



NOTES

March Council Agenda Briefing Held in the Council Chamber Tuesday 18 March 2008 Commencing at 5.30pm

Present:

Mayor J Best

Councillors:

I Hasleby	Civic Ward (from 5.58pm)
P Best	Como Beach Ward
B Hearne	Como Beach Ward (from 5.35pm)
T Burrows	Manning Ward
L P Ozsdolay	Manning Ward
C Cala	McDougall
R Wells, JP	McDougall
R Grayden	Mill Point Ward
S Doherty	Moresby Ward
K R Trent, RFD	Moresby Ward

Officers:

Mr C Frewing	Chief Executive Officer
Mr M J Kent	Director Financial and Information Services
Mr S Cope	Director Planning and Community Services
Mr M Taylor	Acting Director Infrastructure
Ms D Gray	Manager Financial Services
Mr N Kegie	Manager Community, Culture and Recreation (until 7.05pm)
Mr R Kapur	Acting Manager Development Assessment
Mr R Bercov	Strategic Urban Planning Adviser
Mr S McLaughlin	Legal and Governance Officer
Ms W Patterson	City Sustainability Coordinator
Mr O Hightower	Planning Officer
Mrs K Russell	Minute Secretary

Apologies

Cr G W Gleeson	Civic Ward
Cr D Smith	Mill Point Ward - Approved Leave of Absence

Gallery

Approximately 20 members of the public and 1 member of the press present

OPENING

The Mayor opened the Agenda Briefing at 5.30pm, welcomed everyone in attendance and advised on the format of the Briefing stating that Deputations would be heard first followed by any questions on the Deputation items and then the March Council Agenda reports would be presented by the Chief Executive Officer.

DECLARATION OF INTEREST

The Mayor reported to the meeting Declarations of Impartiality Interest received from Crs Doherty, Ozsdolay and Trent in relation to Agenda Item 10.2.1. He then read aloud the declaration as follows:

(Note: same Declaration for all three Councillors)

“As I am a Board Member of Southcare who is in a Community Partnership Agreement with the City the subject of a report at Item 10.2.1 on the Agenda for the March 2008 Ordinary Council Meeting, I wish to declare an ‘Impartiality Interest’ in accordance with Regulation 11 of the Local Government Act (Rules of Conduct Regulations 2007).”

OPENING OF DEPUTATIONS

The Mayor opened Deputation at 5.35pm

Note: Cr Hearne arrived at 5.35pm

Andrew Dart, Owner, 123 Melville Parade (Como Furniture Mart) Agenda Item 10.0.1

Mr Dart said he was addressing Councillors as a ‘courtesy’ for all the hours they had put in to listening to his application proposal. He stated that following the deferral of his application in December and the outcome of the subsequent Special Electors Meeting held in February 2008 on the matter, that he was now withdrawing his application at Item 10.0.1 on the Agenda to further investigate other alternative options that better fitted with the Preston Street Precinct. He said that he looked forward to working with Councillors in getting a satisfactory outcome for the future.

Garry Lawrence, Old Mill Theatre Heritage Consultant Agenda Item 10.4.1

Mr Lawrence gave a power point presentation in support of the officer recommendation and covered the following topics:

- Old Mill Theatre - where it is today
- historical background of the area
- Mends Street Village Precinct
- Windsor Park Master Plan
- proposed restoration of Old Mill Theatre
- support officer recommendation

Brendan Hurrell 2/18 Griffin Crescent, Manning (applicant) Agenda Item 10.3.2

Mr Hurrell spoke against the officer recommendation on the following:

- background of proposal
- roof form - believe it does comply
- focus area / roof forms / other flat roofs in near vicinity
- roof form proposed aligns with Goal 3 of the City’s Strategic Plan *enhance built environment*
- streetscape compatibility
- ask Councillors support skillion roof which supports house design

Note: Cr Hasleby arrived at 5.58pm

Mary-Claire Travers, 1 South Perth Esplanade Adjoining Owner - Agenda Item 10.3.3

Note: In the absence of Ms Travers overseas, as requested, Mayor Best read aloud the following points the written Deputation Form submitted by Ms Travers:

- 4 storeys not in keeping with other homes
- will affect our privacy/ visual aesthetics and amenity
- two storey window overlooking our home

Andrew Boughton of Boughton Architecture (for applicant) Agenda Item 10.3.3

Mr Boughton spoke in favour of the officer recommendation on the following topics:

- background of proposal
- setback variations
- privacy requirements
- plot ratio provisions
- R Codes
- no detrimental impact on neighbours

Sue Iriks representing applicant 6/12 Stone Street, South Perth Agenda Item 10.3.4

Ms Iriks spoke against the officer recommendation on the following:

- background on proposal to enclose balcony / proposed windbreak
- patio currently a wind tunnel / unusable
- SAT Appeal / subsequent reconsideration request
- ask Councillors exercise discretion based on merit to enable full use of patio
- support from 13 others owners for balcony enclosure (**Note:** *supporting signature list tabled*)

Note: A copy of the presentation was circulated to Council Members.

Kerry King 2/12 Stone Street, South Perth Agenda Item 10.3.4

Ms King endorsed the points raised in the previous Deputation by Ms Iriks and then referred to a discrepancy in the 'summary' of the report on Item 10.3.4 on the Agenda against the 'recommendation' in the report. Mayor Best confirmed that this discrepancy had been addressed by the officers and an amended version of report Item 10.3.4 circulated to Members.

Note: Questions were raised by Members following each of the Deputations and responded to by the presenters / officers.

Close of Deputations

The Mayor closed Deputations at 6.35pm and thanked everyone for their comments.

MARCH COUNCIL AGENDA REPORTS

The Chief Executive Officer presented the March Council Reports and provided a brief summary of each, as follows. Questions and points of clarification were raised by Members and responded to by the officers.

8.4.1 Delegates Report

A report from Cr Burrows summarising a meeting of the Perth Airport Noise Management Strategy Committee meeting held 21 February 2008 is presented for information.

10.0.1 Proposed Change of Use - Como Furniture Mart 123 Melville Parade (subject of Deputation)

At the applicant's request, made during Deputations, consideration of this application is withdrawn from the March 2008 Council Agenda.

10.0.2 Reconsider Refusal of Carport Addition to Existing House 28 Jubilee Street

Following **refusal** of this application and a subsequent appeal lodged with SAT, the SAT have now invited the City to reconsider its decision. This report deals with revised plans submitted which address a number of the non-compliant issues relating to car parking dimensions.

10.0.3 Position Paper - Providing Copies of Plans to Neighbours

This report explores a range of options available to Council with respect to the proposal that the City should copy plans accompanying applications and provide those copies to members of the community on request.

10.0.4 Proposed Amendment to TPS6 Variation to Car Bay Dimensions

The Amendment proposed is to introduce minor variations from the prescribed car bay width and will bring TPS6 into conformity with the R-Codes and Australian Standards.

10.0.5 Proposed Design Advisory Consultants Policy (P371)

As a result of a Council resolution, this report presents a DAC Policy for consideration and adoption.

DECLARATIONS OF INTEREST : ITEM 10.2.1 : CRS DOHERTY, OZSDOLAY AND TRENT

Note: As Board Members of Southcare, Crs Doherty, Ozsdolay and Trent declared an Impartiality Interest in Item 10.2.1. Crs Doherty, Ozsdolay and Trent remained in the Council Chamber.

10.2.1 Southcare Community Partnership

This report recommends that the existing Community Partnership between the City and Southcare Incorporated be amended to include support from the City for the Moorditj Keila Aboriginal Family Support program.

Note: Manager Community, Culture and Recreation left the meeting at 7.05pm

10.3.1 Three Aged Persons' Dwellings 25 Woollana Street, Como

This application for aged persons' dwellings is made under the *Planning and Development Act 2005* (as the proposal is defined as 'Public Works'). Therefore, the proposal does not require planning approval from the City. The decision will be determined by the Western Australian Planning Commission.

10.3.2 Two Storey House at 26 Canavan Crescent, Manning (*subject of Deputation*)

This application relates to a proposed Two Storey Single and determination is sought in relation to streetscape compatibility with the existing development within the focus area in terms of roof form and compliance with the Council's Design Guidelines.

10.3.3 Four Storey Single House, 5 South Perth Esplanade, South Perth (*subject of Deputations*)

This application for a four storey Single House is referred for Council's discretion because it falls within the TPS category of a '*Large scale development*' involving a building 9.0 metres high or higher.

10.3.4 Refusal to Enclose a Balcony at 6/12 Stone Street, South Perth (*subject of Deputations*)

This application deals with the proposed enclosure of a portion of a balcony. The application was refused under delegated authority and an Appeal was lodged with the SAT. The City has now received direction from the SAT to reconsider the application. **Note:** The proposed 'enclosure' will increase the total plot ratio of the development site.

10.3.5 Proposed Modification of Planning Approval 137 Melville Parade, Como

In October 1993, Council granted approval for a 58 suite hotel development subject to a number of conditions. One condition being that a notification is placed on the title advising that the units can not be occupied, by one person, for no more the six months in any 12 month period. A request has been made by the Strata Company to enforce the occupation restriction by way of a by-law instead of the current condition of the planning approval. The proposed change does not alter the purpose or intent of the control placed by the City.

10.4.1 Old Mill Theatre - Masonry Restoration / Tuck Pointing (*subject of Deputation*)

This report assesses Tenders for Masonry Restoration and Tuck Pointing of the Old Mill Theatre.

10.5.1 Applications for Planning Approval Determined Under Delegated Authority

This report presents applications determined under delegated authority during the month of December 2007 and January 2008.

10.5.2 Use of the Common Seal

This report provides details on the use of the Common Seal for the month of February 2008.

10.5.3 Future Planning for the Swan and Canning Rivers

This report seeks a Delegate to represent Council on an Advisory Committee to be established by the Swan River Trust.

10.5.4 Community Advisory Groups - Annual Review

A report on this matter will now be presented to the April Council meeting.

10.5.5 Local Government Sustainable Development Conference

The purpose of this report is to give consideration to Councillor attendance at the “Victorian Sustainable Development Conference 2008” to be held at Zinc, Federation Square, Melbourne on 22-23 April 2008.

10.6.1 Monthly Financial Management Accounts for February 2008

This report presents the monthly management account summaries for February with comment provided on the significant financial variances disclosed.

10.6.2 Month Statement of Duns, Investments and Debtors at 29 February 08.

This report presents a statement summarising the effectiveness of treasury management for the month.

10.6.3 Warrant of Payments

A list of accounts paid under delegated authority for February 2008 is presented to Council for information.

10.6.4 Capital Projects Review

This report provides a schedule of financial performance supplemented by relevant comments in relation to approved capital projects.

10.6.5 Policy P603 Investment of Surplus Funds

This report presents a revised Investment Policy for the consideration of Council.

10.7.1 Audit & Governance Committee 18 February 2008

The purpose of this report is to enable Council to consider recommendations arising from the Audit and Governance Committee meeting held 18 February 2008.

OTHER BUSINESS

Following the conclusion of the presentation of the March Council reports, items of ‘Other Business’ were informally discussed prior to the Mayor closing the meeting to Members of the Public in order that *Confidential* Item 15.1.1 could be addressed.

Note: The Agenda Briefing was closed to the Members of the public at 8.15pm.

The remaining members of the public gallery and the Council Officers, with the exception of the Minute Secretary, left the Council Chamber at 8.15pm

15.1.1 CEO Evaluation Committee 11.3.2008 *Confidential Report*

The purpose of this report is to consider recommendations arising from the CEO Evaluation Committee meeting held 11 March 2008 in relation to progress of the CEO performance review which require a Council decision.

CLOSURE

The Mayor closed the Agenda Briefing at 8.25pm.



NOTES

Strategic Financial Plan/Budget Briefing Held in the Council Chamber Wednesday 19 March 2008 Commencing at 5.35pm

Present

Mayor J Best Chairman

Councillors:

G W Gleeson	Civic Ward
I Hasleby	Civic Ward (from 5.40pm)
P Best	Como Beach Ward
B Hearne	Como Beach Ward
L P Ozsdolay	Manning Ward
C Cala	McDougall
R Wells, JP	McDougall
S Doherty	Moresby Ward
K R Trent, RFD	Moresby Ward

Officers:

Mr C Frewing	Chief Executive Officer (from 6.32pm)
Mr M Kent	Director Financial and Information Services
Ms D Gray	Manager Financial Services

Apologies

Cr D Smith Mill Point Ward - Approved Leave of Absence

OPENING

The Mayor opened the Concept Forum at 5.35pm and welcomed everyone in attendance.

1. Strategic Financial Plan

The Director Financial and Information Services commenced his presentation on the Draft Strategic Financial Plan 2008/2009 - 2012/2013 and covered the following topics:

- Part 1 - Background
- Link to the Strategic Plan
- Sustainable Planning for the Future
- Sustainability Study - SSS Taskforce
- Previous SFP / Budget Briefings
- Purpose of Briefing
- Feedback
- Part 2 - Overview of the Next 5 Years
- Changes to existing SFP
- Financial Parameters
- Overview 2008/2009 - 2012/2013 - Funding Sources, Expenditure by Type

- Reserves - Quarantined
- Reserves - Non Quarantined
- Financial Ratios - Projected
- Debt Service Costs
- Feedback
- Part 3 - Overview of the SFP by Year
- 2008/2009 Financial Summary - Funding, Expenditure, Capital
- 2009/2010 Financial Summary. Funding Summary, Expenditure Summary, Capital Projects
- 2010/2011 Financial Summary, Funding Summary, Expenditure Summary, Capital Projects
- 2011/2012 Financial Summary, Funding Summary, Expenditure Summary, Capital Projects
- 2012/2013 Financial Summary, Funding Summary, Expenditure Summary, Capital Projects
- Rates Yield for next 5 Years
- Feedback
- Part 4 - Financial Information by Department / Activity 2008/2009 - 2012/2013
- Funding Generated by Department
- Operating Expenditure by Department
- Capital Expenditure by Department
- Feedback
- Part 5 - Resource Allocation Decisions
- Example Info - Financial Services
- Community Consultation
- Where To From Here
- Key Dates in SFP / Budget Process

Note: Questions and points of clarification raised by Members and responded to by officers included the following:

- Fees & Charges - revenue generated versus costs recouped
- Statutory Fees & Charges - WALGA, Planning Fees
- Responsible use of Debt
- Depreciation Provision
- Mobile Bin Replacement
- Railway
- City Sustainable House Initiative
- (Ongoing) Footpath Replacement Program
- Library Better Beginnings Program
- Mobile Plant Replacement Program
- Civic Triangle

Outcome:

The Director Financial and Information Services thanked Council Members for their attention and attendance and advised that as outlined in the presentation handout provided to those Council Members present, the next briefing on the Strategic Financial Plan relates to a briefing by Peter Hunt of Peter Hunt Architects on the Library and Hall Project which is scheduled for sometime in May.

2. Closure

The Mayor closed the Concept Forum at 7.30pm and thanked everyone for their attendance.



NOTES

Town of Victoria Park Presentation:

- **McCallum & Taylor Parks Update**
Held at the Council Briefing Room
Wednesday 2 April 2008
Commencing at 7.00pm

Present

Mayor J Best

Chairman

Councillors

G W Gleeson

Civic Ward

I Haselby

Civic Ward

P Best

Como Beach Ward

B Hearne

Como Beach Ward

L O Ozsdolay

Manning Ward

C A Cala

McDougall Ward

R Grayden

Mill Point Ward

S Doherty

Moresby Ward

Officers

Mr C Frewing

Chief Executive Officer

Mr S Cope

Director Development and Community Services

Mr M J Kent

Director Financial and Information Services

Mr L Croxford

Acting Director Infrastructure Services

Presenters

Mr B Callander

Director Corporate Services, Town of Victoria Park

Apologies

Cr D S Smith

Mill Point Ward - approved leave of absence

Cr K Trent

Moresby Ward (attending WALGA State Council Meeting)

OPENING

The Mayor opened the Concept Forum at 7.00pm, welcomed Brian Callander, Director Corporate Services from the Town of Victoria Park and advised that the purpose of the briefing is to provide an update on the McCallum Park / Taylor Reserve Project.

1. McCallum Park / Taylor Reserve Masterplan

Mr Callander stated that the aim of the project is to develop McCallum Park/Taylor Reserve as a family destination and a place to recreate for both the local and regional community by identifying a number of appropriate uses, increase the sense of security for the uses of the area but not detract from the conservation values. He then gave a power point presentation covering the following topics:

- **Background**
 - May 1999 consultant appointed to prepare report on proposed management plan
 - April 2000 appointed consultant to develop management plan for McCallum Park/Taylor Reserve.
 - October 2001 Consultants appointed to develop landscape concept plan

- **Community Consultation**
 - 1999 conducted an extensive consultation with the general public.
 - 2000 a Cultural Mapping Project conducted in partnership with Community Arts Network WA
 - A series of public consultation community workshops held to provide direction for the plan
 - Four distinct groups consulted in the workshop study:
 - Owners & Occupiers;
 - Vic Park Ratepayers & Residents;
 - Government & Non Government Authorities;
 - Aboriginal Community Representatives;

- **Community Consultation Outcomes**
 - Comfort
 - Safety
 - Passive Recreation
 - Serenity
 - Contact with Nature
 - Fresh Air
 - Interaction

- **McCallum Park/Taylor Reserve Masterplan Key Features**
 - restaurant/kiosk
 - playground
 - river edge treatments
 - the maze
 - fig tree avenue
 - time line art walk
 - multi purpose courts
 - realigned cycleway / improved path networks
 - weekend market area
 - steps from causeway bridge / pedestrian lookout

- **Typical Groyne/Waterbird Habitat/Irrigation Lake/Maze Aims**
 - Habitat area for Black Seans/other fauna
 - Restoration of natural flood plane
 - Construction of small groynes / beaches - adds interest to water's edge
 - Return river edge to more natural state

- **Conceptual plans for Restaurant**
 - Location proposed to be end of Taylor Street overlooking the river
 - Modelled on similar establishments (ie Boatshed / Pt Walter Café)

- **Weekend Markets and Car Park**
 - To be situated at the Bunnings car park
 - Broad paved grid to be installed with grasses/trees

- **Playground Features (conceptual)**

- Swan River Habitat Playground – based around plan form of Swan River Basin
- Perth City-Scape Climbing Frames
- Narrows Swing Bridges
- The Old Mill and South Perth Zoo
- Victoria Park styled tilt up village and interactive water fountain
- Wobbly Causeway
- Barrack Square Ferry Terminal Flying Fox
- CBD East End
- Perth Water Basin

Note: Questions and points of clarification were raised by Members and responded to by Brian Callander.

A copy of the presentation was circulated Members via the satchels on 4 April 2008.

2. Closure

The Mayor thanked everyone for their attendance and closed the Concept Forum 7.50pm.



NOTES

Community Visioning Project Held at the Council Briefing Room Tuesday 8 April 2008 Commencing at 5.30pm

Present

Mayor J Best

Chairman

Councillors:

I Hasleby

Civic Ward

P Best

Como Beach Ward

T Burrows

Manning Ward

L P Ozsdolay

Manning Ward

C Cala

McDougall

R Grayden

Mill Point Ward

S Doherty

Moresby Ward

K R Trent, RFD

Moresby Ward

Officers:

Mr C Frewing

Chief Executive Officer

Mr S Cope

Director Development and Community Services

Mr L Croxford

Acting Director Infrastructure Services

Mr N Kegie

Manager Community, Culture and Recreation

Ms H Doran Wu

Community Development Coordinator

Owen Hightower

Planning Officer

Presenter/Facilitator

Mr Tim Muirhead

CSD Network

Apologies

Cr D S Smith

Mill Point Ward - Approved Leave of Absence

OPENING

The Mayor opened the Workshop at 5.30pm and welcomed everyone in attendance.

1. Community Visioning Project

The Chief Executive Officer advised that the Workshop was the result of a February Council resolution:

“That given the substantial nature of a visioning project and the significant human and financial resources required, a councillor workshop is held at the earliest opportunity to provide a forum to consider the implications of such a project for the City of South Perth.”

He then introduced Tim Muirhead of CSD Network who would be facilitating the Workshop.

2. Visioning / What can it achieve / What are some risks

- Mr Muirhead commenced his presentation and covered the following topics:
- What is community visioning; Engaging with local people in creating a shared understanding of where we want to go, and how we want to get there.
- What community vision is not; consultation on detailed strategies and plans.
- Why engage in community visioning; direction and leadership for the community, creation of partnership, creative tension and the sense of belonging and engagement.
- Integrating involvement with the planning process within the 3 phase processes:
 - Profiling and visioning
 - Strategy development
 - Prioritising
- There are some risks involved with integrating involvement with planning; respond to the risks through collaboration not consultation.

3. Experience from other Local Governments

Ms H Doran Wu, the City's Community Development Coordinator spoke on 'experience from other local governments' and covered the following topics:

- Comparing the Community Visioning process of three Councils
 - Toowoomba City Council
 - North Sydney
 - Maddington Kenwick
- All the local Councils had similar outcomes and based their visioning on the Steven Ames Model.
- Major differences lie in their engagement strategies.
- The three Councils had the following in common; over-arching Strategic document, broad action plan and staff resource allocation.
- Benefits of visioning; creatively engages the community, community priorities defined, reputation of council, supports budgeting, funding and strategic planning processes.

4. Break out groups considered the following questions:

- What are we visioning?
- What benefits/outcomes would you like to see a South Perth Visioning process achieve?
- What time frame are we visioning?
- What dangers will the South Perth Visioning process need to avoid?

Following feedback and discussion Mr Muirhead gave a presentation of what the Visioning process might look like for the City of South Perth. Further discussion on the pro's and con's of this process was held.

The main points raised were:

- A Visioning process is a substantial undertaking requiring adequate financial and human resources
- If undertaken, a Visioning project should look ahead at least 20 years and be reviewed regularly within that timeframe
- Visioning should provide overarching direction for the City's strategic and operational processes rather than incorporate a review of specific documents such as the Strategic Plan, Connected Community Plan and Town Planning Scheme

Note: Members were provided with copies of the presentations together with a copy of the February 2008 Report Item 10.1.1 (Community Visioning) which provided background information on a Visioning process for the City. Additional information was distributed at the Workshop by Cr Gleeson and Mayor Best.

Outcomes / Where to From Here

The Chief Executive Officer advised that the facilitator is preparing a detailed report on the outcomes of the Workshop which will be circulated to Elected Members when available. A report will be presented to the earliest available Council meeting recommending that the City embark on a 'Visioning Process' along the lines detailed in the February 2008 Report Item 10.0.1 and taking into account the outcomes of this Workshop.

2. Closure

The Mayor thanked everyone for their attendance and closed the Workshop at 7.30pm

City of South Perth
Town Planning Scheme No. 6

Report on Submissions
Amendment No. 10

Proposal to rezone portion of
Pt. Lot 1 in Burch Street, South Perth
from the Local Scheme Reserve 'Parks and Recreation'
to the 'Private Institution' zone



Civic Centre
Cnr Sandgate Street and South Terrace
SOUTH PERTH WA 6151

Monday to Friday: 8.30am to 5.00pm
Enquiries: Gina Fraser
Senior Strategic Planning Officer
Telephone: 9474 0778
Facsimile: 9474 2425
Email: ginaf@southperth.wa.gov.au
Web: www.southperth.wa.gov.au

PLANNING AND DEVELOPMENT ACT 2005

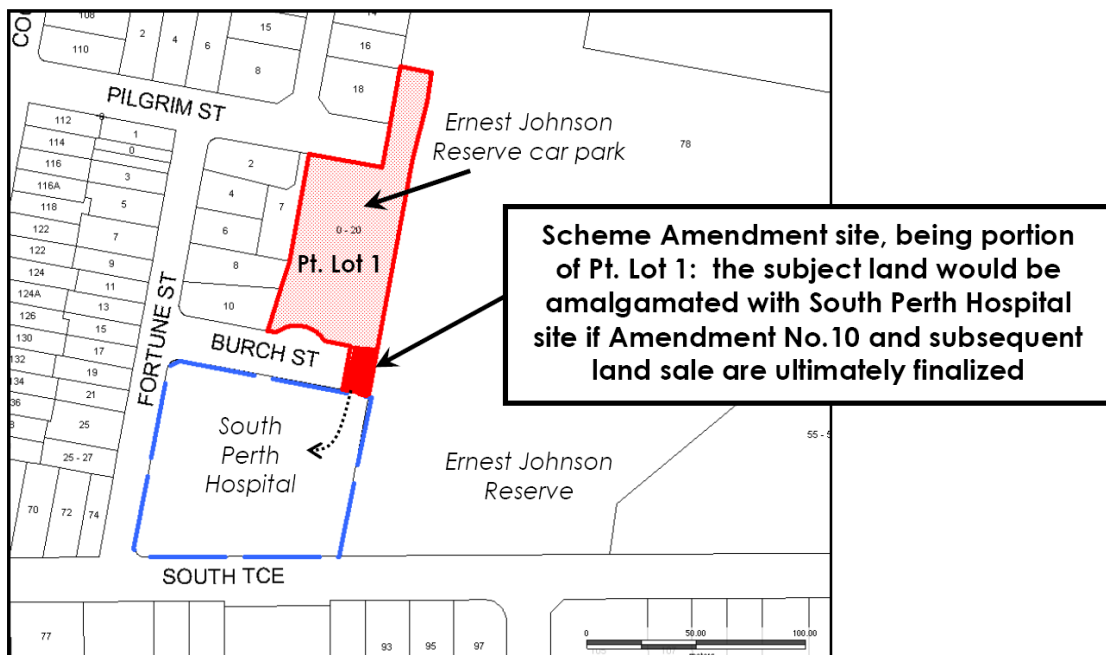
**CITY OF SOUTH PERTH
TOWN PLANNING SCHEME NO. 6
AMENDMENT NO. 10**

REPORT ON SUBMISSIONS

1. AMENDMENT PROPOSAL

Amendment No. 10 to the City of South Perth Town Planning Scheme No. 6 (TPS6) was initiated at the request of the South Perth Hospital, for the purpose of rezoning the subject land from the Local Scheme Reserve 'Parks and Recreation', to the 'Private Institution' zone. The subject land comprises a portion of Pt. Lot 1 in Burch Street, South Perth, on Certificate of Title Volume 2063, Folio 417 on Plan 14563. Pt. Lot 1 also contains a City car park on the northern side of Burch Street. The total area of Pt. Lot 1 is 4,742m². This Amendment proposal relates to approximately 249m² of this area, and measures in the order of 20.12 metres by 12.38 metres.

