

CITY OF ARMADALE

MINUTES

OF CITY STRATEGY COMMITTEE HELD IN THE COMMITTEE ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY, 9
SEPTEMBER 2003, AT 7.00 PM.

PRESENT:

Cr G M Hodges (Chair)
Cr V L Clowes-Hollins
Cr A L Cominelli JP
Cr J H Munn JP CMC
Cr L Reynolds JP
Cr P J Hart Deputy for Cr Hopper

APOLOGIES:

Cr H A Zelones JP Leave of absence
Cr D L Hopper JP
Cr F R Green Deputy for Cr Zelones

OBSERVERS:

Cr R J Tizard

IN ATTENDANCE:

	]	Mr A F Maxwell	- Acting Chief Executive Officer
	]	Mr I MacRae	- Executive Director Development Services
7pm-8.45pm	]	Mr W A Bruce	- Executive Director Technical Services
	]	Mr C Askew	- Director Community Services
	]	Mr N Cain	- Acting Director Corporate Services
	]	Mrs S D'Souza	- CEO's Executive Assistant
7pm-7.06pm	]	Mr B Robinson	- Manager Information Technology
	]	Mrs D Woolley	- Data Administrator

Public - Nil

INDEX

CITY STRATEGY COMMITTEE

9 SEPTEMBER 2003

COUNCILLORS ITEMS

BANNERS IN THE TERRACE	54
CUSTOMER SERVICE CHARTER	54
LOCAL GOVERNMENT WEEK CONFERENCE – EXHIBITOR DISPLAYS	54

FINANCIAL & CORPORATE

CONTRACT OF EMPLOYMENT – CHIEF EXECUTIVE OFFICER POSITION	55
TENDER NO. 14/03 - REPLACEMENT OF THE CITY'S CORE IT SYSTEMS.....	5

MISCELLANEOUS

2003 LOCAL GOVERNMENT ELECTIONS	15
BUSINESS ENTERPRISE CENTRE	20
BUSINESS HOURS CHRISTMAS & NEW YEAR PERIOD.....	40
COMMUNICATION WITH RESIDENTS	45
GATEWAYS TO THE CITY	38
LATE ITEM - RATING REVIEW - BASIS OF RATES	46
LOCAL GOVERNMENT LAW CONFERENCE 2003 - MANDURAH	25
MEMORANDUM OF UNDERSTANDING WITH THE ARA	30
PARTNERSHIP AGREEMENT ON COMMUNICATION & CONSULTATION.....	28
VACANCY – WAPC ENVIRON. & NATURAL RESOURCES MANAGEMENT CTTEE	35

STRATEGIC PLANNING

CITY'S FUTURE ACCOMMODATION NEEDS.....	11
--	----

TENDER NO.14/03 - REPLACEMENT OF THE CITY'S CORE IT SYSTEMS

WARD All
FILE REF: TEN/14/03
DATE 1 September
2003
REF NC
RESPONSIBLE Executive
MANAGER Manager
Business
Services

In Brief:

- Tender No. 14/03 was called to replace the current aged IT Systems of Council.
- Fourteen (14) tenders were received by the specified closing time.
- Recommend acceptance of Civica's Authority package for Core Systems, Civica's Domino.doc package for Electronic Document Management Systems and Digital Mapping Solutions Intramaps for Geographic Information Systems.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

Corporate Services

- to make maximum use of available technology to improve administration, governance and service delivery.

Legislation Implications

Section 3.57 (Tenders for providing goods or services) of the Local Government Act 1995 states "... a local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services." Tenders were called in accordance with the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996.

Council Policy/Local Law Implications

Council Policy ENG5 (Tendering and Purchasing) states that "the purchase of all other services and goods (other than motor vehicles) shall be in accordance with the current Management Practices. Current Management Practices conform to the Local Government (Functions and General) Regulations 1996. All relevant Council Policies, Management Practices and Legislation has been adhered to.

Budget/Financial Implications

Council, in the 2003-2004 Annual Budget, allowed \$800,000 for the purchase of replacement Core Information Technology (IT) Systems. The \$800,000 is to be provided via a credit foncier loan with all loan repayments to be made over the next five years (as included in the 2003-2008 Plan of Principal Activities). Ongoing maintenance costs of approximately \$150,000 per annum are also included in the Plan.

The recommended tenders for acceptance by Council, as tendered, total \$713,089 (ex GST). It is intended to negotiate in favour of Council. As part of the new replacement of Council's core systems, some hardware modifications will be required. The remaining budgeted funds are anticipated to be utilised for this hardware upgrade.

Consultation

Between July 2001 and the present, two groups (the Business Process Working Party and the Business Process Steering Committee) have been meeting regularly to progress the upgrading of Council's core IT systems. These two groups comprise of various Council officers of all levels. The facilitation of these two groups has been overseen by a consulting firm, Quadrant Group. Quadrant has also overseen the Quality Assurance aspects of the tender to ensure all aspects of the Tender Regulations have been met and that the process has been open and transparent.

BACKGROUND

In July 2001 a project was launched through Council's Project Management Group (PMG), the description of which was "the replacement of Corporate Information Systems with systems that best match our current and future business requirements". The PMG agreed that the best way forward was to engage an external consultant (via tender, Quadrant Group) and to involve a considerable number of Council's officers to explore what systems were required in order to carry out Council's activities. It was felt that the current computing software system, now 18 years old, was no longer the best system to use with the information requirements of today.

Functional Review Teams (FRTs) were established to offer their knowledge of various scenarios and functional preferences required from a system utilising the technology available today. These FRTs met regularly, overseen by Quadrant, to help develop the required specifications and criteria to be included within a set of tender specifications.

Tender specifications were compiled by Council's IT Department and Quadrant. (*Refer to Tender Specifications circulated under separate cover with the Agenda.*) These specifications included a self assessment computer spreadsheet, whereby the individual tenderers could evaluate their product against a list of expected outcomes, as well as various other required documentation. By the specified closing time, fourteen (14) tenders were received with some tenderers tendering in more than one area. One (1) tender was received late and was not assessed. Each of the received (in time) tenders were evaluated against the included (with tender documents) selection criteria. The criteria, as determined by the Business Process Working Party and Steering Committee, and weightings, are shown below:

Criteria #	Criteria Description	Weight	
1.	Ability to satisfy system requirements		45%
a.	Ability to satisfy system requirements	40%	
b.	Flexibility in systems to allow for development	1%	
c.	Ability to meet delivery dates	1%	
d.	Warranties offered	1%	
e.	Added value items offered	1%	
f.	Special conditions included in Tender	1%	
2.	Tendered Price(s)		25%
3.	Capability/Competence of Tenderer to perform the work required		15%
4.	Experience of Tenderer in implementing similar applications and projects		15%
		Total	100%

The tenderers, as assessed against the selection criteria, are listed below in order of rank:

Tenderer	Application	Criteria				Total
		1 (45)	2 (25)	3 (15)	4 (15)	
Core Systems						
Civica	Authority	41.95	24.75	12.00	14.00	92.70
Technology One	Finance/Proclaim	38.78	17.37	11.00	11.00	78.15
Deloitte Touche Tohmatsu	Great Plains	40.60	16.71	11.00	8.00	76.31
IT Vision	Synergy Soft	30.35	25.00	10.00	10.00	75.35
Geac Computers	JD Edwards/Pathway	38.48	14.06	11.00	12.00	75.54
Collier Kyn	Prospect	28.85	25.00	5.00	10.00	68.85
Hansen International	Hansen/Great Plains	37.38	7.39	10.00	8.00	62.77
Document Management						
Civica	Domino.doc	41.43	25.00	12.00	13.00	91.43
Sigma Data	TRIM Context	40.65	22.68	13.00	12.00	88.33
AlphaWest	Humming Bird	41.10	15.66	14.00	12.00	82.75
Hansen International	RecFind	41.68	25.00	5.00	10.00	81.68
DBR Group	RecFind	41.68	11.58	13.00	11.00	77.26
Resource Systems	Domino Enterprise	26.07	25.00	11.00	11.00	73.07
IT Vision	Synergy Soft	23.34	25.00	10.00	10.00	68.34
Technology One	DataWorks	3.74	13.20	12.00	11.00	39.94
GIS						
Digital Mapping	IntraMaps	43.00	25.00	14.00	14.00	96.00
NGIS	1Q+2	40.41	25.00	14.00	13.00	92.41
Hansen International	GeoMedia	43.00	25.00	5.00	10.00	83.00
IT Vision	Synergy Soft	27.36	25.00	10.00	10.00	72.36

One compliant tender was not scored. This tender was from Frontier Software. Frontier offered only a Human Resources module with no other benefits or services to Council.

The Business Process Working Group and Steering Committee ('the Group') reserved the right to further assess any of the submitted compliant tenders. 'The Group' also reserved the right to not assess any tenders any further than the initial selection criteria where it was felt that any or all of the selection criteria may provide an unfavourable working solution to Council. This did not prohibit 'the Group' from re-assessing any or all tenders at some later stage.

Following the initial selection criteria, the following tenderers were selected for a Second Pass Evaluation:

[Second Pass Evaluation]	
System	Company
Core Systems	Civica Geac Computers Deloitte Touche Tohmatsu
Document Management	Civic DBR Group AlphaWest Sigma Data
GIS	Digital Mapping NGIS

The FRTs were entrusted to further review the above tenderers and to determine individual items of significance. This closer review and assessment led to a final selection of tenderers. The following tenderers were invited to make presentations to Council Officers (Third Pass Evaluation):

[Third Pass Evaluation]	
System	Company
Core Systems	Civica Geac Computers
Document Management	Civic Sigma Data
GIS	Digital Mapping NGIS

The presentations occurred in July 2003, with each of the Core Systems tenderers having five days each and the Document Management and GIS tenderers having two days each to make their presentations.

Following the Third, and Final Pass Evaluation, the tenderers were scored against set demonstration scenarios (as supplied to all Third Pass tenderers) and were also given an intuitive score by the FRTs. The intuitive score was meant as an optional indicator for the intangibles of the tenderer and/or product (ease of use, commitment to the City's requirements etc.). The results of this evaluation process are as follows:

Company	Scenario Score	Intuitive Score
Core Systems		
Civica	280/291	54
Geac Computers	274/291	39
Document Management		
Civica	33/33	3
Sigma Data	31/33	1
GIS		
Digital Mapping	6/9	-
NGIS	5½/9	-

‘The Group’ then selected Civica (for core systems) to reference check further. The City of Canning and City of South Perth were contacted with both giving the company and product a favourable report.

This information has been supplied as simply background information. For further information with regards to tender and selection process, (*refer to the Tender Evaluation Report at Appendix “A-4” as circulated with the Agenda*) This process has been successfully tested for Quality Assurance by Quadrant Group.

Conclusion

Following a full evaluation, including on-site demonstrations, it was considered by ‘the Group’ that:

1. Civica be the preferred tenderer for the supply of Council’s Core IT systems with their product, Authority (\$555,647 ex GST).
2. Civica be the preferred tenderer for the supply of Council’s Document Management Systems with their product, Domino.doc (\$80,942 ex GST).
3. Digital Mapping be the preferred tenderer for the supply of Council’s Geographic Information Systems, with their product, Intramaps (\$76,500 ex GST).

Committee expressed its appreciation to officers on the thorough and diligent approach taken in finalising the tender and evaluation process and it looked forward to the implementation phase of the new IT systems.

CS44/9/03 RECOMMEND

That Council, pursuant to Section 3.57 of the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996, accept the following tenders in regard to Tender 14/03 – Replacement of Core IT Systems:

- a. **Civica, for the supply of Council’s Core IT Systems, with their product, Authority, with a tendered price of \$555,647 (ex GST);**

- b. Civica, for the supply of Council's Document Management systems, with their product, Domino.doc, with a tendered price of \$80,942 (ex GST);**
- c. Digital Mapping Solutions, for the supply of Council's Geographic Information Systems, with their product, Intramaps, with a tendered price of \$76,500 (ex GST);**

and that the Chief Executive Officer be authorised to negotiate and execute favourable contracts between the City and the successful tenderers.

Moved Cr Munn
Motion Carried (6-0)

Mr Robinson and Mrs Woolley retired from the meeting at 7.06pm

CITY'S FUTURE ACCOMMODATION NEEDS

WARD All
FILE REF: STF/23
DATE 9 June 2003
REF GD
RESPONSIBLE EDTS
MANAGER

In Brief:

- The report provides update on assessment of future options for staffing accommodation and considers possible utilisation of the other Council facilities.
- **Recommend**
 - That it be acknowledged that the relocation of staff to external Council buildings for the purposes of future accommodation is *currently* not a practical solution, with the possible exception of the Depot the Former Administration Building and the Armadale Library.
 - That further analysis of options related to extension of the existing building or utilisation of Armadale Library be postponed until discussions relating to the possible relocation of the Library to the Station Precinct are further advanced.
 - That any discussions relating to the possible relocation of the Library take account of the associated issues linked to the consideration of future staffing accommodation at the Administration Centre.
 - *That officers will proactively pursue shop-front office facilities in key locations within the municipality.*

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

To foster an effective professional environment for the governance and administration of the City's services.

