services Committee. Meeting scheduled for March and some financial information provided by the club.

OUTSTANDING REPORT

COMMUNITY SERVICES COMMITTEE REPORT ON OUTSTANDING MATTERS – MARCH 2005		
ITEM	DEPT.	ACTION/STATUS
<p>the Armadale Soccer Club's debt, and a proposed repayment plan to clear the Club's debt.</p> <ul style="list-style-type: none"> ▪ That the Armadale and Districts Rugby League Club be requested to submit for Council's consideration a revised repayment plan to clear its debt. ▪ That Council accepts the revised repayment plan submitted by ARKS Rugby Union Club, which will see the Club's debt repaid in full by June 2005. ▪ That a further report be submitted to the May 2005 Community Services Committee on the status of the Kelmscott Football and Sportsmen's Club's debt, and a proposed repayment plan to clear the debt. ▪ That an update report be submitted to the October 2005 Community Services Committee meeting on the status of the debts owed to Council by the sporting clubs identified in the report. ▪ That Cr Cominelli (chairperson and Forrestdale Ward member), Cr Zelones and relevant officers urgently meet with the President and representatives from the Armadale Soccer Club to discuss the Club's debt to Council and report back to the next Community Services Committee meeting. (C18/3/05) 		<p>Report to be presented to either March or April Community Services Committee Meeting</p> <p>Discussions held with the club and correspondence issued to the club requesting it submit a repayment plan</p> <p>Confirmation of the revised repayment plan has been forwarded to the club. Next \$500 instalment is due in at the end of April.</p> <p>Correspondence issued to the Club requesting financial information and a revised debt repayment plan.</p> <p>Status report to be presented in October re all sporting club debts.</p> <p>Meeting scheduled for March and report to be presented to either the March or April Community Services Committee Meeting.</p>
<p><i>Proposal to Establish a Rushton Park Advisory Committee(March 2005)</i></p> <ol style="list-style-type: none"> 1. That Council writes to user groups of Rushton Park to seek their views as to the need to establish a new advisory committee or the alternative of setting up an informal communication process that would involve the groups meeting with Council representatives on two or three occasions each year. 2. That a further report on the proposal be presented to the May 2005 Community Services Committee. (C27/3/05) 	Recreation Services	Subject to workload and available resources, matter to be reported to the May Community Services Committee Meeting.

OUTSTANDING REPORT

COMMUNITY SERVICES COMMITTEE REPORT ON OUTSTANDING MATTERS – MARCH 2005		
ITEM	DEPT.	ACTION/STATUS
<i>Armadale Arena Financial Update (March 2005)</i> 1. That the draft 2005/06 Business Plan for Armadale Arena be presented for Council's consideration via the May 2005 Community Services Committee meeting. (C29/3/05)	Recreation Services	Subject to workload and available resources, matter to be reported to the May Community Services Committee Meeting.

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LIBRARY & HERITAGE SERVICES GENERAL MONTHLY REPORT – MARCH 2005

1. LIBRARY SERVICES

1.1 Statistical Performance Indicators

The Library Department's statistical performance indicator report for the month of March 2005 is attached. (Refer to Attachment "CA-1")

1.2 Library Extension Activities

1.2.1 Harmony Week Activities

(Report prepared by Bill Leigh, Branch Librarian Westfield)

Vice Chancellors' Oration

In celebration of Harmony Week, the Branch Librarian, Westfield Library accepted an invitation to attend the Vice Chancellors' Oration at the University of Western Australia. The Vice Chancellors' Oration was coordinated by the Western Australian Universities Vice Chancellors' Forum against Racism and the Office of Multicultural Interests, and the occasion was hosted jointly by the Premier Dr. Geoff Gallop and the Vice Chancellors of the combined universities.

The Oration, entitled "Australia's Multiculturalism: Time for Assessment and Renewal", was presented by The Honourable Sir William Deane. The theme was chosen to mark the International Day for the Elimination of Racial Discrimination, initiated by the United Nations in commemoration of the Sharpeville Massacre in 1960. Sir William provided the audience with some thought provoking insights into Australia's multicultural history, current trends and challenges for the nation's future.

Harmony Week Display

In keeping with the theme of Harmony Week for 2005, Westfield Library produced a display providing information on shared rights, diverse cultures, multicultural Australia and the fight against racial discrimination.

1.3 Western Australian Local Government Librarians Association Conference Attendance

On Friday 4 March, a number of the Librarians employed by the City were given the opportunity to attend the Western Australian Local Government

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Librarians' Association (WALGLA) Conference. This is a one day biennial conference, that enables library staff, administrators and elected members to attend a conference in Perth. The Mayor and Executive Director Community Services also attended the Conference.

The sessions that were of most interest, are outlined below.