The subject land is situated to the east of the cul-de-sac head of Burch Street and is adjoined on the other three sides by the South Perth Hospital to the south, Ernest Johnson Reserve to the east, and the City's Ernest Johnson Reserve car park to the north. Pt. Lot 1 is indicated bordered and stippled red on the following Location Plan; the portion of this lot which is the subject of Amendment No. 10 is coloured red on the Plan:



Amendment No. 10 Location Plan

2. PURPOSE OF THE AMENDMENT

Amendment No. 10 will facilitate the sale of the subject land by the City to the South Perth Hospital. The Hospital intends to locate various items of essential and desired infrastructure equipment on the land. This equipment is described fully in the Amendment No. 10 Report, and would comprise the following:

- air conditioning chillers;
- water tanks and pumps for fire safety purposes; and
- a bulk oxygen storage tank.

3. STATUTORY POSITION TO DATE

(a) Related processes

At its November 2007 meeting, the Council resolved to initiate Amendment No. 10 for the purpose described above. This decision was made as part of a long and complex examination process involving consideration of other related statutory processes. This Amendment No. 10 forms part of a series of actions associated with the Council's consideration of the Hospital's request to purchase the subject land. These actions were considered in detail by the Council at its July 2007 meeting.

The July 2007 Council resolution states that, subject to satisfactory completion of all other prerequisite processes, Council would be prepared to consider the land purchase. In summary, the process involves the following:

- (i) Formal land valuation (although an indicative value has been obtained from the Valuer General's office, this will need to be reviewed within six months of the date of the sale of the land to the Hospital).
- (ii) Amendment to Town Planning Scheme No. 6 to rezone the subject land for Hospital use (ie. the current Amendment No. 10 to TPS6).
- (iii) Section 3.58 of the *Local Government Act 1995* procedures for disposal of Council-owned land (to be undertaken if the current Amendment No. 10 receives final approval of the Minister).
- (iv) Council consideration of a development application for infrastructure on the subject land, following completion of both Amendment No. 10 and the transfer of the land to the Hospital's ownership.

The Hospital has agreed to meet all of the costs associated with the processes leading to the ultimate transfer of the land.

(b) Council's July 2007 decision

Under TPS6, the subject land is reserved for parks and Recreation purposes. Clause 2.2(2) provides for the Council to approve a change of use of a Local Scheme Reserve, having regard to the ultimate purpose intended for the reserve. If finally successful in its request to purchase the land, the Hospital would use the land for Hospital purposes. At the time of the Council's consideration of the Hospital's land purchase request in July 2007, there was uncertainty as to whether a Scheme Amendment should be a prerequisite to the disposal of the land.

Legal advice obtained for the purpose of clarifying the correct process indicated that in this instance, a statutory Scheme Amendment is required in order to rezone the land to properly 'match' its intended use. In summary, the relevant part of the Council's July 2007 resolution contained the following elements:

- (i) The Council supports, in principle to:
 - (A) the sale to the Hospital of approximately 249 sq. metres of Pt. Lot 1 situated to the east of Burch Street; and
 - (B) the transplanting of the Jacaranda tree situated on the subject land.
- (ii) Upon receipt of the Hospital's written agreement to meet all costs associated with all processes, the Council will initiate the Scheme Amendment process to rezone the subject land to 'Private Institution' zone.
- (iii) Following the Scheme Amendment being finally approved by the Minister for Planning and Infrastructure, the other required processes will be followed towards the sale and development of the subject land.

(c) Matters previously considered by the Council

Prior to resolving to conditionally support the rezoning of the subject land 'in principle', the Council considered a wide range of issues relating to the matter. In addition to the various required statutory processes, these issues included the following:

- (i) Two previous development approvals by the South Perth Hospital in September 2005 and June 2006 for expansion works within the site which did not include any supporting infrastructure equipment.
- (ii) The infrastructure proposed to be located on the subject land, and in particular:
 - (A) the composition of the proposed infrastructure;
 - (B) the description of the proposed perimeter fencing and boundary walls;

- (C) the description of the proposed buildings within the compound.
- (iii) The existing amenity value of the land as an extension of the adjoining Ernest Johnson Reserve.
 - (iv) The visual impact of the proposed infrastructure which will interrupt the line of sight between Burch Street and the Ernest Johnson Reserve, with two structures higher than the 1.8m high fencing.
 - (v) The existing trees on the land and adjoining reserves, one of which will need to be relocated to enable the intended development of the land to proceed.
 - (vi) Noise emanating from the equipment itself and from delivery and service vehicles. This will be assessed and managed at the time of any future development application.
 - (vii) Access and servicing - information regarding the large nature of the vehicle likely to be delivering oxygen to the site was recently provided by the applicant. The vehicle is described as an 18 metre long articulated tanker. City officers have examined the route likely to be taken by this vehicle and consider that access can be adequately managed.

All of these issues were taken into account in July 2007 when the Council first considered the Hospital's land purchase request. The Council is satisfied that all aspects of the proposal can be adequately addressed through conditions of approval of any subsequent development application, and by ongoing management by the Hospital. Therefore, the Council City resolved that the proposed Amendment No. 10 process should be initiated.

(d) Development approval September 2007

In September 2007, a further planning application was approved for two-storey additions to the Hospital and other upgrading works on the site. The proposal was similar to two previous applications which were approved in September 2005 and June 2006, respectively. The latest proposal, however, included the accommodation of all of the required infrastructure equipment within the main Hospital site. At the time of the application, the Hospital advised that the preferred location for this equipment would be the land which is the subject of this Amendment No. 10 and that the equipment would be relocated if the land is made available to the Hospital. When the previous two applications were approved, neither the Hospital nor the City were aware that this infrastructure equipment would be required.

(e) Environmental Protection Authority

In November 2007, the Council resolved to initiate the formal Scheme Amendment process as described in this report and in the Report on

Amendment No. 10 to TPS6. On 18 December 2007, Notice of the proposed Amendment No. 10, together with a report describing the Amendment, was forwarded to the Environmental Protection Authority (EPA) for environmental assessment. The EPA responded on 7 January 2008 to the effect that the proposal should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* and that it is not necessary to provide any advice or recommendations.

(f) Western Australian Planning Commission

On 18 December 2007, Notice of the proposed Amendment No. 10, together with a report describing the Amendment, was also forwarded to the Western Australian Planning Commission for information. This report fully describes the background to, and the reasons for, the Amendment, and should be read in conjunction with this Report on Submissions.

4. CONSULTATION PROCESS AND SUBMISSIONS ON AMENDMENT NO. 10

(a) Consultation in relation to Amendment No. 10

In its November 2007 resolution endorsing the draft Amendment No. 10 for the purposes of advertising it for community comment, the Council resolved on details relating to the advertising of the Amendment. Accordingly, in compliance with the Council's instructions, Town Planning Regulations 1967 and Council Policy P104, the draft proposals were advertised as follows:

Method:

- Mail - Notice of the Amendment and a map showing the precise location of the affected land, were sent to 50 neighbouring property owners;
- Notices were published in two issues of the *Southern Gazette* newspaper, on 5 February and 19 February 2008);
- Notices and documents were displayed in the Civic Centre, City Libraries, and on the City's web site on the 'Out for Comment' page, for the whole of the consultation period and longer.
- Two site notices in prominent positions, were situated on the subject land for longer than the statutory advertising period, as follows:
 - one sign centrally located along the western boundary of the subject land facing Burch Street; and
 - one sign located close to the steps leading to the Ernest Johnson Reserve, facing the Reserve and placed on the higher ground level so as to be clearly visible from the Reserve.

Extent:

- Environmental Protection Authority;
- Neighbours within 'Area 3' as defined in Council Policy P104. In line with Council's Policy P104, where the property contains more than 12 Multiple Dwellings, the City forwarded the required notice to the Strata Company. It was the responsibility of the Strata Company to

advise its members of the proposal. This process involved 50 neighbouring owners being consulted by mail;

- In addition to properties within 'Area 3', mail notices were also sent to:
 - all properties with a boundary to Pilgrim Street, since those properties would be on the direct route of the oxygen delivery vehicle; and
 - all properties previously consulted in relation to the September 2007 development application;
- Affected service agencies - in this case, AlintaGas, Water Corporation, Western Power Corporation, and Telstra were consulted.

Time period:

- 5 February to 21 March 2008, a period of 46 days - in this instance, the minimum 42 day period was exceeded by four days;
- In line with the Council's Policy P104, the advertising process was timed to commence after the Christmas/New Year season of mid-December to mid-January in recognition of the special nature of this period, to ensure the fullest possible response.

During this advertising period, a total of 12 submissions were received, being 5 supporting the Amendment (including one from the proponent, South Perth Hospital), 4 opposing the Amendment, and 3 from consulted service authorities.

(b) Assessment of submissions by the Council

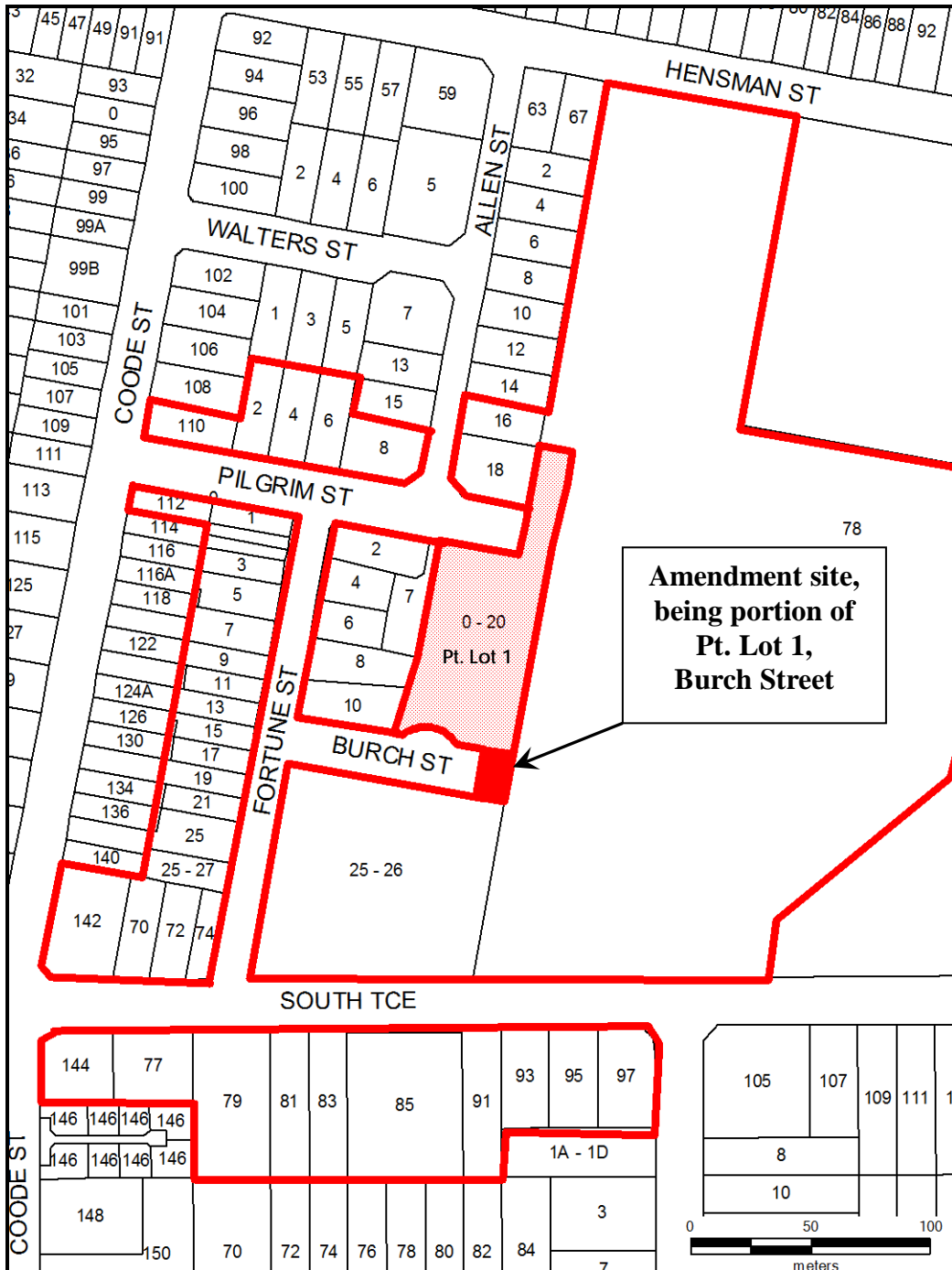
A summary of the submitters' comments, both supporting and opposing the Amendment proposals, together with the Council's response and recommendations on each comment, is contained in this report in the following Schedule of Submissions.

When assessing submissions, the Council does not consider the number of submissions as being the most important factor. While numbers do give an indication of the strength and extent of community interest, the validity or otherwise of the submitters' comments is a more important factor. In the Schedule of Submissions, comments from submitters are not attributed to a particular individual, but have been isolated and treated with equal status, irrespective of the number of times they were expressed.

The following plan depicts the extent of consultation undertaken by the City. With the exception of the service authorities, all but one of the submissions originates from within the consulted area. The submission beyond the consultation area originates from five street blocks away from the subject land, within Como.

City of South Perth
Town Planning Scheme No. 6

AMENDMENT NO. 10
EXTENT OF NOTIFICATION MAIL-OUT AND SUBMISSIONS RECEIVED



Land which is the subject of Amendment No. 10



Owners notified of Amendment No. 10 and invited to comment

**CITY OF SOUTH PERTH
TOWN PLANNING SCHEME NO. 6
AMENDMENT NO. 10**

SCHEDULE OF SUBMISSIONS

1. Submissions supporting Amendment No. 10

SUBMISSION NO.	SUMMARY OF SUBMITTERS' SUPPORTING COMMENTS	COUNCIL'S RECOMMENDATION	COMMISSION'S RECOMMENDATION
1.1 to 1.5	(a) No objection to the proposed Amendment.	The comment is NOTED .	
	<p>(b) Amendment site preferred location</p> <p>We have seen the proposed plans and noted that there are two versions.</p> <p>The first version (<i>comprising the development which was approved at the September 2007 Council meeting</i>) houses the water tanks and gas tank within the existing grounds of the hospital. This version requires a 4.0m high wall to be constructed to contain the tanks. The elevation is quite unsightly and we feel would have a detrimental effect on the streetscape.</p> <p>The second version (<i>comprising the Amendment No. 10 proposal</i>) requires the purchasing of a small area of land currently zoned park land, however, it is currently maintained as a sandy area between the park and the hospital. The second option to house the water tanks in this vacant space would provide a low lying area where the tanks are maintained and properly screened and would also allow a visually permeable line of sight through to the park from Fortune</p>	<p>With regard to the 'first version' plans, the submitters from Fortune Street express concern regarding the visual effect of the approved development plans on the Burch Street streetscape. In this regard, it is noted that the submitters did not raise any such objection when invited to comment on the proposed development in September 2007 and it was subsequently approved by the Council. At that time, the Council required some ornamental relief to be designed into the 5.0m high front wall of the infrastructure building to improve the streetscape.</p> <p>It is also noted that neither the 'first version' nor the 'second version' location of the infrastructure is visible from the submitters' properties in Fortune Street. However, after a comparative review of both options, the submitters now prefer the 'second version' location. The submitters' comments in this regard are UPHELD.</p> <p>Reasons given by the submitters for preferring the 'second version' proposal are that it would be of lower elevation and therefore less visually prominent, is proposed to be well landscaped, and would provide</p>	

SUBMISSION NO.	SUMMARY OF SUBMITTERS' SUPPORTING COMMENTS	COUNCIL'S RECOMMENDATION	COMMISSION'S RECOMMENDATION
1.1 to 1.5 SUPPORTING SUBMISSIONS (cont'd)	<p>Street in the proposed centre where there are no tanks. The elevation sighted provided a screened fence in the centre with views through to the park. The perimeter of the area was well landscaped providing an improved view when compared to the current sandy area.</p> <p>We feel that this second option will have less impact on the streetscape and will enhance the area by adding landscaping to an area that is largely unmaintained at the moment.</p>	<p>for a view through visually permeable fencing panels, from Burch Street to the Ernest Johnson Reserve. However, these design elements do not form part of Amendment 10 which only relates to the change of zoning of the land in question. Such design details would be dealt with through a future development application, should the Scheme Amendment be approved by the Minister. In terms of maintaining a desirable view of the park from Burch Street, the submitters' preferred 'second version' perimeter fencing would not provide as effective a view as would be provided by the 'first version' proposal - that is, retention of the subject land as a Parks and Recreation Reserve with the Hospital's infrastructure equipment being located within the existing Hospital site. This comment is NOT UPHELD.</p> <p>The submitters also refer to the sandy condition of the subject land. This is not a valid reason for rezoning it. The City may consider landscaping options for the land at any time. The submitters' comments in this regard are NOT UPHELD.</p>	
	<p>(c) Supportive of Hospital's needs</p> <p>We have read the relevant documentation and have walked through the area. We are happy to express our support for the proposal. It does seem to us that the impact upon the surrounding residences will be quite minor. We can understand how some residents in houses near the hospital may feel concerned or even antagonistic, but we believe that everyone should be supportive towards a need arising from changing demographics, to expand and improve our hospital resources at both local and regional levels.</p>	<p>The submitters' comments are NOTED. The comments relate more to the changing operations of the Hospital than to the proposed rezoning. However, the zoning will allow the Hospital to locate some facilities on land which is currently outside of their main site, and hence potentially use their main site more effectively.</p>	

SUBMISSION NO.	SUMMARY OF SUBMITTERS' SUPPORTING COMMENTS	COUNCIL'S RECOMMENDATION	COMMISSION'S RECOMMENDATION
1.1 to 1.5 SUPPORTING SUBMISSIONS (cont'd)	<p>(d) Historic background</p> <p>The land in question is a small portion of what was originally a right of way between South Terrace and Hensman Street. The section from South Terrace to the land in question was closed about 15 years ago and sold to the Hospital and a (<i>Hospital</i>) theatre complex was subsequently constructed on that land. The part of the ROW to the north was converted to car park and integrated into the large council car park at the rear of the hospital.</p> <p>The land the hospital wishes to have rezoned and to purchase was rezoned to local scheme reserve some time after the southern section was sold to the hospital. It has, however, never been integrated into the Ernest Johnson Oval, primarily I assume, because it is nearly a metre lower than the oval land and is separated by a stone retaining wall and a security fence. In fact, this small piece of R.O.W. could easily be mistaken as part of Burch Street, as it is at the same level and at the end of the street creating a cul-de-sac.</p> <p>This R.O.W. could logically have been rezoned for parking purposes as it is contiguous and at the same level as the Council carpark. It is a small area which has never been maintained as a useful park. The hospital has removed rubbish from the land and an objector to the sale has motor mowed the land due to the weed infestation and its untidy appearance.</p>	<p>The submitter is not correct in terms of the history of the closure and rezoning of the former right-of-way. It was probably closed many years earlier - the unmade road network which had then existed throughout the area now comprising the Ernest Johnson Reserve and Civic Centre, was totally closed by publication of the closure in the Government Gazette of 6.9.1940, and amalgamated into the 'Ernest Johnson Reserve' land which was owned by the City.</p> <p>The strip of land which was the subject to the first sale of additional land to the Hospital did not form part of a right-of-way at that time, but accommodated an access driveway from South Terrace to the pavilion on the oval. Immediately prior to that land sale in the early 1990s, the land was reserved for Park and Recreation purposes under the then TPS5. As is currently the case, it also needed to be rezoned for Hospital use prior to the sale, and this was done in 1992 (GG 16.6.1992).</p> <p>The submitter is correct, however, in that the northern leg of the former 'right-of-way', including the Amendment No. 10 land which the Hospital now seeks to purchase, was amalgamated with the City's Ernest Johnson car park, and remains so today.</p> <p>The fact that the small area of subject land has the character of part of the Burch Street road reserve than to the Ernest Johnson reserve is not relevant to the current rezoning proposal.</p> <p>While interesting, this historical background is not relevant to the current rezoning request. The comments are NOTED.</p>	

SUBMISSION NO.	SUMMARY OF SUBMITTERS' SUPPORTING COMMENTS	COUNCIL'S RECOMMENDATION	COMMISSION'S RECOMMENDATION
1.1 to 1.5 SUPPORTING SUBMISSIONS (cont'd)	<p>(e) Subject land not part of E J Reserve</p> <p>The hospital board does not believe this land is a significant section of the large E.J. Oval and given our proposal to open the central section with wrought iron fencing, the vista down Burch Street will be protected.</p>	<p>It has never been the City's contention that the subject land forms part of the Ernest Johnson reserve. That reserve is an active sporting facility; the land in question comprises a passive area of public open space which provides a wide vista through to the reserve. The Hospital's proposal to provide visually permeable sections of fencing is acknowledged, although this will not provide a very effective vista. This design detail will be addressed more fully at the time of any future development application to the City. The comment is not relevant to the proposed rezoning, but the Hospital's intention is NOTED.</p>	
	<p>(f) Subject land provides better location</p> <p>Some residents have argued that the hospital does not need the land given earlier development approval for the Day Surgery Unit. The hospital board believes however the approved alternative (sought to allow a building licence to be given) is far from satisfactory. The location of the water tanks, emergency pump and oxygen vessel as presently approved eliminates a greatly needed storeroom for dry goods (mostly sterile goods). The present storage area is lost with the construction of the Day Surgery Unit.</p> <p>The hospital believes that the water tanks, pump and oxygen vessel would be better located on the old ROW land given that servicing and maintenance would be significantly simplified with the infrastructure located at ground level.</p>	<p>These explanatory comments are NOTED. When considering whether or not to finally support the rezoning request, the hospital's preferred location of its infrastructure equipment is not the Council's primary concern. The Council will also need to consider any effect of the disposal of this public asset on the local community.</p>	

SUBMISSION NO.	SUMMARY OF SUBMITTERS' SUPPORTING COMMENTS	COUNCIL'S RECOMMENDATION	COMMISSION'S RECOMMENDATION
1.1 to 1.5 SUPPORTING SUBMISSIONS (cont'd)	<p>(g) Better opportunity for air conditioning chillers</p> <p>Another problem has developed as there will be great difficulty in locating an area for the new air conditioning chillers required for the re-development. To place them in the roof space is complex and expensive and again complicated for servicing. We have been advised by our consultants that new chillers have improved technology and sound proofing and should not be a problem for residents (as already advised we have reduced noise at the rear of the hospital with sound proofing an offending compressor). Thus the hospital needs the land to optimize the re-development potential of the hospital.</p>	<p>These explanatory comments are NOTED. Any future planning application for air conditioning chillers will be examined in relation to noise impacts, and conditions imposed as appropriate.</p>	
	<p>(h) Future development can be landscaped</p> <p>We believe the impact of the wall which is proposed to surround the infrastructure at the northern end of the land can be "softened" with suitable plantings and trees on all three sides. The hospital has already indicated its willingness to meet all landscaping costs on Council land.</p>	<p>This design issue will be addressed more fully at the time of any future development application to the City. The comment is NOTED.</p>	
	<p>(i) "Stranger danger" not a risk</p> <p>Some residents have also raised the issue of "stranger danger" for children using the playground equipment on the E.J. Oval between the subject land and the Scout Hall (also used by a Playgroup). It is our view that the playground is typically used by children under 8 years of age who are these days always supervised by parents.</p>	<p>The submitter's opinion is NOTED. <i>(Refer also to the Council's recommendation and comments in relation to Opposing Comment (d) below.)</i></p>	

