

CITY OF ARMADALE

MINUTES

OF CITY STRATEGY COMMITTEE HELD IN THE COMMITTEE ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY, 14
MAY 2002, AT 7.00 PM.

PRESENT:

Cr G M Hodges	Chair
Cr V L Clowes-Hollins	
Cr D L Hopper JP	
Cr J Knezevich	Deputy for Cr Munn
Cr J A Stewart	
Cr H A Zelones JP	

APOLOGIES:

Cr L Reynolds JP	Leave of absence
Cr J M Munn JP CMC	
Cr J D Cumming	Deputy for Cr Reynolds
Mr R S Tame-CEO	Attending LGMA National Congress, NSW

OBSERVERS:

Nil

IN ATTENDANCE:

Mr A F Maxwell	- Acting Chief Executive Officer
Mr JHA Adderley	- Executive Director Development Services
Mr A Bruce	- Executive Director Technical Services
Mr R Van Delft	- Environmental Officer [7pm – 8.15pm]
Mrs S D'Souza	- CEO's Executive Assistant

Public - Nil

DISCLAIMER

The Disclaimer for protecting Councillors and staff from liability of information and advice given at Committee meetings was not read as there were no members of the public in attendance.

DECLARATION OF MEMBERS' INTERESTS

Nil

QUESTION TIME

Nil

DEPUTATION

Nil

CONFIRMATION OF MINUTES

RESOLVED

Minutes of the City Strategy Committee Meeting held on 9 April 2002, be confirmed.

ITEMS REFERRED FROM INFORMATION BULLETIN

INFORMATION BULLETIN – ISSUE NO.9/2002.

The following items were included for information in the “City Strategy section”

- Progress Report on Contingency, Operational and Strategic Projects
- Report on Outstanding Matters
- Minutes of the City Centre Liaison Committee Meeting held in April

Committee noted the information and no items were raised for further report.

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CITY STRATEGY COMMITTEE

14 MAY 2002

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PUBLIC OPEN SPACE STRATEGY - STAGES 2 & 3

WARDS : Armadale, Forrest, Roleystone & West Armadale.	In Brief:- <ul style="list-style-type: none">▪ Consultant's Public Open Space Assessment report has been reviewed for reserves in Stage 2 & 3 of POS strategy implementation plan, with particular reference to the Government Sewerage Policy. No reserves in the Coastal Plain South Precinct (1) are now proposed to be cancelled/disposed, so public consultation is not needed in this precinct.▪ Recommend that Council commence public consultation for Stage 3 reserves, seek transfer to Conservation Commission of reserves in or adjacent to the Darling Range Regional Park and accept vesting of Stage 2 reserves.
FILE REF : POS/1	
DATE : April 2002	
REF : RVD	
RESPONSIBLE MANAGER : EDDS	

Tabled Items

- Consultants Report Assessment of existing Public Open Space within the urban areas of the City of Armadale (A copy of this report was supplied to Councillors in February 2001).
- 1:2,000 cadastral plans of all reserves under consideration, organised by Reserve Number.
- Department of Land Administration *Guidelines for the administration of Section 20A "Public Recreation" Reserves.*

Officer Interest Declaration

Nil.

Strategic Implications

Social Infrastructure Item 2.3 *Develop a Strategic Plan for the provision of recreation services and facilities.*

Legislation Implications

Land Administration Act 1997
Town Planning and Development Act 1928
Town Planning Scheme No 2

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

Advertising and associated costs will be met from the Town Planning Scheme Amendment Advertising budget.

Consultation

- ◆ Department of Land Administration
- ◆ Department of Planning and Infrastructure
- ◆ Public Open Space Strategy Working Group (Executive Director Development Services, Manager Parks, Manager Recreation Services, Planning Services Manager, Environmental Officer)
- ◆ Health Services Manager regarding application of Government Sewerage Policy.
- ◆ Senior Design Engineer regarding access and drainage.

BACKGROUND

At its meeting of September 2001 Council resolved (CS67/01):

- A) *That Council stage the implementation of the recommendations of the Public Open Space Assessment as identified in Table T-1, with a report to Council listing reserves to be vested, transferred or disposed of prior to commencement of each stage.*

Table T-1 listed the first three stages as follows:

Stage	Precincts (name and letter code)
1	Coastal Plain North (1) & (2) [A & B]
2	Coastal Plain South (1) & (2) [C & D]
3	Hills North (1) [I]

At the September 2001 meeting Council initiated Stage 1, and a progress report on the implementation of Stage 1 was considered by Council at its meeting on 18 February 2002.

This matter was referred to the City Strategy Committee and Council for preliminary consideration at the April round of meetings. One additional area, in Burns Rd Armadale has since been included in this report.

DETAILS OF PROPOSAL

It is now proposed to commence Stages 2 & 3 concurrently following the process used for Stage 1.

Reserves recommended to be cancelled/ sold or to be accepted for vesting in the City are listed in Tables 1 & 2 respectively, and reserves to be transferred and other reserves considered in Stages 2 & 3 are discussed under the heading "other reserves considered" below.

Approach taken to determine recommendations in Tables 1 & 2

The recommendations of the consultant's report were generally accepted with the following changes:

- (i) In the consultant's report, many reserves less than 2000m² were recommended to be accepted for vesting in the City for recreation because, although they did not meet the size criteria agreed by Council for acceptance of reserves, it was the consultants' view that the Government Sewerage Policy would preclude housing development on these sites. The consultant identified such sites as "undersize for on-site effluent disposal" in the comments part of his report. However, following discussions with the Manager Health Services, housing would be permitted on these sites so they are now generally recommended for disposal. Some reserves already vested in Council were in this category;
- (ii) Section 20A reserves created adjacent to the Contour Channel have generally been recommended as cancel/ sell. These reserves are very steep so have little or no recreational value; and

Consistent with the criteria developed for the public open space strategy, bushland areas of less than 4000m² are recommended for disposal. Small areas of bushland suffer from weed invasion at the edges, which adds to maintenance costs and leaves little good bushland intact. The types of bushland that occur in the Hills North precinct are well reserved in the Western Australia's conservation estate.

Table 1: Reserves recommended for cancellation and disposal

POS Ref	Re-serve	Location	Area (m ²)	Scheme 2 Status	Assessment against POS Criteria	Other Notes
<i>Coastal Plain South (2)</i>						
9 (previously un-numbered)	45889	Between Burns Rd and Keates Rd, Armadale	3,277	Parks & Recreation (Local)	<ul style="list-style-type: none"> • Uneconomic to maintain (<4000m²). • Is in an industrial area, so residential POS criteria do not apply. • Only potentially useable POS in South Armadale Industrial area. 	The area has no trees or shrubs and is just grassy weeds. Any planting would probably cause security concerns for adjoining sites.
<i>Hills North (1)</i>						
3	30231	Off Right of Way that heads west off Peet Rd, just North of Hall Rd, Roleystone	4,573	Parks & Recreation (Local)	<ul style="list-style-type: none"> • No road frontage • Poor surveillance 	Only access is off a Right of Way. No recreation or amenity values. Vegetation in good condition but vegetation type well reserved elsewhere.
10	29992	18-20 Slab Gully Rd, Roleystone	2,646	Parks and Recreation (Local)	<ul style="list-style-type: none"> • Uneconomic to maintain (<4,000m²). • Within 100m of other POS. • Moderate surveillance and access. 	Garden thugs (i.e. weeds) from neighbours invading the bushland.
13	30232	3 Urch Rd, Roleystone	1,667	Parks & Recreation (Local)	<ul style="list-style-type: none"> • Uneconomic to maintain (<4,000m²). • Moderate surveillance and access. • Looks like vacant residential lot. 	No amenity value.
14	35492	Between 3 & 5 Knuckey Dr, Roleystone	242	Parks and Recreation (Local)	<ul style="list-style-type: none"> • Cleared understorey • Uneconomic to maintain (<4,000m²). 	Is like a Public Access Way to Contour Channel. Other access to Contour Channel available within 150m. Reserve not required for drainage.

POS Ref	Re-serve	Location	Area (m ²)	Scheme 2 Status	Assessment against POS Criteria	Other Notes
15	34507	9 Gilcoe Pl, Roleystone	1,922	Parks and Recreation (Local)	<ul style="list-style-type: none"> Poor access and surveillance. Uneconomic to maintain (<4,000m²). Looks like vacant residential lot. 	Severe weed infestation at entry point to reserve. Reserve is vested in Council.
16	35543	West of battleaxe reserve at 47 Mackie Rd, Roleystone	2,881	Parks & Recreation (Local)	<ul style="list-style-type: none"> No road frontage Poor surveillance. Very steep - not useable for recreation. 	Access from Mackie Rd difficult - currently need to use steep private driveway to access reserve. Abuts Contour Channel or rear of lots.
17	29405	Battleaxe at 47 Mackie Rd, Roleystone- abuts Contour Channel	4,086	Parks & Recreation (Local)	<ul style="list-style-type: none"> Poor surveillance. Very steep - not useable for recreation. 	Abuts Contour Channel, which provides the only access to the reserve. Otherwise surrounded by rear of houses.
24	32286	North-east Corner Holden & Wygonda Rds, Roleystone	1,748	Residential	<ul style="list-style-type: none"> Uneconomic to maintain (<4,000m²). No locally significant vegetation - mostly covered with woody weeds. 	Advice from Technical Services Directorate is that a driveway midway between Wygonda Rd and Jacaranda Ct would be acceptable.
37	35959	14 Calliandra Pl, Roleystone	1,632	Parks & Recreation (Local)	<ul style="list-style-type: none"> Uneconomic to maintain (<4,000m²). Poor access and surveillance. Very steep - not useable for recreation. Vegetation not locally significant because of weeds. 	Abuts Contour Channel. Looks like residential lot.
39	28906	7 Calytrix Rd, Roleystone	2,021	Parks and Recreation (Local)	<ul style="list-style-type: none"> Uneconomic to maintain (<4,000m²). Poor access and surveillance. Other POS within 200m. Looks like a vacant residential lot. 	Vested in Council.
40	30058	4 Garland Rd, Roleystone	3,071	Parks & Recreation (Local)	<ul style="list-style-type: none"> Uneconomic to maintain (<4,000m²). Poor access and surveillance. Looks like a vacant residential lot. 	

Table 2: Reserves recommended to be accepted.

POS Ref	Reserve	Location	Area (m ²)	Scheme 2 Status	Assessment against POS Criteria	Notes
<i>Coastal Plain South (1)</i>						
17	33648	Acacia Cl (North side of drain), Armadale	2,093	Public Purpose	<ul style="list-style-type: none"> Narrow reserve adjacent to drain. Economic to maintain if amalgamated. Good access and surveillance across adjoining reserves. 	Already managed by City as part of larger reserve.
27	43920	Harber Drive, Brookdale	18,048	Residential (Development Area)	<ul style="list-style-type: none"> Economic size to maintain. Includes drainage swale. Satisfies social/ recreational need. Good access for users. 	Already managed by the City and is part of City's drainage system.
<i>Coastal Plain South (2)</i>						
7	30954	Brickworks Drain, Armadale	4,586	Public Purpose	<ul style="list-style-type: none"> Reserve is 10m wide with open drain. Inappropriate as POS but serves drainage function. 	
8	34960	Corner Stone St & South West Highway, Armadale	312	Parks & Recreation (Local)	<ul style="list-style-type: none"> Prevents access to highway from adjoining lot. Not suitable for other purpose. 	Could be used for Industrial Park Entry Statement.
<i>Hills North (1)</i>						
8	31641	13 Glebe Rd, Roleystone	2,428	Parks & Recreation (Local)	<ul style="list-style-type: none"> Economic to maintain if adjacent lot subdivided to provide additional POS. 	Treated for dieback by Roleystone Dieback Action Group.
12	37637	8 Notting Hill Drive, Roleystone	1,583	Parks & Recreation (Local)	<ul style="list-style-type: none"> Uneconomic to maintain (<4,000m²). Good access and surveillance. Corner lot. 	Location of bushland adds significantly to amenity of locality.

POS Ref	Reserve	Location	Area (m ²)	Scheme 2 Status	Assessment against POS Criteria	Notes
20	28434	Between Bettenay & Sefton Roads, Roleystone	7,020	Parks & Recreation (Local)	<ul style="list-style-type: none"> • Moderate access and surveillance. • Provides linkage between reserves from Bettenay St to Trestrail Ave. • Good condition bushland (but well reserved vegetation type). 	
42	38061	5m wide "Spite Strip" along Brookton Highway about 300m each side of Eugene Ave, Roleystone	2,934	Parks & Recreation (Local)	<ul style="list-style-type: none"> • Serves to deny access from adjoining lots to highway. 	