Providing a safe place in our community – this paper was delivered by Kathleen Swinbourne, a PHD student from the University of Western Sydney. She was the principal researcher on the study, *A Safe Place to Go : Public Libraries and Social Capital*. Her PHD examined public area surveillance and its effect on intra-community relationships and levels of trust. Her research revealed the high level of trust that members of the public have in the public library as a safe place. (Note that the Manager Libraries & Heritage does have a copy of the study should any Elected Members be interested in reading it),

Creating our place in the community through stories – was a delightful paper presented by Anne Devenish who has been the School Community Librarian at the Karratha Community Library for four years. Anne spoke about being challenged at the last WALGLA Conference and as a result applied for and was successful in gaining grant funding to establish a story telling program in the libraries in her region. The challenges of working with the indigenous community and achieving the brilliant outcomes she did, resulted in a stimulating paper, the culmination of which was an announcement by a local businessman, who was in the Conference audience, of additional funding to continue the project.

A smart community : 24 hr DIY library, a Singapore experience – was the paper presented by Ms Ngian Lek Choh from the National Library Board of Singapore. Some years ago, Singapore made the decision to invest heavily in public library infrastructure, inclusive of buildings, on line services as well as books and other resources, as part of its information network. Singapore is often used as the benchmark of excellence in public library service provision. Ngian's paper outlined the ongoing commitment to the provision of information on a 24 hour basis in Singapore by use of technology with options for librarians to work from home, as well as the ongoing provision of library services to those who prefer the traditional library service.

Providing a literate future – this paper was given by Dr Caroline Barratt-Pugh a senior lecturer in Early Childhood Education specialising in Language and Literacy at Edith Cowan University. She is currently director of a research project 'Evaluating Better Beginnings' which is part of the WA Government's Early Years Strategy. Better Beginnings is an early intervention literacy program, initiated by Public Library Services Directorate at the State Library

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of Western Australia, to provide positive literary influences for children in their first three years of life. The results of the research to date have been extremely positive, such that Rio Tinto has made additional funding available to the State Library to continue the program and expand the research. (The City of Armadale Libraries, together with the local Child Health Centres are participating in the program, but we are not one of the centres participating in the study).

WALGLA used the Conference to announce its change of name to the Local Government Librarians Association of Western Australia, to be known as LocLib. The papers from the Conference will be available on the LocLib web site in the near future.

2. HERITAGE SERVICES

2.1 Museum Curator

The newly appointed Museum Curator, Mr Christen Bell, commenced work on Monday 4 April. He will be responsible for both the History House Museum and the Bert Tyler Vintage Machinery Museum. His background of working with small and diverse museums, mainly as a Consultant, brings a wealth of experience to the City of Armadale. He will, of course, work in close liaison with the Local Studies Librarian in providing the curatorial services to the City.

2.2 Oral History Report

Volunteers.

Active Members – 6 who are regularly contributing.

Interviewing - 4.

Transcribing – 2.

New volunteer who started transcribing on 31st March 2005.

Involved intermittently – 2.

Interviewing – 1.

Transcribing – 1.

Estimate of Total Volunteer Hours

At the end of 2004:

Interviewing – 81 hours.

Transcribing – 67 hours.

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January – March 2005:
Interviewing – 44 hours.
Transcribing – 53 hours.

Interviews.

Letters Sent Out to Prospective Interviewees.
From June 30th 2004 until March 30th 2005 – 26.

Interviews Completed
From June 30th 2004 until March 30th 2005 – 21.

Transcripts.

Transcripts Completed
From June 30th 2004 until March 30th 2005 -1.

3. ARMADALE VISITOR CENTRE REPORT

3.1 Visitor Statistics

- 893 people visited the Armadale Tourist Information Centre during March 2005
- 479 enquiries from the local community
- 214 enquiries from the wider metropolitan area
- 29 enquiries from people living intrastate
- 72 enquiries from people living interstate

MANAGER RANGER & EMERGENCY SERVICES MONTHLY REPORT FOR MARCH 2005

1. Animal Control

1.1 Dogs

Ranger Services received three hundred and ninety nine (399) requests for assistance during the February 2005 report period. The significant increase in the number of wandering dogs, requests to pick up dogs and lost and found dogs is largely due to thunder storms experienced during this report period.

Whilst the number of reported dog attacks is only slightly more than the corresponding period of March 2004 it is also interesting to look at the

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progressive 2004/2005 figures, which indicates a 12% increase in the number of reported dog attacks over the last twelve (12) months.

Notwithstanding dog attacks on people, other animals and livestock being of serious concern, Council should be careful not to react to a few isolated, but serious, incidents with short term measures, but support the development of educational, training and management programmes that are adequate and appropriate to reduce both the seriousness and frequency of dog attacks.

Current tasks and activities performed

- *Impounding straying or wandering dogs.*
- *Issuing relevant infringement notices, cautions, or warnings as appropriate.*
- *Follow up complaints.*
- *Ensuring all correspondence in relation to dog control is carried out.*
- *Collection of evidence and prosecutions of offenders and court appearances.*
- *Arranging for destruction of dogs when necessary*
- *Property inspections for dog registrations.*
- *Kennel inspections.*
- *Dangerous Dog Declaration investigation.*
- *Pound Cleaning and maintenance.*

Tasks not being performed include, but not limited to:

- *Regular patrols of district*
- *Any proactive work - public education.*
- *Monitoring of dog exercise areas.*

1.2 Livestock

During this report period, Ranger Services attended to two (2) requests for assistance in dealing with stock wandering on the road. Again it is interesting to note an overall increase of 30% in the progressive total of the number of reported incidents of stock on the road.