SUBMISSION NO.	SUMMARY OF SUBMITTERS' SUPPORTING COMMENTS	COUNCIL'S RECOMMENDATION	COMMISSION'S RECOMMENDATION
1.1 to 1.5 SUPPORTING SUBMISSIONS (cont'd)	<p>(j) Ample parking provided at Hospital's cost</p> <p>There is always parking available during weekdays as the hospital uses only about half the 100 available bays (parking increased last year at a cost to the hospital of \$56,000.) Given the extensive parking available at all times, people wishing to drive to E.J. Oval for picnics or recreation purposes will always have access to good quality and convenient parking with a good outlook across the park.</p>	<p>At the time of a previous development application for expansion of the Hospital, a condition of planning approval was that the Hospital pay for the cost of expanding the City's Ernest Johnson car park to provide the number of car bays required by TPS6 for the proposal. These bays could not be accommodated on the Hospital site. While these additional bays are situated in a public car park, they are sufficient to accommodate demand created by the expanded Hospital. Although the comments are not relevant to the currently proposed rezoning, the comment is correct and is NOTED.</p>	
	<p>(k) Council Member support</p> <p>I have invited a Council Member to inspect the area and give me his opinion concerning our request for the land. His subsequent response to me was that the rezoning for hospital purposes would not be detrimental to nearby residents or users of the E.J. Oval in any way. He said when he looked around all he could see was the back fences of houses facing Fortune Street.</p>	<p>The submitter's comments regarding the personal opinion of one Council Member are NOTED. However, the entire Council will debate the issue fully in the proper forum of a Council meeting at the appropriate time. When the Council considers the rezoning request and the ultimate sale of the land to the Hospital, a number of factors will need to be considered, including the effect of the use of this land on surrounding neighbours.</p>	
	<p>(l) Local residents' support</p> <p>I have approached local residents in Fortune Street immediately opposite Burch Street. Their concern was only the removal of trees. I explained that only one of the Jacarandas would be removed and that the large Kurrajong would remain. The residents were concerned that the Council was planning to remove the large (<i>pine</i>) tree in the Burch St. verge to the west of the hospital rear entrance. I explained that its removal does not relate to the rezoning. She is not at all concerned with the outlook down Burch St.</p>	<p>The comment is NOTED. It is correct that the removal of the large pine tree in Burch Street is not connected to the proposed rezoning, and the opinion of the local resident on the issue of streetscape is noted. (<i>Refer also to the Council's recommendation and comments in relation to Opposing Comment (j) below.</i>)</p>	

SUBMISSION NO.	SUMMARY OF SUBMITTERS' SUPPORTING COMMENTS	COUNCIL'S RECOMMENDATION	COMMISSION'S RECOMMENDATION
1.1 to 1.5 SUPPORTING SUBMISSIONS (cont'd)	<p>(m) Approved structure not visually pleasing</p> <p>The two story structure for the tanks, pump and oxygen unit west of the hospitals rear entrance (<i>forming part of the development proposal approved by the Council in September 2007</i>) does not present the most aesthetically pleasing appearance looking from the corner of Fortune and Burch Streets (especially when the verge tree is removed). Our Architects have already been directed by Council to provide some decoration to the extensive blank wall.</p> <p>The way the hospital proposes to enclose the old section of the ROW (now local reserve) will provide a better option not only for the hospital but local residents as well.</p>	<p>The comment is NOTED. The Council agrees that the 5.0 metre high building approved in September 2007 to house the infrastructure equipment on the Hospital site is not very aesthetically pleasing, and has required the inclusion of decorative relief in the design of the wall of this building facing Burch Street. This building is also included in a subsequent building licence application submitted on 6.11.2007. The building licence cannot be issued until the City receives revised drawings containing details of the required decorative improvements, among other details.</p> <p>While the approved building will be imposing, a greater effect on the streetscape will be the parking embayment required for the articulated oxygen delivery vehicle in Burch street. This will need to be redesigned and possibly reduced in size if the Hospital is successful in purchasing the subject land at the end of Burch Street. In this respect, the use of the land at the end of Burch Street has the potential to have less visual impact on the community.</p>	

2. Submissions opposing Amendment No. 10

SUBMISSION NO.	SUMMARY OF SUBMITTERS' OPPOSING COMMENTS	COUNCIL'S RECOMMENDATION	COMMISSION'S RECOMMENDATION
2.1 to 2.4 OPPOSING SUBMISSIONS	<p>(a) Land is not 'required' by SPH, only 'preferred' At the 24 July 2007 Council meeting the City of South Perth (CSP) approved the processes for the subject land to be sold to the SPH. At the 27 November 2007 Council meeting the proposal was discussed in more detail as Agenda Item 10.3.9, and the Attachment 10.3.9 contained more discussion. There is one vital error of argument in that Attachment within paragraph 3.0 Town Planning Details, in which is stated "<i>As the land is required to accommodate infrastructure associated with the operation of the adjoining South Perth Hospital ...</i>"</p> <p>No! The SPH has already been granted approval for development of the hospital and those plans clearly show that the infrastructure can and has been accommodated within the current SPH boundary. Certainly the SPH has a preference to purchase the Park and Recreation land from the City, but it is not true to say "the land is required..."</p>	<p>The submitter is correct. By virtue of the development application that was approved by the Council in September 2007, it has been demonstrated that the Hospital's necessary infrastructure equipment can all be accommodated within their existing boundaries. The 'requirement' for the additional land is as perceived by the Hospital. The Hospital has advised the City many times that the approved location is not ideal, and, in the approved location, would replace an essential storage facility. It would be of benefit to the Hospital to have additional land. The Council has indicated its 'in principle' support to selling the subject land to the Hospital, provided that all of the associated legal processes are satisfactorily completed. However, to the extent of acknowledging the incorrect wording in the related November 2007 report, the submitters' comment is UPHELD.</p>	
	<p>(b) We should retain park and recreation reserves It should be of no minor concern when any Park and Recreation reserve is planned to be sold to a Private Institution. We would urge Councillors to think carefully about the inherent message the CSP is sending to ratepayers about the transient nature of a Park and Recreation Reserve.</p>	<p>The comment is NOTED. However, there are State Government provisions in place which allow for any local government to dispose of unwanted or surplus land or other assets. In making a decision regarding the disposal of the land, the Council will need to carefully consider whether or not it wishes to retain the subject land for the reserved or any other purpose.</p>	

SUBMISSION NO.	SUMMARY OF SUBMITTERS' OPPOSING COMMENTS	COUNCIL'S RECOMMENDATION	COMMISSION'S RECOMMENDATION
2.1 to 2.4 OPPOSING SUBMISSIONS (cont'd)	<p>(c) Loss of visual amenity</p> <p>In the Attachment 10.3.9 in paragraph 4.0 Proposed Development (<i>September 2007 report</i>) we are given details of the 12.38m by 20.12m enclosure / compound. The 2.145m high walls of the enclosure, the 3.0m high flat roofed pumps shed and the 4.0m high gas vessel in the enclosure will all decrease significantly the visual amenity. Currently, from Fortune Street looking east up Burch Street there is a very pleasant vista right to the playground and across Ernest Johnson Reserve to the other side and the SPC offices.</p>	<p>If the rezoning of the land is finally approved by the Minister and the development of the land proceeds, the appearance of the subject land will certainly change. This fact was taken into account by the Council when it resolved to support the proposal in principle. Specific design aspects in relation to the future development of the land will be addressed more fully at the time of any future development application to the City. The comment is NOTED.</p>	
	<p>(d) "Stranger danger" a risk</p> <p>Apart from residents in the vicinity, the users of the playground equipment have a special concern about this decrease of visibility. Unfortunately there is a real threat of "stranger danger" around play equipment. Parents of young children can currently safely let their children play while parked just nearby in the car park. With the enclosure wall and other structures in the enclosure there will be a higher risk of stranger danger. This should be quantified as well as possible by Police and other involved agencies before a decision to sell the land to the SPH is made. Without such input the CSP could be considered negligent if episodes later occur. There have recently been several serious incidents of predators around local schools.</p>	<p>In terms of any future perimeter bricks providing a screen for antisocial behaviour in the vicinity of the children's play area, the City's Property and Insurances Officer responds as follows:</p> <p>"Parents have the onus to watch their children in public places at all times. If a wall stops them from having a clear view from the car park then they should ensure that they do have an appropriate level of surveillance. This would be the common sense 'duty of care' obligation of parents.</p> <p>Although any incident would need to be properly assessed at the time, in my opinion there would not be any implications for the City should anything occur on the playground that is not as a result of the equipment itself. I think it would be difficult to link the decision to allow the construction of a wall on the hospital's private land, as a contributory cause to an assault or accident."</p> <p>The City's Community Development Coordinator and the Community Safety and Volunteer Officer note that there is currently no seating for parents near the play equipment. To the extent that this should be remedied by the City, the comment is UPHELD.</p>	

SUBMISSION NO.	SUMMARY OF SUBMITTERS' OPPOSING COMMENTS	COUNCIL'S RECOMMENDATION	COMMISSION'S RECOMMENDATION
<p>2.1 to 2.4 OPPOSING SUBMISSIONS (cont'd)</p>	<p>(e) South Perth Hospital should not receive special favours</p> <p>The South Perth Hospital was once closely linked to the City, and local ratepayers donated towards the capital costs and felt it was their local hospital. This has certainly changed. No longer can residents of South Perth use the hospital from the cradle to the grave. The services offered now by the SPH are mostly medical consulting / diagnostic / day surgery. There is no real public accountability by the SPH Board.</p> <p>Over the years, some Councillors have recommended major concessions to development plans by the SPH, especially as regards the provision of car parking spaces, often against the intent of the current Town Planning Scheme. The Surgicentre in South Perth, Community Pharmacy on the corner of South Terrace and the associated medical suites have had to provide adequate parking. We do not see in the current SPH development plans any consideration of underground or other on-site parking.</p> <p>SPH should be assessed now as a privately operated hospital / consulting rooms combination. If the SPH is granted AGAIN very special consideration by the CSP it could be construed as favouritism, and with double standards compared to other similar private enterprises.</p> <p>We urge the CSP to consider the thought that the SPH cannot do all that it likes, with the South Perth ratepayers either partly footing the bill or local residents suffering the inconvenience. The current proposal should prompt the CSP to say enough is enough.</p>	<p>The City applies the relevant provisions of its operative Town Planning Schemes and Policies to every development application. Clause 7.8 of TPS6 contains provisions authorising the Council to exercise discretion in relation to the provision of car parking and other requirements, when considering any development application. Clause 7.8 stipulates that discretion under this clause may only be exercised if the Council is satisfied that it would be consistent with the orderly and proper planning of the locality and the preservation of the amenity of the locality. In line with Scheme provisions, South Perth Hospital has been required to provide car parking either on their own land in Fortune Street, or to pay the Council to provide additional parking within the Ernest Johnson car park. This form of discretion has been applied in the case of other developments where appropriate. The submitters' comment is NOT UPHELD.</p> <p>The change of policy or operation of the Hospital does not affect the City or relate to the current rezoning request. The comment is NOTED.</p>	

SUBMISSION NO.	SUMMARY OF SUBMITTERS' OPPOSING COMMENTS	COUNCIL'S RECOMMENDATION	COMMISSION'S RECOMMENDATION
2.1 to 2.4 OPPOSING SUBMISSIONS (cont'd)	<p>(f) Proposal would block access to reserve</p> <p>I am against this rezoning, strongly believing that by allowing the hospital to secure this parcel of land, it will block off access from people coming up the street for entry into the park. The land in question is fine as is and the hospital should not be allowed to buy this area for their own use. I am sure that the Council will decide what is best but I would hate to see this land sold off as it was never the intention of all previous Councils. I am against this proposal.</p>	<p>The submitter is not correct in the belief that the rezoning and sale of the land will block off access from Burch Street to the reserve. While the access steps are currently located on the subject land, the Hospital will be required to relocate the steps and create another suitable access point, at the Hospital's cost. Such access would need to be designed according to the City's specifications and could also provide for disabled access, thus improving access to the reserve. The comment is NOT UPHELD.</p> <p>The submitter notes that the rezoning was never the intention of previous Councils. While this may be correct, it is the responsibility of each successive Council to assess the merits of each proposal and to make decisions relevant to the current and future situation as assessed at the time. The comment is NOT UPHELD.</p> <p>The submitter's satisfaction with the subject land in its present condition is NOTED.</p>	
	<p>(g) Proposed fencing would be non-compliant</p> <p>We cannot support the proposed development of the site as it completely contradicts the guidelines by which residents must abide when constructing boundary fences. The proportion of visual permeability does not seem to apply in this instance - nor do the height regulations which are enforced upon residents. Our recent dealings with Council staff assured us that there was no possibility to act outside the guidelines, even when considering pool safety, privacy and possible noise pollution from pool use and equipment. We were advised that under no circumstances would a solid boundary wall be allowed - the proposed plan contradicts this advice.</p>	<p>This matter will be addressed more fully at the time of any future development application to the City. As far as it affects the rezoning proposal, the comment is NOT UPHELD. The requirements of the R-Codes would not apply in this instance, as the R-Codes relate specifically to residential development. However, fencing details proposed to date are generally in line with the maximum 1.8m height prescribed by TPS6, other than for a building proposed for the north-eastern corner of the compound which will involve boundary walls. These may be approved by the Council at its discretion, having regard to amenity impacts of the structure.</p>	

SUBMISSION NO.	SUMMARY OF SUBMITTERS' OPPOSING COMMENTS	COUNCIL'S RECOMMENDATION	COMMISSION'S RECOMMENDATION
2.1 to 2.4 OPPOSING SUBMISSIONS (cont'd)	<p>(h) Proposed perimeter fence would screen and encourage 'hoon driving' in car park</p> <p>The adjacent Ernest Johnson car park regularly attracts 'hoon-like' drivers and unsociable behaviour late at night. A brick perimeter wall around the subject land would provide protection for such activities and could actually encourage more activity of this nature.</p>	<p>With respect to this concern, the City's Community Development Coordinator and the Community Safety and Volunteer Officer respond as follows:</p> <p>"Would suggest that the development, if it proceeds, incorporate Crime Prevention through Environmental Design (CPTED) principles. These include maximising passive surveillance and lighting."</p> <p>Such principles would be examined at the time of any future development application. The comment is UPHELD.</p>	
	<p>(i) Proposed perimeter fence would encourage graffiti</p> <p>A brick perimeter wall around the subject land would provide a perfect surface and location for graffiti. We need absolute assurance that this would be addressed daily.</p>	<p>With respect to this concern, the City's Community Development Coordinator and the Community Safety and Volunteer Officer respond as follows:</p> <p>"Would suggest that the development, if it proceeds, incorporate Crime Prevention through Environmental Design (CPTED) principles. These include maximising passive surveillance and lighting, use of art work or a range of materials in the perimeter walls and fencing to discourage the opportunity for graffiti."</p> <p>Such principles would be examined at the time of any future development application. The comment is UPHELD.</p>	
	<p>(j) Concern for loss of trees, not loss of views</p> <p>We (residents of Fortune Street) oppose the rezoning and the Hospital's future development of the land, not because we would be losing our view - we don't spend time gazing down Burch Street and are not obsessed by views.</p> <p>We are, however, obsessed by trees and public open spaces, and were horrified to learn of the intention to remove the pine tree in Burch Street which feeds the black cockatoos, now endangered due to drought</p>	<p>The removal of the existing large Maritime pine (<i>Pinus pinaster</i>) tree in Burch Street is not related to the current rezoning request. The reasons for removing the tree are described in the September 2007 report relating to the Hospital's latest development application. In relation to the future health and stability of the tree, advice from the City's Manager, City Environment at that time indicated that:</p> <p>(i) Although not planted by the City, the tree is the City's responsibility. The particular species is not an appropriate street tree, due to its potentially large size and surface root system. The species is</p>	

SUBMISSION NO.	SUMMARY OF SUBMITTERS' OPPOSING COMMENTS	COUNCIL'S RECOMMENDATION	COMMISSION'S RECOMMENDATION
2.1 to 2.4 OPPOSING SUBMISSIONS (cont'd)	and loss of habitat. If the Council removes every tree with large roots and the capacity to grow taller, we will never get on top of climate change and drought. If clearing up the fallen cones is a problem for the Hospital or the City, then we'll clear them daily!	better suited to a forest or open parkland setting. (ii) At a current height of 16 metres, the tree is only about 40-50% of its mature size and is already showing signs of lifting the surrounding land. It is inevitable that the tree will need to be removed in the near future, irrespective of the Hospital's current development proposal. The majority of its root system is within the top 1.5 metres of the soil profile and there is a strong likelihood that the extent of damage it causes to nearby infrastructure and property will increase as it grows. The Manager, City Environment is of the opinion that the tree should be removed. because it would not survive transplanting. The submitter's comment is therefore NOT UPHELD .	
	<p>(k) Oppose disposal of City's open space</p> <p>We oppose even one square metre of public land being taken for any private purpose, just as a cheaper option for a developer. It will set a precedent for any developer with deep pockets to obtain prime land. One of the reasons South Perth is so popular could be its public open spaces that some of us are hoping to preserve.</p> <p>We are not the only members of the community who are concerned about the loss of open space and trees.</p> <p><i>(The submitter also provides an article from the Southern Gazette newspaper of 18.3.2008, in relation to the Town of Victoria Park decision to excise portion of the foreshore reserve for the development of a restaurant.)</i></p>	Whenever the Council receives a request for purchase of land, it must consider all available options with respect to that land and its use to the City for public purposes, particularly in regard to the vested or reserved purpose. The Council may agree to sell the land if it has considered all relevant factors, The sale of land must follow statutory processes. Each case is considered on merit, and the current situation does not set a precedent. The comment is NOT UPHELD .	

SUBMISSION NO.	SUMMARY OF SUBMITTERS' OPPOSING COMMENTS	COUNCIL'S RECOMMENDATION	COMMISSION'S RECOMMENDATION
2.1 to 2.4 OPPOSING SUBMISSIONS (cont'd)	<p>(l) Oppose any development of this land We oppose any development of this land, now or in the future.</p>	The comment is NOTED .	
	<p>(m) Ongoing development is disturbing Submitter raises several concerns regarding the amount of development taking place within this part of the City, and the resultant continual noise, dust, bad language, drilling and digging, vibration, and loud heavy metal music for six days a week, in addition to noise from the hall at Ernest Johnson oval.</p>	While these comments are not relevant to the current rezoning request, the matters have been referred to relevant departments within the City for independent examination.	

3. Submissions from Service Authorities

SUBMISSION NO.	SUMMARY OF SERVICE AUTHORITIES' COMMENTS	COUNCIL'S RECOMMENDATION	COMMISSION'S RECOMMENDATION
3.1 to 2.3 SERVICE AUTHORITIES	<p>(a) WestNet Energy (Alinta Gas)</p> <p>The developer must contact Dial Before You Dig (1100) to reference Gas Network changes immediately prior to the proposal going ahead. If the Gas Network is affected, by the proposal and WestNet Energy works are required, then the following conditions must be met:</p> <ul style="list-style-type: none"> (i) All work carried out on AlintaGas Networks to accommodate the proposed subdivision / amalgamation or any development will be at the proponent's expense. (ii) WestNet Energy requires one month's notice prior to commencement of the work on site. Notice should be given to the Project Coordinator on Ph. 9499 5166. 	<p>The comment is NOTED. The advice will be conveyed to the proponent.</p>	
	<p>(b) Western Power</p> <p>Please be advised that while Western Power has no objections for the rezoning, the proposal is subject to conditions.</p> <p>Low voltage cables currently traverse within the above mentioned area. Western Power will require an easement to be registered on the portions of the property that are directly affected by this cable, the easement will need to be 2m (i.e. +/- 1m either side of the underground cable) wide. To register an easement please contact Environment and Land Management Branch (<i>details provided</i>).</p> <p>Western Power staff will require 24 hour unencumbered access to the cable. The position and type of locks used on any</p>	<p>The comment is NOTED. The advice will be conveyed to the proponent.</p>	

SUBMISSION NO.	SUMMARY OF SERVICE AUTHORITIES' COMMENTS	COUNCIL'S RECOMMENDATION	COMMISSION'S RECOMMENDATION
3.1 to 2.3 SERVICE AUTHORITIES (cont'd)	<p>fencing are to be accessible to Western Power employees and a standard key be provided along with a separate padlock to allow 24 hour access for routine and emergency maintenance.</p> <p>Please note:</p> <p>(i) Perth One Call Service (Phone 1100 or 9424 8117) must be contacted and location details (of Western Power's underground cable) obtained prior to any excavation commencing.</p> <p>(ii) Work Safe requirements must be observed when excavation work is undertaken in the vicinity of Western Power's assets.</p> <p>Western Power points out that the cost of any changes to the existing (power) system, if required, will be the responsibility of the individual developer.</p>		
	<p>(c) Water Corporation</p> <p>The Water Corporation has no objections in principle to this Amendment.</p>	The comment is NOTED .	

5. CONCLUSION

Submitters have raised a number of issues with respect to the rezoning and disposal of this small area of Council-owned public open space. Each of these issues has been fully considered and the Council has provided appropriate responses in this Report on Submissions. In some instances, the Council agrees with submitters and upholds the particular comments; in other instances, the Council does not agree with the submitters and does not uphold the comments. On each issue, the Council has commented and made a recommendation to the Western Australian Planning Commission and the Minister. In several instances, submitters have raised concerns that can simply be remedied, or addressed at the time of any future application for the development of the land. These issues would be properly dealt with at that time.

6. DETERMINATION OF SUBMISSIONS

Having regard to the preceding comments, the Council recommends that:

- (a) Submissions 1.1 to 1.5 inclusive, supporting the proposed Amendment No. 10, be generally **UPHELD**;
- (b) Submissions 2.1 to 2.4 inclusive, opposing the proposed Amendment No. 10, be generally **NOT UPHELD**; and
- (c) Amendment No. 10 **proceed without modification**;

7. CONCLUDING ACTION

IT IS RECOMMENDED that:

- (a) Amendment No. 10 to the City of South Perth Town Planning Scheme No. 6 **be adopted without modification**.
- (b) The City of South Perth under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005 hereby amends the above Town Planning Scheme by:
 - (a) rezoning the land as generally described hereunder from the 'Local Scheme Reserve - Parks and Recreation' to the 'Private Institution' zone:

All of that portion of Pt. Lot 1 situated to the east of the eastern end of Burch Street, South Perth, and to the south of the easterly prolongation of the northern boundary of Burch Street to a point on the eastern boundary of Pt. Lot 1, as depicted on the Scheme Amendment Map; and

- (b) amending the Scheme Map - Zoning for Precinct 3 - South Perth Civic, accordingly.


ROD BERCOV
STRATEGIC URBAN PLANNING ADVISER



SCHEME AMENDMENT MAP

LEGEND

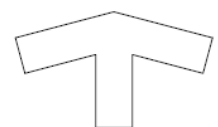
LOCAL SCHEME RESERVE

 Private Institution

City of South Perth

Town Planning Scheme No.6

Amendment No.10



Scale 1:2000

9.0.5 Collier Park Hostel (*Item 7.1 referred from Special Council Meeting 31 October*)

Location: Collier Park Hostel
Applicant: City of South Perth
File Ref: CS/501/4
Date: 1 December 2006
Author: Cliff Frewing, Chief Executive Officer

Summary

The purpose of this report is to progress the decision made by Council on 31 October to consider reports to improve the financial viability of the Collier Park Hostel.

Background

The operations of the Collier Park Hostel have been under review for some time and have been the subject of both internal and consultants' reports. Following receipt of a report prepared by Southern Cross Care a comprehensive report was prepared and considered by Council at a Special Council meeting held on 31 October 2006. At that meeting Council resolved as follows:

"That....

- (a) Council retain ownership and management of the Collier Park Hostel and that further reports to improve the financial viability of the facility, as identified in the Southern Cross Care report be submitted to Council as soon as practicable; and*
- (b) an external consultant be appointed to assist the City in identifying and implementing the operational initiatives outlined in the Southern Cross Care report."*

This report therefore is the first in a series that is aimed at improving the financial viability of the Hostel.