Other reserves considered

A reserve that abuts the Darling Range Regional Park (Hills North 1 No 2, Reserve 32707, located rear of lots western side of Pound Pl) and another that lies within the Regional Park (Hills North 1 No 1 Reserve 37697, located at the end of Coventry Rd) are recommended by the consultants report to be transferred to the Conservation Commission. The recommendation to transfer these areas is supported.

Reserve 31596 (Coastal Plain South (1) No 7), which has road frontages at 37 Dale Rd and 19 Bavich Rd Armadale, and area of 2,367m², was recommended by the consultants report for disposal because it is uneconomic to maintain and there is other public open space within 200m. Although zoned Residential the reserve has been vested in the City of Armadale since 1991 and the adjacent unit development has been constructed so houses overlook the reserve. Therefore, it was decided to recommend retention of the reserve.

Department of Land Administration Guidelines & expenditure of funds raised

For reserves listed as Cancel/ Dispose, Department of Land Administration Guidelines apply which require:

- For reserves to be cancelled, Council must signpost the affected reserve to indicate the intended change, advertise in the local newspaper and, in appropriate cases, canvas nearby landholders by mail in order to demonstrate to the Minister the level of ratepayers support;
- that funds generated from reserves that are disposed of must be used to either purchase replacement land of equal area and suitability, or be allocated to a specific project subject to a favourable community attitude and with the approval of the Department of Planning and Infrastructure. Funds generated must be used for parks or recreation facilities. Council resolved in February 2002 to establish an appropriate trust fund to meet this requirement; and
- fees are payable to the Department of Land Administration (\$500 or 5% of unimproved market value, whichever is the greater), as well as other statutory fees that may be associated with the action (e.g. rezoning or subdivision costs).

Should Council proceed with this Stage 2 proposal, consultation would occur with the community to determine how best to use the funds that would be generated from the disposal of reserves. Some examples of how these funds might be used include in the Hills North (1) Precinct:

- Construction of barbeque facilities;
- Construction of capital items such as fences, walk trails, and information signs in bushland reserves to help manage threatening processes (e.g. vehicular use of reserves, trampling of vegetation);
- Upgrading sporting facilities and re-surfacing of courts; and
- Construction of a major playground facility.

In the Coastal Plain South (2) precinct funds raised from the sale of Reserve 45889 (Burns Road) could be used for:

- An entry statement to the industrial area on a City reserve; or
- Improvements to drainage reserves.

DOLA can administratively issue a Management Order for reserves for which the City of Armadale is prepared to accept vesting.

COMMENT

Analysis

Based on Tables 1 & 2, and the transfer of reserves to CALM the following areas would be accepted, disposed of or transferred:

Precinct	Accept vesting (m ²)	Cancel/ dispose (m ²)	Transfer to CALM (m ²)
Coastal Plain South (1)	20,141	0	0
Coastal Plain South (2)	4,898	3,277	0
Hills North (1)	13,965	26,489	49,575
TOTAL	39,004	29,766	49,575

Given that there are no reserves recommended for disposal in the Coastal Plain South (1) precinct, there is no need to conduct public consultation in this precinct. The current Scheme map does not appropriately reserve some of the sites for which Council will accept vesting. However, this matter can be addressed during preparation of Town Planning Scheme No 4.

Consultation is recommended for the Hills North (1) and Coastal Plain South (2) precincts consistent with DOLA Guidelines.

Options

Council can re-consider recommendations in regard to accepting and cancellation/ disposal of reserves.

CONCLUSION

Public consultation consistent with the Department of Land Administration guidelines for Stage 2 of the public open space strategy should ensure Council is aware of the community's views on a strategy that could bring benefits to the community. The process followed provides a clear explanation of the reasoning used to reach particular decisions.

Part (1) of the Officer Recommendation

1. That Council commence public consultation for the Hills North Precinct (1) and Coastal Plain South Precinct (2) consistent with the Department of Land Administration Guidelines for administration of Section 20A Public Recreation Reserves for the reserves listed below, that includes:

- (i) explanations of the assessment process used to determine whether vesting should be accepted for reserves or whether the reserve should be cancelled and disposed of; and
- (ii) the intended use of funds generated from the sale of reserves that would be disposed of.

<i>Reserve</i>	<i>Location</i>	<i>Proposal</i>
45889	Between Burns Rd and Keates Rd, Armadale	Cancel/Dispose
30231	Off Right of Way that heads west off Peet Rd, just North of Hall Rd, Roleystone	Cancel/ Dispose
29992	18-20 Slab Gully Rd, Roleystone	Cancel/ Dispose
30232	3 Urch Rd, Roleystone	Cancel/ Dispose
35492	Between 3 & 5 Knuckey Dr, Roleystone	Cancel/ Dispose
34507	9 Gilcoe Pl, Roleystone	Cancel/ Dispose
35543	West of battleaxe reserve 29405 at 47 Mackie Rd, Roleystone	Cancel/ Dispose
29405	Battleaxe at 47 Mackie Rd, Roleystone- abuts Contour Channel	Cancel/ Dispose
32286	North-east Corner Holden & Wygonda Rds, Roleystone	Cancel/ Dispose
35959	14 Calliandera Pl, Roleystone	Cancel/ Dispose
28906	7 Calytrix Rd, Roleystone	Cancel/ Dispose
30058	4 Garland Rd, Roleystone	Cancel/ Dispose
31641	13 Glebe Rd, Roleystone	Accept vesting
37637	8 Notting Hill Drive, Roleystone	Accept vesting
28434	Between Bettenay & Sefton Roads, Roleystone	Accept vesting
38061	5m wide "Spite Strip" along Brookton Highway about 300m each side of Eugene Ave, Roleystone	Accept vesting

With regard to part (1) of the officer recommendation referring to the reserves identified for disposal and/or retention in the Hills North (1) Precinct, it was agreed that

- *disposal of reserves 35543 and 29405 be deferred until the Contour Channel situation is determined – the additional part (4) of the recommendation refers.*

- *reserve 32286 remain as public open space as it is unsuitable for residential development because of the accident history at the corner of Wygonda and Holden Roads;*
- *the consultation with the community on use of funds generated from the disposal of reserves in this precinct should provide the option of strategic development of the remaining POS in the area, e.g. consolidating and extending the north-south open space movement system through Roleystone and purchasing land along Slab Gully as options.*

CS42/02 RECOMMEND

1. That Council commence public consultation for the Hills North Precinct (1) and Coastal Plain South Precinct (2) consistent with the Department of Land Administration Guidelines for administration of Section 20A Public Recreation Reserves for the reserves listed below, that includes:

- (i) explanations of the assessment process used to determine whether vesting should be accepted for reserves or whether the reserve should be cancelled and disposed of; and**
- (ii) the intended use of funds generated from the sale of reserves that would be disposed of.**

AMENDMENT
FULL COUNCIL
20-5-02

<i>Reserve</i>	<i>Location</i>	<i>Proposal</i>
45889	Between Burns Rd and Keates Rd, Armadale	Cancel/Dispose
30231	Off Right of Way that heads west off Peet Rd, just North of Hall Rd, Roleystone	Cancel/ Dispose
29992	18-20 Slab Gully Rd, Roleystone	Cancel/ Dispose
30232	3 Urch Rd, Roleystone	Cancel/ Dispose
35492	Between 3 & 5 Knuckey Dr, Roleystone	Cancel/ Dispose
34507	9 Gilcoe Pl, Roleystone	Cancel/ Dispose
35959	14 Calliandera Pl, Roleystone	Cancel/ Dispose
28906	7 Calytrix Rd, Roleystone	Cancel/ Dispose
30058	4 Garland Rd, Roleystone	Cancel/ Dispose
31641	13 Glebe Rd, Roleystone	Accept vesting
32286	North-east Corner Holden & Wygonda Rds, Roleystone	Accept vesting
37637	8 Notting Hill Drive, Roleystone	Accept vesting
28434	Between Bettenay & Sefton Roads, Roleystone	Accept vesting
38061	5m wide “Spite Strip” along Brookton Highway about 300m each side of Eugene Ave, Roleystone	Accept vesting

2. That Council write to the Department of Land Administration and Department of Conservation and Land Management recommending that the following reserves be transferred to the Conservation Commission.

<i>Reserve</i>	<i>Location</i>
32707	Rear of lots western side of Pound Pl
37697	End Coventry Road

3. That Council accept vesting of the following reserves:

<i>Reserve</i>	<i>Location</i>
33648	Acacia Cl (North side of drain), Armadale
43920	Harber Drive, Brookdale
30954	Brickworks Drain, Armadale
34960	Corner Stone St & South West Highway, Armadale

AMENDMENT
FULL COUNCIL
20-5-02

4. Reserve 35543 (West of battleaxe reserve 29405 at 47 Mackie Road, Roleystone), Reserve 29405 (Battleaxe at 47 Mackie Road, Roleystone) and Reserve 35959 (14 Calliandera Place, Roleystone) that abut the Contour Channel be reconsidered for disposal when the future of the Contour Channel is determined.

Moved Cr Hopper
Motion Carried (6-0)

CHAMPION LAKES RECREATIONAL PARK – UPDATE

WARD	:	Westfield; Seville
FILE REF	:	PSC/18
DATE	:	9 May 2002
REF	:	GC
RESPONSIBLE MANAGER	:	EDDS
LAND OWNER		WAPC City Of Armadale
SUBJECT LAND		Lots Pt700,701,702 &194 Lake Rd, Westfield Property size122 ha; Map 21- 07, 21-08, 22-08
ZONING MRS / TPS No 2		Parks & Reserve / Parks & Recreation (Region)

In Brief to Note:-

- Excavation of the rowing course by MRWA contractors remains a prospect subject to Aboriginal heritage and EPA clearances.
- Environmental and commercial studies consultancy study to be completed in June 2002,
- A Public Environmental Review assessment level will follow,
- The Perth Whitewater Park project by WaterCorp is continuing, with Champion Lakes a strong site contender.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Long Term Strategic Planning Initiative 1.7

- ♦ In partnership with State Government, the Region and Private Enterprise, develop a management and funding strategy for a major recreational facility at Wright Lake (Champion Lakes).

Legislation Implications

Champion Lakes is one of the areas that have come under the control of the Armadale Redevelopment Authority.

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

Funding for consultancy studies and infrastructure is being provided by the WAPC from the Metropolitan Region Improvement Fund. It is expected that State Treasury through the DSR State Sporting Facilities Plan will fund sporting facilities

Consultation

The DPI, DSR, Water Corporation, Rowing WA, Canoeing Association of WA, Perth Whitewater Park Association, Main Roads WA.

BACKGROUND

Council resolved in February 2001 to request the WA Planning Commission to establish a Management Board. The Commission deferred taking this step given the potential for the area to come under the guidance of the proposed Armadale Redevelopment Authority (ARA) that has now been realised.

In the January report to Council it was noted that an environmental and commercial study was to be commissioned. Subsequently the study was awarded by DPI tender to Bowman Bishaw and Gorham to be completed in mid June 2002. A Liaison Group to oversee the study work and reports has been established comprising of:

- Project Manager City of Armadale – tender Coordinator,
- Parks Officer Department for Planning and Infrastructure (DPI),
- Environmental Coordinator, DPI,
- Officer Department of Environment, Water and Catchment Protection (DEWCP previously Waters and Rivers Commission)
- Officer DEWCP (previously DEP).
- Project Manager Department Sport & Recreation (DSR).

The ARA is seeking formal representation on the Liaison Group Meeting.

As reported in January 2002 an Aboriginal Heritage study was commissioned in December 2001 as there are aboriginal sites in the park area. The report was used as the basis to request the Minister for Indigenous Affairs to grant Section 18 clearances under the Act to enable initially soil testing and subsequently the development of Champion Lakes into the rowing course and other permanent water bodies proposed.

COMMENT

Aboriginal Heritage Act 1972

The Minister has advised that the Aboriginal Cultural Material Committee has notified him of the cultural significance attributed to Wright Lake and in following that Committee's recommendation he has presently declined consent under Section 18 (3) of the Act to use Wright Lake for the proposed development.

Consent has been granted with conditions for the development of the balance of the Champion Lakes site.

Officers are seeking the advice of the Department for Indigenous Affairs and consultants used to prepare the aboriginal heritage submission with a view to seeking reconsideration of the Wright Lake decision.

Alternatively the Act at Section 18 (5) does provide a right of appeal to the Supreme Court. To be successful an appeal would have to demonstrate that the development of Wright Lake was in the general interests of the community. This matter is of high importance and is being dealt with urgently.