1.3 Court Action

The following information relates to legal action taken by Ranger Services pursuant to the provisions of the Dog Act 1976. This matter was heard in the Armadale Magistrate's Court during the report period:

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NAME	OFFENCE	DATE OF OFFENCE	FINDING OF COURT	PENALTY \$	COSTS \$	TOTAL \$
Trudy Lague	Dog attack (on another person)	4 th Feb 2005	Guilty	400	65	465

2. Vehicles

2.1 Parking

Ranger Services attended to eighty (80) incidents relating to the unlawful parking of vehicles during this report period. Whilst this is a slight increase on the comparative period of March 2004, the progressive total for 2004/2005 indicates a 30% increase on the number of parking matters reported to Ranger Services. This is also reflected in the number of Parking Infringements issued which points out a 33% increase in this area of operations.

It has been suggested that Council investigate other forms of parking regulation around schools such as a system of yellow lines similar to that in the CBD. However, this system would not be practical as the restrictions around schools change throughout the day and “no standing” areas only come into effect at the beginning and close of the school day, whereas yellow lines denote a permanent “no standing” area. There are fourteen (14) schools within the district of the City of Armadale that are patrolled by Rangers on a regular basis, however, there are other schools which are not regularly patrolled by Rangers, as they are not considered to be a “high risk” problem in regard to parking. Whilst signage around schools is considered to be adequate, this matter is regularly assessed on a case-by-case basis. In addition to this there is the ever increasing vehicular activity within the CBD, which is being addressed on an ad-hoc basis only.

The current tasks and activities being performed by the Rangers

- *School parking patrols (limited)*
- *Issuing of parking infringement notices, cautions and warnings as appropriate.*
- *Investigation of complaints.*
- *Investigate and report damage caused by illegal parking (reserves etc.)*
- *Parking patrols restricted to CBD*
- *Commercial vehicle parking (on complaint only)*

Tasks not being performed

- *ACROD parking throughout City.*
- *Parking patrols generally.*

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2.2 Abandoned Vehicles

Whilst the number of abandoned vehicles reported to Ranger Services is comparable to previous years they continue to be of concern, with thirteen (13) being recorded during this report period.

2.3 Control of Vehicles (Off Road Areas)

Ranger Services attended to twenty (20) reports of vehicles (motor cycles) being driven in areas that are prohibited, during the report period.

The area of private land in and around Wright Road Forestdale continues to attract a significant number of off road vehicles users, notwithstanding a high profile approach by Rangers and a recent media campaign advising the public that this was not an off road vehicle permitted area.

Activities involving the use of off road vehicles are more prevalent during school holidays and on weekends and generally carried out in semi isolated areas which make it difficult for the Rangers to address especially as they are working in isolation most of the time. Whilst it is fair to say that Rangers are regularly driving through most areas of the City on a daily basis, it is usually as they are on their way to attend to a particular incident or request for service. Notwithstanding where a Ranger observes something that requires immediate attention he would deal with that issue as a matter of priority.

Current tasks and activities performed

- *Act on complaints.*
- *Work in liaison with Police Service.*
- *Apprehension of offenders.*
- *Correspondence relating thereto.*
- *Issuing of cautions, warnings, or infringement notices.*

Tasks not being performed

- *Off Road vehicle Patrols in areas known to be frequented by offenders.*
- *Impounding of Off Road Vehicles.*
- *Any proactive work - public education etc.*

3. Fire Services

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There were twenty eight (28) enquiries relating to fire incidents during the March report period, however these matters were principally related to concerns regarding firebreaks and illegal burning of rubbish.

Current tasks and activities performed:

- *Investigate complaints.*
- *Carry out firebreak inspections.*
- *Compile reports.*
- *Issue Infringement notices/cautions where appropriate.*
- *Institute legal action.*
- *Attend court as witness*
- *Support fire services as required*

Tasks not being performed

- *Proactive educational programmes aimed at fire hazard reduction.*
- *Community Fire Safety programmes*

Litter

Ranger Services has received several complaints, from concerned members of the community, regarding the amount of household rubbish being deposited onto reserves and road verges throughout the district.

During this report period Ranger Services attended to nineteen (19) requests for assistance regarding the illegal dumping or rubbish. Again it is interesting to note an overall increase of 55% in the progressive total of the number of reported incidents of littering.

Keeping roadsides, reserves and other areas litter free is a major focus of the City of Armadale and Rangers are ever vigilant in identifying and apprehending litter offenders.

Current tasks and activities performed

- *Investigate complaints relating to dumping of rubbish.*
- *Issue infringement notices, cautions or warnings and take court action where appropriate.*

Tasks not being performed

- *Litter control patrols in areas subject to littering.*
- *Any proactive work - public education.*

5. General

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The population growth over the past five years has brought with it a commensurate increase in the demands for Ranger Services which together with the management and enforcement of a number of Acts of Parliament and other Local Laws relating to Local Government operations and jurisdiction.

