

CITY OF ARMADALE

MINUTES

OF COMMUNITY SERVICES COMMITTEE HELD IN THE COMMITTEE ROOM,
ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY, 9
DECEMBER 2003 AT 5.35 PM

PRESENT: Cr A L Cominelli JP
Cr P J Hart
Cr J H Munn CMC JP
Cr J A Stewart (5.35 pm to 6.00 pm)
Cr R J Tizard
Cr G T Wallace
Cr H A Zelones JP

APOLOGIES: Nil

OBSERVERS: Cr V L Clowes-Hollins (5.45 pm to 6.25 pm)

IN ATTENDANCE: Mr A F Maxwell - Executive Director Corporate Services
Mr C Askew - Director Community Services
Mr N Cain - Executive Manager Business Services
Mrs Y Ward - Minute Secretary

Public: Nil

DISCLAIMER

The Disclaimer for protecting Councillors and staff from liability of information and advice given at Committee meetings was not read by the Chairman, given no members of the public were present.

DECLARATION OF MEMBERS' INTERESTS

Nil

DEPUTATION

Nil

QUESTION TIME

Nil

ITEMS REFERRED FROM INFORMATION BULLETIN – ISSUE NO. 23/03

- **Outstanding Matters**
Report on Outstanding Matters - Community Services Committee
- **Monthly/Quarterly Departmental Reports**
Library Department General Report – November 2003
Accounting Services Report –25 November 2003
Manager Ranger & Fire Services Report –November 2003
- **Finance**
Financial Statements - Nil
- **Miscellaneous**
Annual Leave – Executive Director Corporate Services
- **Minutes from Occasional/Advisory Committees**
Armada Highland Gathering Committee – 11 November 2003

Committee noted the information, no items were raised for discussion and/or further report purposes.

CONFIRMATION OF MINUTES

RESOLVED

Minutes of the Community Services Committee meeting held on 25 November 2003, are confirmed.

I N D E X

COMMUNITY SERVICES COMMITTEE 9 DECEMBER 2003

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Recreation

For the benefit of Cr Stewart, who had another meeting engagement at 6.00 pm, the Chairman suggested and Committee agreed to consider as the first item of business the following agenda item (pages 27 to 31 of the Agenda refer).

REDEVELOPMENT OF FORMER KELMSCOTT POOL SITE

WARD Kelmscott
FILE REF: A178691
DATE 2 December 2003
REF PGQ
RESPONSIBLE Director
MANAGER Community
Services

In Brief:

This report presents the draft consultant's report and concept plan for the redevelopment of the former Kelmscott Pool site and recommends that:

- Council receive the draft consultant's report and concept plan.
- The plan be released for a six week public comment period.
- A further report be presented to the February 2004 Community Services Committee Meeting to consider comments and feedback from the community.

Tabled Items

Plans
Maps

Officer Interest Declaration

Nil

Strategic Implications

Relates to Council's aim to maintain and upgrade physical infrastructure for the benefit of local residents

Legislation Implications

Nil

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

An amount of \$30,000 has been allocated in Council's 2003/04 budget for preliminary works to make the site safe.

Recreation

The draft concept plan puts forward a proposal to upgrade and develop the site as a quality passive open space. If Council wishes to adopt and implement the draft plan, this will have financial implications for future budgets

Consultation

- Kelmscott Pool Site Redevelopment Reference Group
- Mayor
- Advertisements in local newspapers seeking public comment;
- Letters to all residential properties within a 2km radius of the Kelmscott Pool (excluding properties to the west of the railway line) inviting their participation in the planning workshops and/or comments via written submissions;
- Three public workshops were held on 28 August, 17 and 19 September 2004 with a total of 77 people attending the three workshops. Questionnaires were distributed to all people attending the workshops inviting their comments and ideas;
- Letters to key stakeholder groups inviting their comments and participation in the process.
- People who visited the City of Armadale display tent at the Kelmscott Show (17th & 18th October 2003) were invited to have their say via a simple questionnaire.
- Seniors Interests Advisory Committee, Aboriginal and Torres Straight Islander Advisory Committee and Youth Advisory Committee

BACKGROUND

Following the decision to close Kelmscott Pool in May this year, an amount of \$10,000 was allocated in Council's 2003/04 budget to undertake community consultation and prepare concept plans for the redevelopment of the site. A Reference Group was established (C108/7/03) to oversee the study and present the draft concept plans for Council's consideration. The reference group has met on two occasions and has been actively involved with the process to date.

Strategic Leisure Planning was appointed to undertake the study and an extensive consultation process was followed to seek the views of local residents as to how the site might best be developed. Although a number of people used the consultation process to express their disappointment with Council's decision to close the pool, the people that participated in the process put forward a range of positive and worthwhile ideas on the future development of the site.

The draft Consultant's report and Concept Plan (**Refer to Attachments "A-4" & A-5"** – as **circulated with the Agenda**) is now presented for Council's initial consideration.

Recreation

DETAILS OF PROPOSAL

As a result of the input from all parties, the draft concept plan promotes the development of the site as a quality passive open space that seeks to make best use of the natural attraction and historical significance of the site. The key elements of the draft plan include:

Outdoor Performance Venue

It is proposed that an outdoor performance venue be developed and be used for a range of community concerts and events. This would be achieved by retaining the existing tiered seating of the old grandstand, and by constructing a new stage and soundshell on the eastern side the former 33-metre pool. The pools are in the process of being filled in and it is proposed that a hardstand area be created, which may include artistic concepts. The hardstand area in front of the stage could be used for dancing and possibly theatrical type performances.

Story Wall

As a way of celebrating the historical significance of the site, it is proposed that the existing structure over the old grandstand be removed and replaced with a more aesthetically attractive structure. On the car park side of the new structure, it is proposed to create a “Story Wall” that tells the story of the Kelmscott Pool and commemorates in a lasting way, the importance of the site to the local community. The proposed Story Wall could be undertaken as a community arts project and actively involve many of Kelmscott’s older residents, as well as local schools.

Toilets and Change rooms

The draft concept plan recommends the retention of the existing toilets and change rooms for use by sporting clubs and the general public. Some minor internal modifications may be required however, the existing building is structurally sound and could adequately service users of Rushton Park for at least the short to medium term. It is noted that as with many public toilet facilities, Council may need to consider management issues such as closing the toilets at night in order to avoid vandal damage and anti social behaviour.

Pathways

The consultation process revealed strong support for a pathway system to be installed between the former pool site and the river. This would be designed to link in with future pathways along the river and eventually allow people to walk from Rushton to Fancote Park and return.

Playground

An adventure children’s playground is proposed with a range of equipment for toddlers through to primary school aged children.

Recreation

Picnic and Barbecue facilities

In order to encourage increased use of the area for family activities, new picnic tables and barbecues are proposed.

Lighting

The draft concept plan recommends that the existing lighting be retained and upgraded, and additional new lighting be installed along the river foreshore area. At least some of this lighting could be up lighting (similar to Kings Park) and highlight some of the magnificent trees in that area.

COMMENT

Analysis

An extensive consultation process has been followed for this study and although many people expressed disappointment with Council's decision to close Kelmscott Pool, the majority had a genuine interest in the future development of the site and number of positive ideas and suggestions came out of the process. The strong consensus from the people that took part in the process was for the site to be developed as a quality passive open space that would encourage increased use of the park. Most people wanted low-key development that complemented the natural attraction of the site, with good quality lighting, picnic facilities, barbecues and a children's playground.