Potential of Rowing Course

Main Roads WA advise that the tender for the design and construction of the extensions of Tonkin Highway will require two prices. One using soil fill from other sources and one using fill from Champion Lakes. To assist the contractors in tendering, known site investigations will be made available in June 2002. This will include the plan and performance specification for works and will include contours of the whole site based on the Consultancy Study findings.

The MRWA contract will be let in November 2002, and subject to aboriginal and environmental clearances, access will be available to the site starting in January 2003. Excavation is expected to commence in April / May 2003.

Based on an inspection and advice on a similar exercise at Tom Bateman Reserve, Canning Vale, significant costs savings achieved by the contractor can be directed back into completing the planned site works to the specification required.

Study Issues and Phases

Principal environmental issues being addressed include water body evaporation factor replenishment and research and mitigation to ensure acid soils do not leave the site during excavation.

The review of the Champion Lakes master plan will be in two phases. The first stage will be part of the current environmental and economic study to meet MRWA requirements by June 2002. Another study is to be tendered in July to provide final land use planning information by the end of the year before site works are commenced.

Study Tour

The Department for Planning and Infrastructure funded a tour of Penrith rowing and whitewater courses as used in the Sydney Olympics. The Project Manager and key consultants attended and found the tour informative.

Funding of Facilities

The DSR is coordinating the sporting bodies requests for funding. It is planned that funding considerations be investigated over the next 3 months to coincide with likely development activities. Sources of funding for Site Development and the Rowing Course include:

- MRWA contractors - excavation of water bodies, site contours,
- WAPC - infrastructure, balance of site works,
- DSR - multi-use building(s), course fit out ,
- Residential sales - refund WAPC outlay, potential to fund Park operating costs,
- Commercial leases - to commercial operators.

WaterCorp are advancing the Canoeing Association white water course project by undertaking market analysis of potential sites and a comprehensive feasibility study. Funding sources will be considered and determined based on those studies. Champion Lakes has been identified as a leading site contender.

Executive Director Development Services advised that the project is progressing rapidly steered by the liaison group set up to manage the environmental and feasibility study process. With regard to the issue of the Aboriginal Heritage Act 1972, steps are being taken to obtain necessary approval under Section 18 (3) of the Act so as to enable necessary works to be undertaken.

CS43/02 RECOMMEND

That Council note the progress on the Champion Lakes project with principal focus on:

- a) the potential for excavation of the rowing course and associated water bodies by Main Roads, works starting in mid 2003, subject to Aboriginal Heritage clearance, EPA clearance and State Government support,**
- b) the urgent need for and actions being taken to achieve a Section 18 clearance for works at Wright Lake,**
- c) environmental and commercial studies in progress for completion June 2002, followed by a Public Environmental Review,**
- d) the “whitewater” canoeing project studies being conducted by WaterCorp with Champion Lakes shaping as a leading site contender.**

Moved Cr Zelones
Motion Carried (6-0)

JULL STREET / HUGHES COURT INTERSECTION

WARD Armadale
FILE REF: A206171
DATE 7 May 2002
REF HS
RESPONSIBLE MANAGER MTS

In Brief:

- Council recently approved the Harvey Norman development.
- This report considers option for the funding of upgrading works to surrounding roads and car parks.
- Total cost of works approximately \$400,000.
- Recommend that Council accept the reallocation of funds as proposed.
- Recommend that a Working Group be established to assess and approve streetscape and landscape themes.

Tabled Items

Sinclair Knight Merz detailed drawings.

Officer Interest Declaration

Nil.

Strategic Implications

Physical Infrastructure

Develop an integrated transport system including road safety aspects.

Long Term Strategic Planning

Promote the investment potential of Armadale as a regional centre.

Legislation Implications

General assessment of relevant legislation (eg Local Government Act) has not revealed any restrictions.

Council Policy/Local Law Implications

General assessment has not revealed any applicable Policies/Local Laws.

Budget/Financial Implications

No extra funding required – but reorganisation of present (2001/02) works programme and also first year (2002/03) of Five Year Programme.

Consultation

Intra-Directorate.

BACKGROUND

Council recently resolved to approve the “Harvey Norman” development for Showroom / Warehouse and Incidental Office Use. In association with the proposal it was anticipated that Council would fund the upgrading of the access into the development from Armadale Road (presently Hughes Court alignment). In addition the developers have asked that the upgrading of the Town Hall car park be incorporated with the work to complement the surrounding upgrade works.

A Consultant Engineer (Sinclair Knight Merz) was appointed to design the works, which include a proposed roundabout at the intersection of Jull Street. The detailed design has recently been received and evaluated by staff.

The design submitted by Sinclair Knight Merz is costed at approximately \$371,000 which includes an upgrading of the outfall stormwater drainage system in Armadale Road. The design includes access onto Armadale Road as well as the incoming access presently provided by Hughes Court (see tabled drawings).

DETAILS OF PROPOSAL

It is proposed to reduce the overall cost by omitting the ramp leading onto Armadale Road from Jull Street (**see Drawing No. 02-33 over**). This means that the cost of the roadworks is approximately \$318,000, including the stormwater drainage cost of about \$63,000.

The drainage will be funded in part by the town centre drainage levy of \$37,868 (to be paid by the developer) with the balance from levy funds already received from other town centre developments.

The balance of \$275,000 roadworks and streetscape cost will effectively be made up of \$103,000 from the Corporate Strategic allocation for the City Centre Roadworks (M81) and City Centre Streetscape (M91) and the balance of \$147,000 from the reallocation of funds from other works in the 2002 / 03 Civil Works Road Programme budget. However in order that the works can proceed as soon as possible it is recommended that the funding be made available in the 2001 / 02 programme by transferring funding from the Lake Road bridge project. As previously advised to Council (Technical Services Committee – January 2002) this work has been delayed pending final design of the bridge and the funding will otherwise be carried forward to the 2002/03 programme.

The Town Hall carpark can be upgraded by resurfacing, replacing the existing kerbing, upgrading the lighting, installing brick paving and landscaping the perimeter. These works can be funded from contributions already existing in the Town Centre parking account. It should be noted however that these funds were originally allocated in the 2001/02 Works Programme to the upgrading of the Commerce Avenue railway car park. These works have not proceeded because of the impending upgrade / alterations to the Railway Station Precinct.

In addition to the issues relating to funding of the proposed works it will also be necessary for Council to consider the appearance of the works as dictated by the landscaping and streetscaping themes adopted. The proposed realignment of Hughes Court, the construction of the roundabout at the Jull Street intersection and also the new roadway to be constructed between Jull Street and Church Avenue will provide a significant new entry statement to the Town Centre. As a result of this it is assumed that Council will want to be closely informed of the landscape / streetscape themes to be adopted. Because of the urgency of the works however it is anticipated that normal reporting procedures may well cause significant delays to the completion date of the project. It is suggested therefore that a Working Group comprising of three Councillors, Chief Executive Officer, Executive Director Development Services and the Executive Director Technical Services be established to approve the landscaping and streetscaping themes to be adopted.

Officer Recommendation

1. That Council agrees to the reallocation of \$275,000 from funds presently allocated in the 2001/02 Programme for works on Lake Road bridge towards the reconstruction / realignment of Hughes Road and its intersection with Jull Street.
2. That the \$275,000 allocated to Hughes Road / Jull Street in the 2001/02 Programme be reallocated to Lake Road bridge in the 2002/03 Programme with \$103,000 coming from allocated Corporate Strategic funding for the City Centre Roadworks (M81 - \$77,300) and City Centre Streetscape (M91 - \$25,700) and the balance of \$147,000 coming from reallocation of funding from other projects nominated in the Five Year Programme.
3. That Council confirm funding to the value of \$78,236, presently allocated in the 2001/02 Programme towards the upgrading of the Commerce Avenue railway carpark, be transferred to the upgrading of the Armadale Hall carpark.
4. That a Working Group comprising of the Chief Executive Officer, Executive Director Development Services, Executive Director Technical Services, Cr _____, Cr _____ and Cr _____ be established to assess and approve proposed streetscaping and landscaping themes for the road and car park works in the vicinity of the new Harvey Norman development.

The detailed drawings on the proposed intersection was tabled and discussed.

Committee requested that plans showing both the current layout and proposed works for this intersection be included as part of this report for the Council meeting on 20th May 2002.

With regard to part (2) of the officer recommendation, Committee was advised that the necessary rescheduling of works to include the Lake Road Bridge works in the 2002-03 Civil Works programme would be more appropriately referred to the Technical Services Committee for further consideration in the context of its 2002-03 Draft Budget deliberations. Hence the following replacement part (2) of the recommendation.

With regard to part (4) of the officer recommendation, Cr Hodges suggested that the member representatives be the positions of Mayor and Chairs of the Technical and Development Services Committees, i.e. Crs Reynolds, Hopper and Zelones. Cr Knezevich raised the aspect of ward representation on the working group. Committee, noting Cr Knezevich's comments, agreed to advance the matter on the basis of the Chair's suggestion on the understanding that the matter would be raised with the ward members prior to the 20th May Council meeting.

CS44/02 RECOMMEND

- 1. That Council agrees to the reallocation of \$275,000 from funds presently allocated in the 2001/02 Programme for works on Lake Road bridge towards the reconstruction / realignment of Hughes Court and its intersection with Jull Street.**

2. That, as a consequence of Part 1, the matter of rescheduling the 2002-03 draft Civil Works Program to include the Lake Road Bridge works be referred to the Technical Services Committee for consideration in the context of its 2002-03 Draft Budget.
3. That Council confirm funding to the value of \$78,236, presently allocated in the 2001/02 Programme towards the upgrading of the Commerce Avenue railway carpark, be transferred to the upgrading of the Armadale Town Hall carpark.
4. That a Working Group comprising of the -

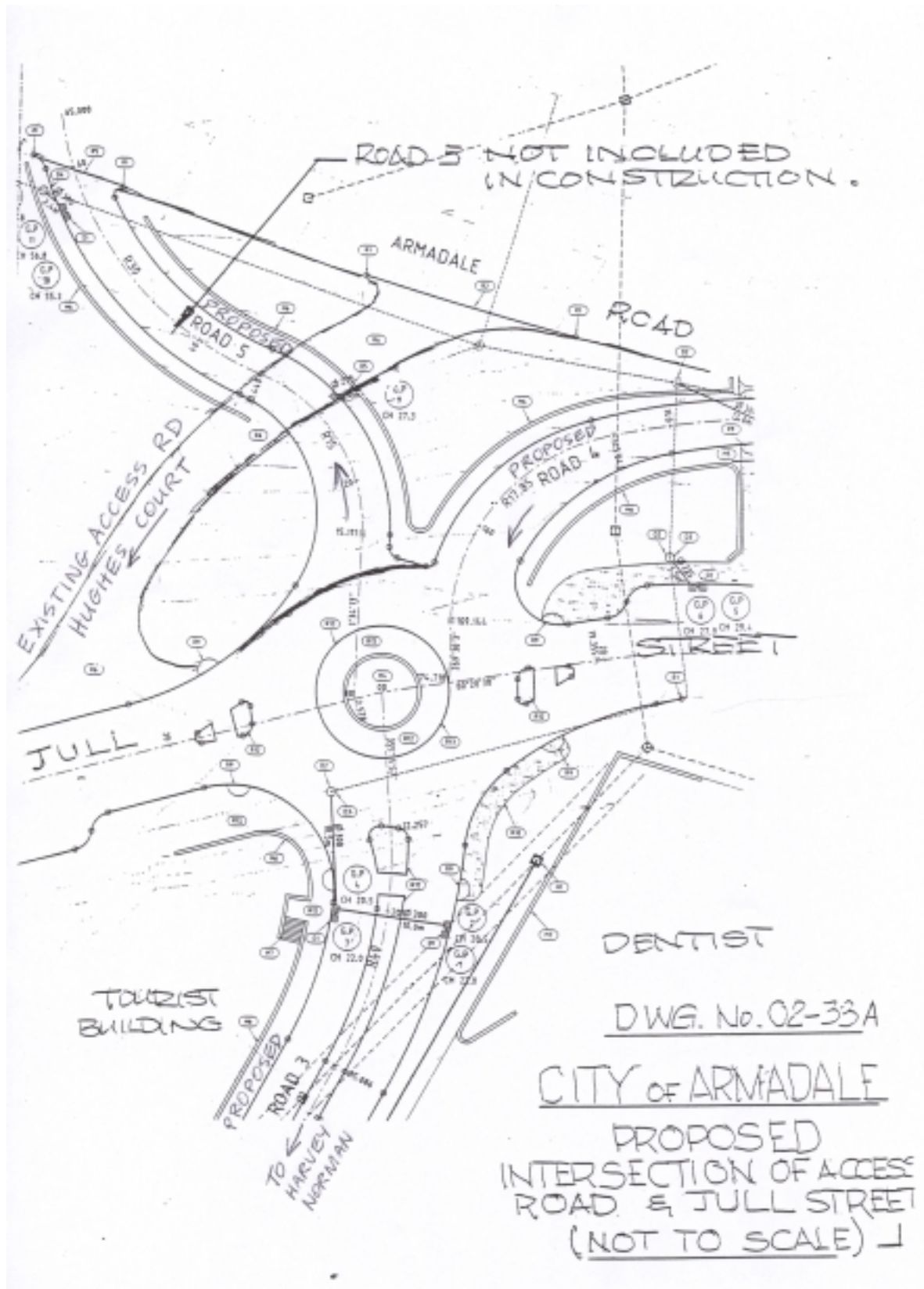
AMENDMENT
FULL COUNCIL
20-5-02

- Chief Executive Officer
- Executive Director Development Services
- Executive Director Technical Services
- Mayor (Cr Reynolds)
- Chair of Technical Services Committee (Cr Hopper); and
- Chair of Development Services Committee (Cr Zelones)
- Two Armadale ward members

be established to assess and approve proposed streetscaping and landscaping themes for the road and car park works in the vicinity of the new Harvey Norman development.