Additionally an increasing number of issues being referred to the courts for determination necessitates that the individual Ranger is, more than ever before, to thoroughly research and prepare each issue. In this regard it is estimated that that each Ranger, despite assistance from the Administrative Assistant, currently averages approximately 20% of his/her time on administrative duties, which exacerbates the Rangers ability to devote time to proactive patrols and public educational type duties.

As has been indicated in previous reports to Council the only limitation, in terms of Ranger Services' ability to offer a more comprehensive commitment to the community in respect delivery is one of staff resources and the high demand from the general public in relation to requests for action and satisfactory response to complaints.

The preceding information may serve to provide Council with an understanding as to why current Ranger Services are more reactive than pro-active and why it is not envisaged that any significant additional duties should or could be added to their existing workload.

6. March 2005 Statistics

<i>DOGS</i>	<i>March 2005</i>	<i>March 2004</i>	<i>2004/2005 Progressive Total</i>	<i>2003/2004 Progressive Total</i>
Wandering	62	50	408	353
Dogs for Pick Up	52	25	273	156
Barking	40	37	215	188
Attacks	18	16	122	83
Lost & Found	104	53	524	437
General Information	13	17	85	79
Office Phone Enquiries	110	87	996	1087
Total	399	285	2623	2383
<i>Results of timber storm</i>			<i>Increase of 10%</i>	

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PARKING / VEHICLES	March 2005	March 2004	2004/2005 Progressive Total	2003/2004 Progressive Total
General Parking	19	12	125	95
Trucks	7	1	40	32
School Parking	7	5	34	21
Taxi Parking	0	N/A	15	N/A
Abandoned Vehicles	13	19	89	90
Off Road Vehicles	20	13	69	29
Office Phone Enquiries	14	21	121	106
Total	80	71	493	373

Increase of 30%

LIVESTOCK	March 2005	March 2004	2004/2005 Progressive Total	2003/2004 Progressive Total
Lost & Found	2	2	18	29
General complaints	14	6	76	37
Office Phone Enquiries	3	3	50	34
Total	19	11	144	100

Increase of 40%

LITTER	March 2005	March 2004	2004/2005 Progressive Total	2003/2004 Progressive Total
General Information	6	0	8	3
Private Property	5	3	18	6
Roadside / Reserve	1	4	32	21
Verge	4	6	29	22
Office Phone Enquiries	2	4	14	13
Total	18	17	101	65

Increase of 55%

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FIRE	March 2005	March 2004	2004/2005 Progressive Total	2003/2004 Progressive Total
Burning Off / General Information	7	2	35	17
Firebreak / Hazard	2	2	108	87
Office Phone Enquiries	19	41	391	456
Total	28	45	534	560

Decrease of 5%

GENERAL	March 2005	March 2004	2004/2005 Progressive Total	2003/2004 Progressive Total
General Information	0	9	47	52
Office Phone Enquiries	11	37	212	175
Total	11	46	259	227

Increase of 10%

TOTAL	March 2005	March 2004	2004/2005 Progressive Total	2003/2004 Progressive Total
Total Reports / Complaints	555	475	4154	3708

Increase of 17%

Increase of 12%

WARNINGS	March 2005	March 2004	2004/2005 Progressive Total	2003/2004 Progressive Total
Dogs	16	16		211
Parking	20	37		165
Off Road Vehicles	0	0		3
Litter	1	0		5
Fire & Fire Orders	0	0		218
Other	0	0		4
Total	37	53	0	606

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INFRINGEMENTS	March 2005	March 2004	2004/2005 Progressive Total	2003/2004 Progressive Total
Dogs	50	31	275	241
Parking	71	68	409	275
Off Road Vehicles	0	0	0	3
Litter	1	1	19	3
Fire	1	1	57	60
Other	0	0	0	0
NUMBER WITHDRAWN	14	N/A	63	N/A
Total	123	101	760	582
<i>Due to thunderstorm</i>		<i>Increase of 30%</i>		

IMPOUNDED DOGS	March 2005	March 2004	2004/2005 Progressive Total	2003/2004 Progressive Total
Claimed	51	27	294	272
Sold	2	3	29	44
Destroyed	11	16	106	142
Vet / Rescue	4	17	83	80
Stolen	0	0	0	0
Total	68	63	512	538

IMPOUNDED LIVESTOCK	March 2005	March 2004	2004/2005 Progressive Total	2003/2004 Progressive Total
Sheep	12	0	16	2
Horses	1	2	1	2
Cows	0	0	0	0
Goats	0	0	3	0
Pigs	0	0	0	1
Deer	0	0	0	0
Other	0	0	0	0
Total	13	2	20	5

MONTHLY/QUARTERLY DEPARTMENTAL REPORTS

IMPOUNDED VEHICLES	March 2005	March 2004	2004/2005 Progressive Total	2003/2004 Progressive Total
Vehicles	5	5	32	45
Motor Cycles	0	0	4	0
Total	5	5	36	45