To achieve maximum community benefit from effective use of resources (staff, finances and information technology).

To create a workplace where staff are innovative, confident and continue to learn.

Legislation Implications

Nil

Council Policy/Local Law Implications

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

Budget/Financial Implications

None at this stage.

Consultation

All Directorates.

BACKGROUND

At its Ordinary Meeting on 16th September 2003, Council resolved (CS78/02) as follows:

“That Council:

- a. note the formation of a Project Team to assess future accommodation options to meet the City’s staff requirements;*
- b. support the matter of Future Accommodation Needs being considered for inclusion when developing the 5 Year Plan this year;*
- c. recommit the matter of Future Accommodation Needs with an interim report being submitted to the December 2002 City Strategy Committee meeting and a further report submitted to the March 2003 City Strategy Committee; and*
- d. request that the further report consider options other than housing city staff at current sites.”*

At its Ordinary Meeting on 18th November 2003, Council resolved (CS98/02) as follows:

“That the proposed staffing projections to be used as the basis for assessment in the future staff accommodation project be as shown in Figure 4 of this report.”

COMMENT

Since the last report to City Strategy Committee meeting regarding the City’s future accommodation needs the project team have been continuing to assess possible options. At a joint meeting between the Project Team and MANEX on Wednesday 16th April 2003 a number of short and long term options were considered, they being, as follows:

Short Term Options

The Manager of Property Services provided a presentation detailing some short-term options which could be implemented to accommodate anticipated staff increases during the next two to three years. These typically involve the type of alterations/refurbishments which have been carried out during the last few years to accommodate new staffing positions and would range in costs from \$50 - \$70,000. As such they would be included in annual property works programmes and budgeted annually as necessary depending upon the numbers of extra staff approved.

For the 2003/04 programme the two new staff positions anticipated to be approved will not require extra accommodation as seating is already available.

Long Term Options

The long term options discussed covered two areas, these being:

1. Extension to existing building to accommodate long term staffing increases.
2. Relocation of staff to other Council facilities.

1. Extension to existing building to accommodate long term staffing increases.

The Manager of Property Services confirmed that an extension to the existing building could readily be constructed at either the northern or southern end and this could be one or two floors as necessary. The extension at the southern end was probably more preferable at this stage because the adjacent contours readily accommodate the provision of an extension to the basement parking area. This could be used to provide more parking and or storage facilities.

The option of extending the existing building was also considered in association with the possibility of the relocation of the Library to the new station precinct. Should this be the case then the Library could be refitted and connected to the existing building via a suitable covered access way. This would provide sufficient office space to cover anticipated staffing increases for 12 to 15 years.

Because discussions with the ARA regarding the feasibility of relocating the Library are still at an early stage it was felt that no further detailed consideration of this option could be made at the moment. Some provisional estimates of the costs of extension to the existing building and fitting out of the Library were provided to the Chief Executive Officer to assist with any negotiations regarding the relocation of the Library.

2. Relocation of staff to other Council facilities.

A number of other Council's buildings/sites were considered as possible locations for staff. These included:

- Westfield PCYC
- Minnowarra House
- Westfield Library
- Former Administration Building
- Bedforddale Hall
- Depot
- Armadale Sportsman's Club

In general none of these buildings are considered to be suitable with the possible exception of the Depot. Buildings such as the Former Administration Building were already leased to Government Departments and not available for at least 5 years. Other buildings that were available were considered not to be suitable because of accessibility problems. Minnowarra House is already heavily utilised by a number of community groups and many of the rooms/facilities are specifically adapted for their needs. It would not therefore be appropriate or feasible to relocate the groups.

It was also felt that Council staff interaction, attendance at meetings, records management and correspondence transfer would combine to produce a non workable system if a number of staff were allocated in small groups to various locations. Whilst this situation can be reasonably adequately addressed with regard to the necessary transfers and interaction between the depot and the main office, the building of a number of small "mini office" locations, is not considered appropriate. In addition it is noted that the provision of IT facilities of each location would cost at least \$20,000 per site.

CONCLUSION

In conclusion it is recommended that the relocation of staff to other Council buildings is not a feasible solution to the problem of providing office space for future staff accommodation, with the possible exception of the Depot. The only feasible long term solutions appear to relate to the extension of the existing building the utilisation of the Library or Former Administration Building.

Further investigation of these options is closely linked to discussions with the ARA regarding the possible relocation of the Library to the Station Precinct. It is appropriate that this matter be finalised prior to any further investigation relating to extension of the existing building or utilisation of the Former Administration Building.

It is recommended therefore that no further consideration be given to utilisation of other Council buildings for the future accommodation of staff with the exception of possible construction of offices at the Depot (eg. for Technical Services Directorate Staff) or the re-utilisation of the Former Administration Building. Whilst both of these options are not considered to be ideal from the point of view of staff interaction a more detailed analysis of the finances associated with the provision of accommodation may dictate that they be given closer consideration at a future date. In the interim the consideration of these options or the extension of the existing Administration building should be taken no further until the outcomes of discussions with the ARA regarding the possible relocation of the library to the Railway Precinct are finalised.

Committee, whilst generally supportive of the report and recommendation, were nevertheless keen for management to continue to consider opportunities for establishing a Council office presence in key locations throughout the municipality – hence the additional part (4) to the officer recommendation.

CS45/9/03 RECOMMEND

That Council acknowledge:-

- 1. that the relocation of staff to external Council buildings for the purposes of future accommodation is currently not a practical solution, with the possible exception of the Depot, the Former Administration Building and the Armadale Library;**
- 2. that further analysis of options related to extension of the existing building or utilisation of Armadale Library will be postponed until discussions relating to the possible relocation of the Library to the Station Precinct are further advanced;**
- 3. that any discussions relating to the possible relocation of the Library take account of the associated issues linked to the consideration of future staffing accommodation at the Administration Centre; and**
- 4. that officers will proactively pursue shop-front office facilities in key locations within the municipality.**

Moved Cr Munn
Motion Carried (6-0)

2003 LOCAL GOVERNMENT ELECTIONS

WARD All
FILE REF: ELT/12
DATE 29 August
2003
REF AWD
RESPONSIBLE
MANAGER Executive
Manager,
Business
Services

In Brief:

- Presenting the WA Electoral Commissioner's 2003 City of Armadale Election Report.
- Providing a report displaying relative performances and trends in the Local Government Elections since the last in-person election held in 1996.
- It is recommended that \$5000 be considered in the 2004-05 Budget to promote the 2005 Elections to potential candidates and electors.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

Social Infrastructure

- to encourage community participation and responsibility.

Communication

- Indicators of success include the measure of 'electoral participation'.

Legislation Implications

Part 4 of the Local Government Act 1995 and Local Government (Elections) Regulations 1997 apply.

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

The final costs of the 2003 elections will be within budget.

Consultation

WA Electoral Commission

COMMENT

In May 2003, Elected Members were provided with a copy of the graphic giving detail of the count and results of the 2003 ordinary election. **(Copy provided overleaf)**

The intention of this report is to complete the detail of our own election and to provide a broader comparison of the elections, both historical and geographic.

City of Armadale
2003 Local Elections
Progress Count Details



Armadale Ward			Forrest Ward			Westfield Ward			Seville Ward		
Total Electors = 6,034			Total Electors = 3,284			Total Electors = 5,065			Total Electors = 3,673		
Percentage Vote 34.3%			Percentage Vote 25.0%			Percentage Vote 29.2%			Percentage Vote 21.2%		
Candidate's Name	Votes Counted	% of Total Counted	Candidate's Name	Votes Counted	% of Total Counted	Candidate's Name	Votes Counted	% of Total Counted	Candidate's Name	Votes Counted	% of Total Counted
TIZARD, B	1239	59.8%	COMINELLI, A	589	71.7%	REYNOLDS, L	1040	70.4%	BROWN, D	364	46.7%
FLETCHER, R	829	40.0%	WYE, T	230	28.0%	CULLEN, P	433	29.3%	WALLACE, G	412	52.9%
Informals	4	0.2%	Informals	2	0.2%	Informals	4	0.3%	Informals	3	0.4%
<i>Total</i>	<i>2072</i>	<i>100.0%</i>	<i>Total</i>	<i>821</i>	<i>100.0%</i>	<i>Total</i>	<i>1477</i>	<i>100.0%</i>	<i>Total</i>	<i>779</i>	<i>100.0%</i>
Number of Admitted Votes 2,072			Number of Admitted Votes 821			Number of Admitted Votes 1,477			Number of Admitted Votes 779		
Percent Counted 100.0%			Percent Counted 100.0%			Percent Counted 100.0%			Percent Counted 100.0%		

The WA Electoral Commissioner’s formal Report of the City of Armadale elections was delivered in August and a copy of the document is attached for the information of members. (Refer to Attachment “A-1” to the Agenda – Summary of Attachments.)

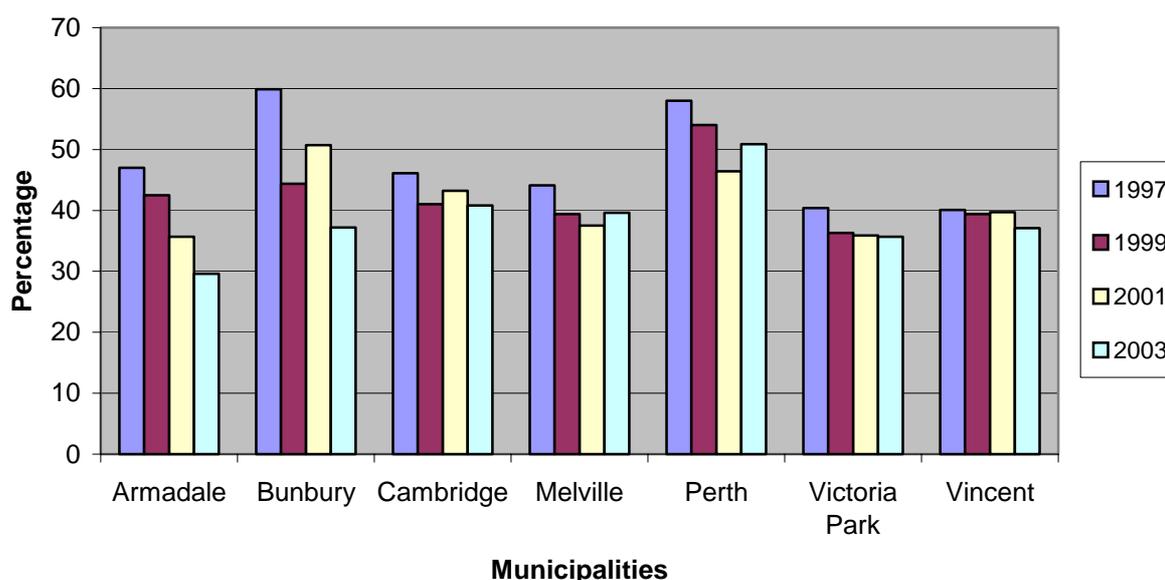
The WA Electoral Commission is yet to finalise its costings for conducting the 2003 Election as a postal election for the City, but expects its original estimate of \$51,640 (including GST) to be very close to the final costs.

On this basis, and taking into account additional expenditure such as supplementary advertising and payment of non-counting staff on election day, it is expected that total expenditure will be within the budgeted amount of \$60,000.

In assessing the total cost to the City of managing and conducting the elections, the cost of staff involvement in preparing the electoral roll, issuing replacement and provisional votes and generally assisting/advising the Returning Officer should all be taken into account. This further cost, which was within the staff resources budget, is estimated to have been in the order of \$1,800.

Elected Members will already be aware that the City’s rate of voter turnout at the 2003 Elections (29.55%) was lower than that experienced at the 2001, 1999 and 1997 elections (35.7%, 42.5% and 47% respectively). It is interesting to note that the trend for the City is shared by (4) of the (6) Local Governments that have used postal elections since their inception in 1997. (Please refer to the following chart). The Cities of Melville and Perth have reversed that trend in 2003 – no doubt due to their widely publicised mayoral elections giving a higher profile to the election process in those local governments.