Comment

There are a number of areas that were identified in the review conducted by Southern Cross Care (SCC) that Council could review and these include the following:-

Costs

There are really only two main areas of costs that should be reviewed in detail and these are the staff costs and meals costs. This is because direct staff costs account for approximately 57% of total cash operating costs and meals cost 21% of cash operating costs. When combined therefore, these two cost elements account for 78% of total cash operating costs. The cost of meals is the subject of a pre-existing tender arrangement entered into earlier in the year and as such the arrangement is not subject to negotiation.

Staff Structure

In accordance with the Council decision, a consultant has been appointed to review the operations of the Collier Park Hostel. This review will focus on the staff structure having regard for the most appropriate Residential Care Subsidy (RCS) levels recommended.

Clearly the higher the RCS levels the higher the staff and other costs are and the objective of the review is to recommend the most appropriate mix. The review will be completed in December and reported in February 2007.

Revenue

There are only a relatively few number of revenue related areas that could be reviewed and these are identified in the following section. It is clear that the bulk of revenue received (93%) is set by Commonwealth legislation and is not easily increased.

Hostel Bonds

One area that is totally within the control of the City and can be quickly reviewed relates to Hostel bonds. A Hostel Accommodation Bond is payable when a resident moves into the Hostel. The City is entitled to 'retain' an annual amount from that bond for each of the first five years that the resident resides at the Hostel. The retention amount is set by legislation. No retention is allowed after five years irrespective of how long the resident stays in the Hostel. The remaining bond is held by the City until the resident's departure. The City accrues and retains interest on bonds held for subsequent refund to departing residents. In essence therefore, the higher the bond the higher the income from interest received from those bonds.

The amount returned from the bond is quarantined in the Collier Park Hostel Capital Reserve and is used for capital refurbishments when units are vacated. It is important to note that not all residents pay bonds as some residents are classed as "concessional" residents.

Accommodation Bonds have been periodically reviewed in recent years and the following represents recent movements in the level of bonds charged for Hostel units:

1990-1994	\$15,000 to \$18,000
October 1994	\$25,000
June 1996	\$35,000
December 2001	\$40,000
September 2003	\$80,000

In the SCC report, the suggested bond level was proposed at a maximum of \$250,000. This is not seen as realistic for the Collier Park Village Hostel given its age and level of services provided. The proposed bond level is also significantly higher than bond levels set by similar nearby and competing aged care providers as the following examples illustrate:

Canning Lodge, Canning	\$75,000
Como House, Como	\$180,000
Meath Care, Como	\$180,000
St Ives Booragoon	\$200,000
Gracewood, Salter Point	\$251,000
Four Seasons, Booragoon	\$280,000

Given the last review of the bond level by Council was in 2003, the bond could be reasonably increased to \$90,000 (rounded up to the nearest thousand) by simply taking into account increases in CPI alone during the intervening period (approximately 12%). This however does not take into account the level of the bond which is considered to be relatively low compared with similar Hostels.

A good indication of an appropriate level of accommodation bond is to use the figure set by the Commonwealth Department of Health and Ageing (DHA) which is used by the Department to determine the cut off point for the pensioner supplement. A pensioner supplement is claimable by aged care operators such as the Collier Park Hostel of \$2307 per annum where the bond level is set below a published figure. At this time that bond level is set at \$128,500.

If bonds are set above this figure, the daily pensioner supplement otherwise payable to aged care providers cannot be claimed.

As mentioned earlier, whatever the level of the bond is set at, the service provider is permitted to retain an amount set by legislation depending on the date of entry to the Hostel. Currently, that amount is \$3,282 per year having progressively increased from \$2,600 in 1996. In the case of Collier Park Hostel, the current bond is set at \$80,000 and this amount is progressively reduced over a period of five years until the maximum retention amount is reached.

Given the existing interest rate yield on City investments is 6.18%, there is no advantage in the City increasing the bond level to a figure greater than \$128,500 but less than approximately \$166,000. Alternatively put, if Council decided to increase the bond level to a figure between \$128,500 and \$166,000 despite any additional revenue the City would earn from interest on the investment, it would be “worse off” because the pensioner supplement would not be claimable.

This is why bond levels are not generally set within this range, as there is no advantage in setting bonds within this range (indeed there are disbenefits to the service provider rather than benefits). If the City decided to match the bond level set by the organisations referred to above (around \$180,000), then it would need to increase the current level by a minimum of approximately \$100,000 which, although justified in terms of competitors rates, is a significant increase from the existing level of \$80,000.

If Council accepts that \$128,500 is an appropriate revised level of bond, then it is recommended that the bond limit set by the DHA be adopted for future bond levels. The DHA reviews this figure each quarter having regard for the CPI and sets a new figure. Given this, there is no reason why the City should not adopt as a matter of standard practice, changing the bond level to the new calculated level each quarter. This would also ensure that the bond level is automatically reviewed on a regular basis and its value remains current. If Council prefers this level of bond it would be appropriate to consider adopting the following Motion:

That Council...

- (a) *set the Accommodation Bond for entry to the Collier Park Hostel at the level determined by the DHA as the maximum level before the pensioner subsidy is not payable (currently \$128,500) and that the level of the bond be adjusted on a quarterly basis in accordance with the figure set by the DHA; and*
- (b) *set the interest rate on outstanding Accommodation Bonds for entry to the Collier Park Hostel at the level determined by the DHA at the maximum level (currently 10.19%) and that the level of the interest rate be adjusted on a quarterly basis in accordance with the figure set by the DHA.*

Alternatively, should Council decide that the bond level should be set at a more common or competitive rate, then a figure in the range of \$180,000 to \$200,000 is proposed.

Whichever rate is adopted, since both proposed bond levels are significantly higher than the existing level, it may result in higher vacancy rates as units become available. If this occurs, it will not only affect loss of ability to earn interest on bonds held, but will also result in loss of Commonwealth revenue.

The basic bond level is also used to calculate an adjusted reduced level of bond applicable for Collier Park Village residents who transfer to the Hostel. The Hostel bond level is reduced by the value of the lease premium paid by the resident under the residential lease arrangement in place at the Village. It is proposed that this arrangement continue.

Interest On Outstanding Bonds

Under the Aged Care Guidelines, an incoming Hostel resident has up to six months to pay the Accommodation Bond - although this is rarely the case. In the event that the payment of the Accommodation Bond is delayed beyond that six months, the City is permitted to charge interest on the outstanding bond amount.

It has not been past practice to charge ingoing residents interest on outstanding bonds when admitted as residents to the Hostel. The City is able to charge interest of up to 10.19% on outstanding bonds. Although the revenue derived from such a charge is not likely to be significant over a full financial year, it is considered to be a legitimate charge that should be borne by new residents in these circumstances.

The maximum interest rate chargeable is also set by DHA and is currently 10.19% and reviewed quarterly. It is suggested that Council also sets this rate as the benchmark rate for future admissions where the bond is not paid by the 'due date'.

Residential Care Subsidy (RCS)

The residential care subsidy is a function of the level of care that residents are assessed at. In general terms, the higher the level of assessment the higher the subsidy received and the greater the costs incurred in providing the necessary level of service. As the RCS levels are related to salary and other costs, these factors are being reviewed together by an independent consultant and will be the subject of a further report to Council.

Consultation

No consultation as such has occurred as the proposal only relates to future residents not existing residents. Enquiries have been made with local Hostels.

Policy and Legislative Implications

Review of financial issues associated with the Collier Park Hostel consistent with Council resolution.

Financial Implications

The financial implications of the change to the bond levels cannot be assessed with certainty as it is impossible to predict the rate of turnover of units or the rate at which vacancies are filled. The proposed arrangements would only apply to new incoming residents to the Hostel and as a result would not impact on existing residents.

An indication of the financial gain is expressed in the following table for a range of bond levels:-

Bond value	Additional interest	Loss of pensioner support	Increase in revenue
	(Full Year *)	(Full year) **	(Full Year *)
\$90 000	\$3 090	-	\$3 090
\$128 500	\$14 986	-	\$14 986
\$150 000	\$21 630	(\$11 535)	\$10 095
\$166 000	\$26 574	(\$11 535)	\$15 039
\$180 000	\$30 900	(\$11 535)	\$19 365
\$250 000	\$52 530	(\$11 535)	\$40 995

* Based on turnover of five residential units per year

** In relation to 'pensioners only'

Strategic Implications

This matter is in line with Goal 2 of the Strategic Plan : *To foster a sense of Community and a prosperous business environment.*

OFFICER RECOMMENDATION 9.0.5

That Council...

- (a) set the Accommodation Bond for entry to the Collier Park Hostel at \$180,000 and that the level of bond be adjusted on a quarterly basis by reference to the change in the consumer price index, (CPI) for Perth commencing from the change to the index for the quarter ending 31 March 2007; and
- (b) set the interest rate on outstanding Accommodation Bonds for entry to the Collier Park Hostel at the level determined by the DHA at the maximum level (currently 10.19%) and that the level of the interest rate be adjusted on a quarterly basis in accordance with the figure set by the DHA;

MOTION

Cr Trent moved the officer recommendation, Sec Cr Ozsdolay

The Mayor put the Motion.

LOST (1/10)

MOTION

Moved Cr Doherty, Sec Cr Smith

That ...

- (a) the officer recommendation not be adopted;
- (b) Council:
 - (i) set the Accommodation Bond for entry to the Collier Park Hostel at the level determined by the DHA as the maximum level before the pensioner subsidy is not payable (currently \$128,500) and that the level of the bond be adjusted on a quarterly basis in accordance with the figure set by the DHA;
 - (ii) set the interest rate on outstanding Accommodation Bonds for entry to the Collier Park Hostel at the level determined by the DHA at the maximum level (currently 10.19%) and that the level of the interest rate be adjusted on a quarterly basis in accordance with the figure set by the DHA;
 - (iii) determine the number of concessional residents the Collier Park Hostel will admit and structure the waiting list accordingly;
 - (iv) accept residents who can pay part bonds; and
 - (v) ensure all prospective residents on the waiting list provide a copy of asset assessment, review applications to identify what level of bond could realistically be sustained without risking empty beds and then make a decision whether to increase Accommodation Bond to \$180,000.

Note: For the benefit of the public gallery Cr Doherty read aloud the above Motion.

MEMBER COMMENTS FOR / AGAINST MOTION - POINTS OF CLARIFICATION

Cr Doherty opening for the Motion

- increasing Accommodation Bond as per DHA guidelines is a very straightforward way to make changes without affecting pensioner subsidies
- in short it may be easier for the Finance Department
- amount is realistic and in the main would be more affordable by many.
- facility can admit a concessional (or a bond resident if the concessional supplement is not an issue)
- if a bonded bed becomes available only admit someone who will be paying the bond
- a matter of replacing like with like, and a large number of Hostels operate in this way

- process and retention of taking residents who could pay part bonds means that while the interest available would be less, anything is better than an empty bed
- provides the opportunity to test the market before increasing the Accommodation Bond to \$180,000 as once the incoming bond is set, it will be difficult to reduce it.

Cr Smith for the Motion

- support Cr Doherty's Motion
- commend work Cr Doherty has put into Motion
- this is one of many aspects towards turning the hostel around
- adopt lower level and then do assessment
- structure to those that can contribute
- support Motion

COMMENT - LATE ALTERNATIVE MOTION - MAYOR COLLINS

The Mayor commented that it was a very late alternative Motion only tabled just prior to the commencement of the Council Meeting. He said that Members needed to be fully informed as to what the alternative Motion means and whether it is still going in the right direction. He then asked the CEO for comment.

Chief Executive Officer stated that given the existing interest rate yield on City investments is 6.18%, there is no advantage in the City increasing the bond level to a figure greater than \$128,500 but less than approximately \$166,000. Alternatively put, if Council decided to increase the bond level to a figure between \$128,500 and \$166,000 despite any additional revenue the City would earn from interest on the investment, it would be "worse off" because the pensioner supplement would not be claimable.

This is why bond levels are not generally set within this range, as there is no advantage in setting bonds within this range (indeed there are disbenefits to the service provider rather than benefits). If the City decided to match the bond level set by the organisations referred to above (around \$180,000), then it would need to increase the current level by a minimum of approximately \$100,000 which, although justified in terms of competitors rates, is a significant increase from the existing level of \$80,000.

If Council accepts that \$128,500 is an appropriate revised level of bond, then it is recommended that the bond limit set by the DHA be adopted for future bond levels. The DHA reviews this figure each quarter having regard for the CPI and sets a new figure. Given this, there is no reason why the City should not adopt as a matter of standard practice, changing the bond level to the new calculated level each quarter. This would also ensure that the bond level is automatically reviewed on a regular basis and its value remains current.

As a result, Motions (b)(i) and (b)(ii) are both appropriate and foreshadowed in the report as possible alternative Motions. He further stated that part (b)(iii) of the Motion is in line with normal procedure. In relation to part(b)(iv) he said that the City has not yet embarked on accepting residents who can pay only part bonds but that the City can look at this in the future. In relation to part (b)(v) of the Motion he said that the City would need to adopt some type of ‘guidelines’ in order to determine whether a particular resident could in fact pay the \$180,000 bond or the lesser bond of \$128,500.

Cr Gleeson point of clarification - in relation to part(b) of the October Council resolution which states that *an external consultant be appointed to assist the City in identifying and implementing the operational initiatives outline in the Southern Cross Care report...*has a Consultant been appointed?

Chief Executive Officer replied yes that a consultant has been appointed to review the staffing structure at the Collier Park Hostel and that a report will be presented to the next available Ordinary Meeting of Council.

Cr Gleeson against the Motion

- based on information from CEO that consultant’s report is still to come to Council believe this alternative Motion is ‘jumping the gun’
- against the Motion

Mayor Collins stated that the report before Council is looking at the Bond situation only.

COUNCIL DECISION ITEM 9.0.5

The Mayor put the Motion

That ...

- (a) the officer recommendation not be adopted;
- (b) Council:
 - (i) set the Accommodation Bond for entry to the Collier Park Hostel at the level determined by the DHA as the maximum level before the pensioner subsidy is not payable (currently \$128,500) and that the level of the bond be adjusted on a quarterly basis in accordance with the figure set by the DHA;
 - (ii) set the interest rate on outstanding Accommodation Bonds for entry to the Collier Park Hostel at the level determined by the DHA at the maximum level (currently 10.19%) and that the level of the interest rate be adjusted on a quarterly basis in accordance with the figure set by the DHA;
 - (iii) determine the number of concessional residents the Collier Park Hostel will admit and structure the waiting list accordingly;
 - (iv) accept residents who can pay part bonds; and
 - (v) ensure all prospective residents on the waiting list provide a copy of asset assessment, review applications to identify what level of bond could realistically be sustained without risking empty beds and then make a decision whether to increase Accommodation Bond to \$180,000.

CARRIED (10/1

9.0.2 Collier Park Hostel Progress Report <i>(Item 7.1 Special Council 31.10.2006)</i>

Location:	Collier Park Hostel
Applicant:	City of South Perth
File Ref:	CS/501/4
Date:	4 May 2007
Author:	Margaret Clarke
Reporting Officer:	Roger Burrows, Director Corporate & Community Services

Summary

The purpose of this report is to update the Council on the progress made since it resolved to appoint a consultant to assist the City to implement operational initiatives at Collier Park Hostel.

Background

Susan Clarke and Associates were engaged in January 2007 to review and identify options to improve administration and financial operations within the Collier Park Hostel.

The terms of reference were:

- (a) *Review the training and staffing structure of the Hostel.*
- (b) *Review current Resident Classification Scale (RCS) levels.*
- (c) *Compare different skills mix required to meet relevant (RCS) levels.*
- (d) *Make recommendations as appropriate.*

Comment

Methodology

The report was received and the consultant then met for numerous discussions with the Village Manager, Accreditation Assistant, Acting Care Assistant in Charge and Care staff at the Hostel. These discussions ranged through all aspects of the terms of reference, in particular the RCS levels and the documentation requirements. Details of the current RCS levels, staffing rosters and staffing registrations were provided to the consultant for their information.

Staff Structure

To accommodate the extra frailness and cognitive issues being experienced it was agreed that the activity programme should run five times per week instead of three. This would provide additional diversionary activities in an attempt to reduce the incidence of resident attention seeking behaviours. It was acknowledged that if this was implemented the care hours provided during the day could be decreased because carers were now no longer required to supervise those residents with behaviour problems so closely since they were now occupied within the activity programme. All residents would benefit additionally from the extra variety and options provided to them with the increased activity program.

By decreasing the hours during the day shift, eighteen hours per week were saved. Seven of these hours were then used for the activity program. The weekend shifts were then reviewed and discussion took place with staff and residents.

Attachment 10.0.2(c)

The busiest times at the weekend are as follows:

- Weekend days between 7.00am and 1.00pm when staff were waking residents, showering residents and serving lunches.
- Evenings between 5.00pm and 7.00pm when staff were serving dinner and settling residents for the evening.

It was decided that the remaining eleven hours should be allocated for the split shift at the weekend.

A split shift was implemented to cover these times and as a result, the budget was increased by four additional hours to accommodate these shifts. This equates to an additional \$5,576.00 per year since it incurs penalty rates for the weekends.

It needs to be emphasised that the higher the level of residents the City retains, the higher the demands for care the higher the staff hours will become, also higher income.

The position of Registered Nurse in Charge has been reviewed. Since Susan Evans left in June 2006 the position has been filled with either a Registered Nurse from an Agency or a senior supervisor.

A choice of 3 models was suggested by the consultant. The approximate costs of these positions within the industry are:-

- recruiting a Registered Nurse Manager (approximately \$60,000 to \$72,000).*
- recruiting an Enrolled Nurse with a part time Registered Nurse for clinical support - (approximately \$65,000 to \$70,500).*
- recruiting a Senior Carer Certificate IV manager with a part time Registered Nurse for clinical support - (approximately \$53,000 to \$68,780).*

Currently a Certificate IV Senior Carer is in the Acting Position @ \$46,259 p/a and a Registered Nurse Level 2.3 for 15 hours per week @ \$21,177 p/a - Total \$67,436 per annum. Option (c) has been working well and was implemented on 1 April 2007. It is still within the current budget parameters.

RCS Review

Reviews have been completed for all current residents in the Hostel and as their review dates become due most are being raised by 1 level. Residents are assessed when they are admitted to the Hostel and given a care level. This remains in place for 12 months unless that person goes into hospital for 30 days. Then the level drops two categories until reassessed when they return from hospital. That (RCS) level then remains in place for 6 months. This has started to increase income with April figures showing \$3,000 higher than January, 2007. The Hostel still has to admit two residents to meet the 41% concession to reach the higher income provided. This will have to be achieved by not taking residents from within the Village.

Based on recommendations in the consultants report our action plan for R.C.S and how it will affect income in the Hostel is as follows:-

Attachment 10.0.2(c)

Recommendation	Action	Anticipated Result	Date to Complete
1. That a policy developed to increase RCS levels to generate more income.	Policy and Procedure in process being developed. Increase levels to:- 20 - Level 6 10 - Level 5 5 - Level 4 5 - Level 3	Raise Income. Anticipated increase \$111,040.75 Refer to table below	Over 12 months From January 2007
2. Staff Training, assessment techniques	21 March 2007 10 April, 2007 Follow up May 2007. Producing new KPI's for all staff.	Raise awareness of documentation	12 month period Ends May 2007.
3. Review Hostel documentation assessment tools.	5 March, 2007 met with Susan O'Connell & Associates has been received April 2007.	Anticipated increase in income over 12 months \$111,040.75 Refer to table below	5 March 2007 Results seen within 12 month period.
4. Review and evaluate rosters to meet residents needs.	Meetings with staff.	To meet residents care needs.	Completed April 2007
5. Increase concessional concession of residents from 34% to 41% AS	Next 2 residents admitted concessional.	Result per year - Anticipated additional income of \$38,595. Refer to table below	12 months. From January 2007
6. Increase Hostel bond \$200,000	Council decision to increase bond to \$132,000 as of March 2007 to accept part bonds. 1 January, 2007.	Increase in Bond	Implemented
Previous current RCS Levels			\$588,208.00
New suggested levels by Consultant			
Calculations of Suggested Levels of (RCS). Refer to Recommendations anticipated.			
Level 8	Nil	Nil	
Level 7	Nil (within 12 months)	Nil	
Level 6	20 @ \$34.22 x 365 days	\$249,806.00	
Level 5	10 @ \$41.29 x 365 days	\$150,708.50	
Level 4	5 @ \$67.79 x 365 days	\$123,716.75	
Level 3	5 @ \$95.90 x 365 days	\$175,017.50	
		Total	Total for New Levels \$699,248.75 - Previous Income \$588,208.00 \$111,040.75 (Increase)
Proposed Increase in income from new (RCS) levels anticipated increase concessional income.	Concessional Income	\$38,595.00	<u>+ \$38,595.00</u>
		TOTAL INCOME (Increase)	<u>\$ 149,635.75</u>

Other Recommendations

Training

Review of R.C.S documentation and extra training of all staff were recommended and an action plan was put into place in accordance with recommendations.

Action

- (a) *Review of documentation and training of two senior staff (Accreditation Assistant and Carer in Charge) took place on 6 March, 2007 with a follow-up training session on 21 March, 2007. This is now complete.*
- (b) *Another training session took place for all Hostel staff on 10 April 2007 and a follow up is scheduled in May 2007.*

With the constant changes in this area it is recommended that a one-off training session takes place 12 monthly. The cost of this training will be \$2,500 ex current budget and this provides training for 14 staff members.

Bonds

The Southern Cross report recommended an increase in the hostel Bond to \$250,000. The City felt this was too high and made a decision to increase the Bond to \$128,500 at which the pension grant can still be claimed. This allowable rate was increased to \$132,000 on 20 March, 2007 and the Bond has been adjusted accordingly.

Conclusion

The City can be confident that there will be an increase in income as the (RCS) levels are raised over the next 9 months; however implementation of recommendations it will involve an increase in expenditure. This will be reflected within staffing levels across all shifts over 7 days with the increased ratio of low to high care residents to make sure adequate support and services are provided to all residents according to their needs. There would also be a need for some capital expenditure to provide adequate equipment to service a higher level of care, e.g. special beds @ a cost of \$2,400 per bed. It is very important to avoid any workers compensation claims such as shoulder, back or neck injuries. It still needs to be appreciated that because Collier Park Hostel is a component of a local government and the Hostel is not a stand alone identity it has been difficult to attract the Government CAP and Training funding. This continues to be a problem because of the reporting requirements which in turn has a detrimental effect on the Hostel financially through no fault of either the Hostel or the City.

Consultation

Consultation has taken place with staff regarding the (RCS) levels, change of rosters and training required to implement the required improvements regarding documentation. Residents were consulted regarding the changes to the multi-skilling of staff, changes to rosters for staff and the improvements that this could achieve for individual care of residents.

Evaluation is taking place of the changes implemented through the continuous improvement meetings and adjustments made as required.

Policy and Legislative Implications

Review of financial issues associated with the Collier Park Hostel consistent with Council resolution.

Financial Implications

The anticipated Budget loss and actual projected loss is identified hereunder:

	2006/07 Budget	2006/07 Actual (Projection)
Cash Operating Loss	(100k)	(120k)
Capital Expenditure	(67k)	(60k)
Overall Loss	(167k)	(180k)

Strategic Implications

This matter is in line with Goal 2 of the Strategic Plan: *To foster a sense of Community and a prosperous business environment.*

OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 9.0.2

That....

- (a) report Item 9.0.2 of the May 2007 Council Agenda noting the progress made since Council resolved to appoint a consultant to assist the City to implement operational initiatives at the Collier Park Village Hostel be received; and
- (b) a further progress report be submitted to the October 2007 meeting of Council.

CARRIED EN BLOC RESOLUTION

10.0.1 Collier Park Hostel Progress Report <i>(Item 9.0.2 Council Meeting 22.5.07)</i>

Location:	City of South Perth
Applicant:	Council
File Ref:	CS/501/4
Date:	22 October 2007
Author:	Margaret Clarke, Manager Collier Park Village
Reporting Officer:	Director Planning and Community Services

Summary

The purpose of this report is to update the Council on the progress made since it resolved to appoint a consultant to assist the City to implement operational initiatives at Collier Park Hostel and as a follow-on from the May 2007 progress report to Council.

Background

Susan Clarke and Associates were engaged in January 2007 to review and identify options to improve administration and financial operations within the Collier Park Hostel.