The draft concept plan has sought to incorporate the main needs expressed via the consultation process, whilst being mindful of likely budget constraints. The Story Wall concept is supported by the Reference Group and would be an ideal way to involve the local community and celebrate the historical significance of the site. There is currently no outdoor performance venue in Kelmscott, and the proposal for an outdoor venue that takes advantage of the existing tiered seating and picturesque setting is also strongly supported. Such a facility would provide the opportunity to conduct a range of outdoor community concerts and performances during the warmer months.

Cost estimates to implement the draft concept plan are not available at this time, but are not expected to be beyond Council's means if the project is staged over perhaps a 3-4 year period. Subject to Council being generally supportive of the draft plan, detailed cost estimates and a recommended staging program will be included in the final report along with potential sources of funding.

Options

Council could elect to refer the draft concept plan back to the consultant for amendment if it was not supportive of any part of the draft plan. This option is not recommended.

Recreation

Conclusion

In conclusion, it is recommended that Council receive the draft consultant's report and concept plan, and the plan be released for a six week public comment period.

Cr Clowes-Hollins joined the meeting at 5.45 pm.

Committee Discussion

Committee discussed the item at length with some concerns being raised in regard to the ultimate cost and funding of the redevelopment of the site. Committee was advised that after public consultation in relation to the proposed concept, estimated costs will be included in the report to the February 2004 Community Services Committee.

C174/12/03 RECOMMEND

- 1. That Council receive the interim consultant's report and draft concept plan for the redevelopment of the former Kelmscott Pool site.**
- 2. That the draft concept plan for the redevelopment of the former Kelmscott Pool site be released for a six week public comment period.**
- 3. That a further report be presented to the February 2004 Community Services Committee Meeting to consider any comments from the community on the draft concept plan**

**Moved Cr Zelones
MOTION CARRIED (7/0)**

Committee at this juncture of the meeting agreed to return to the start of the Agenda.

Finance

SCHEDULE OF PAYMENTS

C175/12/03 RECOMMEND

- 1. Payments totalling \$10,814,035.13 on Vouchers 44804-44884, EF11518-EF11794 and 102311-102322, drawn upon the Municipal Fund, be received.**
- 2. Cheque payments totalling \$10,756.96 on Vouchers 89028-89029 and EF11795, drawn upon the Trust Account, be received.**

**Moved Cr Hart
MOTION CARRIED (7/0)**

Finance

STATUTORY FINANCIAL REPORT

The Statutory Financial Report for the (5) months ended 30th November 2003, as required in accordance with Clause 34 of the Local Government (Financial Management Regulations) is presented. **(Refer to Attachment “A-1” – as circulated with the Agenda.)**

Commentary

(Refer to Attachment “A-2” – as circulated with the Agenda.)

Investments

Excellent outstanding sundry debtors and rates collection has pushed surplus funds available for investment up 14.8 mil. Council has again reached a milestone for investment funding.

Investment Interest

Interest earnings at the end of November of exceeded budget estimates by \$8000. This is a great boost for this time of the year. Good earning potential is expected over the Christmas as investment funding is expected to remain stable over the holiday period.

Grants

Grant recoups are continuing to be slow other than the Grants Commission November payment. Only 12% of road funding grants have been received as at the end of November 03.

Sundry Debtors

Outstanding sundry debtors have dropped from 1.5 mil due to .7 mil as expected due to 1.2 mil in payments received in November 03. Taking into account the known long term debt, the balance outstanding of .5 mil is the best achievement to date.

Rate Debtors

Ratepayers are continuing to optimise the direct debit payment option providing good consistent debt collection and for those recalcitrant ratepayers summons are being issued.

Year to Date Net Operating Position

Infrastructure asset development rose by 1.5 mil during November as reflected by the upward curve in expenditure attributing to a net position slightly less than previous years. An expected recovery is anticipated during the Christmas/holiday period.

C176/12/03 RECOMMEND

That Council receive the Statutory Financial Report for the (5) months ended 30 November 2003.

Moved Cr Stewart

MOTION CARRIED (7/0)

Finance

2003/2004 BUDGET VARIATIONS

In accordance with the requirements as outlined in the Council document entitled “Internal Control Procedures – Budget Variations”, as attached (refer to **Attachment “A-3” – as circulated with the Agenda**) are the Budget Variations having been transacted administratively during the period 26 November to 3 December 2003.

C177/12/03 RECOMMEND

That Council receive the Budget Variations transacted administratively during the period 26 November to 3 December 2003.

**Moved Cr Zelones
MOTION CARRIED (7/0)**

Cr Stewart left the meeting at 6.00 pm.

Finance

SUNDRY DEBTORS AND WRITE-OFFS REPORT TO 25 NOVEMBER 2003

WARD All
FILE REF: FIN/1
DATE 25 Nov 03
REF NC
RESPONSIBLE Executive Manager
MANAGER Business Services

In Brief:

- The status report on outstanding debtors is presented for Committee / Council information.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

The Corporate Services Directorate Vision states:

“We will provide a diverse range of support, advisory and information services together with control mechanisms to enable and ensure the sound operation and management of the corporate entity.”

Legislation Implications

Section 6.12 (1) (a) (Power to defer, grant discounts, waive or write off debts) of the Local Government Act 1995 permits Council to write off any amount of money that is owed to the local government.

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

At 25 November 2003 the balance attributed to outstanding debt is \$661,941. This does not include rates debt. Council has allocated \$80,000 in the 2003-2004 Annual Budget towards Sundry Debtors Write-Off and \$20,000 for Bad and Doubtful Debts.

Consultation

Each sundry debtor in the four months and over category has been advised of Council's intentions to recover this debt.

Finance

BACKGROUND

At the April 2003 Community Services Meeting, and subsequently confirmed at the April 2003 Council meeting (28 April 2003), a resolution was passed requiring that a monthly sundry debtors report be presented to the Community Services Committee – hence this report.

DETAILS OF PROPOSAL

The status of outstanding sundry debtors at 25 November 2003 is summarised in the following aging analysis table:

Total	Current	1 Month	2 Months	3 Months	4 Months and Over
\$661,941 100%	\$191,931 29%	\$81,922 12%	\$5,018 1%	\$18,585 3%	\$364,485 55%
Last Month					
\$1,428,487 100%	\$556,306 39%	\$480,376 34%	\$6,080 0%	\$18,695 1%	\$367,030 26%

COMMENT

Analysis

The following table highlights the long-term outstanding sundry debtors at 25 November 2003:

Name	Amount	Comments
Sundry Debtors (General)		
Cougar Metals	\$16,000	This debt relates to scrap metal purchases from the refuse site. A final demand notice has been sent. No response has been received from the debtor. This matter has now been referred through to the City's debt collection agency. Original invoice was for \$26,000, of which \$10,000 has been paid.
Sustainable Energy Development	\$23,897	Final payment of grant is awaiting completion of works and last grant payment request. Paperwork has been submitted.
Other minor sundry debtors	\$1,889	Various accounting provisions to be applied and minor debt.
Sub total	\$41,786	

Finance

Name	Amount	Comments
<i>Fines and Penalties</i>		
Ranger Services	\$51,693	Fines enforcement has been carried out by the court and those debts relating to Ranger issued fines / enforcements are currently with the Fines Enforcement Register of WA.
Library Services	\$18,778	Many of these debts relate to relatively minor amounts. However, collectively these amount to the shown figure. Investigation as to the currency of much of this debt is currently occurring.
Sub total	\$70,471	
<i>Currently Unenforceable Development Debtors</i>		
Acacia Brook	\$24,029	These debts relate to planning and development approvals that cannot be enforced until the relevant subdivision is complete.
Brigade Road Syndicate	\$24,351	
Gazebo Management	\$6,759	
Sub total	\$55,139	
<i>Sporting Clubs</i>		
ARKS Rugby Union Club	\$6,685	These debtors are being handled as per resolution C157/10/03 indicating that Council is prepared to clear the individual club debt on the proviso that the clubs enter into performance based lease agreements and demonstrate a commitment to significantly change their operations.
Armadae Rugby League Club	\$8,804	
Armadae Soccer Club	\$17,820	
Armadae Sporting Club	\$141,027	
Kelmscott Sportsmen's Club	\$22,753	
Sub total	\$197,089	
Total	\$364,485	

Payments received

No payments have been received from the sundry debtors that were included on the previous month's outstanding list.