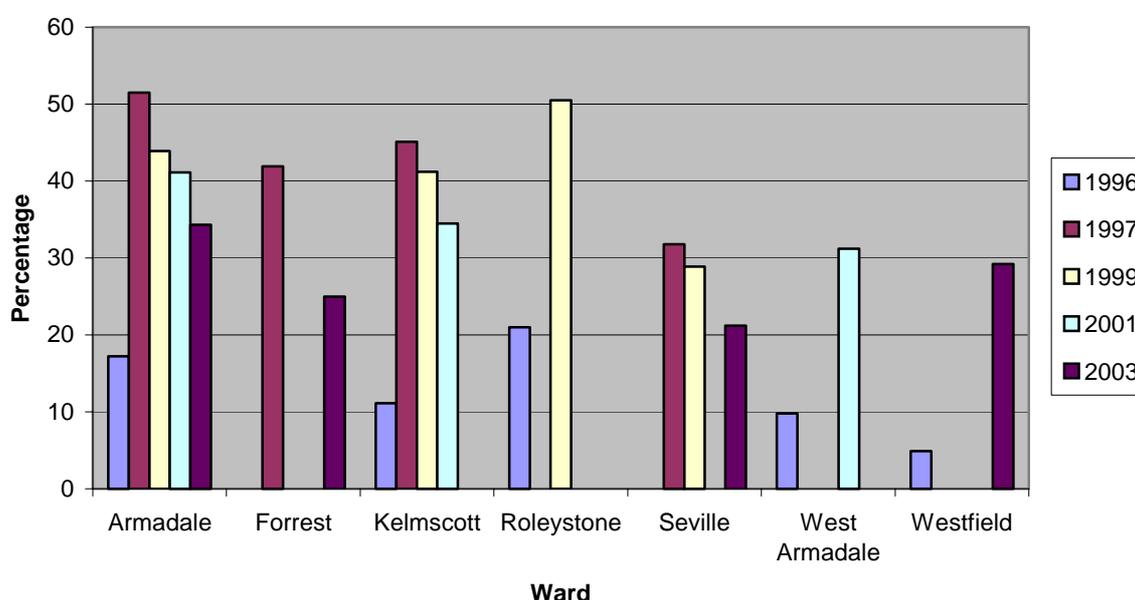
Voter Turn Out Trends (other Local Governments) since 1997



The State average participation rate for local governments using the postal voting method also shows a declining trend with May 2003 at 35%, 2001 at 38% and 1999 at 42% although little should be read into these figures as the balance of demographics and location of the local governments has varied significantly over the years as the number participating increased.

In respect of the City of Armadale individual Wards, the pattern reflects the trend shown across the various local governments. The following chart shows the trend within Wards and includes, for the purpose of comparison, the turn out experienced at the last in-person elections in 1996.

Turn Out Performance of Wards since the last In-Person Election in 1996



Notwithstanding the declining numbers of electors choosing to vote by post, the latest return of 29.55% is substantially greater than the turn out experienced in the City's in-person elections – the last one was held in 1996 with an 11.75% participation rate. An aspect to note associated with the decline in participation rates is the resulting increase in the cost per vote cast i.e. the cost increases at a rate commensurate with a drop in participation and this occurs due in the main to the higher up-front cost of postal elections associated with the mail-out of packages to all electors.

Elector participation rates are generally linked to the following factors:-

- there is a high level of candidate activity;
- there is a mayoral election taking place;
- the local government is located in country WA;
- the election has been actively promoted in the local government area;
- there are high profile public interest issues current in the local government area, and
- ward boundary changes.

A factor likely to impact on the City's 2005 election participation levels is the pending ward boundaries review which, pursuant to the Act, must be completed by January 2005 (a

separate and subsequent report on the ward boundaries review process is scheduled to be presented to the November 2003 meeting of the City Strategy Committee). As previously reported to Council, (4) of the City's (7) wards (namely Armadale, Forrest, Kelmscott and Seville) currently do not meet the elector/councillor ratio as set by the State Government suggesting that ward boundary changes will be an outcome of the review process.

Of the above factors over which Council can more realistically have some influence is the matter of promoting an election in our district by using means other than the more generic advertising which has been the general approach in the past. This would of course have cost implications over and above the sum that is routinely budgeted for ordinary elections – a quantum of in the order of \$5,000 is suggested for an appropriate promotional campaign to be effective.

In conclusion, there is little doubt that the substantial improvement in voter turn out resulting from the use of postal elections, rather than in-person elections, justifies the continued employment of the postal method. However, it may be worthwhile for Council to consider (in the context of the 2004/2005 budget deliberations) investing in some appropriately designed marketing/publicity strategies in the run-up to the 2005 Ordinary Elections, with a view to, as a minimum, arresting the declining voter participation trend.

Committee was of the opinion that the Council had a responsibility to promote local government elections to both potential candidates and electors and accordingly agreed to amend part (2) of the recommendation by making reference to both electors and prospective candidates.

CS46/9/03 RECOMMEND

That Council

- 1. receive the Report on the 2003 Local Government Ordinary Elections;
and**
- 2. approve an additional \$5,000 being listed for consideration of funding
in the 2004-05 Draft Budget for the purposes of promoting the 2005
Ordinary Council Elections to potential candidates and electors.**

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

BUSINESS ENTERPRISE CENTRE

WARD : ALL
FILE REF : PSC / 40
DATE : 1-9-03
REF : GC/AFM
RESPONSIBLE : Acting CEO
MANAGER

In Brief:-

- The report presents a request from the Gosnells Armadale Business Enterprise Centre (GABEC) for Council to confirm its funding contribution intentions for Years 2003-04 and 2004-05.
- The report recommends that Council support the request.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

Economic development and employment

Legislative Implications

Nil

Council Policy / Local Law Implications

N/A

Budget / Financial Implications

Should Council be supportive of the request, it is recommended that funding be from the 2003-04 Economic Development Budget of \$115,000 (i.e. the same budget from which Council's 2002-03 contribution was funded).

Consultation

- GABEC,
- City of Gosnells Economic Development Manager.

BACKGROUND

The Small Business Development Corporation (SBDC) is a State Government agency established to assist and promote small business. One of its roles is to support community based and managed Business Enterprise Centres (BECs). Each BEC is community owned and run by a management committee comprising of representatives from local business, private and public sector groups and local government. BEC managers assist people to explore new business ideas or expand an existing business. They provide free guidance and referrals on a range of issues relating to the future growth and development of local business including finance, marketing, business planning, market research, trade information and regulations and licensing.

In August 2002, with funding from the Cities of Armadale and Gosnells (\$10,000 and \$14,000 respectively) and \$60,000 from the SBDC, the GABEC was officially opened.

The GABEC is run by a management committee (of 6-8 persons) whose membership draws on representatives from the Cities of Armadale and Gosnells and businesses from the Armadale and Gosnells areas – the City’s representative is Council’s Project Manager, Mr Gavin Cann.

Council’s prior resolution (CS36/02 of 15 April 2002) to fund the GABEC in 2002-03 was as follows:-

That in response to the request by the Small Business Development Corporation Council agree “in principle” to contribute \$10,000 pa in financial support for the establishment and operation of an Armadale / Gosnells Business Enterprise Centre subject to the following conditions being fulfilled to the satisfaction of the Chief Executive Officer:-

- a. the Centre operate on a proportional basis within the respective City’s suburbs, i.e. 3 days in Gosnells and 2 days in Armadale;*
- b. the operation of the Centre for 2 days in Armadale be from an office located within the City;*
- c. submission of a Business Plan; and*
- d. submission of details on the management committee and selection criteria and appointment process for the BEC Officer.*

DETAILS OF PROPOSAL

The request from GABEC reads, in part, as follows:-

The Gosnells Armadale BEC was officially opened last year, as a result of a partnership created between the Small Business Development Corporation and the Cities of Armadale and Gosnells. The City of Armadale contributed \$10,000 to assist with the start-up of this centre and in doing so, has ensured that your local small business community has access to a free, confidential small business advisory service.

The GABEC would have never existed without the financial support provided by the City of Armadale. However, in order for us to plan for our long term future, the Management Committee wishes to confirm the intentions of the City of Armadale to continue providing financial support to the Gosnells Armadale BEC through the next two years.

We will be delighted to make available a copy of our annual report when completed, and request an opportunity to make a presentation to Council on our achievements over the past year and to provide an overview on future projects.

We also wish to extend our thanks for the ongoing support provided by the City of Armadale’s appointed representative – Mr Gavin Cann through his input and participation as a member of our Management Committee.

COMMENT

The achievements and activities of the GABEC are summarised as follows:-

<i>Monthend Report</i>						
<i>June 2003</i>						
<i>Area</i>	<i>Casual Contact</i>	<i>Client Assists</i>	<i>Total</i>	<i>New Clients</i>	<i>New Startups</i>	<i>Part Time Jobs</i>
Armadale	57	31	88	11	1	1
Gosnells	65	25	90	12	2	1
Serpentine/Jarrahdale	8	6	14	4	0	0
Other WA	33	5	38	3	0	0
	163	67	230	30	3	2
This report covers the period between 1/06/03 and 30/06/03						
<i>Year To Date</i>						
<i>Area</i>	<i>Casual Contact</i>	<i>Client Assists</i>	<i>Total</i>	<i>New Clients</i>	<i>New Startups</i>	<i>Part Time Jobs</i>
Armadale	391	204	595	86	24	9
Gosnells	523	209	732	111	14	1
Serpentine/Jarrahdale	49	25	74	16	3	2
Other WA	364	466	830	213	4	1
	1327	904	2231	426	45	13
This report covers the period between 1/07/02 and 30/06/03						

In addition, the Gosnells Armadale BEC now offers a range of training courses that are designed to increase the skills and financial viability of local small businesses. In late 2002, the GABEC distributed over \$50,000 in funds provided by the WA Department of Training to local small businesses to undertake training to improve the productivity of their businesses. This program continues in 2003 and the GABEC are midway through distributing a further \$55,000 to local small business operators.

The GABEC Management Committee is currently in the process of developing a further (3) year Strategy and Business Plan which, in part, is in response to the Government's recently announced review of the BEC network.

The Minister responsible for the SBDC has initiated a review of the BEC network and delivery system throughout the State. The City has contributed to that review advising that the GABEC should be retained as an important facility to encourage economic development and employment in this area. It is likely the State will review the funding arrangements to be more results orientated, which is the direction the Management Committee is already heading towards.

A condition of Council's original support was for the BEC Manager to operate from Armadale 2 days per week from the ARA office. Subsequently the ARA advised it did not have any space available and it was agreed that it was not financially practical to have an office in both Gosnells and Armadale. Reference to the number and type of contact demonstrates that the BEC Manager is servicing more people in Armadale than in Gosnells. The Manager advises that bi-weekly training courses will be held in Armadale on a regular basis in the near future, most likely from a Council venue. The other conditions of Council's original support have been satisfied.

There are 10 BECs in the metropolitan area and with the exception of one, the others all receive financial support from their respective local governments ranging from \$10,000 to \$40,000 per annum.

Options

The options available to Council in responding to the GABEC's request are as follows:

- a) Support the request by agreeing to make a like financial contribution to that provided last year, i.e. \$10,000 plus an inflationary cost factor.
- b) Support the request but at a lesser amount.
- c) Decline the request

CONCLUSIONS

It is recommended that Council continue to provide financial support to the GABEC given –

- The very positive results and achievements made by the GABEC over the last year; and
- Such support being, part of the City's contribution to economic and employment development in the region.

CS47/9/03 RECOMMEND

That Council -

- a. approve a \$10,300 funding contribution to the Gosnells Armadale Business Enterprise Centre (GABEC) for the 2003-04 year, and**
- b. approve an amount of \$10,600 being listed for consideration of funding in the 2004-05 Draft Budget as Council's ongoing funding of the GABEC for the 2004-05 year.**

Moved Cr Reynolds
Motion Carried (6-0)

LOCAL GOVERNMENT LAW CONFERENCE 2003 - MANDURAH

WARD All
FILE REF: CRS/4
DATE 1 September
2003
REF MH
RESPONSIBLE Chief Executive
MANAGER Officer

In Brief:

- The report presents details of the Local Government Law Conference 2003 to be held in Mandurah on 6 and 7 October 2003.
- The Conference program promotes attendance by Councillors, CEOs and Executive Officers.
- The report recommends that Councillor attendance be considered. *Cr Munn was nominated to attend.*

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

To foster an effective professional environment for the governance and administration of the City's services.

Legislation Implications

Nil

Council Policy/Local Law Implications

Council policy ADM 3 – Conferences, Seminars and Training.