The terms of reference were;

- (a) *Review the training and staffing structure of the Hostel.*
- (b) *Review current Resident Classification Scale (RCS) levels.*
- (c) *Compare different skills mix required to meet relevant (RCS) levels.*
- (d) *Make recommendations as appropriate.*

Following the engagement of Susan Clarke a progress report was presented to the May 2007 Council meeting at Item 9.0.2. At that meeting Council resolved as follows:

That....

- (a) *report item 9.0.2 of the May 2007 Council Agenda noting the progress made since Council resolved to appoint a consultant to assist the City to implement operational initiatives at the Collier Park Village Hostel be received; and*
- (b) *a further progress report be submitted to the October 2007 meeting of Council.*

As reported in the monthly Status Report, as a result of the Council elections in October the further progress report was held over to the November 2007 Council meeting.

Comment

Methodology

Since May 2007, the consultant has met for numerous discussions with the Village Manager, Accreditation Assistant, Acting Care Assistant in Charge and Care staff at the Hostel.

These discussions ranged through all aspects of the terms of reference, in particular the RCS levels and the documentation requirements. Details of the current RCS levels, staffing rosters and staffing registrations were provided to the consultant for their information.

Staffing Structure

The present staffing structure is in line with the recommendations of the review from January 2007, however, it must be noted the higher level of resident is retained, the higher the demands for care, the higher staff hours will be needed and higher costs will be incurred as a result.

Hostel Staff Current

Position / Qualification	Hours	Weekend / Shifts
Care Manager - Cert IV	Full Time Monday - Friday	N/A
Registered Nurse	Casual 15 hours per week - M/W/F	N/A
5 Multi Skilled Carers 3 Certificate IV 2 Certificate III	Monday - Friday 4 Staff 7:00am - 2:00pm 1 Staff 7:00am - 2:30pm	Enrolled Nurse 7:00am - 3:00pm Carer 7:00am - 1:00pm Carer 7:00am - 2:00pm
Enrolled Nurse Carer	Monday - Friday 2:30pm - 10:00pm Monday - Friday 4:30pm - 9:30pm	Enrolled Nurse 2:30pm - 10:00pm Carer 4:30pm - 9:30pm
3 Enrolled Nurses	Night Shift 10:00pm - 7:00am	7 Nights per week.
Housekeeper	Split Shift Monday - Friday 7:00am - 10:00am 5:00pm - 7:00pm	5:00pm - 7:00pm
Activities Person	Monday/Wednesday.Thursday 9:30am - 3:30pm Tuesday/Friday 9:00am - 12:30pm	N/A
Accreditation Assistant	4 days per week / 6 hours per day	N/A
Gardener	1 day per week	N/A
Maintenance Person	1 day per week	N/A
Registered Nurse hours can change - Depending on level of residents or sickness.		
Accreditation person can change depending on Accreditation requirements and audits required.		

RCS Review

Periodic reviews have been completed for all current residents in the Hostel and as their review dates become due most are being raised by one level. Residents are assessed when they are admitted to the Hostel and given a care level. This remains in place for 12 months unless that person goes into hospital for 30 days. If this occurs, the level drops two categories until reassessed when they return from hospital. That (RCS) level then remains in place for 6 months until further reviewed.

The RCS levels comparing the May - September period are shown below

RCS LEVELS	MAY 2007	SEPTEMBER 2007
LEVEL 2	0	1
LEVEL 3	2	2
LEVEL 4	2	2
LEVEL 5	14	14
LEVEL 6	12	8
LEVEL 7	8	8
LEVEL 8	1	1
RESPITE - HIGH	1	3
	40	39
CONCESSIONAL	13	14
Total daily Value	\$1501.32	\$1542.58

In addition, 3 Residents are still going through assessment. An estimate of extra income would be an additional \$112.38 per day if current assessments are accepted. As residents leave the Hostel, the RCS levels of other residents are assessed in order to maintain income levels.

Training

It was recommended that all staff had more training with regard to the documentation requirements to receive the maximum income from RCS levels of Hostel Residents. This training has now been completed and follow-up training takes place annually to capture any changes that may be required.

A new funding system for grants is to commence on the 20th of March, 2008. This will be ACFI (Aged Care Funding Instrument) and will replace the old R.C.S (Resident Classification Scheme).

Training has already been completed by key personnel and will be followed up by training to all carers in the Hostel before March, 2008. The industry as a whole are still questioning if this will make a significant difference in income. Please see chart below for information.

TRAINING CONDUCTED	No. ATTENDEES
First Aid Training 20 & 21 August 2007	13
Accreditation Assessors Course 5, 12, 19, & 25 September 2007	1
Quest Training - Data into Evidence 21 September 2007	7
Evidence Based Practice 24 September 2007	2
ACFI Manager National Training 25 & 26 September 2007	1
Aged Care Channel Training - 29 Modules. Staff at various stages of completion.	22

Accreditation

The accreditation application was submitted in October 2007 and the accreditation of the Centre will be conducted on 7 and 8 February 2008. It is anticipated that the accreditation would be obtained for up to 3 years.

Bonds

The Southern Cross report recommended an increase in the Hostel Bond to \$250,000. The City felt this was too high and made a decision to increase the Bond to \$128,500 as the pension grant can still be claimed. This allowable rate was increased to \$135,000 on the 20 September 2007 and the Bond has been adjusted accordingly.

Conclusion

The City can be confident that there will be an increase in income, compared with the previous year, as the figures below compare grants received for R.C.S levels:-

July 2006	\$44,742	July 2007	\$64,669
August 2006	\$54,867	August 2007	\$60,318
September 2006	\$51,840	September 2007	\$64,714

Implementation of recommendations will involve an increase in expenditure. This will be reflected within staffing levels across all shifts over 7 days with the increased ratio of low to high care residents to make sure adequate support, care and services are provided to all residents according to needs as previously stated. There would also be a need for some capital expenditure to provide adequate equipment to service a higher level of care, eg special beds at a cost of \$2,400 per bed. It is very important to avoid any workers compensation claims such as shoulder, back or neck injuries.

It still needs to be appreciated that because the City is a local government authority and the Hostel is a 'stand alone' identity owned and operated by local government it has been difficult to attract the Government CAP and training funding. This continues to be a problem because of the reporting requirements which in turn has a detrimental effect on the Hostel financially through no fault of the Hostel or the City. Funding has already been lost for November, 2007 and a letter seeking exemption from the rules has been written to the Secretary, Ageing and Aged Care Department.

Consultation

Consultation has continued with both staff and residents over changes that have been made. At this stage the changes have been well received by all involved. Evaluation will continue to take place through our continuous improvement processes, meetings and adjustments will be made as and when required.

Policy and Legislative Implications

Review of financial issues associated with the Collier Park Hostel consistent with Council resolution.

Financial Implications

The anticipated Budget loss and actual projected loss is identified hereunder:

As at June 2007

	2006/07 Budget	2006/07 Actual
Cash Operating Loss	(97k)	(105k)
Capital Expenditure	(67k)	(33k)
Overall -cost	(164k)	(138k)

As at September 2007

	2007/08 Budget	2007/08 Actual
Cash Operating Loss	(40k)	(20k)
Capital Expenditure	(8k)	(10k)
Overall cost	(48k)	(30k)

It is noted that the overall financial position as at 30 June 2007 still reported a cash loss of \$138,000 as against a budget cost of \$164,000. The financial position as at 30 September 2007 also showed signs of improvement against the budgeted position.

Strategic Implications

This matter is in line with Goal 2 of the Strategic Plan: *To foster a sense of Community and a prosperous business environment.*

<p>OFFICER RECOMMENDATION AND COUNCIL DECISION ITEM 10.0.1</p>

That report item 10.0.1 of the November 2007 Council Agenda be received.



NOTES WORKSHOP

Collier Park Village Strategic Plan
Held in the Council Chamber, Sandgate Street, South Perth
Tuesday 14 August 2007 commencing at 5.40pm

Present

Mayor J Collins, JP (Chairman)

Councillors:

L P Ozsdolay	Manning Ward
C A Cala	McDougall Ward
R Wells, JP	McDougall Ward
R B Maddaford	Mill Point Ward
S Doherty	Moresby Ward
K R Trent, RFD	Moresby Ward

Officers:

Mr C Frewing	Chief Executive Officer
Mr R Burrows	Director Corporate and Community Services
Mr M Kent	Director Financial and Information Services
Mrs K Russell	Minute Secretary

Collier Park Village Residents' Committee

Mr R Millman	President
Ms J Davis	Treasurer

Consultant

Ms H Hardcastle	Learning Horizons
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Apologies

Cr J Best	Civic Ward
Cr D S Smith	Mill Point Ward (Declared an Interest - Resident Collier Park Village)

OPENING

The Mayor opened the Concept Forum at 5.40pm.

The Chief Executive Officer welcomed everyone, including the representatives from the Collier Park Village Residents' Committee and in particular their new President Ron Millman. He then provided a brief background on the purpose of the Workshop which was as a result of the following May 2007 Council resolution:

That a Strategic Plan be prepared for the Collier Park Village to provide the City with a means to identify present and future opportunities. This plan will be developed in consultation with the Collier Park Residents Committee and include the following:

- (a) *that further to the appointment of consultants for the implementation of the operational initiatives outlined in the Southern Cross Care Report for the improved financial viability of the Collier Park Hostel, a report be submitted to the next available Council meeting on the extent and costing for building works that would be required to enable the facility to extend its service to that of a High Care Provider;*
- (b) *that as a matter of urgency, a Feasibility Study be undertaken to explore the future options for the Collier Park Village Community Centre, with a view of utilising the whole Centre for the operational use of the Independent Living Units and the Hostel and the creation of a possible Adult Day Therapy Centre;*
- (c) *future expansion opportunities for additional Independent Living Units and the upgrade of the existing units;*
- (d) *future amenities that reflect the changing life style of retirees; and*
- (e) *Ownership options.*

The Chief Executive Officer reported that in order to progress the Council resolution relating to the development of a Strategic Plan, Helen Hardcastle had been invited to facilitate the process. He then provided background on Helen's experience in the areas of corporate governance and aged care.

1. Collier Park Village Complex / Council Expectations and Options

The Consultant commenced by outlining the format of the Workshop, as follows:

- Understanding Council expectations and options
 - Hostel
 - Village
- Where to?
 - Community feed back?
 - Governance? Management?
 - Costings? / Risk:Benefit:Cost Analysis of options?
 - Architect? Builder? Aged care knowledge?

2. Hostel Strategy

The Consultant asked Members to describe the 'Hostel of the Future' that Council would like to create ie:

- Do the current facilities need an 'upgrade' to increase the level of care?
- Should the current facilities be demolished? Or should the refurbishment use existing structure?
- Should a new hostel have more than 20 beds? What is the capacity?
- Where will the current residents go whilst this occurs to fulfil the duty of care to the residents?
- Is there an aligned workforce plan to manage refurbishment and/or growth?

Member Input - Hostel of the Future

Comments were provided following discussion on the questions listed above:

- scope for existing residents to move into Hostel - to be able to 'transfer' from Village
- create a specific dementia area / possible need to expand size of the facility
- Hostel residents to have access to some type of Day Centre with activities/occupational therapy - opportunity for Village/Hostel residents to communicate / overlap - support for partners that may have dementia
- build new facility in open space behind existing hostel

The Consultant sought confirmation that everyone was comfortable with the recommendation to move to a higher level of care vs the current arrangement. She advised that the Commonwealth funding has changed significantly and people are being encouraged to stay in independent living units vs moving into hostel arrangements. Governments are not prepared to provide high level beds when there is 'Ageing in Place' which seems far more acceptable to people.

It was the feeling of the meeting that as Council has committed to keeping ownership of the hostel and because the existing 40 bed facility is not viable, as established by recent research (Southern Cross report) that Council now has an obligation to consider provision of a high care facility.

Discussion was held on the options of increasing the size of the hostel facility by either using the existing building as a starting point and building on against demolishing completely and rebuilding.

Mayor Collins reiterated that the Council resolution is to keep the Hostel as is but to make it profitable. To night we are looking at a complete conceptual plan - if we were going to increase the hostel, what it would cost etc would have to then go out to ratepayers with a plan.

Way Forward

The Consultant sought agreement from Members on how the administration should now go forward - whether to do a Feasibility Study on a rebuild or to look at options to improve current practices. She stated that the operational efficiency had been explored, therefore the built question needed to be addressed. If Council want to go ahead and get costs on a 'built solution' an architect will need to be employed.

Following discussion it was agreed that an Architect and Quantity Surveyor be appointed to do a feasibility study / costing on a complete built solution for increasing the level of care at the Collier Park Hostel.

3. Village Strategy

The Consultant asked Members to describe the 'Village of the Future' that Council would like to create ie:

- Currently there are 169 Independent Living Units. How many ILU's will exist in the future? At what rate of growth?
- On what criteria should growth be based?
- Where should new ILU's be built? Which land should be developed?
- Will there be apartments? 3-4 storeys?
- Will there be rentals?
- How should existing ILU's be refurbished?
- What type of recreational amenities should be provided?
- What types of new services should be provided or accessed, eg. cleaning, etc.?
- What level of services should be provided, eg. maintenance, social activities?
- How will Council provide and/or facilitate care in home (ageing in place) in an equitable way for Village residents and all community?
- Will Council access community packages and/or develop partnerships with Health Services to ensure duty of care by the Council is met?

Member Input - Village of the Future

Comments were provided following discussion on the questions listed above:

- old units need to be improved/refurbished
- only way is to build new units to manage upgrading existing units
- natural progress for ratepayers of South Perth to be able to move in
- concerns new units will increase fees
- would need community feedback if proposing new units in McNabb Loop/state benefits
- need to accommodate different client expectations
- could look at more value for maintenance fee ie higher fee for greater services
- option of second storey apartments - suggest 4 storey to be viable
- Baptist Care building 'top of range' units with philosophical approach /money from sale of units goes back into hostel services

The Consultant stated this could be an option but that in order to do this Council would need to be registered as a charitable organisation.

- important we protect Village finances / funds

The Director Financial and Information Services provided an outline of the current financial model currently used by the City at the Village which is described as 'unique' and indirectly subsidises maintenance costs. He stated it was important to understand that when building new units or moving residents to note that the unit values across the Village have changed over time with the units at the front of the complex still at modest prices.

- ageing in place accommodation needs to be supported by services
- support local services (Southcare etc / buses available)
- duty of care for residents

Way Forward

The Consultant sought direction from Members on how the administration should now go forward. She stated that it was important that units reflect current market standards but that she was not hearing a clear alignment as to whether to go back to Council with a proposal to upgrade the existing units or to build new units across the road at McNabb Loop or that further dialogue take place.

Following discussion it was agreed that in relation to the Independent Living Units at the Collier Park Village that an Architect and Quantity Surveyor be appointed to explore the feasibility/costing of upgrading the existing units / building new units in a particular area.

Ms June Davis, Treasurer, Collier Park Village Residents' Committee thanked the Mayor, Cr Cala and CEO for the opportunity to participate in the evening's workshop.

The Director Corporate and Community Services thanked the Consultant Helen Hardcastle for facilitating the session.

Conclusion

The Consultant advised that she would compile a report from the input participants provided during the course of the evening. The Administration would then provide a report on its contents to the earliest available Council meeting.

3. Closure

The Mayor closed the Concept Forum at 7.25pm.



25th January 2008

Planning Dept.
South Perth City Council
Civic Centre
Sandgate Street
South Perth WA 6151.

Extensions & Alterations
No 55, Hensman Street, South Perth

Further to our application for Development Approval we would like the following non-conforming elements of the design assessed under their "Performance Criteria" contained in the R Codes, these being:

1. Carport within front setback area.
2. Visual privacy-cone of vision
3. Carport on boundary

○ Their performance criteria are addressed below:

Re element 1. Carport within front setback (part 3.2.3)

Siting the carport in this location:

1. does not detract from the streetscape as there are many examples of carports with similar or lesser setbacks in close proximity to this property i.e. Numbers 45 (1000 setback) 49 & 58 (1500 setback) It should also be noted that these carports open directly onto Hensman St. whereas our proposal has parallel parking which allows for garden screening thus minimising the impact on the streetscape & allowing a single width crossover.
2. Does not detract from the appearance of the dwelling & in fact blends in with it effectively screening part of the proposed first floor addition from Hensman St. & greatly reduces its bulk softening its overall impact on the streetscape.
- 3. Does not obstruct views of the dwelling from the street & visa versa both from the property & adjoining properties.
4. Allows vehicles parked in both carports to reverse direction on the property & enter Hensman St. driving forward
5. Allows a light court in front of the Lounge providing North light & unobstructed ventilation to this activity area.
6. Allows the maximum setback from # 57 Hensman St.
7. Does not affect the amenity of #57 Hensman St. in terms of direct sun & ventilation and complies with sun studies as required in 3.9.1. of the code. Ventilation is not impaired as the carport is fully open on all sides.
8. There is a requirement for on site parking for 3 vehicles as street parking in busy Hensman St is very limited.

Carport within front setback (part 3.2.4)

Maintains street surveillance between the dwelling & the street.

Re element 2. Visual privacy-cone of vision (part 3.8.1)

Minor overlooking occurs to both #53 & #57 Hensman St. however in both cases our design avoids direct overlooking between active habitable spaces & outdoor living areas of the development site & the habitable rooms & outdoor living areas within adjoining properties i.e.

#53 Hensman St. The overlooked area is a 1700 wide paved front/rear access way (with no windows on the overlooked area) and a small portion of the front garden.

#57 Hensman St. The overlooked area is the driveway which runs the full length of the side boundary from Hensman St. to the garage on the rear boundary.

Re Element 3. Carport on boundary

The existing double carport on the Western boundary adjoining # 53 Hensman St. has been reduced in length from 11000 mm (double Carport) to 6200mm (single carport) & now has 3 steel columns on the boundary in lieu of 4 as existing.

As this is on the Western side where maximum weather protection is required our design shows the roof cover to the boundary in lieu of being setback 750mm as existing.

This does not affect the amenity of #⁵³ Hensman St. in terms of direct sun & ventilation and complies with sun studies as required in 3.9.1. of the code. Ventilation is not impaired as the carport is fully open on 3 sides.

By reducing the existing carport from a double to a single we have reduced the impact of the existing building bulk to #53 Hensman St and would point out that the area adjoining the carport is a 1700 wide paved front/rear access way, with all windows on the dwelling wall to this boundary being obscure glazed.

In view of the above we feel these non-conforming elements should be allowed & look forward to this application being processed as quickly as possible.

Yours Faithfully



I R Watson

P.S. The owners of 53 Hensman St have been shown the plans and have no objection to the carport on the boundary referred to above and the overlooking from the balcony at the front of the dwelling.

Attention Owen

CITY OF SOUTH PERTH		
14 MAR 2008		
Doc ID No:	_____	
File No:	CA6/251	
Original To:	PS + SS	
10/03/2008		
Action <input checked="" type="checkbox"/>	Info <input type="checkbox"/>	File <input type="checkbox"/>

SCANNED

To the South Perth Planning and Building Departments

We are the next door neighbours of the development taking place at 251 Canning Highway Como and have put this petition forward representing both ourselves and the adjoining owners who have been made aware of the situation. As we introduced ourselves in the previous letter we have lived in the Como area for 35 years and been dutiful ratepayers for those 35 years as have many people who are opposing this development.

Firstly let us start by pointing out to the South Perth Council what is clearly stated in its Town Planning Scheme No 6 under the heading Scheme Objectives:

The general objectives of the Scheme are to 1.6 2(f) Safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development.

Followed by 1.6 2(g) Protect residential areas from the encroachment of inappropriate uses. Clearly Stated.

The major problem with the development is that it is not in harmony with the character and scale of existing residential development nor does it achieve a visually balanced streetscape with regard to the floor levels of buildings on adjoining properties.

The second unit slab footing has been raised substantially and excessively in comparison to the floor levels of existing buildings on adjoining properties and indeed at current levels stands incredibly half way up the height of the existing perimeter hardifence. All recent developments in the immediate vicinity do not have anything like the elevation and floor levels of Unit 2. In fact all stand pretty close to ground level.

We again would like to bring to the attention of the South Perth Council what is clearly stated in its Town Planning Scheme No 6 under the heading Maximum Ground and Floor Levels: 6.10 1(b) (iii) The Council may require the floor level to be varied where necessary in the Councils opinion to achieve a visually balanced streetscape, having regard to the floor levels on adjoining lots. Also 6.10 1(b) (ii) The floor shall not be at a level which, in the councils opinion, would cause the building to adversely affect the amenity of neighbouring properties in relation to visual impact and overshadowing.

The second unit site of the development is clearly not visually balanced with regard to the floor levels of all the adjoining properties, in fact it is grotesquely imbalanced and will appear visually prominent and extremely elevated from the streetscape and by comparison to adjoining properties. That is not harmonious development in character and in scale with existing development and takes absolutely no regard of existing finished floor levels of all adjoining properties. In fact we have never seen such an obvious and blatant attempt to gain height advantage to the exclusion of surrounding neighbours. All neighbours that we have been able to contact have considered this second unit development imposing and obviously too high and were anxious about privacy, security, overshadowing and overlooking issues.

Finally we would like to bring to the attention of the council certain relevant passages in The Residential Design Codes of Western Australia which have direct bearing on this situation:

Design Elements 3.6 Site works Objective: To preserve the sense of the natural topography of the site and locality with a view to the protection of the streetscape and the amenity of adjoining owners.

Design Elements 3.6.1 Excavation or Fill: Development that retains the visual impression of the natural level of a site, as seen from the street or other public place, or from an adjoining property.

The finished floor level of unit two currently stands at 30.8 and as mentioned previously incredibly projects half way up the perimeter fence and is substantially and excessively higher than all existing ground and floor levels of adjoining owners and does in no way retain the visual impression of the natural level of the site, as seen from the street or from adjoining properties.

A very important point in all of this is that the developer should have been aware of what he was buying and is totally responsible for that purchase. The land is what it is, its ground levels and the ground levels of the adjoining properties. If the developer wants higher ground levels with views then he is responsible for buying land that has those qualities that he requires. In this case the developer is trying to impose highly elevated floor levels on the land and the adjoining lands of existing landowners that will be visually obtrusive and visually unbalanced in relation to the streetscape and the floor levels of existing homeowners and not in any way maintaining a consistent scale in building as expressed in the Western Australian R Codes and in our own South Perth Town Planning Scheme.

In conclusion due to the arguments aforementioned we strongly urge the South Perth Council to consider the values that it has espoused in its Town Planning Scheme in safeguarding and protecting the amenities in residential areas and reduce the finished floor levels to the original plans that were approved by the council not 30.8 or 30.4 but the original finished floor levels ensuring that the new development is in harmony with the character and scale of existing residential development and not obviously superficially elevated with little regard for existing homeowners breeding continued resentment over privacy, security and overlooking issues.

We also invite the council to contact the adjoining owners to gauge their concerns and views over this impending development as these are the people who will have to live with this situation long after the development has been completed.

Sincerely

Nick J Mouzalidis

93674165

TO OWEN HIGHTOWER,
SOUTH PERTH COUNCIL,

MY NAME IS RALPH MCCARTHY, I
OWN THE VILLA IN UNIT 2, 253 CANNING HIGHWAY, COMO.
WHICH I LIVE IN. I WOULD LIKE TO STATE MY OBJECTION
TO THE 2ND OR MIDDLE TOWN HOUSE ON 251 CANNING H'WAY.

MY OBJECTION IS ABOUT THE HEIGHT OF THE PAD AT
THE MOMENT AS IT IS APPROX 1.0m HIGHER THAN ORIGINAL
PLANS CAME OUT FOR IT. THE PAD SITS ABOUT HALFWAY UP
MY FENCE THAT ADJAINS THE PROPERTIES. WHEN THE ORIGINAL
PLANS CAME OUT I WAS SENT A COPY OF THEM FROM
THE COUNCIL I THINK AND I HAD NO PROBLEM WITH IT AS
IT WAS. WITH THIS EXTRA METRE THE OWNERS OF 251
CANNING HIGHWAY HAVE PUT THE PAD ON THERE ARE SOME
REAL PRIVACY CONCERNS BY MYSELF. THE OTHER PROPERTIES
BOTH SIDES OF 251 CANNING HIGHWAY ARE SINGLE STORY, SO
THERE ~~IS~~ NEED FOR THEM TO BE GOING HIGHER. WITH THEM
GOING EVEN HIGHER THAN THEIR FIRST PLANS IT WOULD LOOK
TOTALLY OUT OF SYNC WITH THE EXISTING PROPERTIES. I
BELIEVE THERE IS A MEETING ON THE 15th OF APRIL,
UNFORTUNATELY I WILL BE AWAY FOR WORK PURPOSES. I
WOULD HAVE LIKED TO HAVE BEEN AT THAT MEETING TO VOICE
MY CONCERNS. HOPEFULLY WITH THAT MEETING IT WILL ALL
BE SORTED OUT AND THE OWNERS OF 251 CANNING H'WAY
WILL PUT THE HEIGHT OF THE 2ND TOWNHOUSE BACK TO
THE ORIGINAL PLAN HEIGHT.