ABSOLUTE MAJORITY RESOLUTION REQUIRED FOR PARTS (1) & (3)

MOVED Cr Zelones
Motion Carried (6-0)



SUBMISSION ON PRIORITISATION OF DEVELOPMENT AREAS IN THE ARMADALE REGION

WARD : FORREST AND
ARMADALE WARDS

FILE REF : PSC/21

DATE : 3/5/02

REF : JR

RESPONSIBLE : LF
MANAGER

APPLICANT : TAYLOR BURRELL

In Brief:-

- Correspondence has been received from a representative of land development syndicates in respect to the prioritisation of Development in the Brookdale/Wungong region, vis-a-vis a proposed Urban zone in Forrestdale.
- Recommend that Council note the information with a more detailed response being addressed at the June round of meetings.

LANDOWNER : PEET ADIOS SYNDICATE LTD
PEET FORRESTDAL SYNDICATE
PEET OAKFORD LAND SYNDICATE LTD

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

City of Armadale Strategic Plan

1. Long Term Strategic Planning - Promote employment and residential growth, encouraging the economic well-being of the community.

1.4 Complete the structure plans for Brookdale and Forrestdale, focusing on provision of high quality residential development.

Southern River / Forrestdale / Brookdale / Wungong District Structure Plan (WAPC)

Legislation Implications

Local Government Act
Town Planning and Development Act.
Metropolitan Region Town Planning Scheme Act

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

Nil.

Consultation

Nil

BACKGROUND

At its meeting of August 2001 Council resolved to seek the introduction of a Metropolitan Region Scheme Amendment to zone approximately 455ha of land in north Forrestdale to Urban (D182/01).

At its meeting of September 2001 Council resolved to advise the Western Australian Planning Commission that Council supports the MRS Amendment 1028/33 and particularly proposal No.40 for the CY O'Connor ERADE (Education Research and Development and Employment) Village (D230/01).

The Agenda report advised that Proposal No.40 in Forrestdale is of strategic significance to the City. It proposes an Urban Zone for approximately 10ha for the expansion of the existing research facilities and location for education, research and development and employment. The proposed CY O'Connor ERADE Village includes a high technology information centre, a commercial precinct in the form of a main street neighbourhood centre and a small 3ha residential precinct to accommodate tenants, researchers and staff (the area subject to Proposal 40 was also part of the area included in Council's resolution D182/01 of 20th August 2001 for a further Amendment to the MRS zoning parts of north Forrestdale in accordance with the Southern River Forrestdale Brookdale Wungong District Structure Plan).

DETAILS OF SUBMISSION

Correspondence has been received from consultant Town Planning and Design firm Taylor Burrell in respect to the prioritisation of Development in the Brookdale/Wungong region.

The essential argument of the submission is that the release of new Urban land in Forrestdale will not substantially benefit the Armadale Strategic Regional Centre and further, is likely to have a detrimental impact, in that it will draw potential urban growth away from the closer Brookdale area.

The submittee is seeking a commitment from government to adopt a strategic approach to land supply in the region. It seeks government to control the timing and direction of urban development to ensure the most effective and beneficial use of existing infrastructure. It suggests that one of the most important objectives needs to be, injecting as much impetus as possible into the commercial performance of the Armadale Town Centre.

The submission suggests that it may be more appropriate for area subject to the August 2001 proposal in Forrestdale, to be zoned to Urban Deferred as a first step, with a view to allowing some development momentum to build in areas closest to the Armadale Strategic Regional Centre, prior to lifting the zoning to full Urban. A careful analysis of these arguments is warranted so that Council can make a considered response.

The correspondence received is referred to Council for preliminary information, with a more detailed report to follow at the June meeting. It is understood copies of the correspondence and documentation were forwarded directly to the Mayor and Ward Councillors, the Department of Planning and Infrastructure (DPI) and the Hon. Alannah MacTiernan MLA – Member for Armadale.

It was agreed that a copy of the correspondence and documentation from Taylor Burrell be circulated to all councillors prior to the 20th May Council meeting.

Executive Director Development Services advised that he has since met with the Nicholson Road/Forrestdale Steering Group and have made them aware of the correspondence from Taylor Burrell. The Group intends to respond to this submission. A detailed report on the matter will be submitted for consideration at the June Committee meeting.

CS45/02 RECOMMEND

That Council note the information in respect to the correspondence on prioritisation of development in the Forrestdale/Brookdale/Wungong region recommit the matter with a view to considering a detailed analysis and response to the Taylor Burrell submission at the June meeting.

Moved Cr Clowes-Hollins
Motion Carried (6-0)

2002-03 DRAFT COUNCIL BUDGET

WARD ALL
FILE REF: FIN/7
DATE 8 May 2002
REF AFM
RESPONSIBLE EDCCS
MANAGER

In Brief:

- This report presents the following 2002-03 draft Budget-related matters for Council to note and/or approve, i.e.:
 - Proposed Budget Timetable;
 - Proposed member fees and allowances;
 - Five Year Plan - CPI factor;
 - Establishment levels.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

- Local Government Act 1995 – Part 5 Division 8 and Part 6 Division 2
- Local Government (Administration) Regulations
- Local Government (Financial Management) Regulations

Legislation Implications

Corporate Services – The sound financial management of Council will be measured by:

- Level of excellence in financial audit reports
- Level of contribution of rates to total revenue
- Affordability of rating levels
- The Council's debt ratio
- The long term financial viability of Council
- Adequate funding of City facilities and services

Council Policy/Local Law Implications

Council Policies 1.1.25; 1.2.40 and 1.2.17 refer.

Budget/Financial Implications

Council's recently resolved Five Year Forward Plan refers.

Consultation

Management Executive (Manex)

BACKGROUND & DETAILS OF PROPOSAL

This report presents a number of 2002-03 draft Budget-related matters for Council to note and/or approve, as appropriate.

1. Proposed 2002-03 Budget Timetable

The proposed timetable to facilitate the adoption of the 2002-03 Council Budget is presented for Council's consideration and approval in the following recommendation to this report.

Aspects to note about the proposed timetable are as follows:

- the proposed budget adoption date of 6 August 2002 is (2) weeks later than that of the current year, reflecting the delay in receiving the revaluation data from the Valuer General's Office (data received last week of April);
- the proposed Budget adoption date will:
 - not affect the Annual General Meeting of Electors being held at the earlier timeframe, as occurred in this current financial year; and
 - allow for a more considered approach to the Budget and a more orderly close of the current year's accounts;
- wherever possible and practicable, the timetable fits in with scheduled Ordinary Council and Committee meeting dates so as to maximize the participation of Councillors and the public;
- provision is made in the timetable for the draft Budget to be advertised for public comment – the public comment period is scheduled to occur following the 17 June 2002 Council meeting and run concurrently with the (21) day public comment period on the proposed rates.

2. Proposed Member Fees & Allowances

The proposed 2002-03 schedule of member fees and allowances for Council's consideration and approval for inclusion in the draft Budget is presented in the following recommendation to this report.

Aspects for Council to consider and/or note about the proposed schedule are as follows:

- as part of its annual Budget process, Council, pursuant to the Act, is to determine the matter of member fee and allowance payments and separately disclose such proposed payments in the Budget document – hence this report item;
- the proposed amounts are in keeping with the recently resolved Five Year Plan financial estimates for the 2002-03 year;
- the proposed payments are consistent with the current year's budgeted schedule of payments and where applicable (travel expenses and telecommunications

allowance) reflect Council's earlier 2002-03 draft Budget decision to allow a CPI-based general 3% cost increase factor;

- the proposed payments are in accordance with the provisions of the Local Government Act and the amounts prescribed by Regulation. For information purposes, the amounts currently prescribed by Regulation are as follows:

Payment Type		Amount Prescribed	
		Min.	Max
1	Annual Local Government Allowance		
	- Mayor	\$500	- \$10,000 or 0.002 of the local govt's operating revenue whichever is the greater up to a maximum of \$60,000.
	- Deputy Mayor	Nil	- Up to 25% of the amount paid to the Mayor.
2	<i>Annual (Meeting) Attendance Fee</i>		
	- Mayor	\$5,000	\$12,000
	- Councillor	\$2,000	\$6,000
3	<i>Telecommunications Allowance</i>		
	- All Councillors	Nil	\$2,000 pa

- as regards the City's proposed Annual Local Government Allowances, they are based on:
 - a factor of 0.001 of operating revenue which represents 50% of the maximum factor as prescribed; and
 - an operating revenue figure of \$25.1m as published in the City's audited Annual Financial Report for the year ended 30 June 2001.

3. Five Year Plan

When resolving the Five Year Plan financial estimates at the 2 April 2002 Special Meeting of Council, one of the many underpinning elements of the Plan was a proposed 5.5% rate increase which has (2) components to it namely:

- a "real" increase of 2.5% to address and fund a number of key strategic initiatives; and
- an increase of 3% to meet general cost increases – consistent with the current consumer price index (CPI) factor.

Since 2 April 2002, the CPI figures for the March 2002 quarter have been released and they are as follows:

Capital Cities	% Change for (12) months March 2002
Perth	3.2%
Sydney	2.9%
Melbourne	2.9%
Brisbane	3.3%
Adelaide	2.7%
Hobart	2.3%
Darwin	2.4%
Canberra	2.6%
Weighted Average of All Cities	2.9%

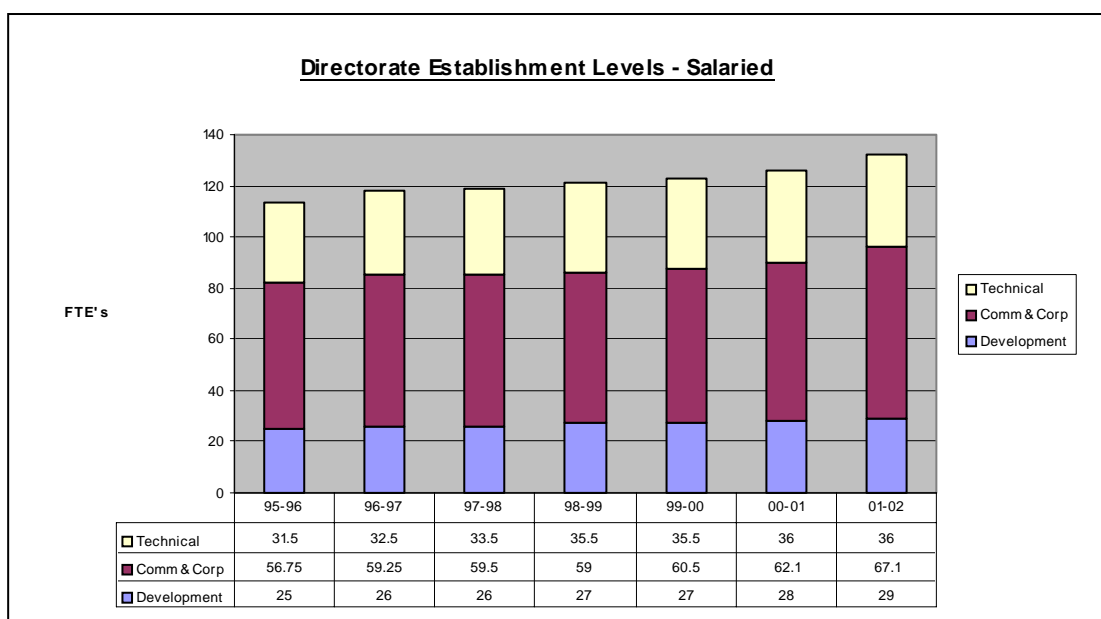
- interestingly, the underlying inflation rate (considered by leading economists to be a better measure of cost movements) stood at an annual rate of 3.6% in the March quarter (unchanged from the previous quarter) and on present indications is likely to remain above 3% for most of 2002 – source: Financial Review 26 April 2002;
- on the basis of the above CPI and underlying inflation rate figures, Council’s agreed 3% factor remains a reasonable estimate.