Budget/Financial Implications

- The 2003-04 Members Training & Development account budget has a current balance of \$9,150.
- The estimated cost per person to attend the Conference, including one night's accommodation is \$585, i.e. registration fee of \$385 and \$200 for (1) night's accommodation and evening meal.

DETAILS OF PROPOSAL

A copy of the Conference Program is at Attachment A-2 as circulated with the Agenda.

The Conference Program in brief is as follows:-

Major Themes

- Governance
- Elected Members - officer issues
- Public access to Council processes (including how to deal with the misuse of this opportunity)
- Councillors as employers
- Planning Law

<u>Date</u>	Monday 6 October and Tuesday 7 October 2003
<u>Estimated Cost</u>	\$585 per person
<u>Who should Attend</u>	Mayors, CEOs, Deputy Mayors, Committee Chairpersons, Councillors & Executive Officers.
<u>Program</u>	Presenters include well-known local government legal practitioners, representatives from WALGA, the Department of Local Government and Regional Development and local government professionals.
<u>Venue</u>	Mandurah Quay Resort

Day One (Monday 6 October 2003)

Topic	Presenter
Good Governance – The Lessons from Wanneroo & Belmont Inquiries	Neil Douglas - Minter Ellison Lawyers
Political Realities & Management Nightmares	Gary Hunt - Government Systems Management
Why do we need a Local Government Disciplinary Tribunal	Nick Wood - WALGA
Gadfly or Whistleblower	Elizabeth Stevenson – McLeods
Fair Game or Fair Go – An Officer’s View	Stephen Goode – CEO, City of South Perth
The Department’s Response	Cheryl Gwilliam – Department of Local Government & Regional Development

Day Two (Tuesday 7 October 2003)

Topic	Presenter
Elected Member – Roles, Responsibilities & Risks	John Woodhouse – Watts & Woodhouse
Pre-establishing the Ground Rules	Stephen Hiller – City of Cockburn
Councils & the not so good employee	Nicholas Ellery – Corrs Chambers Westgarth
The Planning & Development Role	Laurie James – Kott Gunning
The Australian Legal Framework	Wido Peppinck – City of Mandurah

COMMENT

The Conference offers an opportunity for practitioners in local government to be aware of current key issues relating to local government law.

Other aspects of interest/note in respect to the Conference are as follows:-

- (2) of the law firms making presentations are on the City's current panel of legal advisors, namely Neil Douglas from MinterEllison Lawyers and Laurie James from Kott Gunning.
- A number of the Conference topics were covered during Local Government Week and as such, this conference is probably more relevant to Councillors who did not get the opportunity to attend Local Government Week.
- In respect to the Conference Program being forwarded to Councillors in recent weeks, Cr Munn has expressed an interest.
- One and possibly two officer registrations are proposed and these are likely to be shared amongst Executive Officers.
- Whilst accommodation for conferences/seminars held in and around the metro area is not generally a consideration, on this occasion, given the distance to Mandurah, the conference spanning (2) days, accommodation on the Monday night is considered reasonable.

CS48/9/03 RECOMMEND

That Council nominate Cr Munn to attend the Local Government Law Conference 2003 to be held in Mandurah on 6 and 7 October 2003 with costs for registration and accommodation to be charged to account number 1508520.

Moved Cr Cominelli
Motion Carried (6-0)

PARTNERSHIP AGREEMENT ON COMMUNICATION & CONSULTATION

WARD All
FILE REF: GOV/51
DATE 1 September
2003
REF AWD
RESPONSIBLE Acting Chief
MANAGER Executive
Officer

In Brief:

- The State Government, WALGA and LGMA have prepared a draft Partnership Agreement on Communication and Consultation.
- WALGA has forwarded a copy of the draft Agreement to Council for consideration and comment by 10 October 2003.
- Recommendation is to support the Agreement.

Officer Interest Declaration

Nil

Strategic Implications

Communication

- "Create stronger communication links with Government agencies, ..."

Physical Infrastructure

- "Maintain effective liaison with other levels of government and regional bodies..."

Legislation Implications

Nil

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Nil

Consultation

Manex

BACKGROUND

The Chief Executive Officer of WALGA has written to Council as follows:

"Resulting from the signing of the State-Local Government Partnership Agreement in December 2002, a draft Partnership Agreement on Communication and Consultation has now been developed.

Communication and consultation represents a key component in the working relationship between State and Local Government. A lack of clearly defined and mutually agreed processes has historically generated practices that are often inconsistent, ineffective and contrary to the spirit of true partnership between both spheres of government.

The intent behind this partnership agreement is to effect positive changes by promoting a shared understanding of what constitutes effective communication and consultation and establishing best practice principles. The agreement provides principles and guidelines aimed at assisting all levels within State and Local Government in employing meaningful practices in these areas, the result of which should be greater inclusion in decision making and policy formulation.

The draft Communication and Consultation Partnership Agreement has been developed to cover all employees and representatives within State and Local Government, including officers, managers, executives, Ministers and Elected Members.

*A copy of the draft partnership agreement is enclosed for the consideration of all Member Local Governments. Comments on the draft agreement must be received by **10 October 2003**. All submissions will be referred to the State-Local Government Partnership Steering Group for deliberation..*

Please note that the existing draft pre-dates the outcomes of the WALGA Annual General Meeting on 3 August 2003. As such, the resolution which was carried at that meeting requesting a 6 month time allocation and consensus when consulting on new legislation has yet to be considered by the Partnership Steering Group for inclusion in the agreement. This will occur at the next meeting of the Steering Group on 26 September 2003.

A copy of the draft Partnership Agreement is attached (refer to Attachment "A-3" to the Agenda).

COMMENT

In broad terms, the construction of the document establishes aims, objectives and principles; presents a code of practice on consultation and proposes procedures for consulting with State and Local Government. The document contains sound, common sense principles based on best practice in communication and consultation and allows for generally realistic timelines. The proposed agreement, in essence, targets higher level political decision making and policy formulation and appears to contain nothing that is or will be unduly onerous upon Council and its administration.

It is considered that the draft Agreement can safely be supported without amendment and that when 'signed off', a copy be provided to all managers in the organisation that might be affected by its values and principles so that reasonable compliance with its contents can be effected without delay.

CS49/9/03 RECOMMEND

That Council inform the Western Australian Local Government Association of its support, without amendment, of the draft Partnership Agreement on Communication & Consultation.

Moved Cr Hart
Motion Carried (6-0)

Cr Reynolds disclosed that he is a member of the Armadale Redevelopment Authority (ARA) Board. As a consequence, he advised that there may be a perception on the basis of his disclosed non-financial interest that his impartiality may be affected but declared he would set aside that association, consider the matter on its merits and vote accordingly.

***MEMORANDUM OF UNDERSTANDING WITH THE ARMADALE
REDEVELOPMENT AUTHORITY***

WARD : ALL
FILE REF : PSC/38
DATE : 1 Sept 2003
REF : IM
RESPONSIBLE : EDDS
MANAGER

In Brief:-

- An MOU is not legally binding however it is an important basis for two or more agencies to work towards common goals.
- As the ARA establishes a statutory role it is important that the roles and functions of the City & ARA are mutually understood and agreed.
- An overarching MOU has been jointly prepared to generally establish areas of responsibility. In addition, schedules dealing with more specific matters will be prepared as required. The first of these Schedules relates to Champion Lakes and has been prepared as a prerequisite to the transfer of Wright Lake to the ARA.

Recommend that Council:

1. agree to the MOU between the City and the ARA noting that there may be a need to periodically review and amend the provisions.
2. agree to the Schedule in respect of Champion Lakes Regional Recreation Park.

Officer Interest Declaration

Nil.

Strategic Implications

Long Term Strategic Planning – *“promote employment and residential growth, encouraging the economic well-being of the community.”*

Development – *“To balance the need of development with sustainable economic, social and environmental objectives”.*

Legislation Implications

Armadale Redevelopment Act 2001

Council Policy / Local Law Implications

Nil.

Budget / Financial Implications

The MOU and Schedules establish the basis for recouping expenditure from other authorities.

Consultation

- ♦ ARA officers, MANEX

BACKGROUND

The ARA's Interim Redevelopment Scheme was gazetted on 29 August 2003. There are now two planning and development control authorities within the City boundaries. There is a need to make semi-formal arrangements to guide officers and decision makers to ensure that areas of responsibility are clearly defined.

A draft Memorandum of Understanding (MOU) prepared jointly by the City and ARA is now presented for Council's endorsement. **[Refer Attachment A-5 to this report]** This MOU between the City and the ARA is an important document which is required to be in place prior to the ARA taking over some of the powers of the City relating to planning and development. The MOU is a broad based, overarching document under which it is proposed that more detailed agreements would sit in Addendums and Schedules relating to specific areas or issues. Addendums relating to Development Control and Compliance, Project Agreements and Public Relations Strategy have been referred to in the text but are not completed at this stage.

An MOU is desirable to ensure that relations between the ARA and the City continue harmoniously and that development facilitated through the ARA will meet City requirements in view of the fact that the City will inherit the development upon the expiry of the ARA.

At its meeting on 19 July 2003 the Council agreed to transfer its title to Wright Lake to the ARA upon the adoption of a suitable Memorandum of Understanding between the ARA, WAPC and City regarding management issues and on the condition that:

- Any returns from materials excavated from the Wright Lake and Champion Lakes project area be reinvested in the Champion Lakes Project.
- The transfer of the land is dependent upon permanent substantive Council representation/membership of any Boards dealing with policy issues and ongoing management for the Champion Lakes project to ensure its contribution in the decision making process for the project.

The attached Schedule **[refer Attachment A-6 to this report]** provides the proposed MOU to satisfy Council's requirement.

While the MOU is not legally binding, it has been viewed by Council's solicitors who have advised that:

The concept of sorting out the issues through informal arrangements set out in a Memorandum of Understanding rather than a legally binding agreement is appropriate to the present situation. The MOU is effectively a roadmap which identifies the directions to be taken and the detail of subsequent developments can be worked out progressively.

The purpose of the MOU and its schedules are to make it clear to the City and the ARA what their respective roles are, in a broad sense (in the MOU) and also in a more detailed sense, in the schedules.

It seems to us that the matters of concern to the City have been adequately set out in the MOU. Of course, any MOU is only as good as the intentions of the parties to it and the success of this MOU will depend upon the willingness of the ARA and the City of Armadale to work together in accordance with the spirit of the MOU.

The wording of the schedule (relating the Champion Lakes) appears to be entirely satisfactory and should provide a suitable basis for the City of Armadale and the ARA to proceed further with the Champion Lakes development.

DETAILS OF PROPOSAL

The MOU (which is attached) sets out:

- the functions and powers of the CoA and the ARA with respect to the Redevelopment Areas;
- the objectives of the agreement;
- the scope of the MOU; and
- the roles and responsibilities of the CoA and the ARA with respect to strategic planning, statutory planning, capital works and communications.

The main implications to the City of the MOU are set out in the “roles and responsibilities” section. **This section requires both parties to:**

- consult during plan preparation
- cooperate and share resources in projects of mutual benefit
- consider opportunities for joint ventures and partnership opportunities
- provide capital works programs and progress reports to each party
- to coordinate funding arrangements and budgets for projects
- record and advise of all ongoing liabilities associated with projects
- maintain regular officer level communications
- meet in a Technical Reference Group monthly

The ARA is required to:

- advise of statutory planning provisions prior to release
- undertake the assessment of subdivision and development applications in ARA areas
- seek input from CoA and service authorities prior to finalising capital works design
- provide final construction drawings to CoA
- transfer all rights and responsibilities to CoA for capital works and land upon completion of works
- not pay rates and charges associated with its land holdings
- coordinate communications with the community in respect of the redevelopment
- brief elected members and relevant staff prior to major initiatives
- arrange for progressive normalisation of redevelopment areas
- inform CoA of all outstanding liabilities
- arrange for integration of redevelopment areas within CoA schemes
- provide CoA with relevant information prior to cessation of ARA

The City is required to:

- respond in a timely manner to referrals
- be responsible for the inspection, regulation and compliance of matters not otherwise singled out in schedules for particular areas
- accept responsibility for any outstanding defects liability for ARA initiated capital works and infrastructure within the Redevelopment Area upon cessation of the ARA.