Conclusion

Council's outstanding debt levels are now at a manageable level. Also with the introduction of a new facilities management resource, it is envisaged that the Sporting Clubs debt can be resolved in the not too distant future.

Of the amount listed in the "current" category, \$135,000 relates to various outstanding grants as well as \$51,000 in the "1 month" category.

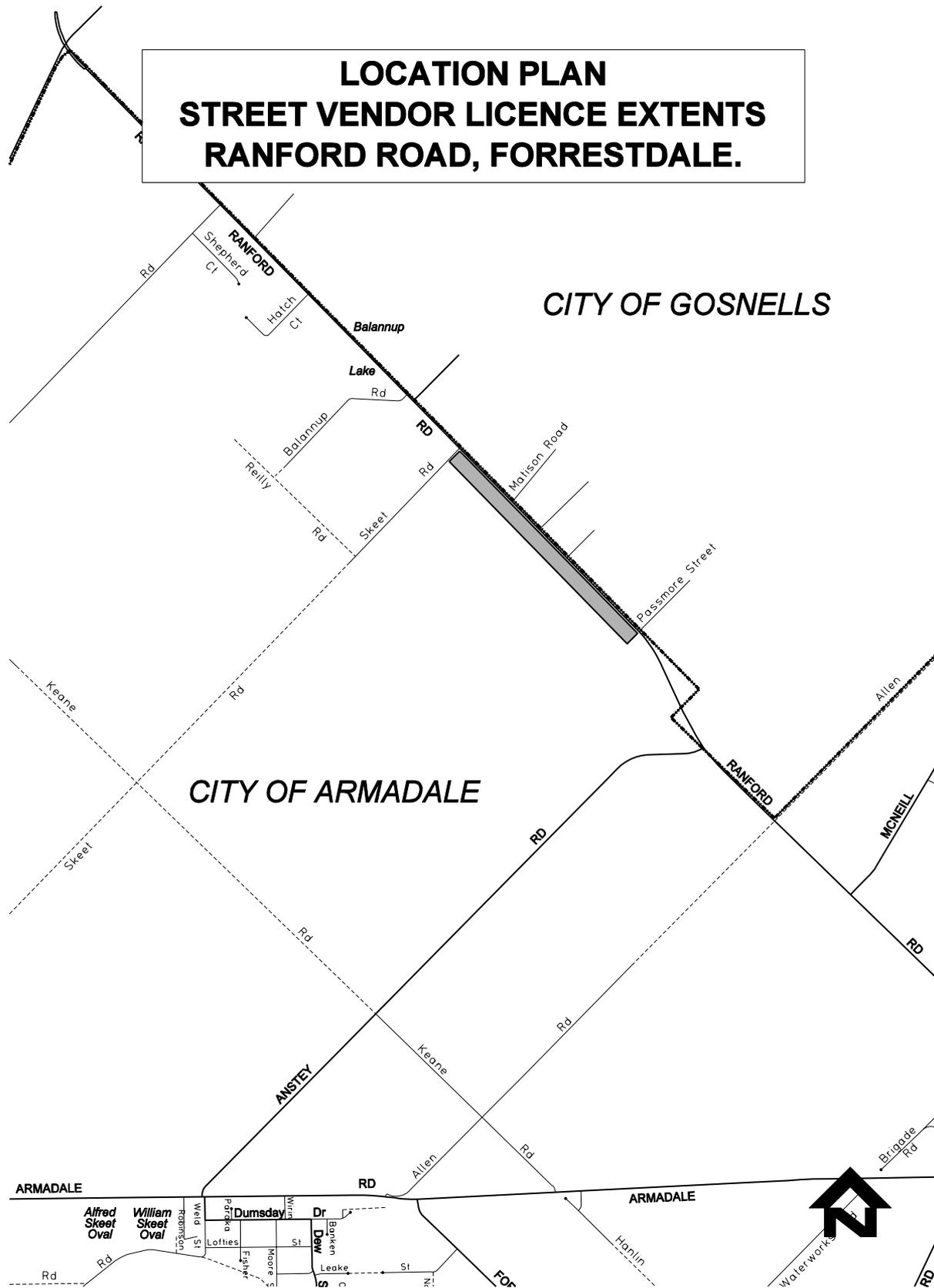
Finance

C178/12/03 RECOMMEND

**That Council receive the outstanding sundry debtors report to 25
November 2003.**

**Moved Cr Hart
MOTION CARRIED (6/0)**

Miscellaneous



Miscellaneous

TRADERS PERMIT – MR A CORTALE

WARD Forrest
FILE REF: LAW/2
DATE 15 December 2003
REF KD
RESPONSIBLE Manager Administration
MANAGER & Governance Services

In Brief:

- An application has been received from Mr A Cortale of 2650 Albany Highway Kelmscott to sell flowers and fruit from a site in Ranford Road between Hale Road and Anstey Road.
- The Recommendation is to not approve the application.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

To achieve a better quality of living for the people of our City.

Legislation Implications

Local Government Act 1995 – Section 3.5 – Legislative Power of Local Governments.

Council Policy/Local Law Implications

Activities and Trading in Thoroughfares and Public Places Local Law.

Budget/Financial Implications

Nil

Consultation

- Technical Services
- Planning Services

DETAILS OF PROPOSAL

The applicant has applied to operate a stall to sell flowers and fruit from an area on the Armadale side of Ranford Road between Hale Road and Anstey Road as depicted on the location map opposite. Time of operation to be (7) days per week, 8:00am to 5:00pm.

COMMENT

Analysis

Technical Services staff have inspected the area and advise that there is nowhere along Ranford Road between Hale Road and Anstey Road that they would consider suitable for this type of activity for the following reasons:

Miscellaneous

- Ranford Road has an average daily traffic flow of 13,000 vehicles. The amount of traffic travelling past the site at a speed of 80km/h would create a major concern for rear end and right angle accidents as traffic pulled off the side of the road or back onto the carriageway.
- In recent years Ranford Road has been widened through this section so that a Median island could be painted down the middle of the road. This is to allow safe turning pockets for vehicles turning off Ranford Road. However this has greatly limited the distance between the edge of the carriage way and the adjoining property lines.
- There is no hard standing area on the verge therefore there would be damage to the road edges with vehicles constantly travelling across this area.

Planning Services staff have advised that there are no issues of a planning nature pertinent to this application.