COURT PROSECUTIONS	March 2005	March 2004	2004/2005 Progressive Total	2003/2004 Progressive Total
Dog	1	6	34	44
Fire	0	1	0	1
Parking	0	0	0	1
Litter	0	0	0	0
Off Road Vehicles	0	0	0	0
No. of Guilty Verdicts	1	7	31	41
Total	1	7	34	46

FINES ENFORCEMENT	March 2005	March 2004	2004/2005 Progressive Total	2003/2004 Progressive Total
Infringements sent to FER	0	0	153	222

Due to new system issues

PHONES CALLS	March 2005	March 2004	2004/2005 Progressive Total	2003/2004 Progressive Total
Office – Rangers calling Office	15	29	264	210
Office – Messages for Staff	38	65	450	423
Office – Referred to Other	18	20	132	111
Calls to Rangers' Private Residences via Diverter	14	11	189	149
TOTAL	85	125	1035	893

Increase of 15%

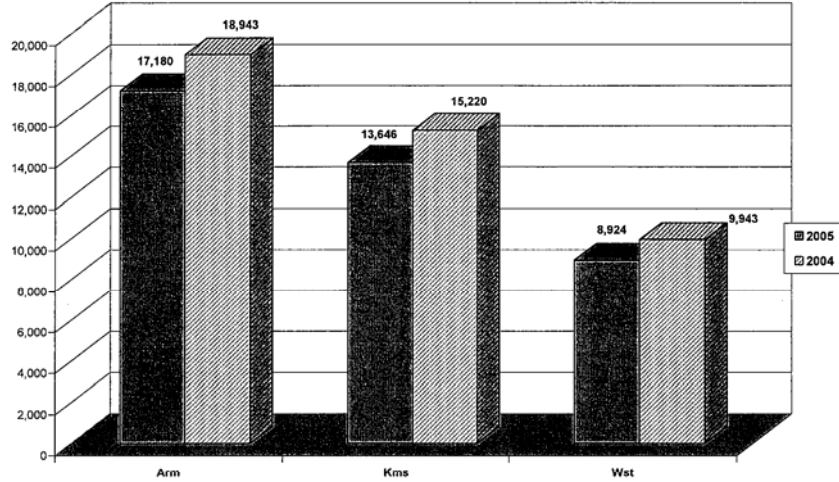
MISCELLANEOUS

MINUTES FROM OCCASIONAL/ADVISORY COMMITTEES

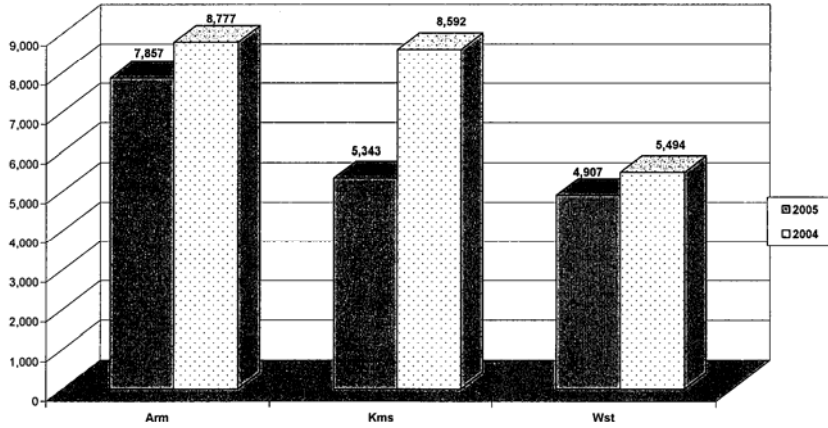
Aquatic Facilities Needs Assessment and Feasibility Study Reference Group Meeting of 8 March 2005. (Refer to Attachment “CA-2”.)