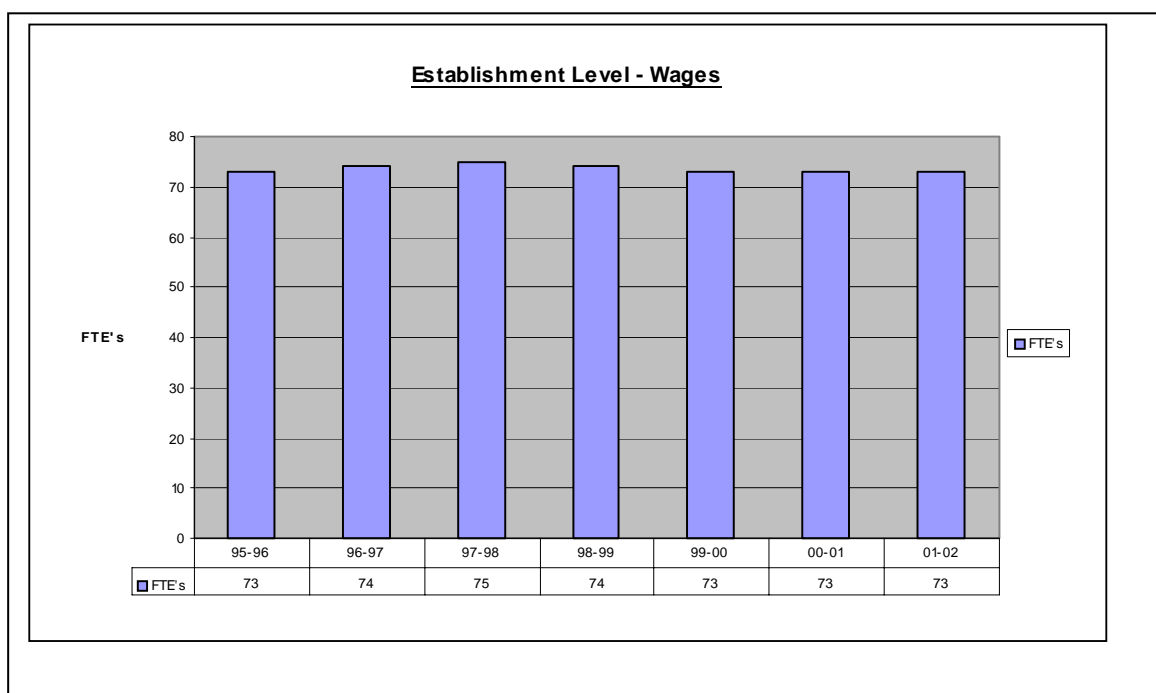
4. Establishment Levels

Presented hereunder for Council to note is an interim response to the part resolution arising from the Special Meeting of Council held on 2 April 2002 to consider the Five Year Plan, i.e.

“5. That an establishment report be incorporated in the 2002-03 budget documentation.”

The following charts provide an overview of the City’s establishment levels over the period 1995 to 2002.





The above charts reflect a moderate increase (10.1% over 6 years) in the establishment level – the annual budgeted expenditure over the same period has increased by 45% i.e. \$22.5m in 1995-96 to \$32.6m in 2001-02.

The 2002-03 draft Committee/Directorate budgets to be presented to this month’s round of Standing Committee meetings will provide further details of staff resource allocations and costs both current and proposed and in the context of proposed work programs.

Further establishment-related information will be presented to the June City Strategy Committee Meeting.

CS46/02 RECOMMEND

1. That Council approve the following 2002-03 Budget Timetable, i.e..

Date	Meeting Details	Task
13.5.02	Ordinary Development Services Committee meeting	<ul style="list-style-type: none"> to consider, resolve and refer draft Development Services Committee Budget to City Strategy Committee.
14.5.02	Ordinary City Strategy Committee Meeting	<ul style="list-style-type: none"> to consider various aspects of the 02-03 draft budget, eg. <ul style="list-style-type: none"> ✓ budget timetable, ✓ member fees ✓ 5 Year Plan ✓ establishment levels
By 31.5.02	Rating Review Working Party (at least 2 mtgs – dates yet to be confirmed)	<ul style="list-style-type: none"> to recommend to the City Strategy Committee the proposed rates for advertising purposes.
22.5.02	Special Technical Services Committee Meeting	<ul style="list-style-type: none"> to consider, resolve and refer draft Technical Services Committee Budget to City Strategy Committee.
28.5.02	Ordinary Community Services Committee Meeting	<ul style="list-style-type: none"> to consider, resolve and refer draft Community Services Committee Budget to City Strategy Committee.
11.6.02	Ordinary City Strategy Committee Meeting	<ul style="list-style-type: none"> to consider the draft budgets from each of the other committees to formulate a “corporate” draft budget position, to consider the proposed rates to make recommendation to Council on draft budget and proposed rates for advertising/public comment purposes.
17.6.02	Ordinary Council Meeting	<ul style="list-style-type: none"> to resolve draft budget and proposed rates for advertising/public comment purposes
24.7.02	Special City Strategy Committee Meeting (date to be confirmed)	<ul style="list-style-type: none"> to consider public comment made on the PAP, draft budget and proposed rates, consider other budget matters arising and accordingly recommend to Council the budget to be adopted
6.8.02	Ordinary Council Meeting	<ul style="list-style-type: none"> to adopt the 2002-03 Annual Council Budget

2. That Council include for consideration in the 2002-03 draft Budget the following schedule of member fees and allowances, i.e.

Particulars	Proposed 2002-03 Budget Estimate - \$	Current Year Budget 2001-02
<i>Annual Local Government Allowance</i>		
• Mayor - \$25,100 (0.001 of \$25.1m)		
• Deputy Mayor - \$6,275 (25% of Mayor's Allowance)	31,375	31,125
<i>Member Annual Attendance Fees</i>		
• Mayor - \$12,000pa		
• Councillors - \$6,000pa	90,000	90,000
<i>Telecommunications Allowance</i>		
• Councillors - \$720pa	10,080	9,800
Travel Expenses	8,650	8,400
Communications Allowance	3,200	1,600
<i>Total</i>	143,305	140,925
<i>Notes:</i>		
1. the 0.001 factor used for calculating the Annual Local Govt Allowance represents 50% of the maximum factor as prescribed by Regulation,		
2. the "operating revenue" figure of \$25.1m used for the purposes of calculating the Annual Local Govt Allowance is taken from the audited Annual Financial Report for the year ended 30 th June 2001,		
3. the travel expenses figure of \$8,650 provides for all Councillors and payments are made on a reimbursement basis pursuant to Council Policy,		
4. the communications allowance of \$3,200 is in accordance with the provisions of Council Policy wherein an allowance of \$800 is provided for new Councillors – the proposed estimate is \$1,600 higher than the 01-02 estimate on account of the 2003 elections.		

Moved Cr Stewart
Motion Carried (6-0)

POSSIBLE DISPOSAL OF COUNCIL LAND AT LOT 60 ALBANY HIGHWAY (CNR CARAWATHA AVENUE), MT NASURA

WARD : ARMADALE

FILE REF : A166113
SCH/2/163

DATE : 2 May 2002

REF : HC

RESPONSIBLE : PSM
MANAGER

APPLICANT : Armitage Road Medical
Centre

LAND OWNER : City of Armadale

SUBJECT LAND : Lot 60 Albany Highway, Mt
Nasura
Property size 5037m²
Map 23.04

ZONING : Urban/Special Use No. 85 &
MRS/TPS No.2 Parks & Recreation (Local)

In Brief:-

- Enquiry has been received on whether Council is in a position to make Lot 60 Albany Highway, Mt Nasura available for sale.
- MANEX resolved that a report on the future of the land be prepared for the City Strategy Committee
- Options considered include:
 - Disposal
 - Development
 - No further action
- Subdivision of the Lot into “Special Use” and “Parks & Recreation” components is required as a result of Amendment 163.
- Recommend that:
 - Council undertake subdivision of the land
 - Seek advice on value and most suitable means of disposal and proceed to disposal.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Promote the investment potential of Armadale as a Regional Centre, and review assets and the plans for new major or capital projects to identify opportunities for reducing costs and/or generating income.

Legislation Implications

Local Government Act 1995.

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

- Potential revenue from asset sale.
- Costs associated with subdivision. Surveyors costs and associated administrative costs of subdivision – estimated at approximately \$2,500. Infrastructure costs to comply with conditions of subdivision are not known at this stage. Will depend on conditions imposed by the WAPC.
- Costs associated with development of the special Use lot should purpose built development by Council be considered. This has not been explored or costed to date.

Consultation

- ♦ MANEX.

BACKGROUND

Council holds Lot 60 Albany Highway (cnr Carawatha Avenue), Mt Nasura, in fee simple. Part of the property has been rezoned from “Parks & Recreation (Local)” to “Special Use” (approximately 2887m²) with 2150m² remaining “Parks & Recreation (Local)”. The Scheme Amendment was gazetted on 9 November 2001.

At the MANEX meeting on 1 February 2002, it was resolved that, following the rezoning of the lot, a report be prepared for consideration of City Strategy Committee outlining Council’s options regarding the future development of the Lot. Options considered by MANEX included:

1. Dispose - Council may dispose of the “Special Use” zoned portion of Lot 60, to facilitate the development of portion for residential development , medical centre or consulting rooms. This would involve the creation of the site through subdivision, and sale of the property through tender, auction or private treaty.
2. Develop – Council may resolve to develop the Special Use zoned portion for one of the uses outlined within the Prescribed Special Use Table of Amendment 163. This would involve a feasibility analysis to determine the most appropriate development for the site, subdivision to create the lot on its own Certificate of Title, and development of the site in accordance with the outcome of the feasibility analysis
3. Do nothing – Council may determine that it is not timely to proceed with the development of Lot 60.

DETAILS OF PROPOSAL

Subsequent to the above MANEX meeting, the Armitage Road Medical Centre has written regarding Lot 60 Albany Highway enquiring:

“Can you please advise us if Council is now in a position to make available the above property for sale by

- *Private treaty*
- *Auction*
- *Tender”*

COMMENT

Analysis

Disposal of the Land

Under the provisions of Section 3.58 of the Local Government Act 1995, land owned by Council can usually only be disposed of to:

- a) The highest bidder at public auction; or
- b) The person who at public tender called by the local government, makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

However, the Act also allows the land to be sold by private treaty if, before Council agrees to dispose of the property it:

- Gives statewide public notice of the details of the proposed disposition and the property concerned (an advertisement in The West Australian, notice on noticeboard and in our public libraries); and
- Invites and considers submissions on the proposed disposition.

A valuation of the entire property (5037m²) was carried out in May 2000, during the rezoning process, by DTZ Australia. *Details of the relevant section of the valuation are at Confidential Attachment "B" of the Agenda. An interpolation of value for the Special Use portion of the land from the previous valuation is also contained at Confidential Attachment "B" of the Agenda.*

As the "Special Use " portion of the property is less than the whole area following the rezoning, it is suggested a further valuation is necessary. A new valuation that is less than six months old will be required should a sale by private treaty be contemplated.

Prior to any sale, subdivision of the portion of Parks and Reserves zone from the Special Use zone, and the creation of separate Certificates of Title, would be required.

Development of the Land

No feasibility study has been undertaken on the possibility of developing the land for a purpose built use under the provisions of the Special Use zone and at present there has been no budget allocation sought for such a study. It may be preferable to allow the private sector to determine the ultimate use and configuration of building/s rather than Council attempting to predict such use and configurations and develop a building for sale or lease. Further capital costs will be required from Council in order to develop the land (cost of building design and construction).

Options

The options appear to be those already identified by MANEX:

1. Dispose of the land after subdivision to separate the Parks and Recreation component.
2. Conduct a feasibility study with a view to Council ultimately developing the land.
3. Do nothing with Lot 60 at present.