Options

The options available to Council are to either approve, with or without conditions, or not approve, the application.

Conclusion

It is recommended that the application not be approved, as the location is not considered suitable for this kind of activity due to concerns with road safety and the potential for an increase in traffic accidents.

C179/12/03 RECOMMEND

That Council:

- a. Pursuant to the City of Armadale Activities and Trading in Thoroughfares and Public Places Local Law not approve the application from Mr A Cortale of 2650 Albany Highway Kelmscott to sell flowers and fruit in Ranford Road between Hale Road and Anstey Road due to the potential for the activity to create serious traffic hazards in the locality.**
- b. Pursuant to Sections 9.5 and 9.7 of the Local Government Act 1995 advise the applicant of his right of objection and appeal.**

**Moved Cr Munn
MOTION CARRIED (6/0)**

Rates



Rates

RATE EXEMPTION – DEPARTMENT OF HOUSING & WORKS

WARDS Forrest
FILE REF: A42755, A42769,
RAT/13
DATE 26 November 2003
REF JEAH
RESPONSIBL Executive Manager
E MANAGER Business Services

In Brief:

- 2 vacant land properties purchased by Department of Housing and Works in 5 May 2003.
- Properties exempt from rates for 2 years whilst properties remain vacant land under Housing Act 1980.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

Long Term – to achieve a better quality of living for the people of our city.

Legislation Implications

Local Government Act 1995

S6.26 Rateable land.

- (1). *Except as provided in this section all land within a district is rateable land.*
- (2). *The following land is not rateable land –*

- (j) land which is exempt from rates under any other written law;

Housing Act 1980

Section 24. Payment of rates to local government

(1) Notwithstanding any provision to the contrary in any Act, the Commission in respect of vacant rateable land acquired within the district of a local government, shall be liable to pay rates thereon out of moneys standing to the credit of the Fund to that local government, and the land shall be deemed to continue to be rateable land; but in the case of vacant land other than subdivided land no such liability shall arise until the land has been held vacant by the Commission for a period of at least 2 years and in the case of vacant subdivided land no such liability shall arise until the land has been held vacant by the Commission for a period of at least one year.

(2) In this section “subdivided land” means an allotment of land, shown on an approved plan or diagram of subdivision deposited under the Transfer of Land Act 1893 with the Department within the meaning of that Act to be of an area not exceeding 10 000 square metres, or, if no such plan or diagram is so deposited, an

Rates

allotment of land determined under that Act to be of an area not exceeding 10 000 square metres.

Council Policy/Local Law Implications

Current practice is to apply the rate exemption from the date of the application, where applicable.

Budget/Financial Implications

The financial implication equates to a reduction in rate revenue of \$1,855.01 for 2003/2004.

BACKGROUND

The Department of Housing and Works (DHW) purchased the following vacant land properties in May 2003:

Lot No:	Property Address	Date of Purchase
27	Whiteley Rd Brookdale	5.5.03
28	Whiteley Rd Brookdale	5.5.03

The DHW purchased the properties with the intention of building new residential homes on the land, but no building licenses have been registered to date.

The DHW are exempt from paying rates for the first two years of purchasing vacant land unless they complete new residential homes during that period.

COMMENT

Conclusion:

That Council grants the rate exemption on these properties for the 2003/04 & 2004/05 financial years unless buildings are completed prior to 30 June 2005.

C180/12/03 RECOMMEND

That Council pursuant to Section 24 of the Housing Act 1980 and Section 6.26(2)(j) of the Local Government Act 1995 declare Lots 27 & 28, Whiteley Road, Brookdale (Assessments A42755 and A42769 respectively) owned by the Department of Housing and works, to be non-rateable effective 1 July 2003, for a period not exceeding 30 June 2005 or completion of buildings (whichever is the lesser).

Moved Cr Munn

MOTION CARRIED (6/0)

Rates



Rates

RATE EXEMPTION APPLICATION – SOUTHSIDE CHRISTIAN CENTRE

WARDS West Armadale
FILE REF: A52419, A52108,
A52095, A164056,
RAT/13
DATE 25 November 2003
REF JEAH
RESPONSIBL Executive Manager
E MANAGER Business Services

In Brief:

- Non-rateable status application from the Southside Christian Centre, for the properties at Lot 100, 54 Sixth Rd, Armadale
Lot 6, 56 Sixth Rd, Armadale
Lot 5, 58 Sixth Rd, Armadale
Lot 300, 72 Forrest Rd, Armadale
- Recommendation is that the application
 - be approved for the residence home being used as respite care for the charity arm – Southside Care.
 - be approved for the three (3) residence homes all being used Exclusively for Ministry Purposes.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

Long Term – to achieve a better quality of living for the people of our city.

Legislation Implications

Local Government Act 1995

S6.26 Rateable land.

(1) Except as provided in this section all land within a district is rateable land.

(2) The following land is not rateable land –

(d) land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood;

(g) land used exclusively for charitable purposes;

(6) Land does not cease to be used exclusively for a purpose mentioned in subsection (2) merely because it is used occasionally for another purpose, which is of a charitable, benevolent, religious or public nature.

Rates

Council Policy/Local Law Implications

Current practice is to apply the rate exemption from the date of the application, where applicable.

Budget/Financial Implications

This rate exemption equates to a reduction in rate revenue of \$2,263.00 for 2003/2004.

BACKGROUND

The respite accommodation at Lot 100, 54 Sixth Road, Armadale which will be run by their charity arm “Southside Care” will provide overnight or weekend accommodation for clients of the charity at no charge.

A client is a member of the charity or a member of the community who has received help from Southside Care by the way of a food parcel, budget counselling which also includes the service to assist them with paying their bills on a regular basis.

A son of a church member, who is a single dad in need of urgent housing is currently using the accommodation for a short term. The tenant is paying a minimal rent whilst the respite accommodation is in the process of being established.

Southside Care run a number of programs for aged care 3 days a week which include crafts, outings, and entertainment. They also run programs twice a week for the mentally and Physically handicapped between the ages of 20-45.

Southside Christian Centre have owned this property since May 1993, the caretaker gardener previously used the accommodation until he recently resigned.

The following three residential properties are used exclusively for ministry purposes, varying times during the week and on Sundays:

Lot 6, 56 Sixth Road, Armadale	owned since 14 November 2003
Lot 5, 58 Sixth Road, Armadale	owned since 29 January 1998
Lot 300, 72 Forrest Road, Armadale	owned since 4 April 1997

COMMENT

(i) Legal Opinion

Relevant extracts from past legal opinion as to the term ‘charitable purposes’ as regards to Section 6.26(2)(g) are as follows:

- The term ‘charitable purposes’ is not defined in the Act.
- Whilst there is a definition of the term “charitable purpose” in the Charitable Collections Act, that definition relates expressly to that statute.