The Schedule to the MOU in respect of Champion Lakes Regional Recreation Park commits the CoA to:

- Transfer Wright Lake to the ARA and close the unmade roads
- assisting in the development of an ongoing management structure for the Lake and the associated facilities
- Assist the location of a white water park
- Provide the equivalent in financial contributions or management resources for the management of that public open space within future residential and commercial areas at Champion Lakes and identified conservation areas
- Provide appropriate road access to the Champion Lakes development
- Maintain a schedule of costs attributable as Scheme costs to be recouped by the project.
- Assist in planning for the development of the Aboriginal Interpretive Centre

The ARA is committed to:

- Generally take over the City's role as proponent and project manager
- Develop the Aboriginal Interpretive Centre and ensure that the land is vested in the City or transferred to an appropriate Trust
- Recoup to the City the cost of undertaking the Aboriginal Heritage Management Plan
- Maximise opportunities for employment of local indigenous people.
- Fund the environmental management plans
- Ensure that the revenue from land sales returns to the project
- Ensure that at the expiry of the ARA recreational facilities and associated land is transferred to the Sports Trust
- Ensure that the road requirements of the project are paid by the project
- Ensure that advice is provided to the ARA from the Precinct Committee.

COMMENT

The general approach proposed by the ARA appears to be appropriate. The MOU is of a general nature, setting out principles rather than precise details. The more certain commitments will be contained in the Schedules added as the need arises.

Council's solicitors have advised that the approach is appropriate and no legal requirements that have been omitted.

In consultation between ARA and CoA officers the only issue not agreed relates to the sharing of application fees where CoA requested that a portion of the fees be provided to CoA for the assessment of significant projects. In response the ARA has pointed out that referral agencies always carry their own costs and the Midland Redevelopment Authority retains all application fees paid to it. However, the ARA has agreed that a schedule of charges could be prepared where advice is sought outside normal referral processes.

The Schedule relating to Champion Lakes is a prerequisite to the transfer of the land to the ARA to enable the project to proceed. The commitments of the CoA and ARA regarding the transfer of responsibilities are set out.

There is undoubtedly the risk that certain matters may have been overlooked in the MOU. It is probable that only the operation of the ARA will bring to light the need for additional

understandings to be established. It may be necessary to review the MOU after some time and certainly amend as the need arises.

Options

The Council may

1. adopt the MOU and Schedule in respect of Champion Lakes
2. reject the need for an MOU between the respective authorities
3. agree to the adoption of the MOU on a trial basis

CONCLUSION

An MOU is not a legally binding document but is a statement of intent that will provide a useful guide to both the CoA and the ARA. In the coming months the ARA will establish itself as a statutory authority, firstly from the adoption of the Interim and then the Final Scheme and associated Concept Plan. A framework is required for the respective agencies to help each other to achieve the common goals of promoting and facilitating the development of Armadale in the community interest. Provided that it is understood that amendments should be made to the MOU as the need arises, it would be appropriate to proceed on the basis of Option 1 and adopt the MOU and Schedule in respect of Champion Lakes.

CS50/9/03

RECOMMEND

That Council agree to –

- 1. the Memorandum of Understanding between the City and the ARA as presented at Attachment A-5 to this report, noting that there may be a need to periodically review and amend the provisions; and**
- 2. the Schedule in respect of Champion Lakes Regional Recreation Park as presented at Attachment A-6 to this report.**

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

VACANCY – WAPC ENVIRONMENT & NATURAL RESOURCES MANAGEMENT COMMITTEE

WARD : ALL
FILE REF : GOV/51
DATE : 2 Sept 2003
REF : HC
RESPONSIBLE : PSM
MANAGER

In Brief:-

- WALGA is seeking nominations to fill a position on the WAPC Environment & Natural Resources Management Committee.
- *No nomination from Committee – matter referred to Council meeting for possible nominations.*

DETAILS OF PROPOSAL

Notification has been received from the Western Australian Local Government Association (WALGA) inviting Council to submit a nomination for appointment of a Metropolitan Elected Member to the WAPC Environment & Natural Resources Management Committee.

The vacancy notice and nomination forms for the above committee were sent to all Councils in early June 2003, however an insufficient number of nominations were received to satisfy the Minister’s requirement for a panel of 3 names for each position. To comply with the Minister’s nomination policy, additional nominations have been sought from Local Governments.

Nominations previously received (listed below) for the Committee have been considered by the Selection Committee and confirmed as satisfying all necessary selection criteria. Accordingly, they will be included in the panels to be submitted to the Minister.

1. Cr Sam Popovski City of Stirling (Metropolitan)
2. Cr Michael Sabatino City of Bayswater (Metropolitan)
3. Cr William Adams Shire of Harvey (Non Metropolitan)

NOMINATION PROCESS	Nominees are asked to complete the Nomination Form which is to be forwarded to WALGA by close of business on Wednesday, 17th September 2003 . <i>Late nominations will not be accepted.</i> At the close of the nomination period the Selection Committee will meet and make recommendations to the next State Council Meeting.
TERM & COMMENCEMENT DATE	For a period of two (2) years. Commencement date is upon appointment.
MEETING DETAILS	<p>Meetings - Quarterly (during April, June, September, December) usually a Wednesday at 9.00am.</p> <p>Venue - WA Planning Commission, Albert Facey House, 469 Wellington St, Perth</p> <p>Duration - 2 hours</p> <p>Meeting Fee - \$220 per day or \$150 per half day.</p> <p>Note – Deputies should clarify if / when fees may be payable by telephoning the Committee contact.</p> <p>Travelling - May be applicable (contact the Committee Secretary)</p> <p>Allowance</p>

<p>SELECTION CRITERIA</p>	<p>Nominee to address the following Selection Criteria:-</p> <ul style="list-style-type: none"> ▪ Must be a current Elected Member; ▪ What is your relevant experience as an Elected Member? ▪ Please provide examples. ▪ What are your experiences, skills, attributes or qualifications to support the nomination? Please provide examples. ▪ Are you available to undertake the responsibility; ▪ Please outline your demonstrated interest in the position; ▪ What is your capacity to represent the interests of Local Government and the Association?
<p>CURRENT REPRESENTATIVE & REASON FOR VACANCY</p>	<p>Expiration of interim arrangement with WALGA officer as Member, Ms Allison Hailes, WALGA.</p>
<p>TERMS OF REFERENCE</p>	<p>To provide advice to the Commission on ways in which land use planning (whether statutory or strategic) can assist in achieving sustainable management of the environment and natural resources.</p> <p>In order to achieve this, the Committee may:-</p> <ul style="list-style-type: none"> ▪ Draft policies or other appropriate documents for land use planning in relation to the sustainable management and use of the environment and natural resources; ▪ Present to the Commission the coordinated views of stakeholders relating to land uses affecting the management and use of natural resources in order to facilitate an optimal planning outcome; ▪ Review the capacity of existing strategic and statutory planning mechanisms and processes of the Commission to deal with natural resource issues and advise on suggested amendments; <ul style="list-style-type: none"> ▪ <i>Advise on land use planning mechanisms or policies which could be used to resolve or minimise conflict and achieve optimal use of land where there are competing uses or pressures; and</i> ▪ Advise on land use planning instruments or mechanisms which could be used to ameliorate land degradation or to achieve agreed conservation objectives.
<p>MEMBERSHIP</p>	<p>The Board is made up as follows:-</p> <ul style="list-style-type: none"> • Chairperson, WAPC; • Nominee of Director General, Dept for Planning and Infrastructure; • Western Australian Local Government Association (x2); • Chamber of Commerce & Industry WA; • Conservation Council of Western Australia; • Dept of Fisheries; • Dept of Agriculture; • Water and Rivers Commission; • The Chamber of Minerals & Energy of WA Inc;

	<ul style="list-style-type: none">• Dept of Environmental Protection;• Dept of Conservation and Land Management;• The Western Australian Farmers Federation (Inc);• Dept of Mineral and Petroleum Resources;• Pastoralists & Graziers Association;• Regional Development Sector (RD Council);• Regional Chairs Group.
--	---

There being no nomination from City Strategy Committee, the matter is referred to the Ordinary Council Meeting of 15 September 2003 for a nomination for the position of Metropolitan Elected Member to the WAPC Environment & Natural Resources Management Committee.

CS51/9/03 RECOMMEND

That Council nominate Cr _____ for the position of Metropolitan Elected Member to the WAPC Environment & Natural Resources Management Committee.

Or

That Council make no nomination.

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

GATEWAYS TO THE CITY

WARD : ALL
FILE REF : PSC/38
DATE : 4 September 2003
REF : AFM
RESPONSIBLE : Acting CEO
MANAGER

In Brief

- Report presents a proposal from the ARA to establish a joint CoA and ARA Steering & Technical Group to progress the matter of significant gateways to the City.
- The report recommends support of the proposal and councillor and officer nominations to the (2) groups.
- *Crs Stewart & Clowes-Hollins have expressed an interest – matter be referred to Council for possible further nominations & determination.*

DETAILS OF PROPOSAL

Correspondence has been received from the ARA seeking the City's involvement and participation in establishing a Steering & Technical Group to activate the Gateways Study.

The ARA have further suggested the following approach as a means of advancing the Gateways Study:-

Objective: To plan and establish the key entry points into the City Centre as significant gateways

Scope: All major road and rail entry points into the City of Armadale and, in particular, the City Centre.

Structure:

- **Steering Group – (joint City of Armadale and ARA) memberships** include:
 - City of Armadale – Councillor and CEO
 - ARA – Board Member (Verity Allan) and Executive Director
(Chair to alternate between Councillor and Board Member)
- **Technical Group – (joint City of Armadale and ARA) memberships** include:
 - City of Armadale – Executive Director Technical Services (Chair) and Manager Parks
 - ARA – Business Manager
- **Consultants**
 - Landscape Consultant
 - Public Art Consultant
 - Heritage Architect
 - Others, as necessary

It is recommended that Council support the proposal and accordingly nominate its representatives to the (2) Groups.

Cr Reynolds advised that Cr Stewart has expressed an interest in being Council's representative on the Gateways Steering Group.

Cr Clowes-Hollins expressed a similar interest.

Matter be referred to the Council meeting for possible further expressions of interest and determination, if necessary, by ballot.

CS52/9/03 RECOMMEND

That Council -

- 1. support the proposal of establishing a joint City of Armadale and Armadale Redevelopment Authority Gateways Steering Group and Technical Group to progress the matter of planning and establishing key entry points into the City Centre as significant gateways;**
- 2. nominate Cr _____ and the Chief Executive Officer as its representatives on the Gateways Steering Group; and**
- 3. nominate the Executive Director Technical Services & Manager Parks as its representatives on the Gateways Technical Group.**

Moved Cr Hart

Motion Carried (6-0)

BUSINESS HOURS CHRISTMAS & NEW YEAR PERIOD

WARD All
FILE REF: STF/1
DATE 1 Sept 2003
REF MH
RESPONSIBLE A/CEO
MANAGER

In Brief:

This report presents for Council's approval a Schedule of Business Hours for the 2003/04 Christmas/New Year period.

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

Nil

Consultation

CEO, Executive Directors, Operational Managers, Australia Post, Chamber of Commerce and Industry.

BACKGROUND

Council's past practice at Christmas and New Year has been to open for business on all week days other than public holidays on Christmas Day, Boxing Day, New Year's Day and close at 12 noon on Christmas Eve. Last year (and in previous years when a single day has occurred between the public holidays and weekend) Council agreed not to open for business on the Friday of the Christmas week, i.e. 27 December 2002.

DETAILS OF PROPOSAL

The following report recommends the City's proposed business hours for the 2003/04 Christmas / New Year period for Council confirmation. Council will note that it is not proposed to open for business on the Friday following New Years Day, i.e. 2 January 2004. This Friday lies in the midst of the "holiday" period when the balance of the population is enjoying a break from business activity. The City would be undertaking the cost of opening the office and paying staff to attend at a time of extremely low business activity. This is similar to the proposal for last year when Council determined not to open on Friday 27 December 2002. Officers will take this Friday either as annual leave day in lieu or RDO hours thereby not resulting in any cost to Council.

Additionally, it is proposed that the Kelmscott Library be closed on Wednesday 31 December 2003 at an earlier time of 5pm rather than the usual close time of 8pm (the Armadale Library closes at 5pm and the Westfield library will be closed).

COMMENTS

Analysis

The primary considerations in determining proposed business hours are:

- regard for customer service levels i.e. to minimise the incidence of disruption and/or inconvenience to residents;
- regard for Council's ability to provide effective and efficient levels of service;
- regard for Council-staff relations and the practicalities of the matter.

Council Service Delivery Levels

- With the majority of service and non-retail-type organizations closing on Friday 2 January 2004 (many will remain closed until after the New Year) and Council's reliance in many instances on these organisations to deliver Council-related services, Council's service delivery levels, even if open on the day in question, would be considerably limited, e.g. contractors and suppliers.
- If the office is to be open for business on Friday 2 January 2004 then it is proposed that a reduced staff arrangement would apply, as will be the case with most agencies that determine to remain open on the day.