CONCLUSION

It appears reasonable that whatever option is preferred, subdivision of the land to separate the different zonings could be undertaken as a matter of course, even if no other action is to be taken with the land at present.

As a matter of prudence and practicality it would be preferable for private enterprise to develop the site, rather than Council.

Option 1 presents itself as a reasonable course of action. It is suggested that professional advice be taken on both the value and most suitable means of disposal of the property – tender, auction or private treaty. The land has a prominent position and with its proximity to the hospital should be readily marketable. The enquiry received by Council indicates there is a measure of interest in the future disposal of the land.

CS47/02 RECOMMEND

- 1. That Council undertake the necessary action to subdivide Lot 60 Albany Highway (corner of Carawatha Avenue), Mt Nasura into separate lots reflecting the Special Use Zone and the Parks and Recreation Reservation resulting from Amendment 163.**
- 2. That Council obtain a valuation and professional advice on the most suitable means of disposal of Lot 60 Albany Highway (corner of Carawatha Avenue), Mt Nasura for further consideration once subdivision approval has been obtained.**

Moved Cr Clowes-Hollins
Motion Carried (6-0)

**** PROPOSED DISPOSAL OF COUNCIL LAND – LOT 86 CHURCH AVENUE,
ARMADALE**

WARD : ARMADALE
FILE REF : A173718
DATE : 30 April 2002
REF : HC
RESPONSIBLE : EDDS
MANAGER
APPLICANT : Cityzone Nominees Pty Ltd
LAND OWNER : City of Armadale
SUBJECT LAND : Lot 86 Church Avenue,
Armadale
Property size 2391m²
Map 23.03
ZONING : Central City Area & Primary
MRS/TPS No.2 Regional Roads / Mixed
Business/Residential &
Primary Regional Roads

In Brief:-

- The offer to purchase lot 86 Church Avenue has been advertised in accordance with Section 3.58 of Local Government Act 1995.
- Offer appears financially reasonable and merits positive consideration.
- Conditions on the acquisition raise queries.
- Recommend that subject to Purchaser agreeing to acquire the property unconditionally, Council delegate authority to CEO to sign Offer and Acceptance for Lot 86 Church Avenue, Armadale, to Cityzone Nominees Pty Ltd for \$239,100 plus GST.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Promote the investment potential of Armadale as a Regional Centre, and review assets and the plans for new major or capital projects to identify opportunities for reducing costs and/or generating income.

Legislation Implications

Sections 3.58 and 5.42 of the Local Government Act 1995.

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

Potential revenue from asset sale.

Consultation

Nil.

BACKGROUND

At its meeting of 18 March 2002 Council resolved:

1. That statewide public notice of the proposed disposition of Lot 86 Church Avenue, Armadale be made in terms of the provisions of Section 3.58 of the local Government Act 1995.
2. That the matter be recommitted to Council for consideration when the submission period is completed.

DETAILS OF PROPOSAL

Council owns Lot 86 Church Avenue, Armadale, in fee simple. The applicant has made an offer for the purchase of the Lot. *Details of the offer are contained at Confidential Attachment "B-2" of the Agenda.*

COMMENT

The proposed sale was advertised in terms of the provisions of Section 3.58 of the local Government Act 1995 and comments were sought. No submissions have been received.

Analysis

The offer to purchase exceeds the most recent valuation of the property and merits consideration. A comparison of the relevant section of the valuation is at Confidential Attachment "B-2" of the Agenda.

It could be noted that the offer contains an annexure of conditions. It is stated that:

Conditions Precedent:

The settlement and completion of the contract is subject to and conditional upon the following;

- *In the Contract, "Approvals" mean each approval, consent, permit, contract, agreement, licence and other forms of authorisation which the Purchaser requires in its complete discretion in connection with the Purchasers intended acquisition, development and its use of the property, including but not limited to Local Authority Planning Approvals.*
- *The Purchaser obtaining within 90 days from the date of acceptance of this contract or such other date as the parties may agree in writing, all of the approvals noted in Condition 1 above, which if issued subject to conditions, are in terms satisfactory to the Purchaser.*

But if;

- *An approval is refused or granted on terms which are not acceptable to the Purchaser and that the Purchaser gives notice of that fact in writing to the Vendor or the Vendor's Agent, or*
- *Special Condition 2 has not been satisfied within the relevant period specified, then this contract will automatically cease to determine whereupon the vendor must refund the deposit to the Purchaser in full.*

These conditions appear to provide an escape clause that needs clarification. Information has been sought from the Purchaser's Agent but has not yet been forthcoming.

Queries that the conditions raise include:

- What development and/or use of the property may the Developer be seeking approval for?
- Has the proposal been measured against the City's Town Planning Scheme No. 3 requirements?
- Is there a proposal ready to submit immediately if the Developer is successful in purchasing the property?
- If there is not a development proposal ready to submit immediately, what other time period may the Developer have in mind or will they invoke Condition 2 automatically?
- Is this condition essential or is it open to negotiation?

Options

There appear to be three options for consideration:

1. Decline to sell the property to the applicant.
2. Accept the offer with conditions as outlined and sell the property by private treaty.
3. Only accept the offer as long as it is made unconditional.

CONCLUSION

Option 1 would not appear to recommend itself unless Council has concrete alternative future plans for the property that precluded a sale at present, or that the offer was unrealistic monetarily.

The offer appears financially reasonable. Further, making the land available to a potential developer may, in concert with the Harvey Norman development, proposed cinema complex and other initiatives in the City Centre, issue the message that Armadale is considered of potential for investment and development. It may be one of the catalysts that stir interest and firm up values for such land in the Armadale City Centre.

However, the conditions on the offer appear to be one-sided and allow latitude for the Purchaser to revoke the contract and seek a refund of any monies paid should Council not

issue approval for a development within 90 days of acceptance of the offer. To date the Purchaser has not provided information on the nature of any development, or indeed whether plans for a development have been prepared. It would appear pointless to go through the exercise of offer and acceptance if any proposals for Lot 86 Church Avenue are not going to meet Town Planning Scheme No. 3 and Council Policy requirements, with the result of the contract being revoked. If the Purchaser is sincere with the offer, it should be made and accepted without the conditions outlined in the annexure of conditions outlined above.

It was proposed that as the property represented one of the key blocks in the City Centre that sale be deferred until such time as redevelopment plans for Armadale are determined which will possibly result in an increased value of this land.

However, Committee concurred on balance that added activity in the area at this time will be advantageous to the redevelopment of the City Centre.

CS48/02 RECOMMEND

~~**That subject to the Purchaser agreeing to acquire Lot 86 Church Avenue, Armadale, unconditionally, Council delegate authority to the Chief Executive Officer pursuant to Section 5.42 of the local Government Act 1995 to sign the Offer and Acceptance for the sale of Lot 86 Church Avenue, Armadale to Cityzone Nominees Pty Ltd for a sale price of \$239,100 plus GST (\$263,010).**~~

Moved Cr Hopper; Opposed Cr Zelones
Motion Carried (5-1)

**** ABSOLUTE MAJORITY REQUIRED**

AMENDMENT
FULL COUNCIL
20-5-02

That Recommendation CS48/02 be not adopted and be recommitted to the City Strategy Committee with further report including advice on the identity of the purchaser and the likely intended use of the property.

COUNCIL REPRESENTATIVES ON EXTERNAL COMMITTEES/GROUPS

WARD : ALL
FILE REF : CRS1
DATE : 6 May 2002
REF : AWD
RESPONSIBLE : Chief Executive
MANAGER : Officer

In Brief

Reporting on a process for Councillor representatives on external committees/groups to keep Council informed of matters relevant to the business of Council.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

- Social Infrastructure – ‘Create stronger and more formal networks with and between service providers (Government, community and private)
- Communication.
- Corporate Services – ‘foster an effective professional environment for the governance and administration of the City’s services.

Legislation Implications

Nil

Council Policy/Local Law Implications

Code of Conduct – 3.9 Appointments to Committees

“As part of their representative role Members are often nominated to represent the Council on external organizations. It is important that Members:

- *clearly understand the basis of their appointment;*
- *provide regular reports on the activities of the organization; and*
- *make every endeavour to personally notify their deputies when they are not able to attend.”*

Budget/Financial Implications

Nil

Consultation

Management Executive Group (Manex)

BACKGROUND

The following item is reproduced from the 15 May 2001 City Strategy Committee Meeting:

“At the Development Services Committee meeting of 12th March 2001, Cr Reynolds referred the matter of Council representatives appointed to external Committees, reporting to Council to City Strategy Committee for consideration. (D64/01 of 19th March 2001 refers.)

With regard to councillors appointed to external committees, Cr Reynolds commented on the responsibility of councillor representatives to inform Council on matters that may need the attention of Council. To this end, a suggested proforma for use by councillors was tabled for Committee’s comment.

Committee agreed to the need for a mechanism/process to serve as a prompt for councillors to keep Council informed of matters relevant to the business of Council. Further, Committee requested that Manex provide advice on the matter.

CS35/01 RECOMMEND

- (A) *The responsibility upon all councillors, when appointed to committees/groups that are external to Council, to keep Council informed on matters which are relevant to the business of Council be noted.*
- (B) *That the matter of a process/mechanism which serves to prompt and facilitate (1) above occurring be referred to Manex for report back to the City Strategy Committee.”*

A representation of the pro forma referred to above, as modified, is presented overleaf.

COMMENT

Manex, in considering this matter, did so from the perspective that they could/should only provide a suggested protocol for Elected Members to consider.

In this regard, Manex agreed that:

- use of the pro forma as guidance and an aide-memoire to help Elected Members to fulfil their duties be supported;
- the pro forma should contain a clear statement to the effect that – “Any matter requiring consideration/decision by Council should be referred to the CEO or relevant Director”;
- the current structure of Council and Committee agendas provides opportunity for Members to present their reports (via correct protocol), particularly in respect of external Committees that report to Council via the Information Bulletin;

- there is an onus on officers who attend external committee/groups meetings to be aware of and raise in the appropriate manner, any key issues emanating from those meetings.

It was clarified that there is no compulsion to provide such a report and the standard format included in this report was put together only to serve as a prompt for councillors to report on matters discussed at external committees where it relates to any business of Council.

In discussion as to whether such a Report should initially be presented to the CEO for referral/report to Committee/Council, it was felt that, depending on the matter, councillors may at times choose the option of presenting such a report to Committee under councillors' items.

CS49/02 RECOMMEND

That Council, in order to assist Elected Members to comply with part 3.9 of the City's Code of Conduct, endorse the use of the 'Councillor Report' [proforma included in the Minutes] – such Report to be presented to Council via:

- **the Information Bulletin;**
- **a Standing Committee;**
- **the CEO; or**
- **an Executive Director;**

as appropriate.

Moved Cr Zelones
Motion Carried (6-0)

Ron Van Delft retired from the meeting at 8.15pm



City of Armadale – Councillor Report

Name of Committee: _____

Council Delegate/Representative _____

Date of Meeting: _____

Key Discussion Points:
Suggested Implications for City of Armadale:
Suggested Actions:
Other Comments:

Presented to _____

Signed: _____

Date: _____

Note:

Any matter requiring formal consideration or a decision by Council should be referred to the CEO or relevant Director.

LOCAL GOVERNMENT HOUSE – AMENDMENTS TO TRUST DEED

WARD ALL
FILE REF: GOV/51
DATE 8 May 2002
REF AFM
RESPONSIBLE EDCCS
MANAGER

In Brief:

- WALGA is seeking Council's agreement to proposed changes to the Local Govt House Trust Deed – the amendments are occasioned by the dissolution of the former LGA, CSA and CUCA,
- This matter was reported to the 15.4.02 Council Meeting with Council's decision at that time being to support the proposed changes subject to further clarification from WALGA as to possible conflict of interest aspects relating to the Board of Management membership,
- This report presents for Council's consideration WALGA's response with a recommendation for further clarification from WALGA given the response is believed not to adequately address Council's prior concern.

Officer Interest Declaration

Nil

Strategic Implications

Nil

Legislation Implications

Nil

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Nil

Consultation

- WALGA

BACKGROUND

As previously reported to the 15th April 2002 meeting of Council, the Trust Deed for Local Government House was registered in 1980. With the dissolution of LGA, CSCA and CUCA there is a need to amend that Trust Deed and WALGA has written requesting Council's consent to the proposed amendments.

In considering this request last month, Council though supportive of the proposed amendments expressed a concern as to possible conflict of interest considerations as relating to the WALGA CEO position being a member of the Board of Management for Local Government House and accordingly agreed to seek further clarification from WALGA on this aspect prior to confirming its consent to the proposed amendments.