Rates

- Prior Australian case law has categorized “charity” to include:
 1. the relief of poverty;
 2. the advancement of education;
 3. the advancement of religion; and
 4. other purposes beneficial to the community.
- The ambit of “charitable purpose” is extremely wide and it is almost impossible to define the boundaries of the term. It is impossible to provide a prescriptive list of what might or might not be charitable purposes.
- The rate objection and appeal provision of the Act are explained as follows:

“The method of objection to a decision by a local government not to grant an exemption would be under Section 6.76 of the Local Government Act i.e. make an objection to the Local Government within 42 days of the service of the rate notice and, if dissatisfied, appeal to the Land Valuation Tribunal under Section 6.78”

Insofar as “other purposes beneficial to the community”, the Courts have construed the same as follows:

“The community be a definite community or section of the community, it must be identifiable as such; it must be of appreciable importance; and it must not depend on any personal relationship to a particular individual or individuals”

and

“The benefit of a charitable trust of this class (i.e. other purposes beneficial to the community) need not extend to the whole community provided that the class to be benefited is substantial enough to give the trust a public character. What is a sufficiently substantial class may vary according to the nature of the benefit to be provided, and it is particularly important in considering this category to keep in mind the necessary element of public general utility.”

(ii) Additional Considerations

If it were considered that the activities conducted by the Southside Christian Centre are of a beneficial nature to the wider community of the City of Armadale, such activities would be considered to be of a “charitable” nature and therefore qualified to be exempt from rating in accordance with the requirements of the Local Government Act.

Conclusion:

It is therefore recommended that Council support the requests for exemption from rating.

Rates

C181/12/03 RECOMMEND

- 1. That Council approves the application received from Southside Christian Centre on A52419 Lot 100, 54 Sixth Road Armadale under Section 6.26(2)(g) of the Local Government Act as the land will be exclusively as respite accommodation from the date of application 14 November 2003.**

- 2. That Council approves the applications received from Southside Christian Centre on A52108 Lot 6, 56 Sixth Road Armadale, A52095 Lot 5, 58 Sixth Road Armadale and A164056 Lot 300, 72 Forrest Road Armadale under Section 6.26(2)(d) of the Local Government Act as the land is used exclusively by the Ministry from the date of application 14 November 2003.**

**Moved Cr Hart
MOTION CARRIED (6/0)**

Community Development

****COMMUNITY SAFETY ADVISORY COMMITTEE – APPOINTMENT OF MEMBERS**

WARD ALL
FILE REF: CMD/1
DATE 9th December 2003
REF YC
RESPONSIBLE Director
MANAGER Community
Services

In Brief:

This item recommends appointment of one Community and one Aboriginal representative to the Community Safety Advisory Committee

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

To have in place a range of services to meet community needs.
To improve the overall well-being and safety of the community.

Legislation Implications

Local Government Act 1995
Local Government (Administration) Regulations 1996

Council Policy/Local Law Implications

City of Armadale Standing Orders
City of Armadale Code of Conduct
Advisory Committee's Terms of Reference

Budget/Financial Implications

Nil

Consultation

Community Safety Advisory Committee
Relevant Organisations

BACKGROUND

At the Ordinary meeting of Council held on Monday 6th October 2003, Council resolved to:

1. *Amend the Terms of Reference of the Community Safety Advisory Committee to enable the membership of the Committee to include:*

Community Development

- 1 x representative from Community Policing, with Snr Const. Luke Van Dijk being appointed to the position.
- 1 x representative (in addition to Council's representative) from Neighbourhood Watch, with Mrs Maureen McKay being appointed to the position.
- 1 x representative from the Aboriginal Community
- 1 x representative from Armadale Health Service

and delete the position of one combined representative from Armadale Neighbourhood Watch and Community Policing.

2. Appoint the following persons to the Community Safety Advisory Committee:
 - Mrs Maura O'Connell (Department of Education & Training)
 - Ms Chris Barrett (Armadale & Gosnells District Youth Resources)
 - Mr Glen Harbord (Armadale Shopping City)
3. Advertise for all unfilled positions."

In summary, the membership of the Community Safety Advisory Committee is as follows:

Community Safety Advisory Committee	
Positions available	Appointed
2 x City of Armadale Councillors, with one being Council's Neighbourhood Watch Representative	Cr Jim Stewart Cr Graham Wallace
WA Police Service Representative	Snr Sgt Kim Ferguson
Department for Community Development Representative	Mr Peter Johnston
Department of Justice Representative	Mr Chris Rewha
Department of Housing & Works Representative	Ms Karen Branch
Armadale Community Care Program Representative	Ms Danita Plozza
Armadale Shopping City Representative	Mr Glen Harbord
Armadale & Gosnells District Youth Resources	Ms Chris Barrett
Department of Education Representative	Mrs Maura O'Connell
Armadale Neighbourhood Watch	Mrs Maureen McKay
Armadale Community Policing	Snr Const Luke Van Dijk
To be appointed:	
1 x Armadale Health Service Representative	To be advised
1 x Community Representative	Vacant
1 x Aboriginal Community Representative	Vacant

Community Development

In accordance with the Local Government Act 1995, a public advertising process seeking nominations for the two positions of Community Representative and Aboriginal Community Representative, was undertaken. Nominations closed on 26th November, 2003. Three nominations have been received.

DETAILS OF PROPOSAL

The nominated representative from the Armadale Health Service is still to be advised.

The following nominations have been received.

Catherine June MacDonald

Ms MacDonald has been involved with various community groups including Meals on Wheels, Neighbourhood Watch, West Armadale Progress Association and Safer WA. She had an interest in safety issues particularly those involving seniors and believes the Committee will become a much needed resource.

Lesley Murray

Ms Murray wishes to be a member of the Committee to give an Indigenous perspective to issues facing the community about safety and to promote Reconciliation. She has had extensive experience working with children through art, has administered Aboriginal programs and is currently employed as the Best Start Co-ordinator for the Department for Community Development. Ms Murray recently nominated for the Aboriginal and Torres Strait Islander Advisory Committee and was unsuccessful.

Allen Garlett

Mr Garlett has been on prior committees in Armadale concerning Indigenous or Aboriginal people. He wishes to make the Armadale/Kelmcott and surrounding areas safer places for families. Mr Garlett has recently been appointed to the Aboriginal and Torres Strait Islander Advisory Committee.

This proposal recommends the appointment of Ms Catherine June MacDonald to the Community Representative position and Ms Lesley Murray to the Aboriginal Community Representative position. It also recommends that Mr Garlett be invited to attend meetings as an ex-officio member.

COMMENT

Analysis

All nominations meet the criteria for the Community Safety Advisory Committee and are considered suitable for appointment.

Ms Lesley Murray and Mr Alan Garlett have both nominated for the Aboriginal Community Representative. In order to ensure that the City's Advisory Committees attract varied community participants, it is appropriate that Ms Lesley Murray be appointed to the Aboriginal Community Representative as Mr Garlett has recently been appointed to the Aboriginal and Torres Strait Islander Advisory Committee. .

Community Development

It is also appropriate to invite Mr Garlett to attend the Community Safety Advisory Committees as an ex-officio member so as to encourage and raise awareness of the activities of the Committee.

Options

1. Council may accept the nominations and appoint the recommended representatives.
2. Council may accept the nominations but decide to appoint Mr Garlett rather than Ms Murray to the Aboriginal Community Representative position.
3. Council may reject all nominations and re-advertise the vacant positions

Option 1 is recommended.

Conclusion

It is appropriate to appoint nominated persons as identified above. Armadale Health Service will again be contacted to nominate a representative, to be agreed to by Council at a later date.