YOURS SINCERELY
RALPH MCCARTHY

2/253 CANNING H'WAY
COMO W.A.



CITY OF SOUTH PERTH	
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ph: 9474 5460
MOB: 041 9931 992



1 TWEED CRESCENT
COOLBINIA W.A. 6050
PHONE 9443 1041
FAX 9443 1042
MOBILE 0418 914 060

City of South Perth
Sandgate Street
SOUTH PERTH WA 6151

Friday 18th January 2008

CITY OF SOUTH PERTH		
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RE: LOT 230 SWANVIEW TERRACE, SOUTH PERTH

Dear Owen,

I refer to our meeting of 17th December 2007, to discuss with you the Council's points of non-compliance of the above application. An amended application was lodged prior to that meeting complying with all issues raised by council with the exception of the two (2) stated below. We wish to express our intent in appealing to Council for exercising delegative authority in approval of the two (2) points. Please find below our justification and references to relevant Council documents attached.

1. The proposed development exceeds the 7.0 metre building height limit as prescribed by Town Planning Scheme No. 6.

The design and plans have been amended to comply with the Council's request to the Building Height Limit of 7m. (Please see plans attached)

2. Style of Home Proposed is considered a deviation from local style.

We feel that the style on Swanview Terrace and surrounding streets reflect an eclectic variety of architectural styles, with a strong influence of low and flat skillion roofs common in the 1970's. Along the South Perth foreshore low to flat skillion roofs are common and we find this development to be conducive of blending with surrounding styles. Such references can also be seen on Angelo St, Labouchere Road and Douglas Avenue.

Council has stated that the development does not demonstrate design compatibility with the focus area. The development is inconsistent with the general architecture of other dwellings within Swanview Terrace but in other streetscapes within this focus area there is greater variance in general architectural style. Ranelagh Crescent

demonstrates this greater variance in structure, scale, construction materials and architectural design. On this street exists a large multiple dwelling site as well as contemporary grouped dwelling site. As with this streetscape being just one example of such variance, there is also no established roof form in this focus area, which normally contributes as a conforming factor to design compatibility.

We believe that there is no established rhythm or design compatibility between the existing dwellings to which the proposed development should be assessed against. We believe that the proposed development will be a positive contribution to the streetscape and it is not the intention of the design to 'preserve' a rhythm which does not currently exist within this area.

I refer you to the Council's scheme objectives (1.6) which state that the Council shall encourage and facilitate a diversity of dwelling styles and recognize individual developments which would enhance the attributes of the City and the desired future character of the area.

I would also refer you to the Council's scheme clause (7.4) which outlines Councils use of committees for consultation. The purpose being to 'assist with the determining the merits of a development application', a specialist committee is established by Council. Council shall have due regard to the recommendations of the Committee. We understand that a Design Committee was established and made recommendations on the proposed development. Attached is the document stating that the DAC 'supported the proposal and noted that the design was acceptable from a streetscape perspective, having regard to the character of existing dwellings in the focus area'.

In further support of the proposed development I refer you to the recent approval of the development Lot 53 Darlot Crescent, South Perth. The development was recommended for approval after the issue of design compatibility was also raised. The proposed design was contemporary in nature and the roof form being flat. (See attached)

We understand that each proposed development is assessed on their individual merits but we feel that the circumstances to which this particular proposal was approved should apply to this development application.

We appeal to the Council for consideration of the proposed development with respect to the supporting documents and justification attached with this letter.

If you require any more information please contact this office on 9443 1041.

Yours Sincerely,

Nanda Day


Yael K Designs.

1.6 Scheme Objectives

NOTE ON CLAUSE

1.6 :

Refer also to clause
7.5 (N)

- (1) The overriding objective of the Scheme is to require and encourage performance-based development in each of the 14 precincts of the City in a manner which retains and enhances the attributes of the City and recognises individual precinct objectives and desired future character as specified in the Precinct Plan for each precinct.
- (2) The general objectives of the Scheme are to:
- (a) Maintain the City's predominantly residential character and amenity;
 - (b) Introduce performance-based controls supported by planning policies and Precinct Plans;
 - (c) Facilitate a diversity of dwelling styles and densities in appropriate locations on the basis of achieving performance-based objectives which retain the desired streetscape character and, in the older areas of the district, the existing built form character;
 - (d) Establish a community identity and 'sense of community' both at a City and precinct level and to encourage more community consultation in the decision-making process;
 - (e) Ensure community aspirations and concerns are addressed through Scheme controls;
 - (f) Safeguard and enhance the amenity of residential areas and ensure that new development is in harmony with the character and scale of existing residential development;
 - (g) Protect residential areas from the encroachment of inappropriate uses;
 - (h) Utilise and build on existing community facilities and services and make more efficient and effective use of new services and facilities;
 - (i) Create a hierarchy of commercial centres according to their respective designated functions, so as to meet the various shopping and other commercial needs of the community;
 - (j) In all commercial centres, promote an appropriate range of land uses consistent with:
 - (i) the designated function of each centre as set out in the Local Commercial Strategy; and
 - (ii) the preservation of the amenity of the locality;
 - (k) Recognise and preserve areas, buildings and sites of heritage value; and
 - (l) Recognise and facilitate the continued presence of significant regional land uses within the City and minimise the conflict between such land use and local precinct planning.

1.7 Revocation of Existing Schemes

The City of South Perth Town Planning Scheme No. 5 published in the Government Gazette on 25 September, 1966 and all amendments thereto and the City of South Perth Town Planning Scheme No. 3 published in the Government Gazette on 29 March, 1974 and all amendments thereto are hereby revoked.

7.4 Consultation with Other Authorities and with Committees (continued)

- (2) In the case of land reserved under the Scheme for the purposes of a public authority, the Council shall consult that authority before making its determination.
- (3) To assist with determining the merits of a development application made pursuant to this Scheme or the Metropolitan Region Scheme, the Council may establish Committees of specialist or community representatives to provide comment on specific aspects of certain applications.
- (4) Where a Committee is established by the Council under this clause and the Council refers an application to that Committee, the Council shall be made aware of and have due regard to the recommendations of the Committee before determining the application.

7.5 Matters to be Considered by Council

In considering an application for planning approval, the Council shall have due regard to, and may impose conditions with respect to, such of the following matters, as are, in the opinion of the Council, relevant to the proposed use or development the subject of the application:

- (a) the objectives and provisions of this Scheme, including the objectives and provisions of a Precinct Plan and the Metropolitan Region Scheme;
- (b) the requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment which has been granted consent for public submissions to be sought;
- (c) the provisions of the Residential Design Codes and any other approved Statement of Planning Policy of the Commission prepared under Section 5AA of the Act;
- (d) any other policy of the Commission or any planning policy adopted by the Government of the State of Western Australia;
- (e) any approved environmental protection policy under the *Environmental Protection Act, 1986* (as amended);
- (f) any planning policy, strategy or plan adopted by the Council under the provisions of clause 9.6 of this Scheme;
- (g) in the case of land reserved under the Scheme, the purpose of the reserve;
- (h) the preservation of any object or place of heritage significance that has been entered in the Register within the meaning of the *Heritage of Western Australia Act, 1990* (as amended), or which is included in the Heritage List under clause 6.11, and the effect of the proposal on the character or appearance of that object or place;
- (i) the preservation of the amenity of the locality;
- (j) all aspects of design of any proposed development, including but not limited to, height, bulk, orientation, construction materials and general appearance;

Attachment 10.3.4(c)



Attachment 10.3.4(c)



City of South Perth

List of Application for Planning Approval Determined Under Delegated Authority for the Period 1/03/2008 to 31/03/2008

Application #	Ext. Ref.	PC Date	Address	Applicant	Status	Description
011.2007.00000135.001	MI3/11	27/03/2008	112 Mill Point RD SOUTH PERTH	Parking Asset Management Pty Ltd	Approved	SIGNS
011.2007.00000266.001	CO3/60	11/03/2008	60 Comer ST COMO	Mr R Wright	Approved	THREE GROUPED DWELLINGS
011.2007.00000382.001	CA6/71	28/03/2008	71 Canning HWY SOUTH PERTH	Hames Sharley Architects	Approved	Multiple Dwellings
011.2007.00000431.001	ER1/53	27/03/2008	53 Eric ST COMO	Ms K Rattigan	Approved	FOUR GROUPED DWELLINGS
011.2007.00000578.001	ER1/65	11/03/2008	65 Eric ST COMO	Brayshaw Architects	Approved	SIX GROUPED DWELLINGS
011.2007.00000625.001	WE1/70	18/03/2008	Welwyn AVE SALTER POINT	Residential Attitudes	Approved	TWO STOREY SINGLE HOUSE
011.2008.00000007.001	MA8/99	13/03/2008	99 Mary ST COMO	Eden Home Improvements	Approved	PATIO ADDITION TO GROUPED DWELLING
011.2008.00000016.001	PE2/31	11/03/2008	31 Pepler AVE SALTER POINT	Ms N Nunzio	Approved	TWO SINGLE HOUSES : TWO STOREY
011.2008.00000032.001	WO1/26	11/03/2008	26 Wooltana ST COMO	Mr D Vanderstoep	Approved	Additions / Alterations to Single House
011.2008.00000033.001	KA2/5 -	5/03/2008	5 Kardan CC KARAWARA	M Zavodja	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.00000037.001	GW1/15	10/03/2008	152 Gwentyfred RD KENSINGTON	Half Price Patios Maddington	Approved	PATIO ADDITION TO GROUPED DWELLING
011.2008.00000040.001	CQA12/	13/03/2008	25 Carr ST SOUTH PERTH	Mr P D WEBB	Approved	FENCE GREATER THAN 1.8 METRES
011.2008.00000047.001	ME2/16	11/03/2008	16 Melinga CT KARAWARA	Ms K M Cox	Approved	ADDITIONS/ALTERATIONS TO GRPED
011.2008.00000049.001	KA2/44	11/03/2008	44 Kardan CC KARAWARA	Outdoor World	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.00000054.001	CO3/71	11/03/2008	71 Comer ST COMO	Abel Roofing	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.00000055.001	CO6/10	12/03/2008	108 Coode ST SOUTH PERTH	Tangent Nominees Pty Ltd	Approved	Additions / Alterations to Single House
011.2008.00000056.001	WA6/65	19/03/2008	65 Waterford AVE WATERFORD	Lomma Homes	Approved	TWO STOREY SINGLE HOUSE
011.2008.00000057.001	CA14/1	11/03/2008	19 Cashel WY WATERFORD	Con-Struct Builders Pty Ltd	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.00000059.001	BI3/60 -	18/03/2008	60A Birdwood AVE COMO	Pro-Built Landscape Builders Pty Lt	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.00000061.001	DA6/12	13/03/2008	12A Davilak CRES MANNING	Mr A J Goddard	Approved	Carport Addition to Single House
011.2008.00000062.001	BL2/38	11/03/2008	38 Bland ST COMO	Half Price Patios Maddington	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.00000067.001	BA6/19	13/03/2008	19 Barang CC KARAWARA	Mr H Lam	Approved	PATIO ADDITION TO SINGLE HOUSE

List of Application for Planning Approval Determined Under Delegated Authority for the Period 1/03/2008 to 31/03/2008

Application #	Ext. Ref.	PC Date	Address	Applicant	Status	Description
011.2008.0000068.001	DO2/22	13/03/2008	224 Douglas AVE KENSINGTON	Mr M Dean	Approved	Additions / Alterations to Single House
011.2008.0000069.001	KL1/9 -	11/03/2008	9B Klem AVE SALTER POINT	Mrs C E McGhie	Approved	PATIO ADDITION TO GROUPED DWELLING
011.2008.0000072.001	AL4/4A	12/03/2008	4 Alston AVE COMO	Mr A R Groom	Approved	Additions / Alterations to Single House
011.2008.0000075.001	NO2/19	18/03/2008	19 Norton ST SOUTH PERTH	Newforms Landscape Architecture	Approved	Additions / Alterations to Single House
011.2008.0000077.001	AN4/55	27/03/2008	55 Anstey ST SOUTH PERTH	Great Aussie Patios	Approved	PATIO ADDITION TO GROUPED DWELLING
011.2008.0000079.001	GA3/41	18/03/2008	41 Gardner ST COMO	Ms L R Ridders	Approved	ADDITIONS/ALTERATIONS TO GRPED
011.2008.0000080.001	TO1/28	12/03/2008	28 Todd AVE COMO	Mr W S Andrews	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.0000081.001	RI3/28	14/03/2008	28 River WY SALTER POINT	Vision Corporation Pty Ltd	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.0000089.001	BR8/2	13/03/2008	2 Bruce ST COMO	Heritage Outdoor	Approved	PATIO ADDITION TO GROUPED DWELLING
011.2008.0000090.001	MI3/75	27/03/2008	75 Mill Point RD SOUTH PERTH	Cronerobinson Architecture Studios	Approved	MULTIPLE DWELLING(S)
011.2008.0000091.001	GW1/43	13/03/2008	43 Gwenyfred RD KENSINGTON	Mr A R Barker	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.0000093.001	LAQ6/5	14/03/2008	51 Lawler ST SOUTH PERTH	Mr M Deshon	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.0000095.001	PE4/27	14/03/2008	27B Pether RD MANNING	Highline Ltd	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.0000099.001	LA1/20	27/03/2008	20 Labouchere RD SOUTH PERTH	Zoological Gardens Board	Approved	SIGN
011.2008.0000102.001	KI1/9 -	14/03/2008	9 Kilbride CL WATERFORD	Mr C R Orr	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.0000104.001	ED1/29	14/03/2008	29A Edgumbe ST COMO	Southpat Patios	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.0000105.001	ED1/29	14/03/2008	29B Edgumbe ST COMO	Southpat Patios	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.0000106.001	GA3/10	14/03/2008	105 Gardner ST COMO	Southpat Patios	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.0000107.001	HO1/38	14/03/2008	38 Hobbs AVE COMO	Mr L R A Calvert	Approved	OUTBUILDING
011.2008.0000111.001	CA6/11	19/03/2008	118 Canning HWY SOUTH PERTH	Ms V M Stevenson (Section 51B)	Approved	PATIO ADDITION TO SINGLE HOUSE
011.2008.0000113.001	LA1/25	20/03/2008	257 Labouchere RD COMO	Westral Outdoor Centre	Approved	CARPOR ADDITION TO GROUPED DWELLING
011.2008.0000125.001	CO6/40	27/03/2008	40 Coode ST SOUTH PERTH	Wesley College	Approved	Additions / Alterations to Educational E

TERMS OF REFERENCE

TRAVELSMART/ROADWISE ADVISORY GROUP



Vision	Our vision is to improve the sustainability of the urban environment in the City of South Perth by reducing the level of local automobile use through the promotion of alternative transport, improving supportive infrastructure and encouraging safe use of the City's road infrastructure to reduce the incidence of road trauma.
1. Aims	<p>1.1 To increase the sustainability, cleanliness, healthiness and general amenity of the environment within the City by reducing local automobile use.</p> <p>1.2 To ensure that the City achieves a high level of alternative modes of transport such as cycling, walking and passenger transport and reduce car dependency within the City.</p> <p>1.3 To reduce the amount of road crashes and related trauma in the City.</p> <p>1.4 To encourage safe use of the City's roads by drivers, pedestrians and cyclists.</p> <p>1.5 To promote cycling, walking and passenger transport within the City.</p>
2. Objectives	<p>2.1 To provide the means by which the community and the City can communicate on transport and TravelSmart related issues.</p> <p>2.2 To provide a means of participatory two-way communication between the community and the City on transport related issues and TravelSmart.</p> <p>2.3 To raise awareness of road safety issues by encouraging community participation in the planning, implementation and evaluation of innovative activities that support the priority areas of the state road safety strategy.</p>
3. Membership	<p>3.1 The Group will comprise the following:</p> <ul style="list-style-type: none"> • Three community members • Representatives from the following: <ul style="list-style-type: none"> ➤ South Perth Bicycle User Group ➤ South Perth Environment Association ➤ RoadWise ➤ WA Police Service ➤ South Perth Chamber of Commerce and Industry <p>3.2 All community representatives and members will be appointed by the CEO of the City.</p> <p>3.3 Appointments shall be for a period of 24 months however retiring members may be eligible for reappointment.</p> <p>3.4 All members and participants are required to abide by the City's Code of Conduct with particular reference to confidentiality of discussion and materials distributed whilst carrying out the functions of the Advisory Group.</p> <p>3.5 The TravelSmart Officer and at least one of the following from Infrastructure Services will attend every meeting:</p> <ul style="list-style-type: none"> • The Director of Infrastructure Services (ex office - Executive Sponsor); • The Manager Infrastructure Engineering and/or • Traffic & Design Engineer
4. Status of the Group	<p>4.1 The Group is an advisory body only and has no delegated power and no delegated authority.</p> <p>4.2 The Group shall meet at least 6 times annually.</p>



TERMS OF REFERENCE
SIR JAMES MITCHELL PARK ADVISORY GROUP

Name:	Sir James Mitchell Park Community Advisory Group(SJMPCAG)
Aims:	<p>1.1 To provide representative community input/advice to Council on the development, management and maintenance of Sir James Mitchell Park.</p> <p>1.2 To provide a community forum on items referred to the Group by the City of South Perth administration.</p>
Membership:	<p>2.1 The Group shall consist of the following endorsed members:</p> <ul style="list-style-type: none"> • The Manager City Environment • Management Support Officer, City Environment. • A maximum of 6 voluntary representatives from the community. • Membership shall comprise the following: <ul style="list-style-type: none"> - Three (3) residents who live in close proximity to the park; - Three (3) members who reside elsewhere within the City; and - The three (3) members who live near to the park should ideally be representative of the various sections of the park. <p>2.2 Membership shall be for a period of two years, however, retiring members are eligible for one further period.</p> <p>2.3 Members shall be appointed by a member of the Executive.</p> <p>2.4 Members are to abide by the City's Code of Conduct whilst carrying out the functions of the SJMPCAG.</p> <p>2.5 Members of this Group are not authorised by the City to speak on behalf of the City and shall not provide comment to the media regarding items under consideration by the Group.</p> <p>2.6 If any member is absent from three (3) consecutive meetings without leave of the Group, the City may remove them from the Group. The City will appoint a replacement for the balance of the SJMPCAG term of appointment.</p> <p>2.7 In the event of a membership vacancy during the term of the SJMPCAG, the City shall call for nominations for a person to fill such vacancy.</p>

Name:	Sir James Mitchell Park Community Advisory Group(SJMPCAG)
Operating Procedures:	<p>3.1 The Manager City Environment will chair the meetings.</p> <p>3.2 The group shall meet a minimum of five times annually.</p> <p>3.3 Notice of meetings shall be given to members at least five (5) working days before each meeting.</p> <p>3.4 Recommendations of the Group, shall where possible, be made by consensus and if this is not possible, a simple majority by the members present will be adequate.</p> <p>3.5 Quorum for a meeting shall be at least 50% of the number of members of the Group, whether vacant or not.</p> <p>3.6 The Group is authorised to second individuals from outside the group on a voluntary basis, for their expert advice.</p> <p>3.7 Advice provided by the Group is to relate to the items covered under the terms of reference for this Group.</p>
Notes:	4.1 Notes are to be taken at each meeting and will be forwarded to all members.
Delegated Authority:	5.1 The SJMPCAG has no delegated powers under the Local Government Act and is to advise and make recommendations to Council only.



TERMS OF REFERENCE

COMMUNITY SUSTAINABILITY ADVISORY GROUP

Name:	Community Sustainability Advisory Group
Aims:	<p>1.1 To provide a community forum on sustainability issues that are relevant to the City of South Perth.</p> <p>1.2 To provide advice to the City of South Perth on the implementation of the community aspects of the City's Sustainability Strategy and objectives.</p> <p>1.3 To provide representative community input/advice on items referred to the Group by the City of South Perth administration.</p>
Membership:	<p>2.1 The Group shall consist of the following endorsed members:</p> <ul style="list-style-type: none"> • The City Sustainability Coordinator • The Manager, City Environment. • A maximum of 8 voluntary representatives from the community. <p>2.2 Membership shall be for a period of two years, however, retiring members are eligible to reapply.</p> <p>2.3 Members shall be appointed by a member of the Executive.</p> <p>2.4 Members are to abide by the City's Code of Conduct whilst carrying out the functions of the CSAG.</p> <p>2.5 Members of this Group are not authorised by the City to speak on behalf of the City and shall not provide comment to the media regarding items under consideration by the Group.</p> <p>2.6 If any member is absent from three consecutive meetings without leave of the Group, the City may remove them from the Group. The City will appoint a replacement for the balance of the CSAG term of appointment.</p> <p>2.7 In the event of a membership vacancy during the term of the CSAG, the City shall call for nominations for a person to fill such vacancy.</p>

Name:	Community Sustainability Advisory Group
Operating Procedures:	<p>3.1 The City Sustainability Coordinator will chair the meetings.</p> <p>3.2 The group shall meet a minimum of five times annually.</p> <p>3.3 Notice of meetings shall be given to members at least five working days before each meeting.</p> <p>3.4 Recommendations of the Group, shall where possible, be made by consensus and if this is not possible, a simple majority by the members present will be adequate.</p> <p>3.5 Quorum for a meeting shall be at least 50% of the number of members of the Group, whether vacant or not.</p> <p>3.6 The Group is authorised to second individuals from outside the group on a voluntary basis, for their expert advice.</p> <p>3.7 Advice provided by the Group is to relate to the items covered under the terms of reference for this Group.</p>
Notes:	<p>4.1 Notes are to be taken at each meeting and will be forwarded to all members.</p>
Delegated Authority:	<p>5.1 The CSAG has no delegated power and has no authority to implement its recommendations.</p>



Charter of Responsibilities

Objective of the YAC:

To contribute towards youth development in the City of South Perth by communicating both to and from the City on relevant youth issues, and assisting to identify and implement strategies and programs that benefit young people in the City of South Perth.

Eligible applicants for the City of South Perth YAC

Young people aged between 13 and 20 years who live, or work or study in the City of South Perth (this includes Como, Kensington, Karawara, Manning, Salter Point, South Perth, Waterford) are eligible to apply for the City of South Perth Youth Advisory Council.

The duties of a YAC member are to:

- Attend and participate in YAC meetings
- Contribute to providing a youth perspective on relevant City issues
- Distribute information regarding relevant youth issues.
- Support relevant local youth grant proposals
- Develop and assist in the implementation of relevant projects
- Promote the YAC positively to peers and the community
- Provide feedback to stakeholders on youth issues
- Represent the City of South Perth at relevant external meetings, functions, conferences and working groups
- Be positive role models to other young people

The YAC develops projects and programs that relate to the following five areas,

- Services for young people
- Recreation and infrastructure
- Events
- Communication
- Sustainability

Selection process

- The City of South Perth shall select a new YAC to commence at the start of July each year.
- The YAC shall consist of 15 to 20 young people aged between 13 and 20 years who live, work or study in the City of South Perth.
- The request for nominations is widely advertised throughout the City of South Perth. Prospective nominees are required to submit a completed application form to the Community Projects Officer before the advertised closing date, and all nominees will be informed of the outcome of their application.
- The YAC will be appointed by the Community Projects Officer, and will aim to be a wide representation of young people from throughout the City of South Perth community.
- The following educational institutions and community organisations are invited to nominate representatives for the City of South Perth Youth Advisory Council:

Aquinas College Como Senior High School Kent St Senior High School Penhros College Wesley College Victoria Park Ursula Frayne College	Clontarf Aboriginal College Curtin University The Gabriel Federation Millennium Kids Kensington Police & Citizens Youth Club Karawara Community Project
--	--

- Initially each of the above groups will be allowed a maximum of TWO representatives; however this may be increased to four if the additional members add to the breadth of representation.
- Young people who are not associated with the above groups and live, work or study in the City of South Perth, are also eligible to apply.
- The YAC encourages new and diverse membership; however incumbent members may reapply through the selection process.
- In the event that positions become vacant or opportunities arise to increase the breadth of representation the Community Projects Officer may appoint additional YAC members at any time of the year.



Structure of meetings

YAC meetings are held once every month and are coordinated by the Community Projects Officer who is also the primary link between the YAC and the City.

Meeting Notes will be taken at every meeting and will be emailed to YAC members following meetings.

The YAC will go into recess during December and January.

Informal working groups may be established and meetings held in between the regular YAC meetings as required.

Meeting procedures will be formalised with a Chairperson and Deputy Chair elected to oversee the procedures. All records of meetings are available to the public for perusal through libraries and the administration building.