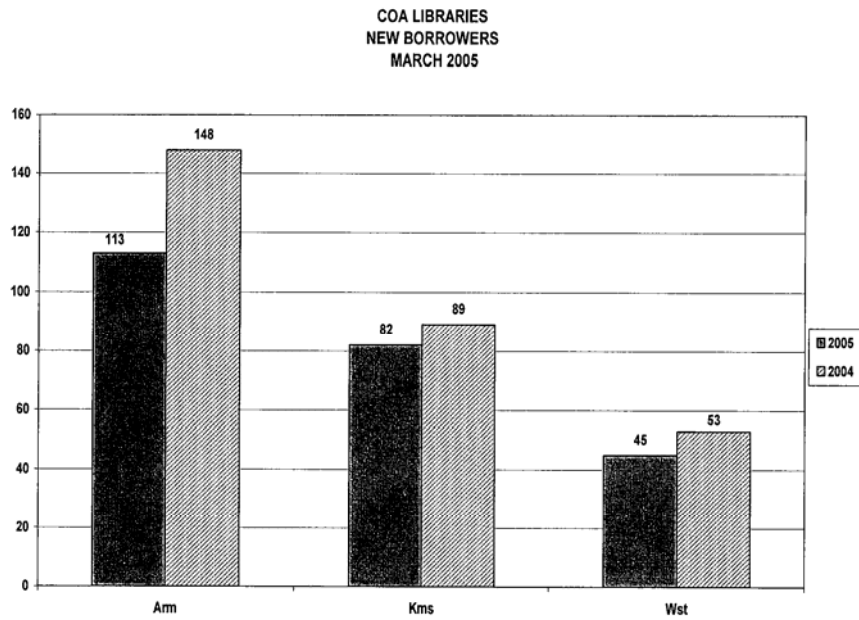
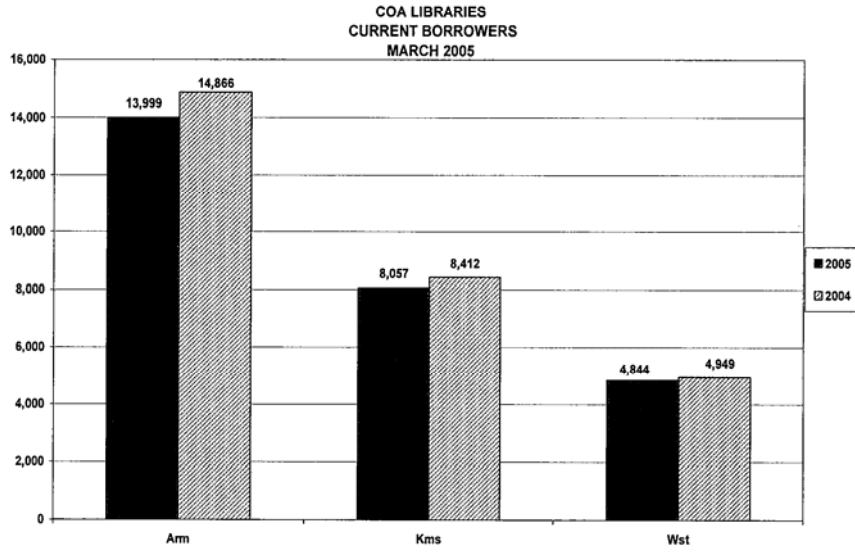
Public History Advisory Committee Meeting of 3 February 2005. (Refer to Attachment CA-3”.)

COA LIBRARIES
ISSUES/RENEWALS
MARCH 2005

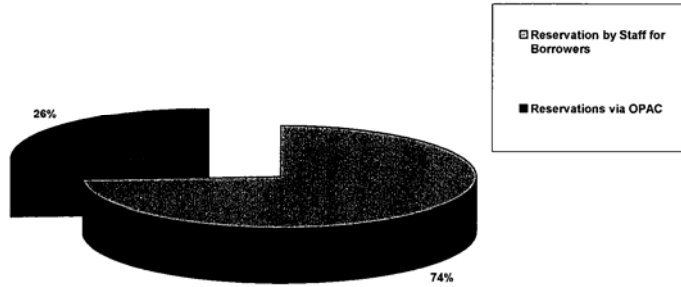


COA LIBRARIES
NUMBER OF VISITS
MARCH 2005





COA LIBRARIES
RESERVATIONS
MARCH 2005



**AQUATIC FACILITIES NEEDS ASSESSMENT AND
FEASIBILITY STUDY REFERENCE GROUP**

MINUTES

**OF THE MEETING HELD IN THE COMMITTEE ROOM ON 8 MARCH 2005,
COMMENCING AT 4-10 PM**

1. ATTENDANCE AND APOLOGIES

Present

Mr Tony Smith (Chair)	Community Representative
Cr Graham Wallace	City of Armadale
Cr Henry Zelones	City of Armadale
Mr Jeffery Williams	Community Representative
Mrs Heather Adams	Swimming Club Representative
Mr Carl Askew	Executive Director Community Services
Mr John Glassford	Manager Property Services
Mr Patrick Quinlivan	Manager Recreation Services

Apologies

Chris Elrick

Observers

Mr Darren Monument	ABV Leisure Consultancy
Mr Bill Parker	City of Armadale

2. CONFIRMATION OF PREVIOUS MINUTES

RESOLVED

That the Minutes of the Meeting held on 1 February 2005 be confirmed.

3. BUSINESS ARISING

3.1 Development Options.

At the previous meeting the Group resolved as follows:

- 1. That the Reference Group endorse the draft concept plans for the proposed enclosure of the 25 metre and/or 50 metre pools at Armadale Aquatic Centre subject to the deletion of the following items:*

\$150,000	New changerooms & toilets
\$48,000	Rebuild canteen & kiosk
\$40,000	Canteen equipment
\$30,000	Alfresco area
\$84,000	Rebuild offices
\$57,000	Pool Blankets, rollers & winch
\$20,000	Services to new toilet area
\$40,000	Artworks

2. That the consultant be requested to provide projected operating income and expenditure estimates for the two options under consideration, and cost implications over a 15 year period

Attached to the Agenda are the amended cost estimates for the two options under consideration, and the initial draft of the Feasibility Report.

In line with the direction from the Dept of Sport and Recreation, the draft Feasibility Report has taken a conservative view with regard to attendance projections, revenues and expenditures. In effect, this presents a worst-case scenario.

The projected operating revenues and expenditures are shown in the table on page 9, and predict an operating deficit of \$559,000 for Option 1, and \$599,000 for Option 2. These projected deficits are significantly higher than the budgeted deficit for 2004/05 of \$225,000 and well above the operating deficits currently allowed for in the 15 year Financial Plan.