Council's prior resolution (CS37/02 of 15.4.02 refers) was as follows:

- (i) *That WALGA be advised that the City of Armadale is concerned that the proposed Board of Management of the Local Government House Trust includes the CEO of the WA Local Government Association and that this may place this officer in a position of conflict of interest as WALGA is the primary tenant of Local Government House.*
- (ii) *That Council would be pleased to give its consent to the proposed amendments to the Trust Deed for the Local Government House following deletion of reference to the CEO as a Board member, or further explanation to Council as to how this would work in practice.*

DETAILS OF PROPOSAL

The further clarification sought from WALGA has been received and relevant extracts from that response are as follows:

The Board of Management considered it pertinent for the CEO of the Association to be a member of the Board because of the direct accountability of this position for the day-to-day operation and management of Local Government House. Furthermore, the CEO will bring operational knowledge which should improve the effectiveness of the Board.

You may be aware that the CEO of the Association is a voting member on both the Insurance Board and the Finance & Services Committee. Where the CEO has a conflict of interest in the past in regards to any issue under consideration, the process of disclosure has enabled the conflict to be identified and dealt with appropriately.

The Association's Code of Conduct, which applies to all employees, State Councillors and Policy Forum Members, contains provisions applicable to conflicts of interest and disclosure of financial and other interests. In addition, the order of proceedings for all meetings of the new Board will include the specific requirement for disclosure of financial or other interests by all members.

COMMENT

Analysis

It would be fair to comment that WALGA's response does not adequately address Council's previously expressed concern, indeed references to the CEO position also being a member of

other Boards that are tenants of Local Government House serve to further reinforce Council's prior concern.

Subsequent informal discussions with WALGA expressing a continuing concern and suggesting that the previous arrangement of the CEO being an advisor and non-voting member to the Board being perhaps the preferred option, would indicate a preparedness by WALGA to reconsider the matter and to that end, it is recommended that Council again write to WALGA requesting their further consideration of the matter.

Options

There are essentially (2) options, they being:

- (1) accept the response as providing adequate explanation/clarification and accordingly give consent to the proposed amendments to the Trust Deed, or
- (2) advise WALGA that their response does not allay Council's prior concern and accordingly further clarification on the matter is sought prior to consenting to the proposed amendments to the Trust Deed.

Given the informal discussions had with WALGA (since receiving their response) that suggests a preparedness by WALGA to reconsider the matter, Option 2 is the recommended option.

CS50/02 RECOMMEND

That Council :

- a) **note WALGA's response to Council's previously expressed concern regarding possible conflict of interest aspects associated with the proposal for the WALGA CEO position being a member of the Local Government House Board of Management,**
- b) **advise WALGA that their response does not allay Council's prior concern and accordingly request WALGA to re-consider their position on the matter,**
- c) **pending WALGA's further consideration and advice on the matter, reaffirm its prior decision, namely that Council would be pleased to give its consent to the proposed Trust Deed amendments subject to the Board membership matter being satisfactorily resolved.**

Moved Cr Hopper
Motion Carried (6-0)

LOCAL GOVERNMENT WARDS AND REPRESENTATION

WARD ALL
FILE REF: ELT/1
DATE 8.5.02
REF AFM
RESPONSIBLE EDCCS
MANAGER

In Brief:

- A Circular and Discussion Paper has been received from the Minister for Local Government seeking Council's comments "*regarding any matter considered relevant to the development of a definition of the exceptional circumstances under which ward tolerances could be greater than plus or minus 10% of the average councillor to elector ratio*".
- This report presents for Council's consideration a number of suggested comments in response to the Minister's Circular.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

To foster an effective professional environment for the governance and administration of the City

Legislation Implications

Clauses 5 and 6 of Schedule 2.2 of the Local Govt Act "Provisions about names, wards and representation" refer, ie

5. Local government may propose ward changes or make minor proposals

A local government may, whether or not it has received a submission —

- (a) carry out a review of whether or not an order under section 2.2, 2.3(3) or 2.18 should, in the council's opinion, be made;
- (b) propose* to the Advisory Board the making of an order under section 2.2(1), 2.3(3) or 2.18(3) if, in the opinion of the council, the proposal is —
 - (i) one of a minor nature; and
 - (ii) not one about which public submissions need be invited;

or

- (c) propose* to the Minister the making of an order changing the name of the district or a ward.

* *Absolute majority required.*

6. Local government with wards to review periodically

A local government the district of which is divided into wards is to carry out reviews of —

- (a) its ward boundaries; and
 - (b) the number of offices of councillor for each ward,
- from time to time so that not more than 8 years elapse between successive reviews.

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Nil

Consultation

Nil

BACKGROUND AND DETAILS OF PROPOSAL

The Minister for Local Government, via his Circular No. 4-2002, seeks input from local governments, WALGA and Local Government Manager Australia regards local government wards and representation and the application of “one vote one value”. In particular the Minister is seeking comment “regarding any matter considered relevant to the development of a definition of the exceptional circumstances under which ward tolerances could be greater than plus or minus 10% of the average councillor to elector ratio”

Presented at Attachment A-1 [as circulated with the Agenda] is the Department’s self explanatory Discussion Paper on the matter.

Relevant extracts from the Minister’s covering Circular that context this matter are as follows:

As you would be aware, the State Government is committed to the principle of “one vote one value”, and I intend to apply this principle to the assessment of local government reviews of wards and representations.

I have indicated to the Chairman of the Local Government Advisory Board that I am prepared to consider proposal from local government that achieve a ratio of councillors to electors in each ward that is plus or minus 10% of the average ratio of councillors to electors across the district. I have also indicated that I am prepared to consider variations outside these parameters in special circumstances.

I have also made a commitment to consult with local government about the circumstances under which the plus or minus 10% tolerance for wards and representation could be exceeded.

This is a very important issue for local government and I am keen to obtain a wide range of views on the matter.

COMMENT*Analysis*

Prior to considering the matters considered by Council to be relevant to the development of a definition of the exceptional circumstances under which ward tolerances could be greater than plus or minus 10% of the average councillor to elector ratio, the following background information is presented.

The Order determining Council's current (7) wards with each ward having (2) member representatives was gazetted on 17th January 1997. Accordingly and in accordance with Clause 6 of Schedule 2.2 of the Act, the next required review must be undertaken by the year 2004-05 at the latest.

When last reviewed (1997), the councillor/elector ratios were as follows:

Table A

Ward	No. of Electors	Ward Cr/Elector Ratio	% Ratio Deviation
Armadale	7,235	3,617	22.2
Forrest	4,280	2,140	-27.7
Kelmscott	6,591	3,295	11.32
Roleystone	5,298	2,649	-10.5
Seville	4,454	2,227	-24.8
West Armadale	6,556	3,278	10.7
Westfield	7,038	3,519	18.9
Total	41,452		
Average Cr/Elector Ratio	2,960		

The current day equivalent of the above table is as follows:

Table B

Ward	No. of Electors	Ward Cr/Elector Ratio	% Ratio Deviation
Armadale	6,094	3,047	28.9
Forrest	3,258	1,629	-31.1
Kelmscott	5,336	2,668	12.9
Roleystone	4,398	2,199	-7.0
Seville	3,650	1,825	-22.8
West Armadale	5,163	2,581	9.2
Westfield	5,196	2,598	9.9
Total	33,095		
Average Cr/Elector Ratio	2,364		

Notes:

- applying the Minister’s plus or minus 10% tolerance criteria to this information shows that (4) of Council’s current wards do not meet the required criteria, ie. the Armadale, Forrest, Kelmscott and Seville Wards.
- the required adjustment to elector numbers to satisfy the plus or minus 10% criteria for each of the wards together with the resulting deviation ratio, is as follows, ie.
 - Armadale -550 9%
 - Forrest +1,300 -10%
 - Kelmscott + 200 9%
 - Roleystone +150 -10%
 - Seville +900 -10%
 - West Armadale +350 9%
 - Westfield +100 4%

The following Table C, provides an estimate of elector number increases between now and years 2004 and 2010. It is be noted that there is limited information available upon which to make these estimates and accordingly the estimates are very much indicative and at best provide a very general guide. The reference sources used include the Department for Planning & Infrastructure’s Metropolitan Development Urban Release Plan -which provides an overview of developer’s intentions for a 5 year period to 2006- and “WA Tomorrow” – which provides population projections in future years- and Council’s Building Department dwellings statistics.

Table C

Ward	Estimated Increase in Elector Numbers	
	Between Now & 2004	Between Now & 2010
Armadale	180	500
Forrest	500	3,800
Kelmscott	-	50
Roleystone	50	100
Seville	500	1000
West Armadale	-	-
Westfield	-	-
Total	1,230	5,450

Notes:

- the above estimates are based on the assumption of (2) electors per additional residence,
- the reason for some wards not having an estimate is that the estimate was determined to be nominal.

Whilst there has been no mention as to a date when the plus or minus 10% criteria will become a requirement upon local governments, informal discussions with the Department suggest that:

- for practical reasons, ie. the time it takes to conduct a review which is generally in the order of at least 6 months, any requirement is unlikely to occur prior to the 2003 elections,
- what's more likely is that the requirement will apply to the 2005 elections and in any event any review conducted by a local government in accordance with Clause 6 of Schedule 2.2, from 2003 onwards.

Proposed Definition of Exceptional Circumstances

Therefore, in terms of the Minister's request for comment on "*any matter considered relevant to the development of a definition of the exceptional circumstances under which ward tolerances could be greater than plus or minus 10% of the average councillor to elector ratio*", the suggested response for Council's consideration is as follows:

- the situation where perhaps it can be clearly demonstrated by reference to documents both external and internal to Council's administration, that prior to the next ward review due date, residential and/or commercial development will occur to such an extent as to satisfy the plus or minus 10% criteria,
- the situation where perhaps it is that a local government has a significant mix and diversity of urban and rural areas separated by clearly evident physical and topographic features. It is considered that to require like councillor/elector ratios for all wards in such situations, is likely to result in groupings of persons who have little or no community of interest, ie. to achieve the 10% criteria should not be at the expense of the arguably more important imperative of "community of interest" and the capacity/ability of elected members to service that community of interest.
- situations where the demands placed upon councillors are greater than that which elector numbers alone may otherwise indicate, eg.
 - where the tourist and visitor numbers are significant,
 - where there is a significant commercial-business base attracting considerable numbers of persons for either employment, retail, or leisure purposes, and
 - the particular demographics of a ward, eg. a ward which has a predominance of young families is likely to have greater needs than if there was a predominance of older persons.
- the situation where perhaps a significant proportion of the community is not eligible to be on the electoral roll, eg. non-Australian citizens.
- in the interests of "good local government", there should be continuity and stability of local government representation from both the elector and member perspective which may not be an outcome if changes to member numbers and boundaries are made on a regular basis to satisfy the 10% criteria.

Furthermore and whilst not a matter upon which comment is being sought by the Minister, it is nevertheless suggested that Council question the validity of the 10% factor given that this factor will generally translate to a relatively small number. It is suggested that a more practicable percentage may be in the order of 20-25%.

COMMITTEE determined that Council's response to this Discussion Paper be referred to the South East Metropolitan Zone of WALGA for comment.