Any members of the public who wish to attend the meeting as an observer or guest should first contact the City's Community Projects Officer.

Relevant stakeholders can be invited to meetings by the Community Projects Officer to discuss relevant issues.



City of South Perth Youth Advisory Council "House Rules"

YAC members should:

- Adhere to the "duties" of the City of South Perth Youth Advisory Council.
- Perform duties in the best interests of young people and the City of South Perth.
- Respect the views of others, even if they differ from your own.
- Ensure that all communication regarding YAC business is directed through the Community Projects Officer
- Perform with a high standard of honesty and in a manner that will reflect positively on the Youth Advisory Council and the City of South Perth. This may include:

- identifying and disclosing conflicts of interest
- discretion and confidentiality with information to which you are privileged
- refraining from using improper and undue influence on other members

The City will:

- ensure regular meeting are scheduled and coordinated
- correspondence and other information is distributed to YAC members in a timely manner
- ensure that the Youth Advisory Councilors are adequately protected from any risks they assume by virtue of their taking office
- respond to any instances of defamation in the manner and form in which they were raised.

Responsibilities of YAC members

- YAC Members are expected to attend ALL meetings and if unable to attend are required to submit their apologies to the Community Projects Officer at least one full day prior to the meeting. The failure to submit an apology will be recorded as an absence, and **after three unexplained absences the youth advisory council member will be dismissed from office**. After five apologies the YAC member will also be dismissed from office.
- YAC Members will receive the agenda before each YAC meeting, and are required to familiarise themselves with the issues to be discussed before attending the meeting. This ensures that meetings run smoothly, and that the time is used effectively to discuss issues and make informed recommendations.
- YAC members are also encouraged to think of new creative ideas to bring to the meetings, to address any issues raised or to implement new projects. YAC members should always treat each other with respect and support, and provide a comfortable atmosphere to express ideas.
- YAC Members may also be required to attend other duties outside the normal Youth Advisory Council meeting times, such as conferences, meetings, and events, both locally and within the wider Metropolitan area. YAC Members are expected to perform in a professional manner when representing the City of South Perth.
- YAC members are responsible for positively relaying information between young people, the YAC, and the City of South Perth Council. This often involves YAC members attending various committee meetings of schools and youth organisations.



**Report of the Inquiry into the
City of South Perth**

Response to Inquiry Report Recommendations

April 2008

**REPORT OF THE INQUIRY INTO THE CITY OF SOUTH PERTH
RESPONSE TO INQUIRY REPORT RECOMMENDATIONS**

Following the tabling of the Report of the Inquiry into the City of South Perth 2006 in Parliament on 10 May 2007, the Minister advised that the City was required to respond to the recommendations contained in the Report by 16 July 2007. A response was provided to the Minister within the time specified and a further interim report was provided to the Minister on September 2007. This response summarises all of the actions that Council has taken in response to the Inquiry Recommendations in concluding the matter.

INQUIRY REPORT RECOMMENDATION 1

Council appoint a professional mediator to moderate the relationship conflicts between Elected Members and the Administration, and that:

- (a) The mediator be appointed from a list of suitable persons approved of by the Department of Local Government and Regional Development;*
- (b) The mediator report monthly to the Department of Local Government and Regional Development on an agreed basis; and*
- (c) The cost of the mediation be borne by the City of South Perth.*

ACTION TAKEN

Recommendation 1(a)

Council initially considered this Report Recommendation at its Ordinary Meeting held on 22 May 2007 and resolved to compile a list of mediators drawn from LEADR, Institute of Arbitrators and Mediators Australia, WA Chapter (IAMA), and WALGA for inclusion in a list to be presented to the Department for its approval.

The specific Council resolution is as follows:

That.....

- (a) Council notes the limited time period of 60 days from 10 May 2007 which is available to the Council to satisfy the Department for Local Government and Regional Development that it is addressing the recommendations of the South Perth Inquiry Report; and*
 - (b) in order to facilitate the mediation process contemplated in the Inquiry Report:*
 - (i) the Council compiles a list of two (2) mediators/facilitators from each of the following (to total 6 in all) by inviting :*
 - LEADR*
 - Institute of Arbitrators and Mediators Australia WA Chapter;*
 - and*
 - WALGA*
- to nominate individuals and to include appropriate information as to fees;*

- (ii) ***the list to be presented to the Department for Local Government and Regional Development for its endorsement and adoption; and***
- (iii) ***final selection of the agreed mediator/facilitator from the list of nominees to be carried out by the Council as soon as practicable.***

At the Special Council Meeting held 6 June 2007 at Item 6.2 "Response to Report Inquiry" Council resolved as follows in relation to Recommendation 1 of the Inquiry Report:

Council agrees to adopt Recommendation R1 and resolves to appoint a professional mediator to moderate the relationship conflicts between elected members and each other and between elected members and the Administration, in accordance with the terms of Recommendation R1.

Each of the three nominated organisations identified in the May resolution was subsequently invited to recommend the names of mediators each considered to be suitable for the assignment described in Recommendation 1.

LEADR provided seven names, IAMA provided four names and WALGA provided three names.

Each person recommended was then contacted and invited to respond with a profile of their qualifications and experience (including with local government) and an estimate of their fees. Responses were received from all but one of the prospective mediators and this information was made available for Councillors' perusal.

A number of prospective mediators were unavailable (and one declined due to a possible conflict of interest). From amongst the remaining eight, the Administration short-listed three mediators for Council's consideration. This short-list was compiled on the basis of an assessment of the following criteria:

- Suitability of qualifications and professional experience;
- Level of mediation accreditation (advanced or standard);
- Length of experience as a mediator;
- Knowledge of and experience in dealing with local government;
- Cost.

A further report was presented to the Special Council Meeting held 10 July 2007 called to report on the progress of implementing the Recommendations of the Inquiry Report. At that meeting in relation to Recommendation 1(a), Council resolved as follows:

That Council request the Chief Executive Officer to invite (and arrange for) each person short-listed to give a presentation to Council on how that person would conduct the mediation.

Following the Council meeting on 10 July 2007, a formal response was provided to the Minister for Local Government. The letter was dated 13 July, but handed to the

Minister on 16 July, the day that the 60 day time limit expired. The Minister, by letter dated 20 July 2007 agreed with Council's response to the Inquiry Report Recommendations, and in relation to Recommendation 1, approved the short-list of prospective mediators. The Minister advised that "any of the candidates shortlisted (are) acceptable".

As a consequence the three short-listed mediators were contacted and interviews were arranged for Wednesday 8 August 2007.

Unfortunately one of the three short-listed mediators was unable to attend the interviews arranged on the day and withdrew from the process. However the other two prospective mediators presented a comprehensive outline of the manner in which each would go about conducting the mediation. Councillors and officers who attended were able to question each mediator at length and as a result were able to satisfy themselves about the relative merits of each mediator and the approach which each would adopt. At the conclusion of the presentations, the presiding member sought feedback from each participant and an indication of each participant's preferred candidate.

There was a significant degree of consensus amongst all participants concerning their responses to the presentations of each mediator and there was complete unanimity in the final selection of the preferred candidate.

As a result, Council at its meeting held on 25 August 2007, resolved:

That Council request the Chief Executive Officer to engage Mr Graham Castledine as the professional mediator to moderate the relationship conflicts between Elected Members and between Elected Members and the Administration in accordance with Recommendation 1 of the 2007 Department of Local Government Inquiry Report into the City of South Perth.

Mr Castledine has spent a considerable amount of time [160 hours] engaged as a mediator to act between elected members and between elected members and the Administration since his appointment in August 2007.

One on one mediation sessions involving the Councillors that existed prior to the October 2007 elections and staff began shortly after the October elections. A number of 'small' group mediation sessions were held. There were regular co-ordination meetings held with the Mediator, Mayor and CEO. Group mediation sessions were conducted on 10 December 2007 and 4 February, (for those 'pre-existing' elected members) a session involving all current elected members and relevant staff held on 4 February 2008, with a final session involving all council members and relevant staff held on 2 April 2008.

It is clear that the mediation process which has occurred over a period of six months has been comprehensive in nature. The general consensus is that the mediation has been successful and relationships between elected members and elected members and the administration has significantly improved during this time.

It is understood that Mr Castledine has been reporting to the Department of Local Government on a monthly basis providing progress reports.

Recommendation 1(b)

This Recommendation of the Inquiry Report does not require any action to be taken by Council, but it is understood that Mr Castledine has submitted a monthly report to the Department. His final report would have been provided immediately following the final mediation session held on Wednesday, 2 April 2008.

Recommendation 1(c)

In relation to this Recommendation of the Inquiry Report, Council has made a provision of \$100 000 in the 2007/08 budget for the cost of mediation, investigation of Code of conduct complaints and training. The actual costs incurred will approximate the budget provision.

INQUIRY REPORT RECOMMENDATION 2

Council ensures that Elected Members undertake Elected Member training, provided by a training provider approved by the Department of Local Government and Regional Development, particularly in matters relating to:

- (a) The role and powers of the Chief Executive Officer and Administration; and***
- (b) The role of Council and Councillors.***

ACTION TAKEN

In relation to Inquiry Report Recommendation 2 above, Council considered its initial response at the Special Meeting held on 6 June 2007 and resolved as follows:-

Councils initial Resolution on Recommendation 2

Council agrees to adopt Recommendation R2 and resolves to appoint training providers approved by the Department. The training providers will be required to report to Council monthly on the outcomes of the program of Elected Member training.

Due to the timing of the October 2007 local government elections, some consideration needed to be given as to the kind of Elected Member training which was appropriate in the circumstances and which could have been sensibly conducted within the relevant time-frames.

Seven out of the 13 Elected Member positions (six Councillors and the Mayor) became vacant and contestable for the 2007 elections. Nominations opened on 6 September and closed on 13 September. It was obvious that not all the existing Elected Members would necessarily decide to re-contest their positions and not all of those who re-contested would necessarily be re-elected.

In addition, there was not a lot of time available from when the Council approved the training program in July [and following the Minister's subsequent approval] to 6 September when nominations opened for the October 2007 elections.

In these circumstances it was proposed to plan for Elected Member training in two stages.

Stage One of the training program consisted of training in the lead up to the October 2007 elections. The training was constituted over a number of evening workshops, facilitated by a well-regarded current Elected Member and CEO. A list of well-regarded former Mayors and CEO's, which was a compilation of recommendations from the Department and WALGA, was considered by Council.

This training was complemented by a condensed training program incorporating a refresher course which would focus on the respective roles of the Chief Executive Officer /Administration and the Council and individual councillors. The condensed training program took the form of an amended induction/introduction course of the kind which is offered by WALGA for newly Elected Members.

An additional component of Stage One comprised an evening workshop on Ethics, Misconduct Reporting and Public Sector Standards which a representative from each of the Corruption and Crime Commission and the Office of Public Sector Standards would be invited to facilitate.

A further workshop incorporated a refresher course on the City's Code of Conduct (in recognition of Council's endorsement of Recommendation 3 and its resolution of 6 June 2007).

Stage Two, of the training program was implemented after the October elections in the period up to the first council meeting to be held in late November, and included a repeat of some elements of Stage One. Participation at a workshop on the new Official Conduct regulations which came into force after the October elections was also arranged. This was supplemented by expanded courses incorporating induction/introduction material and participation in a one day a special Directors Course which is offered by the Australian Institute of Company Directors and which has been especially formulated for Elected Members. This was held on Saturday, 12 April 2008, and finalised the training organised in response to the Inquiry Report recommendations.

As a consequence of the above time-related issue, the two phase training program detailed above was considered by Council which adopted the following resolution at its 10 July 2007 Meeting:-

That Council...

- (a) requests the Chief Executive Officer to prepare a two-stage program for Elected Member training as outlined in report Item 6.3.3 and using the names listed against numbers 7 and 11 of the Confidential Attachment 6.3.3 of the Special Council Meeting of 10 July 2007 consisting of the following:
Stage One***

- **Evening workshop conducted by a (or both) current Elected Members identified on the confidential attachment;**
- **Condensed training program incorporating a refresher course on the respective roles of the Chief Executive Officer /Administration and the Council and individual councillors conducted by a WALGA service provider;**
- **Workshop on Ethics, Misconduct Reporting and Public Sector Standards which representatives from each of the Corruption and Crime Commission and the Office of Public Sector Standards would be invited to facilitate; and**
- **Refresher course on the City's Code of Conduct conducted by a WALGA service provider**

Stage Two

- **Repeat of the above for newly elected Councillors;**
- **Participation at a one day a special Directors Course offered by WALGA which has been especially formulated for Elected Members;**
- **Participation at a workshop on the new Official Conduct Regulations; and**
- **Any additional WALGA sponsored training courses deemed relevant by Council that are contained at Attachment 6.3.3 (b).**

(b) seeks the approval of the Department of Local Government for this program of Elected Member training.

It is considered that the Council developed a very comprehensive training program consisting of two stages - pre and post the October 2007 elections. This was necessary because of the time constraints that applied in the circumstances due to the October elections.

By letter dated 19 July 2007 the Minister agreed with the two stage approach and considered the training as 'comprehensive and appropriate'. In summary, the following training program was conducted:

Training	Conducted By	Date
Stage 1		
Roles and Responsibilities	Garry Hunt, CEO City of Joondalup and Paul Kelly, Deputy Mayor, Town of Claremont and WALGA State Councillor	22 August 2007
Code of Conduct Training	Nick Wood, Executive Manager Corporate Services, WALGA, accompanied by Mr John Phillips, Executive Manager, Workplace Solutions, WALGA	29 August 2007
Corporate Crime Commission Presentation	Peter Upton-Davis, Manager Corruption Prevention, accompanied by Ms Carol Sargisson	29 August 2007
Official Conduct Rules	Garry Martin, Department of Local Government and Regional Development	3 September 2007
Town Planning Principles	Andrew Roberts, McLeods	30 October 2007

Local Government Act - Financial/Non Financial Interests	John Woodhouse [Woodhouse & Associates]	
Stage 2		
Briefing: Code of Conduct/Official Conduct Regulations	John Woodhouse - Woodhouse & Associates	13 November 2007
Briefing Session - Roles and Responsibilities of elected Members and staff	Denis McLeod, McLeods	4 December 2007
The Business of Local Government (Corporate Governance)	Australian Institute of Company Directors	12 April 2008

INQUIRY REPORT RECOMMENDATION 3

Elected Members observe and comply with the City of South Perth Code of Conduct and the future new rules of conduct for Elected Members under the Local Government (Official Conduct) Amendment Act 2007.

ACTION TAKEN

In relation to Inquiry Report Recommendation 3 above, Council considered its initial response at the Special Meeting held on 6 June 2007.

***Councils initial Resolution on Recommendation 3
Council agrees to adopt Recommendation R3 and resolves to engage a training provider to hold workshops for Elected Members on the City's current Code of Conduct and on the new rules of conduct which will apply to Elected Members after the October election.***

There are two components to this resolution. The first deals with the engagement of a suitable training provider in relation to the current Code of Conduct and the second deals with compliance with the new regulations that applied from October 2007.

The Council fully committed to undertake relevant training on the existing Code of Conduct and the new Rules of Conduct Regulations that applied from the October 2007 elections. The training program referred to earlier specifically included the following components to address the requirements of this recommendation:

Training	Conducted By	Date
Code of Conduct Training	Nick Wood, Executive Manager Corporate Services, WALGA, accompanied by Mr John Phillips, Executive Manager, Workplace Solutions,	29 August 2007

	WALGA	
Official Conduct Rules	Garry Martin, Department of Local Government and Regional Development	3 September 2007
Briefing: Code of Conduct/Official Conduct Regulations	John Woodhouse - Woodhouse & Associates	13 November 2007

INQUIRY REPORT RECOMMENDATION 4

The City of South Perth commence audio recording of all Council and Committee meetings as recommended in the Report of the Inquiry into the City of South Perth (October 2002) as a backup to written minutes of meetings.

ACTION TAKEN

In relation to Inquiry Report Recommendation 4 above, Council considered its initial response at the Special Meeting held on 6 June 2007.

***Councils initial Resolution on Recommendation 4
Council agrees to adopt Recommendation R4 with the qualification that as its committees do not exercise delegated power, audio recording will be implemented for Council meetings only.***

A policy on the audio recording of Council Meetings was adopted by Council at its ordinary June meeting (Item 10.7.1). A copy of Council's policy was provided to the Department on 13 July 2007 as evidence of Council's commitment to this Inquiry Report recommendation.

The Council Resolution adopted at its 10 July 2007 Meeting is as follows:-

That the Minister be advised that Council has adopted a policy on audio recording of Council meetings and the policy will be implemented as soon as is technically possible and after training has been conducted on its use and application.

The Minister, in her letter dated 19 July 2007 noted and endorsed Council's resolution of 10 July 2007.

Specialist audio equipment and software was assessed and subsequently tested and installed. Recording of Council Meetings commenced with effect from the first Council meeting following the October 2007 elections and has been used at each meeting since that time.

Council has fully complied with the requirements of this recommendation. A policy has been adopted equipment purchased and installed and audio recording of meetings commenced.

INQUIRY REPORT RECOMMENDATION 5

The Department of Local Government and Regional Development, at its discretion, will monitor Council meetings through attendance at those meetings.

ACTION TAKEN

In relation to Inquiry Report Recommendation 5 above, Council considered its initial response at the Special Meeting held on 6 June 2007.

***Councils Resolution on Recommendation 5
Council agrees with Recommendation R5 and resolves to invite Departmental officers to attend all council and committee meetings including those which are not open to members of the public.***

The Department of Local Government and Regional Development advised that officers would be attending all Council meetings to monitor progress in rectifying deficiencies identified in the Report. Council responded by inviting officers to attend council meetings whether or not they are open to the public. The Director General of the Department of Local Government has been advised of Councils decision.

Departmental officers have been present at Council meetings up until November 2007 in connection with the mentoring process.

Council has fully supported this Report Recommendation and . there is no further action required to be taken by the Council on this recommendation.

INQUIRY REPORT RECOMMENDATION 6

Where Code of Conduct complaints are about the Mayor, an Elected Member or the CEO, those complaints should be referred to an independent person for assessment, appointed with the approval of the Department of Local Government and Regional Development. Subsequent to the Local Government (Official Conduct) Amendment Act 2007 being gazetted, the assessment and determination of Code of Conduct matters concerning Elected Members be in accordance with the process and procedures of that legislation.

ACTION TAKEN

In relation to Inquiry Report Recommendation 6 above, Council considered its initial response at the Special Meeting held on 6 June 2007.

***Councils initial Resolution on Recommendation 6
Council agrees to adopt Recommendation R6 and resolves to ensure that an independent person, approved by the Department, will be appointed for the assessment of any Code of Conduct complaints that have been made by or against the Mayor, Councillors and the CEO.***

In addition to the appointment of an independent person, the person appointed was also be required to provide a written report to the Department of Local Government and Regional Development detailing the number of complaints assessed, the nature of those complaints and whether those complaints have been resolved to the satisfaction of the parties.

The Director General of the Department wrote to the City on 31 May 2007 enclosing the names of three agencies which were considered to possess appropriate professional investigative experience suitable for the task of assessing code complaints.

The Administration contacted each agency inviting it to submit a profile of the organisation including a description of its experience in providing the services required and its cost structure for such assignment.

Responses were received from each of the three nominated agencies and were assessed and on the basis of a consideration of each organisation's profile, experience and expertise, experience with the public sector (including local government) and its cost structure, a ranking has been prepared with an indication of the preferred agency.

It is noted in Recommendation 6 that subsequent to the gazettal of the *Local Government (Official Conduct) Amendment Act 2007*, the assessment and determination of code of conduct complaints concerning Elected Members would be in accordance with the procedures of that legislation, including regulations (which were yet to be made) describing Rules of Conduct for Elected Members.

The Council Resolution adopted at its 10 July 2007 Meeting was as follows:-

That Council

- (a) ***accepts the agency as recommended on Confidential Attachment 6.3.4 to conduct assessments of Code of Conduct complaints; and***
- (b) ***requests the Chief Executive Officer to initiate the necessary administrative processes to engage the preferred agency to conduct assessment of Code of Conduct Complaints (should this action be necessary) in accordance with Recommendation 6 of the Inquiry Report.***

The City selected Meridian Services.

The Minister, in her letter dated 19 July 2007 noted and endorsed Council's resolution of 10 July 2007.

The Department of Local Government and Regional Development was consulted generally in relation to the implementation of recommendation 6.

Up until the date of the October 2007 elections when the provisions of the City Code of Conduct applied to elected members five complaints were received and were referred to Meridian Services for external assessment. A summary of the complaints and the results of the assessments follow.

Complaint No. 1. Cr Jamieson against the CEO, Mr Frewing, alleging denial of natural justice in relation to the mention of his name in a report to council at the June 2007 meeting.

Finding

The CEO committed no breach of the Code of Conduct, and the complaint was without merit.

Complaint No. 2. Cr Gleeson against Cr Wells, alleging conflict of interest against Cr Wells arising out of his participation in two items before Council at its March 2007 meeting relating to:

- (i) Item 9.5.5 - Appointment of Legal Services Panel; and
- (ii) Item 13.1.3 - Cr Gleeson's application for legal representation.

Finding

- (i) Item 9.5.5: Cr Wells committed no breach of the Code with respect to financial interest however there is sufficient cause to consider whether Cr Wells and other councillors who have a prior connection with Hammond Worthington ought to have declared an impartiality interest.
- (ii) Item 13.1.3: Cr Wells breached clause 2.1 of the Code in that he had an actual conflict of interest in the matter and failed to disclose and disqualify himself from dealing with the matter.

The Department was also required to assess Complaint No. 2 and advised by letter dated 6 December 2007 that it had determined that Cr Wells should have disclosed

a financial interest and vacated the chamber during Council's deliberation of the matter."

Complaint No. 3. Cr Gleeson against Cr Wells, alleging a breach of clauses relating to use of confidential information, honesty and integrity and personal behaviour, arising out of Cr Wells' refusal to hand back a confidential document to Deacons Lawyers at a meeting of councillors in July 2007.

Finding

Cr Wells committed no clear breach of the Code.

Complaint No. 4. Cr Gleeson against Cr James Best, alleging breaches of Code provisions relating to personal behaviour and conduct at meetings arising out of comments made at the June 2007 council meeting.

Finding

No finding. The complaint was withdrawn after Cr James Best delivered an apology which was accepted by Cr Gleeson.

Complaint No. 5. The Legal & Governance Officer, Mr McLaughlin, against Cr Smith alleging multiple breaches of the Code arising out of a number of incidents occurring inside and outside the Council chamber.

Finding

No finding. The complaint was withdrawn by the complainant after a private mediation was conducted by Graham Castledine with the consent of the parties.

As required, the Department has been provided with copies of each of the investigation reports. As a consequence, the Inquiry Report has been fully complied with.

INQUIRY REPORT RECOMMENDATION 7

The Department of Local Government and Regional Development advise the Minister for Local Government, within a time to be determined, on Council's progress in addressing the breakdown in working relationships and other issues that this report has identified. The Department's advice will encompass:

- (a) Whether the mediation process has been successful and resulted in improved relationships between Elected Members and the Administration;**
- (b) Advice from the independent assessor detailing the numbers of complaints that have been assessed, the nature of those complaints and whether those complaints have been resolved to the satisfaction of the parties concerned, as well as determinations made by the Standards Panel and/or the State Administrative Tribunal under the Local Government (Official Conduct) Amendment Act 2007;**
- (c) Any other matter relevant to the provision of good government at the City; and**
- (d) Whether, based on the advice provided in (a), (b) and (c) above, the Council should be suspended and a Panel Inquiry authorised pursuant to Part 8 Division 2 of the Local Government Act 1995.**

This recommendation does not directly relate to any actions the City of South Perth needs to take. It does however illustrate the extent of the reporting relationship by the independent persons to Council and the Department through to the Minister. It is acknowledged that the Minister needs to be satisfied that good governance is being practiced at the City and that Council is complying with the Report Recommendations.

Councils initial Resolution on Recommendation 7

Council agrees with Recommendation R7 and resolves to cooperate fully with the Department in the implementation of all recommendations and to do so expeditiously and comprehensively.

No action is considered necessary by the City with respect to this Inquiry Report recommendation.

The Journey : Sustainability into the Future

Introduction and Background Response to Report Recommendations

The Draft report by the WALGA SSS Taskforce: *The Journey - Local Government Sustainability into the Future* was released to Local Government at an Industry Forum on Thursday, 28 February 2008.

The document proposes a new structure for Local Government “to improve delivery of services to communities while retaining local representation” and is open for feedback and comments from Local Governments until April 15, 2008.