C182/12/03 RECOMMEND

That Council:

1. **Appoint the following persons to the Community Safety Advisory Committee:**
 - **Catherine June MacDonald as a Community Representative**
 - **Lesley Murray as an Aboriginal Community Representative**
2. **Invite Mr Garlett to attend the Community Safety Advisory Committee meetings as an ex-officio member.**

****ABSOLUTE MAJORITY REQUIRED**

**Moved Cr Tizard
MOTION CARRIED (6/0)**

Ranger & Fire Services

AUTHORIZED OFFICERS

WARD	ALL
FILE REF:	RGR/1
DATE	December 2003
REF	BLW
RESPONSIBLE MANAGER	Manager Ranger & Fire Services

In Brief:

- The appointment of an Authorised Person for the purposes of administering the various Acts, Regulations and Local Laws relating to Ranger and Fire Services.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

Nil

Legislation Implications

Section 9.10(1) Local Government Act 1995
Section 450 Local Government (Miscellaneous Provisions) Act 1960
Section 11(1)(3) Dog Act 1976
Section 38(3) Control of Vehicles (Off-Road Areas) Act 1978
Section 38(1) Bush Fires Act 1954
Section 26(1) Litter Act 1979 – 1981

Council Policy/Local Law Implications

Local Laws Relating to Dogs
Local Laws Relating to Parking and Parking Facilities.
Local Government Property Local Law
Activities and Trading in Thoroughfares and Public Places Local Law
Local Laws Relating Bush Fire Control
Local Laws Relating to Trading In Public Places.
Environment, Animals and Nuisance Local Laws

Budget/Financial Implications

Nil

Consultation

Nil

Ranger & Fire Services

BACKGROUND

Nil

DETAILS OF PROPOSAL

From time to time it is necessary for Ranger Service to employ casual or temporary Rangers when permanent staff are on annual leave or, there is a need for a special project (such as a dog registration campaign) to be undertaken.

During the preceding three (3) months Ranger Service has provided on the job work experience training for Charmaine Lee Clarke, the training has been provided with the view of having experienced people available to call upon as temporary Rangers when the need arise.

To enable Charmaine to undertake the responsibilities and duties performed by a Ranger it is a requirement that Council shall, in writing, appoint her to exercise on behalf of the Local Government the powers conferred on an “Authorised Person” for the purpose of enforcing various Acts.

C183/12/03 RECOMMEND

That Charmaine Lee Clarke be appointed as “Authorised Persons” for the City of Armadale to exercise powers under:

Part XX of the Local Government (Miscellaneous Provisions) Act 1960.

Part 9 Division 2 of the Local Government Act 1995.

Section 9.13 & 9.15 of the Local Government Act 1995, as an “Authorised Person”.

As an “Authorised Person” pursuant to the following:-

Dog Act 1976 and Regulations

Control of Vehicles (Off Road Areas) Act 1978 and Regulations

Litter Act 1979 and Regulations

Local Government (Parking for Disabled Persons) Regulations 1988.

Local Laws Relating to Dogs

Local Laws Relating to Parking and Parking Facilities.

Local Government Property Local Law

Activities and Trading in Thoroughfares and Public Places Local Law

Local Laws Relating Bush Fire Control

Local Laws Relating to Trading In Public Places.

Environment, Animals and Nuisance Local Laws

Moved Cr Munn

MOTION CARRIED (6/0)

Recreation

SOUTHERN DISTRICTS SUPPORT ASSOCIATION – REQUEST FOR LEASE

WARD Seville
FILE REF: A173263/3
DATE 28 November 2003
REF PGQ
RESPONSIBLE Director
MANAGER Community
Services

In Brief:

This report outlines a proposal for

- The PCYC to relinquish its lease over the Champion Drive premises
- Council to provide a written commitment to the PCYC that if during the first three years of the lease agreement for the Armadale Arena, the PCYC determines that the agreement is not viable in the long term, then Council will provide suitable alternative and appropriate arrangements to allow the PCYC to continue to operate in the City.
- The City to enter into a long-term lease agreement with SDSA for the Champion Drive premises, the suggested term being 10 years with an option of a further 5 years.

The recommendation was amended by the addition of a part (d) that written advice be given to Lotterywest of the agreement between PCYC and the City of Armadale for PCYC to relinquish its lease over the Champion Drive premises and for the City to enter into a lease agreement with SDSA for those premises.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

To have in place a range of services to enhance the well being and safety of the community.

Legislation Implications

Nil

Council Policy/Local Law Implications

Nil

Recreation

Budget/Financial Implications

- No budget or financial implications for 2003/04. Potentially a significant financial implication if the partnership with the Police and Citizens Youth Club (PCYC) is not successful and the PCYC need to be relocated to alternative premises

Consultation

- Mayor
- Chief Executive Officer
- Southern Districts Support Association (SDSA)
- Federation of Police and Citizens Youth Clubs
- Technical Services Staff
- Community Facilities and Infrastructure Group

BACKGROUND

A report to the August 2003 advised of the successful relocation of the PCYC from its old premises in Champion Drive to the Armadale Arena (formerly Armadale Recreation Centre), and commencement of the new management partnership. Prior to that, a number of reports had been presented to Council regarding the Lease and Management Agreements between the City and the PCYC.

In a report to the April Community Services Committee it was advised that protracted negotiations had been held with the PCYC and a number of variations to the standard lease had been agreed to. This was necessary in order to secure a long-term sustainable partnership with the PCYC that promises to deliver significant benefits to the community.

As advised in that report, the one issue that was the subject of some conjecture was the PCYC having the option of relocating back to the Champion Drive facility during the first three years of the agreement if it became clear that the arrangement was not sustainable in the long term. This was a fundamental issue for the PCYC and they initially requested a four-year period to have the option of relocating back to Champion Drive. This was negotiated back to a three year period however they were not prepared to proceed with the proposal if Council did not allow this “safety net” if the new arrangement didn’t go as planned. Their main concern was that if they relinquished the Champion Drive lease, and the new arrangement at the Armadale Recreation Centre turned out to be non-sustainable, the PCYC would be left without premises to operate from in the City.

The PCYC currently hold a lease over both properties i.e. Champion Drive and Armadale Arena, but must relinquish one of the leases at the end of the first three years (July 2006) of the Armadale Arena lease i.e. either relinquish the Champion Drive lease or relinquish the Armadale Arena lease and relocate back to the Champion Drive premises.

Following consideration of a separate report to the August 2003 Community Services Committee Council resolved (C121/8/03) in part to:

Recreation

3. *approve, in principle, the use of the PCYC building on Champion Drive by SDSA and authorise, subject to successful negotiations, the Chief Executive Officer to execute and sign the resulting lease agreement with SDSA.*
4. *acknowledge that part of those negotiations may involve underwriting SDSA's capital expenses up to \$450,000, together with other reinstatement works, should the PCYC enact upon their 3-year clause to return to the Champion Drive site.'*

In view of there already being a lease agreement in place for the Champion Drive premises, it is not possible to lease the same property to another party. Both Lotterywest and Home and Community Care have advised SDSA that they will not consider releasing the approved grants to upgrade the Champion Drive premises unless SDSA has security of tenure via a long-term lease.

Further negotiations have been held with both the PCYC and SDSA, and this report outlines a proposal to resolve the situation to the satisfaction of all parties.

DETAILS OF PROPOSAL

The proposal involves:

- The PCYC relinquishing its lease over the Champion Drive premises
- Council providing a written commitment to the PCYC that if during the first three years of the lease agreement for the Armadale Arena, the PCYC determines that the agreement is not viable in the long term, then Council will provide suitable alternative and appropriate arrangements to allow the PCYC to continue to operate in the City.
- The City entering into a long term lease agreement with SDSA for the Champion Drive premises, the suggested term being 10 years with an option of a further 5 years.