Customer Service Levels

- Whilst there is no denying a reduction in customer service levels by closing on Friday, 2 January 2004, the disruption/inconvenience factor is considered to be minimal on the basis that:
 - past experience shows that business activity levels on the day following New Year's Day to be low;
 - the after hours telephone service will assure that calls to the office will be managed in a responsive manner;
 - the Australia Post, bank, phone and internet options to cater for payments of Council rates will be available.

Council/Staff Relations

- Council's support of the proposed business hours would be a gesture appreciated by staff. It would enable staff to take their well-earned leave and to spend quality time with their family and friends at a time of low business levels as do those of other business and service organisations. In a business sense it is highly preferred that staff take leave at low business periods. Otherwise, their leave and RDO entitlements must be taken at busy periods, i.e. when customer demand is higher.

- It is to be noted that the Friday, 2 January 2004, would be taken as either annual leave, day-in-lieu or RDO hours, thereby not resulting in any cost to Council.
- A similar request by library management and staff has also been received related to closure on Saturday 27 December 2003. Normally the library would be open on Saturday from 9am to 12 noon. A brief review of neighbouring LGA library practices shows that whilst Gosnells and Canning intend to open their library on Saturday 27 December 2003, Serpentine Jarrahdale and Cockburn will be closed. An assessment of both library attendance and publication issues on the Saturdays immediately before and after Christmas for 2001 and 2002, suggest that the library services are well patronized. Whilst closing the libraries on the Saturday morning 27 December 2003 would be good for Council/staff relations and would allow library staff a similar time off as other Administration and Field staff, the customer usage patterns suggests that should Council consider this reasonable, advance notice to library patrons about the closure must occur during December.

Presuming Council is supportive of the proposed business hours then:

- (i) a further matter for consideration is the arrangements for the staff Christmas function. In this regard it is proposed that the field staff function be held on Tuesday, 23 December 2003 commencing at 1.00pm and the administration staff function be held on Wednesday, 24 December 2003 commencing at 1.00pm.
- (ii) it is proposed that there be advance publicity given to the proposed business hours so as to better inform the public and thereby minimise the risk of customer inconvenience.

Options

Council's options in managing the business hours during Christmas and New Year are:

Option 1:

Council is open for business on Friday, 2 January 2004 with reduced staff arrangements. For the reasons explained in support of the recommended business hours, this option is the least preferred option.

Option 2:

Kelmscott Library closes at 5pm on Wednesday 31 December 2003 and Council is closed for business on Friday, 2 January 2004. Effect of the closure on the delivery of Council-related services, would be limited as business activity is generally low on the day following New Year's Day.

Option 3:

Council's Libraries are closed on Saturday morning 27 December 2003, Kelmscott Library closes at 5pm on Wednesday 31 December 2003, and the Council is closed for business on Friday, 2 January 2004. This is the recommended option.

Committee recommended that the Westfield Library be open on Wednesday 24 December 2003 from 9.30am to 12.30pm as it was concerned with the service not being available for five consecutive days. Officers were also requested to give further consideration (based on prior year usage trends) to extending the library opening hours on Saturday 3 January 2004 for an hour or two.

CS53/9/03 RECOMMEND

That Council approve the Schedule of Business Hours [provided overleaf] covering the 2003/04 Christmas and New Year period.

Moved Cr Hart
Motion Carried (6-0)

<i>Date</i>	<i>Admin Office</i>	<i>Depot</i>	<i>Libraries</i>	<i>Aquatic Centre</i>	<i>Rec Centre</i>	<i>Landfill</i>	<i>Waste Collection</i>
Mon 22.12.03	8.15am – 4.45pm	7.30am – 5.00pm	9.30am – 8.00pm	6.00am – 8.00pm	6.30am – 8.00pm	8.00am – 4.45pm	Y
Tues 23.12.03	8.15am – 4.45pm	7.30am – 12.30pm	A'dale-Westfield 9.30am – 8.00pm Kelmscott 9.30am – 5.00pm	6.00am – 8.00pm	6.30am – 8.00pm	8.00am – 4.45pm	Y
Wed 24.12.03	8.15 – 12.30pm	7.30am – 12.30pm	A'dale-Kelmscott Westfield 9.30am – 12.30pm	6.00am – 6.00pm	9.00am – 12 noon	8.00am – 4.45pm	Y
Christmas Day	Closed	Closed	Closed	Closed	Closed	Closed	N
Boxing Day	Closed	Closed	Closed	6.00am – 8.00pm	Closed	8.00am – 4.45pm	Y
Sat 27.12.03	-	-	Closed	7.00am – 8.00pm	9.00am – 12 noon	8.00am – 4.45pm	Y
Sun 28.12.03	-	-	-	9.00am – 8.00pm	9.00am – 12 noon	8.00am – 4.45pm	N
Mon 29.12.03	8.15am – 4.45pm	7.30am – 5.00pm	9.30am – 8.00pm	6.00am – 8.00pm	9.00am – 12 noon	8.00am – 4.45pm	Y
Tue 30.12.03	8.15am – 4.45pm	7.30am – 5.00pm	A'dale – Westfield 9.30am – 8.00pm Kelmscott 9.30am – 5.00pm	6.00am – 8.00pm	9.00am – 12 noon	8.00am – 4.45pm	Y
Wed 31.12.03	8.15am – 4.45pm	7.30am – 5.00pm	9.30am – 5.00pm	6.00am – 8.00pm	9.00am – 12 noon	8.00am – 4.45pm	Y
New Years Day	Closed	Closed	Closed	6.00am – 8.00pm	Closed	Closed	N
Fri 02.01.04	Closed	Closed	Closed	6.00am – 8.00pm	6.30am – 8.00pm	8.00am – 4.45pm	Y
Sat 03.01.04	-	-	9.00am – 12.00 noon	7.00am – 8.00pm	8.00am – 6.30pm	8.00am – 4.45pm	Y
Sun 04.01.04	-	-	-	9.00am – 8.00pm	9.00am – 12 noon	8.00am – 4.45pm	N

Roleystone Green Waste Site will be open on Saturday and Sunday – as usual.

COMMUNICATION WITH RESIDENTS

At Council's meeting on 1 September 2003, Cr Clowes-Hollins referred the following:-

That the matter of adequate information being dispersed to the community be referred to the City Strategy Committee.

The following comments have been provided by Cr Clowes-Hollins for consideration by Committee:

The recent distribution of Kelmscott Enquiry By Design papers has caused many problems for the local ward councillors in Kelmscott.

Both councillors have been inundated with phone calls from angry and upset residents who believed that the papers distributed were "done plans".

It was so bad that the ward councillors had to letter drop on Saturday to residents in the area of most concerns.

I believe this highlights the inadequate way in which we disseminate information to residents.

Cr Clowes-Hollins spoke to the matter explaining how with more effective communications, e.g. timely media releases in a style that is easily read and understood, regular resident newsletters etc, residents would be more aware and better informed and understanding of Council decisions and its processes – Committee agreed.

The Acting CEO advised that

- *the recent appointment of the Public Relations Coordinator provides the ability and capacity for Council to be more proactive and effective in the area of communications with the community;*
- *in future, it is proposed that Council decision making on more major services, programs and projects include a properly resourced communication plan to support the delivery of such initiatives; and*
- *the previously requested report from officers on options of more regular communications with the community, e.g. newsletters, is in hand and will be presented to next month's City Strategy Committee meeting.*

CS54/9/03 RECOMMEND

That Council, as part of its public relations program to improve future community communications, initiate the use of communication plans concurrent with Council decisions made when developing and/or delivering more major services, programs and projects.

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

LATE ITEM
RATING REVIEW – BASIS OF RATES

WARD All
FILE REF: RAT/1
DATE 9 September
2003
REF NC/AFM
RESPONSIBLE Acting CEO
MANAGER

In Brief:

- The Report is in response to letters and phone calls received from ratepayers affected by the valuation boundary changes made with effect from the 1st July 2003 and presents the considerations and determinations of the Rating Review Working Party (RRWP) on the matter.
- The Report:
 - i. recommends a process/procedure for identifying and confirming, for rate write-off purposes, those properties that for the 2003-04 rating year are upon review to be rated on an unimproved valuation basis given they are predominantly used for rural purposes, and
 - ii. provides information on the possibility of Council offering a rates concession to ratepayers having incurred significant rate increases as a result of the valuation boundary changes.

Committee recommends that a rate concession be offered to those properties whose valuation basis for rating purposes was changed to gross rental value with effect from 1 Jul 2003 and where this change has resulted in a significant rate increase.

Strategic 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

Legislation Implications

The relevant Sections of the Local Government Act 1995 are as follows:

5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

** Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

6.28. *Basis of rates*

- (2) In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be —
 - (a) where the land is used predominantly for rural purposes, the unimproved value of the land; and
 - (b) where the land is used predominantly for non-rural purposes, the gross rental value of the land.

6.12. *Power to defer, grant discounts, waive or write off debts*

- (1) Subject to subsection (2) and any other written law, a local government may —
 - (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money,which is owed to the local government.
* *Absolute majority required.*
- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

6.47. *Concessions*

Subject to the *Rates and Charges (Rebates and Deferrals) Act 1992*, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

* *Absolute majority required.*

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

- A \$10,000 rates adjustment contingency provision has been allowed in the Budget enabling rates write-offs associated with the valuation boundary changes.
- No Budget provision has been made for a possible rates concession however it is to be noted that the rates billing has generated an additional \$20,000 to that budgeted.

BACKGROUND

The background to this matter is summarised as follows:

- In April 2003, Council resolved to recommend to the Minister that the valuation boundaries for rating purposes be amended with effect from 1st July 2003,
- The Minister subsequently approved the proposed changes subject to affected ratepayers being advised of the changes,
- Letters were forwarded to all affected ratepayers explaining the changes,
- Initial feedback received from some affected ratepayers that led to Council, in the process of adopting the 2003-04 Budget, setting aside a \$10,000 contingency provision enabling possible rate write-offs subject to a review process/procedure being subsequently developed,
- Further letters and phone calls received following the rates billing,
- A meeting of the RRWP held on 4th September 2003 to:
 - ✓ consider/determine a process/procedure for identifying and confirming those properties of a genuine rural use nature eligible for a rates write-off, and
 - ✓ consider the case for a rates concession to be offered to those ratepayers having incurred a substantial rate increase as a consequence of the valuation boundary changes.

DETAILS OF PROPOSAL

The deliberations and determinations of the RRWP are summarised as follows:

Review Process/Procedure for Identifying Rural use properties

- Preliminary assessment of the matter has identified instances of genuine rural use properties having been incorrectly assigned a GRV basis for rating purposes – accordingly a review process is considered warranted,
- The review process/procedure needs to be undertaken as soon as possible given that there are anomalies,
- For the reasons of fairness, equity and consistency of decision making, all (516) properties affected by the valuation boundary changes should be included in the review process,
- To facilitate the review process, a Land Use Survey form – attached at the end of this report- has been developed for forwarding to all affected ratepayers - the completed Land Use Survey forms when returned will serve to assist in the process of identifying for further assessment, review and determination, those properties which would be more appropriately rated on an unimproved valuation basis given they are used predominantly for rural purposes and which therefore should receive a rates write-off.

Rates Concession

- The possibility of a rates concession being offered was a further consideration had by the RRWP and was predicated on past practice and it being a positive public relations initiative.
- The following table summarises the rate increases:

Rate Increase Range (\$)	No. of Properties
0-100	51
100-200	39
200-300	42
300-400	24
400-500	18
500-600	10
600-700	8
700-800	8
800-900	5
900-1000	1
1000-1100	1
1100-1200	1
1200-1500	1
1500-1800	0
> 1800	2

- The following table details possible rate concession options (based on differing threshold values and a 50% concession applied above the thresholds):

Option	Rates Increase Threshold	Number of Properties Eligible for Concession	Total \$ Value of Rates Concession
1	> \$100	160	\$23,140
2	> \$200	121	\$15,970
3	> \$250	100	\$13,180
4	> \$300	79	\$10,980
5	> \$400	55	\$7,640

- The following rates concession proposal reflects the discussions had by the RRWP, ie.

Reason for Concession

- The purpose of the rates concession is to lessen in this initial year (2003-04), the cost impact of the more significant rate increases experienced by some ratepayers resulting from the valuation boundary changes made with effect from 1st July 2003. (NB: this concession will only apply for the 2003-04 rating period).

Properties Eligible for Concession

- The concession will only apply to those properties whose valuation basis for rating purposes was changed to gross rental value with effect 1st July 2003 and where this change has resulted in a rates increase for 2003-04 of more than \$_____ "threshold".