CS51/02 RECOMMEND

- 1. That Council, in response to the Minister for Local Government's Circular seeking comment on "*any matter considered relevant to the development of a definition of the exceptional circumstances under which ward tolerances could be greater than plus or minus 10% of the average councillor to elector ratio*" offer the following comments, ie.**
 - a) the situation where perhaps it can be clearly demonstrated by reference to documents both external and internal to Council's administration, that prior to the next ward review due date, development will occur to such an extent as to satisfy the plus or minus 10% criteria,**
 - b) the situation where perhaps it is that a local government has a significant mix and diversity of urban and rural areas separated by clearly evident physical and topographic features, ie. to require like councillor/elector ratios for all wards in such situations, is likely to result in groupings of persons who have little or no community of interest, ie. to achieve the 10% criteria should not be at the expense of the arguably more important imperative of "community of interest" and the capacity/ability of elected members to service that community of interest.**
 - c) situations where the demands placed upon councillors are greater than that which elector numbers alone may otherwise indicate, eg.**
 - where the tourist and visitor numbers are significant,**
 - where there is a significant commercial-business base attracting considerable numbers of persons for either employment, retail, or leisure purposes, and**
 - the particular demographics of a ward, eg. a ward which has a predominance of young families is likely to have greater needs than if there was a predominance of older persons.**
 - d) the situation where perhaps a significant proportion of the community is not eligible to be on the electoral roll, eg. non-Australian citizens.**

- e) **in the interests of “good local government”, there should be continuity and stability of local government representation from both the elector and member perspective which may not be an outcome if changes to member numbers and boundaries are made on a regular basis to satisfy the 10% criteria, and**
 - f) **furthermore, whilst not a matter upon which comment has been sought, Council questions the validity of the 10% factor given that this factor will generally translate to a relatively small number in this regard a suggested more practicable percentage may be in the order of 20-25%.**
2. **That Council’s response to the Minister for Local Government’s Discussion Paper on “Local Government Wards and Representation – ‘One vote one value’” be referred to the South East Metropolitan Zone of WALGA.**

Moved Cr Hopper
Motion Carried (6-0)

VERBATIM REPORTS IN MINUTES OF MEETINGS

WARD ALL
FILE REF: PCY/1
DATE 3 May 2002
REF SDS
RESPONSIBLE CEO
MANAGER

In Brief:

- The matter of verbatim reports was referred to the Standing Order Review Working Group for discussion and review.
- DOLG's guide to the preparation of Agendas and Minutes indicates that meetings are not generally recorded verbatim and that provisions should be made in the Standing Orders to guide Council in dealing with such requests.
- There is provision in Council's Standing Orders -Clause 8.4(4) – for member's comments to be recorded verbatim but only unless specifically requested.
- It is recommended that explanations, comments or information reported at meetings be recorded in the minutes of meetings as a brief précis where that information has a bearing on any decision of the Council.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

Communication

To ensure dialogue with the community in order to have a clear understanding of the community's needs and expectations and to ensure all communication is readily understood.

Legislation Implications

Section 5.25 – Local Government Act 1995

Council Policy/Local Law Implications

Council's Standing Orders Local Law

Budget/Financial Implications

Nil

Consultation

Standing Order Review Working Party

BACKGROUND

At the City Strategy Committee meeting of 12 March 2002, Cr Hodges raised the following as a Councillor's item.

“Cr Hodges expressed the concern with verbatim reports being produced in the Minutes and requested that consideration be given to paraphrasing or summarising such reports or presentations made at meetings.”

As a result the following was resolved by Council:-

That the matter of reports or presentations being reproduced verbatim in Council minutes be referred to the Standing Order Review Working Group for a review of the relevant policy.

COMMENT

The Standing Order Working Party agreed with the Department of Local Government Guidelines that meetings are not generally recorded verbatim.

It was of the view that verbal presentation of reports, explanations or comments by members at meetings should be summarised or paraphrased in the minutes as an aid to demonstrating the basis for discussions and decisions made at meetings.

It was noted that there is provision in the Standing Orders if a member requires his or her comments, or the comments of another member, to be included in the minutes. In this regard, Clause 8.4 (4) of Council's Standing Orders state:

- (4) *If a member of the Council or Committee specifically requests, immediately after their use, that any particular words used by a member be recorded in the minutes, the person presiding is to cause the words used to be taken down and read to the meeting for verification and to then be recorded in the minutes.*

It is only when this specific provision is invoked that comments are to be recorded verbatim.

CS52/02 RECOMMEND

Unless the specific provision in Council's Standing Order is invoked for verbatim recording of comments, verbal presentation of reports, explanations or comments by members and officers at committee and council meetings be summarised or paraphrased in the minute record.

Moved Cr Hodges

Motion Carried (6-0)

ARMADALE REDEVELOPMENT AUTHORITY BOARD – UPDATE ON VARIOUS ISSUES

WARD : Armadale
FILE REF : PSC/30
DATE : 9 May 2002
REF : JHA
RESPONSIBLE : EDDS
MANAGER

In Brief:-

- Reference to presentation material on Champion Lakes and Armadale Station.
- ARA request for representation on project advisory and steering groups.
- It is recommended that ARA involvement is welcomed with Champion Lakes, City Centre Liaison Committee and the Forrestdale Industrial Business Park.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Strategic Plan objective to create an integrated Regional Centre with a full range of services.

Legislation Implications

Town Planning Scheme No.2 and No.3
Armadale Redevelopment Bill 2001

Council Policy / Local Law Implications

N/A

Budget / Financial Implications

Potential to broaden rate base and resultant income as a consequence of accelerated investment and development.

Consultation

- ♦ Landcorp
- ♦ WAGR

COMMENT

The Armadale Redevelopment Board has been meeting on a monthly basis on the first Wednesday of each month at the Council offices. At its first meeting the Board members were taken on a tour of the various project sites. Since then, at the request of the ARA Board there have also been presentations on the following projects.

1. Champion Lakes

Briefing material has been prepared and was presented to the ARA Board at its last meeting on Wednesday, 8th May 2002. The material illustrates history, vision and progress of the Champion Lakes project to date. A copy of this material is circulated to all councillors under separate cover.

2. Armadale Station Redevelopment

A presentation to the ARA Board was conducted by Mr Laurie Piggott of WAGR illustrating the concept and stages of redevelopment of the Armadale Station highlighting relocation of the station platform and entrance opposite the western end of Jull Street. Key issues for early direction on this project involve the critical positioning of the station entrance, car parking, disposition and overall staging of the project with regard to funding constraints.

Arrangements have been made to invite Mr Piggott to present details on the station redevelopment to councillors prior to the ordinary meeting of Council on 20th May 2002 at 6.30pm in the Committee Room.

ARA BOARD REPRESENTATION ON “PRECINCT” COMMITTEES

Request has been received from the ARA Board seeking City’s support in progressively transferring responsibility for key projects to the Authority. Particular project “precincts” involved for early consideration would be:-

- City Centre – representation on City Centre Liaison Committee
- Champion Lakes– representation on Champion Lakes Consultancy Liaison Group
- Forrestdale Business Park – representation on the Forrestdale Industrial Business Park Steering Group

The relevant advisory groups as they are presently constituted are as follows:-

1. CITY CENTRE LIAISON COMMITTEE	
TERMS OF REFERENCE	<p>The terms of reference for the City Centre Liaison Committee were adopted as follows:</p> <ul style="list-style-type: none"> ◆ To provide a forum of Council representatives, local business people and community representatives to provide advice and recommendations to Council via the City Strategy Committee on the implementation of the recommendations of the Enquiry by Design Workshop; ◆ To facilitate communication between Council and representatives of key private and public stakeholder groups on practical measures to enhance development of the Town Centre; ◆ To engender local ownership of the initiatives for the Town Centre; ◆ To identify potentials for “win / win” partnerships, synergies and actions by private parties and public agencies.

MEETINGS	<p>Meetings - Monthly</p> <p>Location - City of Armadale - Committee Room</p> <p>Day/Time - 2nd Thursday of the month</p> <p>Duration - 7.30am to 9.00am</p>
ADVISORY GROUP MEMBERSHIP	<p>The Advisory Group has representation from:-</p> <ul style="list-style-type: none"> ◆ 3 Councillors ◆ 2 property owners ◆ 2 traders ◆ 2 community representatives ◆ CEO and Officer City of Armadale ◆ 1 State Government liaison person (not filled)

2. CHAMPION LAKES CONSULTANCY LIAISON GROUP

TERMS OF REFERENCE	<p>With respect to Tender 0643/01 for the provision of consultancy services the Liaison Group is responsible for:</p> <ul style="list-style-type: none"> ◆ providing overall direction, ◆ resolving technical and project issues, ◆ confirming that the various reports produced are satisfactory to the agency they represent.
MEETINGS	<p>Meetings - Quarterly or as required</p> <p>Location - DPI or as advised</p> <p>Day/Time - 4th Monday of the month at 8.30 am or as advised</p> <p>Duration - 2 hours</p>
ADVISORY GROUP MEMBERSHIP	<p>The Advisory Group has representation from:-</p> <ul style="list-style-type: none"> ◆ Department for Planning and Infrastructure (2) ◆ City of Armadale (Project Manager and Coordinator of the Tender) ◆ Water Corporation (not filled) ◆ Department of Environment, Water and Catchment Protection (2) ◆ Department for Sport & Recreation

3. FORRESTDAL INDUSTRIAL BUSINESS PARK STEERING GROUP

TERMS OF REFERENCE	<p>To assist the Development Services Director in overseeing the preparation of a Structure Plan and local Statutory Instrument that will facilitate the subdivision and ultimate development of a range of business and industrial premises servicing the growing population of the region.</p>
MEETINGS	<p>Meetings - As required</p> <p>Location - City of Armadale</p> <p>Day/Time - As advised</p> <p>Duration - 2 – 3 hours</p>
ADVISORY GROUP MEMBERSHIP	<p>The Advisory Group has representation from:-</p> <ul style="list-style-type: none"> ◆ 2 Councillors and a deputy ◆ Executive Directors Development and Technical Services or representatives ◆ Strategic Planner and Project Manager ◆ Minimum 3 representatives of the landowners

EXECUTIVE DIRECTOR DEVELOPMENT SERVICES COMMENTS:

There is need for the Armadale Redevelopment Authority to quite urgently take on a “driving” role with Champion Lakes because of the high stakes, high urgency factors involved with the Tonkin Highway / Rowing Course objectives and the cross State agency interests involved. This means more than mere transitional representation but rather a “driving” position coupled with a promotional and lobbying role.

The Forrestdale Business Park Steering Group is now due for a change in role from “planning” to “implementation” as virtually all of the statutory planning work is complete. There is no immediate need to call the Steering Group together at this stage to pursue “planning” work. It may be time to take a separate step to establish an “implementation” steering group directly under the auspices of the ARA, but still comprising representation of Council and the major landowner interests.

At this juncture, a “gradual” transition process as suggested by the ARA fits best with the City Centre Liaison Committee where there is a luxury of an evolutionary change. This may not necessarily be the case for Champion Lakes and Forrestdale Business Park as mentioned above.

As a further addendum to this update, it was reported as follows:-

- *The Community Reference Group has had its first meeting and has undertaken a tour of the City similar to the one conducted for the ARA Board members. Arrangements will be made for Councillors to meet with members of this group very soon.*
- *The opening of the ARA office in the City Centre is imminent.*
- *As the redevelopment plans for the Armadale station need to be advanced at the earliest, the first available opportunity was found for Council to view these plans.*

CS53/02 RECOMMEND

- 1. That Council notes the material presented to the ARA Board in respect of progress on Champion Lakes and the Armadale Station Redevelopment.**
- 2. That the Armadale Redevelopment Authority Board be advised that Council welcomes ARA representation on the City Centre Liaison Committee and Champion Lakes Consultancy Liaison Group. In this regard Council strongly advocates that the ARA undertake a lead role including chairmanship of the Champion Lakes Consultancy Liaison Group given the high degree of importance, urgency and need for whole of government approach to progressing the Champion Lakes project.**
- 3. That the ARA Board be advised that representation on the Forrestdale Industrial Business Park Steering Group is welcomed but that immediate consideration needs to be given to the constitution and purpose of this group as it appears that its planning role is virtually complete and there is a need to focus on different terms of reference to undertake the implementation phase of the Forrestdale Business Park.**

Moved Cr Clowes-Hollins
Motion Carried (6-0)

VANDALISM OF COUNCIL BUILDINGS

At Council's meeting on 6th May 2002, Cr Cominelli referred the matter of vandalism to Council buildings and police response to such issues to the City Strategy Committee.

In the absence of Cr Cominelli, Cr Hopper addressed the Committee and advised that police responses to acts of vandalism to Council property, i.e. buildings, parks, streets etc. needed to be addressed. The poor response from the police to such incidents is unsatisfactory and requires strategies being developed and implemented to improve the situation.

Acting Chief Executive Officer advised that a meeting involving the Deputy Mayor, Executive Director Development Services and Executive Director Community & Corporate Services has been scheduled for this Friday with Inspector Gary O'Meara, the local police area Zone Manager to discuss a range of local policing issues and that the matter raised by Cr Cominelli could be readily added to that meeting agenda. Committee concurred with this course of action.

CS54/02 RECOMMEND

AMENDMENT
FULL COUNCIL
20-5-02

- (1) **That Council recommit the matter of police responses to vandalism of Council property to the June 2002 meeting of the City Strategy Committee and to facilitate further consideration of this recommittal, an officer report presenting suggested strategies be prepared.**

- (2) **That as part of the report, Council be advised of the role that rangers and other staff play in the protection of Council property and in the addressing of anti-social behaviour.**

Moved Cr Hopper
Motion Carried (6-0)

COUNCILLORS' ITEMS

Nil

MEETING DECLARED CLOSED AT 8.50 PM