COMMENT

Analysis

At its meeting held on 8 December 2003, the Federation of Police and Citizens Youth Clubs approved the relinquishment of the lease over the Champion Drive premises subject to:

- Council providing a written commitment to the PCYC that if during the first three years of the lease agreement for the Armadale Arena, the PCYC determines that the agreement is not viable in the long term, then Council will provide suitable alternative and appropriate arrangements to allow the PCYC to continue to operate in the City.
- The City meeting any legal costs associated with the Champion Drive lease being relinquished (approximately \$500).

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The PCYC understands the importance of this issue and is prepared to relinquish its Champion Drive lease in order for SDSA to access the grant funds to upgrade the premises. At the same time however, it does not wish to give up its “safety net” should the arrangement at Armadale Arena not be successful.

The key issue to be determined is whether Council is willing to commit to providing alternative and appropriate arrangements to allow the PCYC to continue to operate in the City should the situation at Armadale Arena not be viable in the long term. In the unlikely event of this occurring, the specific needs of the PCYC would be assessed at the time to determine the type of premises that would be required. Various options would be canvassed and consideration would be given to either constructing new premises or allocating an existing Council building to the PCYC.

When considering this matter, and as previously resolved by Council (C65/4/03), it is noted that clause 7.2 (b) of the lease agreement for Armadale Arena, which deals with “Destruction of Premises”, states that:

Should the Event occur the Lessor shall consult with the Lessee and shall provide alternative and appropriate arrangements to allow the Lessee to continue to operate within the City.

In effect, this clause commits Council to provide alternative premises should the Armadale Arena be destroyed, and Council elects not to rebuild a new facility. This is somewhat similar to the proposal put forward in this report that would commit Council to provide alternative and appropriate arrangements to allow the PCYC to continue to operate in the City.

The other matter that is of relevance is that Council has resolved (C121/8/03) to acknowledge that negotiations with SDSA may involve underwriting SDSA’s capital expenses up to \$450,000, together with other reinstatement works, should the PCYC enact upon their 3-year clause to return to the Champion Drive site. If Council is supportive of the proposal outlined in this report, there will be no requirement to underwrite any of SDSA’s capital expenses.

As a final comment, it should be acknowledged that a strong and cooperative relationship has been established between Council and the Armadale PCYC and although it is still early on in the partnership, there is no reason why this should not continue in the long term. It is suggested that the chances of the partnership not being viable in the long term are minimal.

Options

Council could elect not to support the proposal outlined in this report. This option is not recommended and would result in SDSA needing to consider other options to establish premises both within and outside the City. Council would also be faced with the task of finding an alternative use for the former PCYC building and potentially have an ongoing maintenance liability of approximately \$30,000 per annum.

Recreation

Conclusion

For the reasons outlined in this report it is recommended that Council support the proposal for:

- The PCYC to relinquish its lease over the Champion Drive premises
- Council to provide a written commitment to the PCYC that if during the first three years of the lease agreement for the Armadale Arena, it is determined that the agreement is not viable in the long term, then Council will provide suitable alternative and appropriate arrangements to allow the PCYC to continue to operate in the City.
- The City to enter into a long-term lease agreement with SDSA for the Champion Drive premises, the suggested term being 10 years with an option of a further 5 years.

Committee Discussion

The Director Community Services advised the Committee that the Deputy Mayor, Chief Executive Officer and himself had attended the Federation of Police & Citizens' Youth Clubs Board Meeting on 8 December 2003 in order to present the above proposal. Advice gained from the State Secretary, Federation of Police & Citizens' Youth Clubs on 9 December 2003 indicated the Board's support for Council's proposal, resulting in the late item. Cr Munn advised Committee that one of the requirements of the PCYC Board was that written notification of this arrangement be sent to Lotterywest, hence the addition of a part (d) to the officer recommendation.

C184/12/03 RECOMMEND

That Council support the proposal for:

- a. The Federation of Police and Citizens Youth Clubs Inc to relinquish its lease over the Champion Drive premises with Council to pay any associated legal costs.**
- b. Provision of a written commitment to the Federation of Police and Citizens Youth Clubs Inc that if during the first three years of the lease agreement for the Armadale Arena, it is determined that the agreement is not viable in the long term, then Council will provide suitable alternative and appropriate arrangements to allow the Armadale PCYC to continue to operate in the City.**
- c. The City to enter into a lease agreement with Southern Districts Support Association for the former PCYC building in Champion Drive under Council's standard lease conditions and for a term 10 years plus an option for a further 5 years, and the Mayor and the Chief Executive Officer be authorised to sign and seal the agreement on Council's behalf.**

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- d. **written advice to Lotterywest of the agreement between PCYC and the City of Armadale for PCYC to relinquish its lease over the Champion Drive premises and for the City to enter into a lease agreement with SDSA for those premises.**

Moved Cr Munn

MOTION CARRIED (6/0)

Recreation

PROPOSAL TO UPGRADE GWYNNE PARK HARCOURTS

WARD Forrest
FILE REF: A28505/1
DATE 5 December 2003
REF PGQ
RESPONSIBLE Director
MANAGER Community
Services

In Brief:

This report presents a proposal from the Magpies Netball Club to upgrade the Gwynne Park hardcourts and recommends that :

- Council acknowledge the need to upgrade the courts and support the club's plan to establish its training base at Gwynne Park
- Due to funds not being available in Council's 2003/04 budget, the club be advised that Council is unable to undertake the works in the current financial year
- Council apply for a one-off grant from the Department of Sport and Recreation in the next funding round, and subject to the outcome of that application Council will aim to complete the works in 2005/06.
- Council promote the club using Frye Park as an interim training venue and provide, at a reduced rate, the use of Frye Park courts until the Gwynne Park courts can be upgraded.
- Officers investigate the availability of alternative funding opportunities as a possible source of funds for the proposed upgrade of the Gwynne Park hardcourts, and report back to a future Community Services Committee Meeting
- It be recommended to the Technical Services Committee that a Council contribution to the upgrading of the Gwynne Park hardcourts be considered for inclusion in the 5 Year Program for Parks and Reserves when the program is next reviewed.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

Relates to Council's aim to maintain and upgrade physical infrastructure for the benefit of the local community.

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Legislation Implications

Nil

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Funds have not been allocated in Council's 2003/04 budget for this project, and the project is currently not listed in Council's 5-year Parks and Reserves Program.

Consultation

- Magpies Netball Club
- Mayor
- Technical Services staff

BACKGROUND

The old hardcourts at Gwynne Park have not been used for organised sporting activities for many years. In 1999 Council adopted a concept plan to guide the future development and upgrading of facilities at Gwynne Park. In view of the courts having limited use, the concept plan recommended the complete removal of one court and the conversion of two courts for additional car parking. Two courts have been retained for casual basketball and netball activities.

Since Council adopted the concept plan, works have been carried out to remove one court and two courts have been converted to provide additional car parking. Due to financial constraints, funds have not been available to resurface and upgrade the remaining two courts for casual use.