Calculation of Concession

- For properties eligible for the concession, the concession amount will be calculated as follows:

$$[(A - B) - C] \times 0.5 = \text{Proposed Rates Concession}$$

where A = Rates levied 2003-04
B = Rates levied 2002-03
C = Threshold

Estimated Value of Concession

\$_____ "Dependant on threshold set"

Acting Chief Executive Officer briefed Committee as follows:-

- *With the first rates instalment payment due on 19 September 2003, it is imperative for the City to respond to those property owners affected by the changes made to valuation boundaries. (The affected property owners have already received written advice as to their obligation to pay as a minimum the first instalment by the due date regardless of a possible subsequent rates write-off.)*
- *At the meeting of the Rating Review Working Party on 4 September 2003, a Land Use Survey Form (provided overleaf) was developed to facilitate the agreed further review process and this is now being forwarded to all affected ratepayers.*
- *In respect to the proposed rate concession for those ratepayers who have received a substantial rate increase, the RRWP were supportive of a concession being offered.*
- *The proposed concession was explained using the following example:-*
 - *Assuming the threshold value is \$200 and the increase in rates on the previous year is \$400, then the concession would be \$100 i.e. 50% of \$200*

Committee endorsed the officer's action in forwarding the Land Use Survey Form to affected ratepayers.

Based on past practice and it being a fair and reasonable response, Committee also agreed to a rate concession for the 2003-04 rating period being offered to those properties affected by the valuation boundary changes made with effect from 1 July 2003 and whose rates as a consequence, had increased by more than \$200.

CS55/9/03 RECOMMEND

That Council

1. **endorse the action taken by officers in forwarding the Land Use Survey Form – copy provided at the end of this report - to property owners affected by the changes made to valuation boundaries as a means of facilitating the further review process, noting that:-**

- i. the completed Land Use Survey forms, when returned, will serve to assist in the process of identifying for further assessment, review and determination, those properties that would be more appropriately rated on an unimproved valuation basis given they are used predominantly for rural purposes and which therefore should receive a rates write-off.
 - ii. for eligible properties (those confirmed as being predominantly used for rural purposes) the rates write-off amount will in each case represent the difference between the rates actually levied for 2003-04 and that which the rates would have been had they been levied on the basis of the property's unimproved valuation.
 - iii. the revenue loss from the rate write-offs has been allowed for in the current Budget in the form of a \$10,000 rates adjustment provision.
 - iv. the further assessment, review, determination and write-off processes will be dealt with administratively according to the following delegation, with follow-up reports on determinations made being reported to Council via the Information Bulletin.
 - v. ratepayers when contacted on this matter, will be advised of their obligation, pursuant to the Local Government Act, to pay as a minimum the first instalment due amount by the due date regardless of what if any subsequent rates adjustments may eventuate.
2. approve pursuant to Section 5.42 of the Local Government Act 1995, the Chief Executive Officer being given delegated authority to further assess, review, determine and write-off rates in the circumstances referred to in dot points (i) and (ii) of this recommendation.

Absolute Majority Resolution Required

3. approve, pursuant to Section 6.47 of the Local Government Act 1995, a rates concession for the 2003-04 rating year; the details of which are as follows:-

Reason for Concession

- The purpose of the rates concession is to lessen in this initial year (2003-04), the cost impact of the more significant rate increases experienced by some ratepayers resulting from the valuation boundary changes made with effect from 1st July 2003. (NB: this concession will only apply for the 2003-04 rating period).

Properties Eligible for Concession

- The concession will only apply to those properties whose valuation basis for rating purposes was changed to gross rental value with effect 1st July 2003 and where this change has resulted in a rates increase for 2003-04 on the previous year's rates of more than \$200

Calculation of Concession

- For properties eligible for the concession, the concession amount will be calculated as follows:

$$[(A - B) - C] \times 0.5 = \text{Proposed Rates Concession}$$

where A = Rates levied 2003-04
 B = Rates levied 2002-03
 C = Threshold

Estimated Value of Concession

\$15,970

Absolute Majority Resolution Required

Moved Cr Munn
Motion Carried (6-0)

Land Use Survey		
Assessment number (if known)		
Owner(s) of property		
Property address		
Contact telephone number		
Owner declared land-use (please ✓)	<input type="checkbox"/> Predominantly non-rural <input type="checkbox"/> Predominantly rural	
If you have ticked the above "Predominantly non-rural" box, then disregard the next section, sign the declaration and return in the envelope provided.		
Rural land-use is deemed as having to do with agriculture or rural economy. Please note that any property used / occupied for <i>lifestyle only purposes</i> (eg hobby farm or keeping of animals for domestic purposes) is deemed to be a non-rural use. A hobby farm is deemed to be a farm maintained for interest's sake, usually not the owner's primary source of income.		
If the land-use is predominantly rural, please indicate what activities are carried out on the land. (please ✓ all that apply)		
<input type="checkbox"/> Agriculture	<input type="checkbox"/> Porcine production	
<input type="checkbox"/> Horticulture	<input type="checkbox"/> Stabling, agisting, training horses	
<input type="checkbox"/> Viticulture	<input type="checkbox"/> Poultry production	
<input type="checkbox"/> Apiculture	<input type="checkbox"/> Game bird production	
<input type="checkbox"/> Forestry	<input type="checkbox"/> Grazing	
<input type="checkbox"/> Orchards	<input type="checkbox"/> Other - specify _____	
Please estimate, as a percentage of the total property, the area of the above land use(s)		
Declaration I / We declare the above information to be correct to the best of my / our knowledge and I / We make this solemn declaration by virtue of Section 106 of the <i>Evidence Act 1906</i> .		
Owner's signature(s)		
Owner's name(s) and date		
Witness' signature		
Witness' name and date		
<i>This form is to be signed in the presence of a Justice of the Peace or Commissioner of Declarations.</i>		
Please ensure all relevant sections are completed before returning in the envelope provided. Thankyou.		

COUNCILLORS' ITEMS

Cr Reynolds – Customer Service Charter

Cr Reynolds tabled Comment sheets (compliments/complaints) that had been prepared to seek community comment on how the Council is conducting its business and suggested that as part of Council's Customer Service Charter, it would be appropriate to make these available in Council buildings, i.e. administration centre, libraries and Seniors Centres.

Cr Hodges – Local Government Week Conference – Exhibitor Displays

Cr Hodges advised that on display at the Local Government Week Conference were concept designs for new entry statements into the City of Armadale. These design concepts have not been viewed by councillors and accordingly it was requested that councillors be given the opportunity to view the concept designs as soon as possible.

Cr Hodges – Banners in the Terrace

Queried whether Council had participated in the "Banners in the Terrace" event at Local Government Week and presuming it had, the opportunities to display Council's banner locally.

Director Community Services advised that Council did participate and that the design model of the banner, which was developed by a local artist was tabled for comment at a previous City Strategy Committee meeting. The banner is still being held by WALGA for display at the Royal Show and on its return, opportunities for displaying the banner locally can be further considered.

CS56/9/03 RECOMMEND

That the Councillor items regarding

- 1. Comment Sheets (Compliments/Complaints)**
- 2. Local Government Week Conference – Exhibitor Displays**
- 3. Banners in the Terrace**

be referred to the appropriate Directorate for action and/or report back to Committee/Council.

Moved Cr Reynolds
Motion Carried (6-0)

ACTING CHIEF EXECUTIVE OFFICER'S REPORT

The Acting CEO reported on the cinema development in Armadale. Further information will be forwarded to councillors.

CONFIDENTIAL ITEM - CONTRACT OF EMPLOYMENT – CHIEF EXECUTIVE OFFICER POSITION

WARD ALL
FILE REF: PSF/365
DATE 12 September 2003
REF AFM
RESPONSIBLE Chief
MANAGER Executive Officer

In Brief:

- The Chief Executive Officer's Five Year Contract with the City of Armadale will expire in November 2003.
- The Chief Executive Officer has advised the Mayor in writing of his intention to seek/negotiate a further contract term for the CEO position.
- At its meeting on 21 July 2003, Council appointed a five member panel (Crs Reynolds, Munn, Hodges, Zelones & Hopper) to advance and facilitate the necessary contractual considerations and arrangements and resolved that this panel be provided with independent facilitation and professional advisory services by WALGA's Executive Manager Workplace Solutions, Mr John Phillips.
- The CEO's Contract Panel met on 18 August 2003 and a report has been forwarded under separate confidential cover for consideration.

Strategic Implications

To foster an effective professional environment for the governance and administration of the City's services.

Legislation Implications

Sections 5.36, 5.38 and 5.39 of Local Government Act 1995.

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

An appropriate allocation has been included in the 2003-04 Draft Salaries Budget.

Consultation

Mayor

BACKGROUND

The Chief Executive Officer's current contract will expire in November 2003. The CEO has advised the Mayor that he seeks a further contract term in the role of Chief Executive Officer with the City of Armadale.

Council at its meeting on 21 July 2003 established the "CEO Contract Panel" with its role/responsibility being to:-

- a. consider the CEO's advice seeking a further contract term;
- b. develop contract terms and conditions for the CEO's position to commence November 2003
- c. Conduct contract negotiations as relevant to (a) and (b) above.
- d. make recommendation to Council via the City Strategy Committee on the negotiated contract arrangements for the CEO position.

Crs Reynolds, Munn, Hodges, Zelones & Hopper were appointed as members on the CEO Contract Panel and it was also resolved that this panel be provided with independent facilitation and professional advisory services by WALGA's Executive Manager Workplace Solutions, Mr John Phillips.

PROPOSAL/COMMENTS

A meeting of the CEO's Contract Panel was held on 18th August 2003 and following discussions held a report has been forwarded under separate confidential cover for consideration. [Attachment B-1 sent under separate cover with the Agenda]

*MOVED Cr Reynolds that the meeting be closed as the matter to be discussed related to a confidential report affecting an employee.
Motion Carried (6-0)*

All officers retired from the meeting at 8.45pm

On advice from the Department of Local Government and Regional Development the Elected Members then met without officers to consider the Contract of Employment for the Chief Executive Officer's position.

*Moved Cr Clowes-Hollins that Cr Reynolds act as scribe.
Motion Carried (6-0)*

Committee Discussion

- *Proposed Salary Package for CEO's position*
- *Format of Contract to be offered; and*
- *Term of appointment to be offered.*

Cr Reynolds to clarify several clauses in the draft contract prior to presentation to Council.

CS57/9/03 RECOMMEND

That Council –

- 1. receive the Confidential Report re. Contract of Employment for the position of Chief Executive Officer; and**
- 2. adopt the recommendation(s) as contained in the Confidential Report.**

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

MOVED Cr Clowes-Hollins that Committee come out of closed (confidential) session.
Motion Carried (6-0)

MEETING DECLARED CLOSED AT 9.29 PM

CITY STRATEGY COMMITTEE

SUMMARY OF "A" ATTACHMENTS

9 SEPTEMBER 2003

Attachment No.	Subject	Page
A-5	ARA and CoA Memorandum of Understanding	59-64
A-6	Schedule to ARA and CoA Memorandum of Understanding – Champion Lakes Regional Recreation Park	65-69

Memorandum of Understanding For The Redevelopment of Armadale

Introduction

The Armadale Redevelopment Authority was formed in 2002 to stimulate the economic and social development of Armadale while sustaining the potential of the natural and physical environment to meet the reasonably foreseeable needs of current and future generations.

This agreement relates to the research, planning, development, funding and administration of the process of redevelopment in Armadale. The parties to the Agreement are The ARA and The City of Armadale. This Agreement is effective from the 'Date of Agreement' indicated below until such time that either party provides the other with written advice that it has resolved to end the Agreement.

Functions and Powers of the Parties

The following is a description of the functions and powers of the Parties within the Redevelopment Area defined in the Armadale Redevelopment Act 2001.

ARA

The ARA's primary functions and powers under the Act include:-

Functions

The ARA shall

- plan, promote and coordinate the development of land
- identify, promote and facilitate investment and employment opportunities
- identify needs and opportunities for the provision of social and community facilities and programs and encourage social and community development
- identify needs and encourage the provision of infrastructure to support economic and community development
- co-ordinate the activities of government agencies and collect and provide information and advice to support economic and social development.

Powers

The ARA has the power to:

- prepare and keep under review a redevelopment scheme
- control subdivision and development in accordance with the requirements of the Act and the Town Planning and Development Act
- subdivide, develop, improve and alter land
- acquire, hold, lease and dispose of property subject to any conditions or memorials it cares to impose
- participate in business arrangements

- enter into contracts for the provision of plant, infrastructure or services
- compulsory acquire land
- temporary and/or permanently close streets
- delegate any of its powers or functions

The ARA is not liable to pay rates, taxes, stamp duties or other government and local government charges.