The projected attendances for the two options are shown in the table on page 10, and predict an annual increase of approximately 48,000 for Option 1 and 77,000 for Option 2.

The other table that is of significance is on page 13 and shows the projected total cost (capital plus operational) of providing both options. Over a 15-year period the cost to provide Option 1 is estimated to be \$12.2 Million, and \$14.4 Million for Option 2. This compares with the estimated cost to maintain the current outdoor seasonal facility of approximately \$3.4 Million.

Due to the limited time that the draft report has been available, a more detailed analysis of the draft report is yet to be carried out.

The role of the Reference Group is to consider the financial projections contained in the draft Feasibility Report when making its recommendation as to the preferred development option.

Mr Darren Monument gave a brief overview of the draft Feasibility Study report and the following matters were discussed by the Group:

- *There had been no price increases factored into the revenue projections and given the results of the Needs Assessment survey, the*

Group believed that appropriate fee increases should be included in the projected revenue.

- *The profit margin for the kiosk operation was considered to be conservative and the Group believed that this could be increased.*
- *The projected staffing costs were calculated on the basis of the current summer opening hours being maintained through the winter period. The Group believed that some reduction in opening hours during winter was reasonable and would have minimal affect on attendances.*
- *The Group believed that although enclosing both the 50m and 25m pools was the more expensive option, this was the option that would best meet the needs of the community and should be referred to in the Feasibility Study report as being Option 1.*

RESOLVED

1. That the consultant be requested to make the following adjustments to the income and expenditure estimates:
 - Appropriate fee increases to be factored in to the revenue projections.
 - The profit margin on the kiosk operation to be increased.
 - Staffing costs to be adjusted to reflect a slight decrease in opening hours during winter
2. That enclosing both the 50m and 25m pools be referred to in the Feasibility Study report as Option 1.
3. That the final draft of the Feasibility Study report be presented to the next Reference Group meeting.

4. GENERAL BUSINESS

Nil

5. CLOSURE

The meeting closed at 6.14pm

7. NEXT MEETING

The proposed date is Tuesday, 29th March 2005 at 4pm or 5pm.

PUBLIC HISTORY ADVISORY COMMITTEE

MINUTES

**THURSDAY 3rd February 2005 – 7:00PM
BIRTWISTLE LOCAL STUDIES LIBRARY**

CONTENTS

ITEM	DESCRIPTION
1.	ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE, DISCLAIMER & APOLOGIES
2.	DISCLOSURE OF FINANCIAL INTEREST
3.	PUBLIC QUESTION TIME
4.	DEPUTATIONS
5.	CONFIRMATION OF MINUTES AND RECOMMENDATIONS
6.	CORRESPONDENCE, INFORMATION & PROJECTS FOR COUNCIL'S NOTICE
7.	BUSINESS ARISING (From Previous Minutes)
8	BUSINESS OF THE MEETING
8.2	COMMITTEE REPORTS
9	NEXT MEETING

1 ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE & DISCLAIMER

Member /Deputy Member	Affiliations
Mrs Faye Clay	Public History Friends Group
Mr Kim Fletcher	Community Representative
Mr Terry Holton	Community Representative
Ms Hazel James	Community Representative
Mr David Allen	Armadale and Districts Brickworks Preservation Group Inc.
Mrs Colleen Fancote	Western Australian Genealogical Society
Linton Reynolds	City of Armadale, Council Representative
David Smith	Heritage Country Tourist Association
Staff	
Ms Patricia Walker	City of Armadale, Manager Library & Heritage
Mrs Chantal Gurney-Pringle	City of Armadale, Retiring Historian/Museum Curator
Mrs Lorraine Pearce	City of Armadale, Acting Historian/ Local Studies Librarian

APOLOGIES

Member /Deputy Member	Affiliations
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2 DISCLOSURES OF FINANCIAL INTEREST

Members and employees must disclose any financial interest in matters to be discussed at the meeting (Sections 5.65 & 5.70 of the *Local Government Act 1995*). Sections 5.65 & 5.70 do not apply if an interest arises only because the person is a member of a body with non-profit making objects.

3 PUBLIC QUESTION TIME

If members of the public are present, Council's disclaimer should be read before questions are invited.

4 DEPUTATIONS

Non-member groups or individuals who wish to comment on items raised in this Agenda or to raise other matters of concern can do so at this time. Please contact the City's Acting Local Studies Librarian– Lorraine Pearce who can be reached by telephone on 9399 0641 or by e-mail on lpearce@armadale.wa.gov.au

5 CONFIRMATION OF MINUTES AND RECOMMENDATIONS

Moved: Terry Holton **Seconded:** Faye Clay.

That the Minutes of the History House Museum Management Committee held on Thursday, 2nd December 2004 be confirmed.

6 CORRESPONDENCE, INFORMATION AND PROJECTS FOR COUNCIL’S NOTICE

(i) **Correspondence In**
Nil.

(ii) **Correspondence Out**
Nil.