The remaining courts are currently in poor condition and may not have been resurfaced since their original construction many years ago. Cracking is evident throughout and tree roots have caused the surface to lift in some areas. The fence is in a dilapidated condition and either needs to be replaced or removed altogether. The existing lighting is also inadequate for evening training

The Magpies Netball Club plays in the Southern Districts Netball Association (SDNA) competition at Langford and has a successful history of competing that association, which is the major netball competition in the southeast region. For the past two years, the club has won the A Grade Grand Final and is currently recognised as the best side in the top division. SDNA and other regional netball associations provide the opportunity for talented players to progress through to State League and then to National League level. This career pathway for talented players is not available through the social netball competitions run at various recreation centres throughout the region.

The club has used the outdoor courts at Frye Park for training in the past, but relocated to an alternative venue outside the City due to the poor condition of the courts and trouble with

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skate boarders at the adjacent skate facility. Since that time the courts have been resurfaced and are currently in reasonably good condition.

The club wishes to re-establish its training base in Armadale and Gwynne Park is the preferred venue.

DETAILS OF PROPOSAL

A letter supporting the proposal has been received from the Member for Armadale who is patron of the Club. The Hon. Alannah MacTiernan is strongly supporting the Club's re-establishment at Gwynne Park.

Cost estimates to upgrade the facility have been provided by Council's Technical Services Directorate as follows:

\$28,800	Resurface & line mark courts
\$5,600	Install new netball/basketball goals
\$4,100	Replace fencing
\$18,000	Upgrade lighting
<u>\$3,500</u>	Supervision/contingency
\$60,000	Total

COMMENT

Analysis

There is no question that the two hardcourts at Gwynne Park are in poor condition and as well as detracting from the aesthetics of the complex, will become a safety concern if left to further deteriorate. In their current condition, the courts are not suitable for any organised training activities, and barely usable for casual basketball and netball activity.

Council has previously supported the retention and upgrading of the courts when it adopted the Gwynne Park Concept Plan in 2000. Due to budget constraints however, funds have not been available to resurface the courts.

The Magpies Netball Club is a local club that has previously fielded a number of senior and junior teams. Since it has been based outside the City its membership has fallen and the club now only fields three teams. The club would like to re-establish its training base within the City and actively promote itself to junior netball players within the City. A recent Australian Bureau of Statistics survey found that Netball was the most popular team sport activity ahead of soccer, cricket and other team sports. This would suggest that there is a great opportunity for the club to expand its membership and player base, provide a pathway from junior to senior netball and use its successful senior side as a role model.

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The club see Gwynne Park as an ideal long-term base and is keen to establish a relationship with the Armadale Sporting Club and use the clubroom facilities for social activities. An added benefit for parents with children who play football would be the convenience of training for both sports being at the one place. In summary, there is need to upgrade the hardcourts at Gwynne Park and the proposal from Magpies Netball Club provides the catalyst for that to occur sooner rather than later.

Whilst there is a good case to upgrade the facility in time for the 2004 winter netball season, funds have not been allocated in Council's budget for this project and are not included on the 5 Year Program for Parks and Reserves. Unless Council wishes to reallocate funds from another project or fund the project as an unbudgeted expenditure item, there is little prospect of the works being completed in the current financial year.

Preliminary discussions with club representatives indicate that the club may consider returning to Frye Park as an interim measure for 1-2 years, with the aim of moving to Gwynne Park once the facilities have been upgraded. Although not the preferred option for the club, it may be the best that Council is able to offer in the short term. As a gesture of support for the club, Council may wish to offer, at a reduced rate, the use of Frye Park courts until such time as the Gwynne Park courts are upgraded.

In terms of funding options, the project would be eligible for a one third grant from the Department of Sport and Recreation via the CSRFF program. The downside is that applications for the next funding round closed on 31 October 2003 and even if Council were to submit an application next year, it would not be until February 2005 that the outcome of the application is known and July 2005 that the funds could be accessed.

The club itself has limited resources and it would not be realistic to request a contribution of more than say \$1,000. This would require a Council contribution in the order of \$39,000. There is some possibility that alternative sources of funding could be applied to this project and form part of Council's contribution. It is proposed that this matter be further investigated and the outcome reported back to Council.

A possible funding package for the project might be as follows:

\$39,000	City of Armadale (2005/06 budget allocation)
\$20,000	Department of Sport and Recreation grant
<u>\$1,000</u>	Magpies Netball Club contribution
\$60,000	Total

Options

The following alternative options are presented for consideration:

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1. Decline the request and promote the option of the club using Frye Park as its long-term base.

The advantage of this option is that it is a no cost option for Council. The disadvantages are that it does not demonstrate any level of support for the club, and does not address the deteriorated and potentially unsafe condition of the hardcourts at Gwynne Park.

2. Promote Frye Park as an interim option until Council is able to allocate resources to upgrade the Gwynne Park hardcourts.

This option would both recognise the need to upgrade the Gwynne Park hardcourts and demonstrate Council's support for the club. This is the preferred option and would involve Council applying for a one third grant in the next CSRFF funding round, with the aim of undertaking the project in 2005/06.

3. Council to fully fund the project in 2004/05

This option would require Council to allocate approximately \$60,000 in its 2004/05 to allow the works to be completed in time for the 2005 winter netball season.

4. Project to be staged over successive financial years

Under this option, Council might elect to resurface the courts and provide new netball/basketball goals as the first stage (approximate cost \$36,000), and do the lighting and fencing upgrade (approximately \$24,000) the following financial year as stage 2.

5. Partially or fully fund the project as an unbudgeted expenditure item in 2003/04

This option would involve Council either partially or fully funding the project this year as an unbudgeted expenditure item. The option might be to fund the first stage i.e. court resurfacing and new goals in the current financial year with the balance in 2004/05.

Conclusion

Although it would be desirable to respond to the proposal to upgrade the Gwynne Park hardcourts and undertake the works as a short-term priority, it must be acknowledged that this project is one of many that were not able to be funded in Council's 2003/04 budget. Unless Council is able to reallocate funds from another project or fund the project as an unbudgeted item, the approach outlined under option 2 is recommended.

Cr Clowes-Hollins left the meeting at 6.25 pm.

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C185/12/03 RECOMMEND

- 1. That the Magpies Netball club be advised that:**
 - a. Council acknowledges the need to upgrade the Gwynne Park hardcourts and is supportive of the Club's plan to establish its long-term base at Gwynne Park.**
 - b. Due to funds not being allocated in Council's 2003/04 budget, Council is unable to undertake the necessary works in the current financial year.**
 - c. Council will apply for a one third grant from the Department of Sport and Recreation's CSRFF program in the next funding round i.e. October 2004 and subject to the outcome of the grant application, it would be Council's aim to undertake the works in the 2005/06 financial year.**
 - d. Council would like to encourage the club using Frye Park as an interim venue for its training activities until the Gwynne Park hardcourts can be upgraded.**
- 2. That officers investigate the availability of alternative funding sources for the proposed upgrade of the Gwynne Park hardcourts, and report back to a future Community Services Committee Meeting.**
- 3. That it be recommended to the Technical Services Committee that a Council contribution to the upgrading of the Gwynne Park hardcourts be considered for inclusion in the 5 Year Program for Parks and Reserves when the program is next reviewed.**

**Moved Cr Munn
MOTION CARRIED (6/0)**

Councillors' Items

Cr Cominelli thanked the Committee Members and Officers for their positive co-operation throughout the year and wished them a Merry Christmas and a Happy New Year.

Cr Munn thanked Cr Cominelli for the pleasant and efficient manner in which the Committee had operated throughout the year under her Chairmanship.

MEETING CLOSED 6.35 PM.