The City of Armadale

The City of Armadale retains all powers pursuant to the Local Government Act, Town Planning and Development Act and Health Act in relation to the Redevelopment Area, not otherwise specified above. Principally these powers relate to

- building surveying and inspection in accordance with the provisions of the Building Code of Australia
- the regulation, inspection, and compliance provisions in respect to any 'nuisance' pursuant to the Health Act and/or local by-law.

Objectives

The objectives of this agreement are to:-

- Define the roles and responsibilities of the parties
- Develop effective lines of communication and consultation
- Undertake the redevelopment functions in an efficient and coordinated manner
- Ensure the timely and cost effective delivery of infrastructure and community services
- Promote coordination and cost sharing between the parties
- Develop funding arrangements as required
- Facilitate ongoing 'normalisation' prior to the cessation of ARA activities
- Integrate planning and development within the 'Redevelopment Areas' with adjacent areas.
- Project a strong, collective vision for the promotion of Armadale and to further intergovernmental relations

Scope of Agreement

This agreement relates to the following activities of the Parties.

- **Strategic planning** – the generation of policies, research studies, master plans, concept plans, structure plans and design guidelines
- **Statutory planning** – the establishment and amendment of town planning schemes, development and subdivision control, building surveying & inspection, compliance and enforcement, temporary and permanent street closures

- **Capital works** – design and specification of public works, funding & implementation of works projects, programming and reporting, tendering and project management, maintenance and handover
- **Financial and budgetary arrangements** – Joint ventures and partnering, cost sharing, program budgeting, funding applications, infrastructure investment and divestment, scheme cost administration, receipt of fees & charges
- **Communication** – public consultation exercises, interaction with elected representatives, press and media releases, staff interaction and information sharing
- **Normalisation** – access to data and confidential information, statutory landuse provisions, scheme costs, outstanding contracts and projects.

Roles and Responsibilities

The Parties agree to undertake the following principal roles and responsibilities. Addendums providing specific definition and elaboration of these roles and responsibilities will be adopted from time to time as determined by the 'Management Committee'.

Strategic Planning

- The parties agree to consult each other during the formulation of any major strategic planning proposals.
- The parties will cooperate to the maximum extent possible to share cost and resources where projects are to their agreed mutual benefit and ensure outcomes from projects address the reasonable requirements of both parties.
- There will be a free flow of information in hardcopy and electronic format for any existing report, study or plan upon request and at the finalisation of all new projects subject to the confidentiality requirements of either party.

Statutory Planning

- The ARA will advise CoA of the development of statutory planning provisions and provide briefings to its staff and elected representatives prior to the public release of new provisions.
- The CoA agrees to respond in a timely manner to all referrals in respect to proposed planning provisions and subdivision and development applications.
- The ARA will be responsible for the receipt, referral, assessment, determination, notification and consultation in respect to applications for subdivision and development (unless otherwise specified within the provisions of the Act) in accordance with Addendum One – Development Control and Compliance.

- The CoA will be responsible for the inspection , regulation and compliance of all other statutory provisions within the 'Redevelopment Area' not otherwise specified above and in Addendum One. In so doing the CoA will give effect to and insure compliance with all relevant conditions of Development Approvals and will consult the ARA where it is reasonable to assume its interests will be impacted.

Capital Works

- ARA will seek input from CoA and relevant service authorities prior to finalising design of all capital works and infrastructure to insure compliance with adopted design standards and to facilitate integration within the existing network.
- ARA will seek input from CoA prior to initiating the acquisition or disposal of land or the amendment to the designation of any reserve.
- ARA to consult with CoA where development would affect the function and on-going management of areas of public open space, roads or community facilities owned or vested in the CoA.
- The parties will consider opportunities for joint ventures, and the sharing of costs and resources on a project specific basis.
- The ARA will deliver a set of final construction drawings, textural and digital data for all approved works to the CoA for its reference purposes and will, as appropriate, transfer copyrights to the CoA.
- The parties will provide each other with their projected capital works programs and provide quarterly progress reports.
- All rights and responsibilities in respect to capital works and land subject to those works shall transfer to the CoA upon completion and handover of those works.

Financial and Budgetary Arrangements

- Both parties agree, where appropriate within the scope of this agreement, to coordinate funding arrangements and budgets for projects to their mutual satisfaction.
- Both parties shall record and advise of all ongoing liabilities attributable to the various projects and redevelopment areas and shall establish account procedures to allow for their easy audit and transfer in accordance with Addendum Two – Project Agreements.
- The parties agree to investigate and develop partnership opportunities, which promote cost and resource sharing whenever practical.

- The ARA shall not be liable to pay local government rates and charges in respect to properties under its ownership except where such properties are subject to leaseholds or third party interest (in which case the beneficial owner shall be responsible).

Communication

- The ARA is to be the key coordinator of communications with the community in respect to the redevelopment and will address communications issues in accordance with its Public Relations Strategy. (See Addendum Three Public Relations Strategy.)
- The ARA will brief elected members and relevant staff of CoA prior to the public release of all major strategic and statutory planning proposals and re-development activities. Where appropriate the parties shall consider joint releases of major announcements.
- The parties will maintain regular and comprehensive communication between relevant officers regarding issues of mutual interest on a confidential basis.

Normalisation

- Normalisation of the redevelopment area will occur progressively as the redevelopment process is completed.
- The ARA agrees to inform CoA of all outstanding liabilities in respect to developments, scheme costs etc.
- Necessary scheme amendments shall be programmed for completion prior to normalisation of the Redevelopment Areas. When formulating relevant statutory provisions, the ARA will consider how these can be effectively integrated with those of the CoA upon normalisation.
- Relevant land information, planning and engineering studies and other data as agreed between the parties shall pass to CoA upon cessation of the ARA or earlier as agreed.
- Capital works defects liability. The CoA agrees to accept responsibility for any outstanding defects liability for ARA initiated capital works and infrastructure within the Redevelopment Area upon the cessation of the ARA.

Administration

Technical Reference Group

The Technical Reference Group which comprises the Executive Director ARA (chair) and Chief Executive Officer CoA and/or their nominees shall meet monthly. One of the principle functions of this Group shall be to further the objectives of this Agreement. Accordingly the Group will monitor

the progress and effectiveness of the Agreement and initiate improvements and additions to it as necessary.

MOU not to be Legally Binding

This MOU is a statement of the present initiatives between the parties in relation to the issues mentioned within it. It is not intended that this MOU create any contractual relationship or that it be legally binding on the parties.

EXECUTED on behalf of the Armadale Redevelopment Authority

.....

Chairman, Armadale Redevelopment Authority DATE

EXECUTED on behalf of the City of Armadale

.....

Mayor, City of Armadale DATE

.....

Chief Executive Officer, City of Armadale DATE

**SCHEDULE TO ARMADALE
REDEVELOPMENT AUTHORITY/CITY
OF ARMADALE MEMORANDUM OF
UNDERSTANDING**

**CHAMPION LAKES REGIONAL
RECREATION PARK**

September 2003

BACKGROUND

The Champion Lakes site has been acquired by the Western Australian Planning Commission and City to provide for a Regional Recreation water themed park. Earlier studies identified the site as the preferred location for an International Rowing Course (IRC), now included in the State Sporting Facilities Strategic Plan 2002. A Master Plan was developed in 1996 and the Plan was officially released in November 2000.

The site contains a number of Aboriginal Sites that have been cleared for development by the Minister for Indigenous Affairs.

The Proponents have received approval from the Environment Protection Authority (EPA) and the Minister for the Environment to implement and develop the Master Plan.

The Main Roads Western Australia contractor building the adjoining Tonkin Highway extension will undertake excavation of the land to enable the water body to be created.

PRINCIPLES AND ELEMENTS OF THE MASTER PLAN

1. Conservation, Environment and Education

The Proponents have made a number of Commitments reported in the EPA Bulletin 1100 of June 2003 to conserve areas of environmental value, to mitigate and enhance the wet land values, and to protect adjoining rivers and aquifers working in consultation with local catchment groups. Various Management Plans, such as on-going water quality and surrounding monitoring bores, will give affect to these Commitments. Further the EPA has recommended to the Minister certain Conditions be adhered to and both Commitments and Conditions will be audited by the Department of the Environment (DoE).

An opportunity will exist to utilise the project for education in conservation and environmental studies.

2. Aboriginal Centre

Aboriginal sites occur within and adjoining the Champion Lakes site boundary, including Wright Lake. Consultation with recognised Aboriginal Elders, Native Title Claimants and the local Aboriginal community, in accordance with the Act, resulted in the Minister for Indigenous Affairs granting approval for the proposed master plan to be implemented, subject to a number of conditions, including the provision of an Aboriginal interpretive and enterprise centre that the

Proponents undertook to provide in the S 18 application to develop the site.

Activities in and emanating from the Centre could include some of the following: training, employment, displays, interpretation and education, a commercial tourist outlet, café, shoreline and water based activities, corroboree area, and interpretive trails and tours into conservation areas.

The Proponents in the S 18 applications undertook to provide employment opportunities for local Aborigines during the development of and ongoing operation of Champion Lakes.

3. Recreation and Sport

The enlarged Wright Lake development will be developed for both the active and passive use of the local and regional community. It is intended that the new Lake will be used to host international rowing, canoeing, dragon boating, and other aquatic sports events following funding support from the State and Federal Governments.

It is envisaged that the Lake's use will be managed by a representative body (to include the City, and, as appropriate, Rowing WA, Canoeing WA, the Dragon Boat Association, Triathlon Association, Catchment Groups, and Community representatives), which would provide equitable access to all participants.

Once agreed by the State, the Lake's water and shoreline, associated equipment, and facilities for international events will be managed by an existing or new agency or Trust funded by the State. This agency will consult and liaise with the Lake Use Management body and the City of Armadale.

A white water park will be encouraged to locate at Champion Lakes.

4. Residential Areas

The residential component is secondary to the Park and its functions. The residential development will facilitate the funding of the Park and provide the opportunity for alternative housing options in Armadale.

5. Commercial Areas

The Commercial precinct is complementary to the activities on and around the Lake.

COMMITMENTS

The City of Armadale will:

- *transfer its land holding to the ARA;*
- *transfer the role of Proponent to the ARA;*
- *assist the ARA in developing the Master Plan in the period up to the ARA's Redevelopment Scheme and thereafter provide advice to the ARA in the development of the Scheme;*
- *undertake the administrative process to close Cammillo, Ypres and Allen Roads within Champion Lakes;*
- *assisting in the development of an ongoing management structure for the Lake and the associated facilities;*
- *support and assist the location of a white water park within Champion Lakes;*
- *provide the equivalent in financial contributions or management resources for the management of that public open space within future residential and commercial areas at Champion Lakes and the identified conservation areas;*
- *provide appropriate road access to the Champion Lakes development;*
- *maintain a schedule of costs attributable as Scheme costs to be recouped by the project;*
- *contribute to the development of the Aboriginal Centre by assisting in community consultation, and development of uses, plans, and the ongoing management for the centre.*

.....
Chief Executive Officer/ or Mayor

The ARA will:

- *produce Interim and Final Scheme Plans, (the final plan to be subject to the conditions of the Minister for Indigenous Affairs s.18 and the conditions imposed by the Minister for the Environment).*
- *project manage the development of the project and funding;*
- *provide for the development of the Aboriginal Centre in accordance with the s.18 approval;*
- *ensure that the land identified for the Aboriginal Centre land will be either vested in the City in trust for the local Indigenous*

Community or transferred to a community based Indigenous Corporation or Trust;

- *become the Proponent for the s.18 Clearances and the Minister for the Environment's environmental conditions;*
- *establish a water management regime to meet the water quality conditions set by the Minister for the Environment;*
- *maximise the opportunities to provide training and employment for local Aborigines during the development and ongoing operation of the Park;*
- *recoup to the City the cost of undertaking the Aboriginal Heritage Management Plan;*
- *fund and manage the creation, implementation and operation of the individual and over-arching environmental management plans;*
- *fund the annual operation costs of the Park until the State-funded Sports Trust is established;*
- *ensure that the revenue generated by the sale of Residential and Commercial land within the Champion Lakes project will be used within the project;*
- *ensure that at the expiry of the ARA, recreational facilities and associated land at Champion Lakes will be transferred to the Sports Trust or equivalent management body;*
- *undertake the sourcing and management of financing of the project and project management;*
- *ensure that road improvements on land beyond the Project required by the Project will be contributed to by Project funds;*
- *provide the opportunity for The Champion Lakes Precinct Committee to provide advice to the ARA Board on stakeholder interests and needs.*

.....
Executive Director or Chairman of the Board