(iii) **Information and Projects for Council’s Notice**
Nil

Visitor Attendance Figures:
Accumulative Total 12/03 – 01/04- 401
Accumulative Total 12/04 – 1/05- 343

Monthly summary
December 2003 – 111
January 2004 - 290

December 2004 – 151
January 2005 – 192

7 BUSINESS ARISING (From Previous Minutes)

7.1 *History of the City – rewrite*

The report “City of Armadale Local History Re-write”, that had been prepared by the Historian/Curator, was discussed in some detail. The merit of each of the different options for a new history was the focus of discussion. The options are:

- Option 1, a comprehensive, fully researched hard bound volume
- Option 2, a smaller volume of history not as comprehensively sourced published as a paperback/soft cover
- Option 3, a series of volumes arranged and published thematically.

Mr Fletcher stated his preference is for option 2. He questioned the time frame for the book to be completed, and was advised it would be 2 -3 years.

Mr Holton said that he was influenced by Rhonda Jamieson’s (former Director Batty Library of West Australian History) comments on the volume approach and was concerned that continuing volumes would not eventuate, stating his preference for option 2.

Mrs Fancote advised that people were providing her with information to use in her book on the history of Kelmscott.

Councillor Reynolds discussed the need for Council to be convinced of the priority of the need for a rewrite. He also made the comment that a generation will pass away taking with them their knowledge of the District and that there is twenty-five years of history that hasn’t been recorded and the urgency to collect and record this.

Mrs Walker stated that she still hadn’t received a response from the ARA in regard to the letter sent seeking their financial support for a new history.

Decision:

1. Ms Gurney-Pringle was formally thanked for providing such a comprehensive report.
2. That a report and recommendation be made to Council, that it include for consideration of funding in the 15 Year Financial Plan adequate funding for production of a new history of the district, as outlined in Option 2 of the report “City of Armadale Local History Re-write”.

CARRIED

8 BUSINESS OF THE MEETING

8.1 *PHAC Membership.*

- Will be declared vacant with the May 2005 Local Government elections.
- Community representative positions will be advertised in the local paper, but current members will be notified when this happens.
- Other groups and organisations will be sent a letter to inviting them to nominate a representative member to PHAC.

8.2 *Resignation and Replacement of the Historian/Curator*

The Manager Libraries and Heritage advised the Committee that following the resignation of the Historian/Curator, there had been extensive consideration of the best option to replace the position.

The Committee was advised that the position would be split into two, with an advertisement appearing in the West Australian that weekend for a 0.8 Museum

Curator with responsibility for the History House and Bert Tyler Vintage Machinery Museums.

Mrs Lorraine Pearce will be working full time until the new Curator is appointed but will remain in the position of Acting Historian/Local Studies Librarian until the end of her secondment from the Westfield Library at the end of June. An approach will be made to Council to increase funding to make the Historian/Local Studies a 0.8 position, that will be advertised once Council has made a decision on this matter.

8.3 Committee Reports

Community Representatives

- Kim Fletcher

Asked if anyone was aware of the naming of the Southwest Highway “Harvest Way” for the planned Harvest Festival in March celebration. David Smith advised that this is an event being run by the Heritage Country Tourism Association and that Bunbury had requested that Armadale be the starting point of the Harvest Way.

- Terry Holton

Moved a vote of thanks to Ms Gurney-Pringle for all of her work, her professionalism and personal involvement in the heritage areas of the City of Armadale and wished her well in the future. This was seconded by Mr Fletcher.

- Hazel James

No report.

City of Armadale Council Representative – Cr Linton Reynolds

Cr Reynolds reiterated Mr Holton’s comments regarding Ms Gurney-Pringle.

Cr Reynolds advised that a recommendation will go to Council that it acknowledge Kelmscott’s 175th Anniversary and that PHAC be invited to make suggestions for a day of celebration. He requested that Committee members give some thought to this. Mrs Fancote suggested that the Kelmscott Historians Group may have ideas for the celebration. Cr Reynolds also suggested that Council could promote Kelmscott’s Anniversary in the Council tent at the Kelmscott Show.

Public History Friends Group – Faye Clay

No report.

Western Australian Genealogical Society - Colleen Fancote

No report.

Armada and Districts Brickworks Preservation Group Inc - David Allen

Mr Allen advised that the Brickworks Preservation Group would consider its future at their next meeting and there was a possibility that it may disband as its work had been largely achieved as far as they could as a volunteer group. Mr Allen was requested to report the outcome to Mrs Walker, as this will effect the membership of PHAC.

Heritage Country Tourism Association - David Smith

No report.

Retiring Historian-Curator - Chantal Gurney-Pringle

Ms Gurney-Pringle thanked the Committee members for their kind words. She advised that her resignation was not the way she would have wanted it with such short notice, but believes it will give Council and the Committee options to reconsider the best staffing solution for the heritage area. She wished the Museum and Local Studies Library all the best, acknowledged the achievements of the last four years and hopes they can be built upon.

9 NEXT MEETING

The next meeting of PHAC will be held on Thursday, 7 April 2005 at 7.00 pm

MEETING CLOSED AT 8.05 PM