The public release of this Paper is a concluding stage of the extended research, investigation and consultation process known as the Systemic Sustainability Study for Local Government in Western Australia.

The beginnings of these processes can be dated to 2004 when, as part of the lead-up to the 2005 State election both major political parties made statements heralding the future reform of the Local Government Sector.

This Systemic Sustainability Study Panel (the Panel) was supported by the commissioning of a report by Access Economics, *Local Government Finances in Western Australia* (June 2006). Based on the analysis by Access Economics and from their extensive consultation with Local Government representatives from throughout WA, the Panel framed 41 Recommendations for further action. The Association formed a Taskforce of its State Council to oversee the process. This Taskforce resolved to carry forward the SSS Panel recommendations. The Panel Report *In Your Hands* (the SSS Panel Report) was released in December 2006 and referred for further input from an industry forum ‘The Journey’ in April 2007.

The WALGA Taskforce then convened 5 Working Parties made up of Councillors and senior Local Government managers from across the State. These Working Parties addressed the following themes from the SSS Panel Report:

- leadership for change
- finance
- revenue
- services
- capability.

The Working Parties concluded their investigations and reported to the WALGA Taskforce in December 2007 and January 2008. The Report entitled “The Journey : Sustainability into the Future” is constructed around the outputs of these working parties, with sections dealing with each of the identified themes. The Report identifies 61 recommendations and the purpose of this document is to provide a response to WALGA in relation to each of the recommendations.

Introduction and Background Response to Report Recommendations

This report can be compared and contrasted with a report entitled “Local Government Structural and Electoral Reform in Western Australia” conducted by the Local Government Advisory Board in 2006. The City responded to this report and made various suggestions. The Board made a range of recommendations including proposals to amalgamate a number of local governments. The Board also recommended the introduction of a new requirement for various financial management plans to be prepared by local governments, the removal of the power for electors to call for a poll when their local government is part of an amalgamation proposal, and a number of other recommendations including the maintenance of existing arrangements in many instances.

The Minister took the view that a less prescriptive approach on amalgamation and boundary change, not involving legislative amendment, is warranted. Such an approach gives local government the opportunity to address sustainability through its own decisions rather than through structural reform imposed by the State.

The Department of Local Government and Regional Development has therefore endorsed the principle of the industry addressing its own future sustainability issues.

General Response

The WALGA Report (and its earlier reports) when combined certainly result in a very comprehensive suite of documents that provide a vast amount of information and data about Local Government in WA. The reports have been prepared with a background of a threat of “rationalisation” of Local Government that has occurred throughout Australia and New Zealand being imposed on Local Government in this State. The latest Report is a positive move to demonstrate to the State Government and the community at large that Local Government is capable of determining its own destiny.

Having said that, the Report contains a rather unusual combination of recommendations that in many instances goes into very specific and detailed proposed changes to the Local Government Act and associated Finance Regulations but in terms of the “big picture” - the future structure of Local Government - is short on specifics. The topic of amalgamations is avoided, but it is not discouraged either.

It is generally accepted that local government is the backbone through which the movement of the key elements of capital, goods and services flow. The backbone takes the form of one of the many types of infrastructure that local government is responsible for. It has been argued for some time that local government is not, and has not been, adequately resourced by other tiers of government to an appropriate level to ensure that infrastructure is adequately maintained.

Whilst the Report recommendations generally deal with issues that local government can deal with internal to its own industry, it is still doubtful that this will ensure financial sustainability for all local governments. Given this, apart from progressing the initiatives identified in this latest WALGA Report, WALGA is encouraged to continue its lobbying of both Commonwealth and State Governments for additional funding to achieve sustainability of local government in WA.

Dealing specifically with the Report recommendations, the “Regionalisation” of Local Government is referred to in numerous places within the report but is not adequately justified at this time - and implications of such a proposal are not identified. Membership of Regional Councils will be voluntary as there will be no compulsion for any Local Government to take any particular future action.

In addition, the Report proposes additional layers of Government supervision in the form of a Local Government Finance Authority and a Local Government Industry Assistance Commission. Whilst the concept of some centralised, informed and consistent ‘assistance’ to the industry is strongly supported (and indeed encouraged), the City is not convinced that creation of a separate (probably statutory and therefore potentially relatively inflexible) commission is necessarily the best mechanism for delivering this service. In relation to the Local Government Finance Authority, the City feels that the case for such a body is not well made and it would question whether the diversion of scarce resources into the creation of such an entity was worthwhile for the industry as a whole.

It is considered that, having regards for the costs associated with each organisation,(some of which would be borne by Local Government), the need for the creation of these 'new' organisations has not been adequately justified nor the benefits identified.

Given the leadership role that WALGA has played in creating a heightened awareness of sustainability issues within local governments and across the sector - and recognising its demonstrated drive and commitment to advancing this agenda so far, a strong case could be mounted for WALGA being further resourced to allow it to fulfil the role envisaged for the Local Government Industry Assistance Commission. Indeed it could be suggested that given the focus of the Department of Local Government on compliance rather than capacity building, WALGA has already demonstrated its bona fides through the leadership that it has provided in advancing the sustainability agenda - an agenda which is of such great importance to our industry.

General Response

As a general comment in relation to the timetable for implementation of the recommendations, an important observation is made. It is considered that the ten year implementation time frame is a concern as it is felt that the industry should be in a position to act within a far quicker period - and may be required to act within a far shorter time frame to retain the confidence of the State Government and to ensure future sustainability. Apart from the obvious benefit of gaining the confidence of the State Government, it may be that Local Government will have no choice but to act considerably faster than the ten year time frame proposed.

The recommendations, if implemented, require a significant amount of additional work to be performed by Local Government and there are obvious resource implications associated with these requirements - particularly for those Local Governments (predominantly country Local Governments) which have already been identified as unsustainable. How these Local Governments will be able to comply with the additional requirements has not been identified.

Before providing more detailed comment through the City's responses to the individual recommendations in the remainder of this document, it is acknowledged with appreciation the level of leadership, commitment and technical contribution made by WALGA towards investigating, researching and driving this initiative.

All comments provided in this response are offered with the intent of building upon and enhancing the considerable efforts that preceded the publication of *The Journey : Sustainability into the Future*.

It is worthy to note that the role and reputation of WALGA has increased in recent years as a result of its work promoting local government sustainability whilst at the same time, the role and reputation of the Department has declined because of the lack of action and influence.

It is also suggested that WALGA continue to promote the objective of 'Sustainable Local Government' to the wider community, ie what has been done and what needs to be done to address this issue.

Response to Recommendations

Recommendation 1

Amend the *Local Government Act* to require Local Governments to:

- Prepare and publish a Strategic Plan for a minimum of ten years, with a review required after each general election of Council;
- Create Asset Management Plans linked to the Strategic Plan;
- Prepare, as part of the published Strategic Plan, Financial Plans that allow for the implementation of the Strategic and Asset Management Plans;
- Create key performance indicators that are published as part of the planning process; and
- Report performance against these KPIs to their community on an annual basis.

Comment

The Local Government Act currently provides that each Local Government must prepare a “Plan for the Future”. This requirement replaced earlier provisions requiring each Local Government to prepare a “Principal Activity Plan” for the following four year period. The Act also detailed prescriptive financial requirements that should be included in the Principal Activity Plan.

The requirement to prepare a detailed Principal Activity Plan was not well accepted and many Local Government’s were either unable or unwilling to prepare a Plan that would stand up to serious scrutiny. It is assumed that one of the reasons why such a Plan was not be completed to a satisfactory standard by many Local Government’s was because of local resource implications - which ultimately is part of the continuing issue of sustainability.

The requirement to prepare a “Plan for the Future” contains no such prescriptive content requirements and therefore no guidance for its format is provided. Across the industry, Future Plans could be for different periods, contain different information expressed in a variety of formats and may not even be financially based. For example, to comply with the Act, a ‘Strategic Plan’, similar to the City of South Perth document would be sufficient for these purposes - yet *in isolation* it does not address the future resource implications of Local Government. Those implications may be considered in other documents.

The recommendations contained in the WALGA Report are generally supported but it must be recognised that because of funding certainty limitations and other matters outside of the control of Local Government, practical application of a ten year Financial and other Plans (and therefore their usefulness) is limited. The funding limitations referred to generally relate to the uncertainty of receiving Government funding - whether State or Commonwealth.

For almost all of Local Government major asset expenditure, including roads, buildings and other infrastructure (ie cycleways and river foreshore improvements), significant capital contributions are reasonably expected from other spheres of Government and related sectors (ie Lotteries WA). As far

as the City is aware, the various State and Commonwealth Government Departments are not required, or able, to prepare ten year plans that identify individual projects. Given the high percentage of capital funding obtained from external sources to finance Local Government capital projects, and the recognition that external funding cannot generally be identified even one year in advance, the benefit of detailed ten year financial plans must be questioned.

This does not mean that Asset Management Plans and other plans that identify priorities for funding and the 'infrastructure gap' should not be prepared (in fact it is essential that they are prepared), it simply means that external funding should not be relied upon at some future date. Future planning for sustainable infrastructure (asset management) is supported (refer to recommendation 14).

The WALGA recommendation also suggests that key performance indicators should be published as part of the planning process. Exactly what KPIs are proposed are unknown, although examples of KPIs are contained in the WALGA report. There is currently a requirement to publish KPIs in Local Government annual reports and it is assumed that the additional information would be required to be produced for each year in the various ten year plans.

The costs, benefits and resource implications of complying with the WALGA recommendations needs to be assessed – not necessarily for sustainable Local Government's like the City of South Perth (although it would be useful to know in advance), but for the vast majority of Local Government's in WA who have either been identified as being unsustainable or have resourcing difficulties or both.

Officer's response to Recommendation 1

In principle the recommendations are supported but that WALGA be advised that:

- Unless other spheres of Government can prepare similar plans identifying major capital grants and contributions, ten year plans will be of limited value;
- The nature and requirements to report on KPIs be clarified to determine need and benefit; and
- The cost and resource implications of complying with the recommendations be assessed

The City also suggests that, other than for broad asset management planning purposes, plans having a ten year horizon are not supported. Analysis of even 5 year financial plans within the corporate sector will show that even these can make fanciful reading by year 5 - let alone year 10. A more practical solution may be to try to model a relatively detailed 5 year plan for local government - accompanied by a broad 5 year 'shadow plan' for years 6 to 10. This may help to identify looming asset management issues in a more practical and less resource intensive manner. Internal review of these documents should be no more than 2 yearly - with a full public engagement in the process perhaps every 4 years.

Recommendation 2

Councillor and officer training is to be developed to incorporate strategic planning issues and their relationship to asset management and long term financial plans.

Comment

One of the roles of elected members is to set strategic and policy direction for the future of the LG and the WALGA recommendation is entirely consistent with this role. The objective is to focus elected member attention away from the detail and onto the future strategic direction and this is supported.

The need to focus on asset management and long term financial plans is recognised (subject to the constraints identified earlier in relation to the City's response to WALGA recommendation 1).

Relevant training for officers is also recognised as important.

Officer's response to Recommendation

The recommendation be supported.

Recommendation 3

That the current operating revenue classes for nature/type:

- (a) Grants and subsidies
- (b) Contributions, reimbursements & donations

Be changed as follows:

- (a) Operating grants, subsidies and contributions
- (b) Non-Operating grants, subsidies and contributions

Revenue received for reimbursements and donations that cannot be classified as operating / non operating contributions or Fees and Charges are to be classified as 'Other Revenue'.

Comment

It is important to remove the distorting impact of 'capital' contributions to enable greater comparability of data across local governments. The distinction between 'Operating' and 'Capital' contributions is already made for the purposes of preparing a Cash Flow Statement - so this simply brings the 'Nature and Type' disclosure into line with that statement.

Officer's response to Recommendation

The recommendation is supported.

Recommendation 4

The disclosure notes required under the *Local Government (Financial Management) Regulations 1996* are to be expanded to show the application of these revenues for operating, capital, reserve transfers and / or debt servicing.

To support these changes to Sections 23, 24, 39 and 40 of the *Local Government (Financial Management) Regulations 1996* be amended to require these disclosures.

Comment

Acknowledged as the necessary administrative action to bring Recommendation 3 into effect.

Officer's response to Recommendation

The recommendation is supported.

Recommendation 5

That the model financial reports disclose the restricted assets, by way of a note, so that funds not applied can be aligned with the appropriate financial year.

Further, that the effects of restricted assets such as unspent operating grants are considered in assessing the operating result of Local Governments in preparing comparative financial indicators.

Comment

This is an important and necessary modification to overcome the distorting effect of AAG14 which can require the revenue to be recorded in the year of receipt (or control over the funds being granted) but the expenditure not being recorded until a later year. This accounting treatment has proven problematic in the past - particularly in relation to Road Grants.

In assessing a Local Government's operating results, financial ratios and other comparative indicators, it is important to remove this distorting effect - as one year appears to have a very favourable result and the subsequent one appears particularly unfavourable. The suggested approach reflects the previously accepted and well understood 'matching principle'.

Officer's response to Recommendation

The recommendation is supported.

Recommendation 6

That the model financial reports disclose extra-ordinary financial transactions, by way of a note, so that funds not applied can be aligned with the appropriate financial year.

Further, that the effects of extra-ordinary financial transactions are considered in assessing the operating result of Local Governments in preparing comparative financial indicators.

Comment

It is assumed that the recommendation actually means that the distorting effects of extra-ordinary transactions are *excluded* when assessing the operating result of Local Governments and in preparing comparative financial indicators - although this is not made explicit in the recommendations.

Assuming this to be correct, the thrust of the recommendation is supported - with the cautionary observation that it may be necessary to find an alternative descriptor to 'Extra-ordinary'. The reason for making this point is that the model financial reports may be in conflict with relevant accounting standards - which apply a different and somewhat more narrowly focused interpretation of the term 'Extra-ordinary'.

Officer's response to Recommendation

The recommendation is supported - subject to the change of terminology noted above.

Recommendation 7

That the first release of an Industry Accounting Manual include a detailed guidance note on useful life, residual values and the resultant depreciation rates for all classes of fixed assets.

Comment

This is considered a worthwhile initiative subject to the qualifications that:

- The ‘guidelines’ reflect persuasive, but not prescriptive advice on reporting and calculating depreciation;
- A number of broad ‘bandings’ or categories of local governments are provided in the guidance to allow similar local governments to use similar rates - but also to recognise the peculiarities and geographical attributes of different regions.
- Capacity exists for individual local governments to deviate from these guidelines for assets such as heritage buildings or museum collections which may have unique attributes that demand an alternative accounting treatment.

Officer’s response to Recommendation

The recommendation is supported - subject to the above qualifications.

Recommendation 8

That disclosure notes required under the *Local Government (Financial Management) Regulations 1996* should be expanded to show the application of reserves for operating, capital and / or debt servicing.

The data collection sets include the classification of reserves held for the purpose of current liabilities, non-current liabilities, asset renewal, new assets, restricted funds (Special Area Rates/service charges, unspent grants) or future operating outlays. Amendments be made to Sections 27(h) and 38 of the *Local Government (Financial Management) Regulations 1996* to require these disclosures.

Comment

The City is not convinced that adding more detail to an already onerous disclosure note will add useful value to the note. The application of the Reserve funds should already be readily apparent from the description of the purpose of the Reserve. Restricted funds or unspent grants are also disclosed elsewhere.

It is considered that the additional complexity of the disclosure is unlikely to add information value to non-sophisticated users of the financial statements.

Officer’s response to Recommendation

The recommendation is not supported for the reasons identified above.

Recommendation 9*¹

In order to support the function of an independent Local Government Independent Assistance Commission a partnership arrangement to be entered into between the Department and WALGA to facilitate the production of comparative information for financial transactions for the sector. This information is to be compiled utilising a web based collection system that allows direct input and

¹ All Recommendations marked (*) are considered intrinsic to the proposal for the creation of the Local Government Independent Assistance Commission discussed in the Revenue Section of this paper and should be considered in the context of that development.

amendment of the information. An investment is required to enable data collection to commence in 2008.

Comment

If a single web-based data collection system could be introduced to serve the needs of the DLGRD, Grants Commission & ABS from a single source this would be a very positive initiative and could result in some resource savings after the process was bedded down. However, it would need agreement from all parties including the ABS to have the data presented in a single agreed format – rather than the existing clumsy approach of producing a set of financial statements and then manually re-casting them into alternative formats to suit say, the ABS - who's groupings do not align at all with the DLGRD or Grants Commission's needs.

The City has a view that only the 'final' adopted and audited values should be input – rather than a progressive re-working of the numbers as they evolve through the budget process. Such a re-working would be resource hungry and wasteful – do it correctly once!

Whilst the 5 year trend data would be of obvious value, it is necessary to be cognisant of the lack of reliability of some local government's retrospective data. The suggestion to concentrate on a small number of robust and validated trends is a good suggestion. Better data validation methodologies (and resourcing to support it) are essential for the benefits of this initiative to be enjoyed in the future.

Officer's response to Recommendation

Supported subject to the preceding observations.

Recommendation 10

That the *Local Government Act 1995* be amended to require the production of annual community financial reports on terms equivalent to those currently applying in Queensland.

Comment

The requirement to prepare a Community Financial Report that includes a 'simplified' financial overview is supported - as a number of local governments, including the City of South Perth, have been utilising such an initiative of their own volition for several years.

The general principles of its content and manner of communication are agreed – although the requirement to produce the information in the Queensland format is not a strongly held view. It should also be noted that Queensland model requires 5 year trends in financial ratios to be disclosed which is a longer term requirement than our current accounting standards which specify only 3 years. Whichever way it is done, the inconsistency of 3 years versus 5 years must be rectified.

Officer's response to Recommendation

Whilst this initiative is supported, such comment should be viewed in the light of the City's earlier comments regarding the proposed Local Government Industry Assistance Commission.

Recommendation 11*

That from the collection of Local Government financial information, a set of industry comparative financial indicators associated with financial sustainability be provided to the industry by July 2009.

To support this development WALGA develop training programs for Councillors on the importance and interpretation of financial sustainability indicators.

Comment

The development of a suite of relevant and meaningful Sustainability Indicators is supported as a principle. Many financial indicators are required to be prepared and published as a matter of course. This proposal expands on the indicators currently required to be produced.

However it is felt that it is important that the industry, the media and individual Councils should understand and respect both the intent and purpose of such indicators. The industry will need to be diligent in ensuring that we do not see the noble intent of the Sustainability Indicators being compromised by the publication of 'premiership tables' (such as the Fiscal Star ratings issued in 2007 based on incomplete and inaccurate data and then labelling local governments as 'unsustainable'), nor do we experience gratuitous back-slapping for a local government being observed as sustainable at a given point in time.

The usefulness and relevance of any additional indicators would need to be established and assessed before any final commitment is given. Statistics for the point of statistics should clearly be avoided.

Education emphasising the importance of trends and assessing indicators in the context of the particular local government must be provided - and local governments must be encouraged to identify, respond to and learn from adverse trends. The required behaviours should include monitoring and working to rectify adverse indicators rather than trying to conceal or justify them.

Finally the indicators should be looked at not just in terms of historical trends - but also where they may be heading in the future in the light of planned funding strategies and expenditure proposals.

Officer's response to Recommendation

Supported as a principle subject to diligent monitoring to ensure that the intent of the indicators is not compromised by the media or individual Councils.

Recommendation 12

That suitable debt management indicators for Local Government be developed in consultation with the WA Treasury Corporation to form part of the proposed comparative data set for Local Government. Each debt indicator should include a range by which Local Governments can manage debt in a prudent fashion.

Comment

The proposal to develop a *small* number of meaningful Debt Management Indicators covering areas such as debt service costs, debt levels and asset backing for debt is common sense and should be supported - but not an extravagant suite of complex indicators.

All local governments should consider the use of prudent and responsible debt funding in developing their forward financial plans - the challenge however is ensuring that debt is used only for enhancing or

upgrading assets and not for servicing what should be regarded as operational expenditures. Importantly, long term capacity to service debt must also be considered - and this is where trends in debt management indicators could be of use in prudently planning for the future.

The suggestion to seek the guidance of WA Treasury in developing the indicators is seen as a positive initiative. However, the indicators chosen must not be so complex or onerous as to deter local governments from calculating, considering and applying them - they must be owned and valued by all local governments.

Officer's response to Recommendation

The proposal to develop a small number of meaningful Debt Management Indicators covering areas such as debt service costs, debt levels and asset backing for debt is common sense and should be supported.

Recommendation 13*

That comparative information be reported for debt and debt management. This information is to be compiled using a web based collection system that allows direct input and amendment of the information.

The information is to provide state, region and size analysis online for the following debt matters:

- General statistics to include amount of new debt raised, refinancing amounts, debt service amounts and outstanding debt
- Performance indicators be published for:
 - debt service costs as a percentage of general funds
 - debt service costs as a percentage of LG revenue
 - debt outstanding as a percentage of general funds
 - debt outstanding as a percentage of LG revenue
 - weighted average interest rate of debt
 - gross debt to economically realisable assets
 - untied cash reserves as a percentage of outstanding debt
 - net financial liabilities.

Performance indicators for debt management be incorporated in the disclosure requirements for the long term financial plan, the annual report and the annual budget.

Comment

This initiative is inherently sensible and as such is supported in principle. However, it is imperative that thought be given to how to address the issues arising from those local governments such as the City of South Perth that provide aged care facilities such as retirement villages and hostels. Often these facilities (that appear on the local government's Balance Sheet) bring with them an obligation to repay accommodation bonds, refundable premiums etc that can total many millions of dollars (Some \$21M in South Perth's case). In many cases these 'liabilities' are cash backed by Reserve Funds yet they are included in the debt values - thereby compromising a number of the financial ratios calculated. Failure to separately identify or exclude these liabilities renders comparisons between local governments almost useless.

Officer's response to Recommendation

Supported in principle if the issues not above can be addressed satisfactorily.

Recommendation 14*²

That the roll out of an asset management program to all Local Governments is recommended. The process should be facilitated on a regional basis for smaller Local Governments.

- The implementation of the program needs to be supported with resources that permit the timely implementation of the program.
- Consistent with the proposed practices included in the accounting manual, industry guidance be provided on service standards and intervention levels.

Information for the annual road survey by WALGA should be collated through a web based collection portal and undertaken in conjunction with information collected through the proposed industry bureau.

Comment

It is difficult to argue the logic in requiring Asset Management Systems that look at whole of life planning, funding, acquisition, recording and accounting treatments, maintenance, disposal and renewal of assets. Exercising effective stewardship of resources including assets is one of the primary and most important responsibilities of a local government.

Proper attention to this issue across local governments should not only improve local governments asset bases them selves but should also strengthen the (collective) local government case for seeking greater funding from other spheres of government.

The WAAMI initiative offers a solid philosophical basis on which to develop Asset Management Plans but interestingly it is not fully supported by the industry - ironically because some local governments want to be given a template that they just fill in. By not wishing to take responsibility for the thinking behind developing the model, it can be argued that they may have already 'missed the point'.

Additionally, the City of South Perth does not support the notion that there must be one single format for asset registers nor that there is a one size fits all approach to depreciation. The later of these points is critical as it fails to take into account local topography, geography or traffic load /mix factors. Also, there will always remain a conflict between the 'accounting' concept of depreciation (apportioning cost over a number of years using utility of the asset as a basis for apportionment) and the 'engineering' concept of depreciation based on asset condition. Until this conflict can be reconciled (perhaps through the AASB allowing condition based depreciation) asset management will be complicated by the need for two different approaches.

² * Both these listed activities should also be referred to the jurisdiction of the Local Government Independent Assistance Commission should that body be created.

On the positive side, commonly agreed and accepted definitions of asset maintenance, renewals and enhancements is a great step forward.

Officer's response to Recommendation

Intuitively this is a good proposal - but to get the real benefits from it, the points noted above must be addressed and resolved.

Recommendation 15*

That a partnership to be established with the Department of Local Government and Regional Development, Main Roads WA, and WALGA for a bureau to be established for the collection and management of road infrastructure data for all Local Governments.

The establishment costs of the bureau to be initially funded from the State road fund allocations. Following the first five years the costs of the bureau is to be met from Local Government contributions.

Comment

This seems to be a very sensible and realistic approach to an identified problem - and one which factors in constraints such as the lack of available engineering and technical skills, inconsistencies in data methodologies and variations in the 'currency' of data. Whilst recognising the budget constraints of some smaller local governments, the suggested annual bureau fee seems quite modest when one considers the importance of the road asset to all local governments. However, if cost was seen as prohibitive for some smaller local governments, perhaps other local governments could make an additional one-off levy contributions to a sinking fund to help sustain such valuation activities by a bureau in the future.

Thought may need to be given to ensuring a consistent methodology for local governments to apply in respect to what costs will be capitalised to the roads asset in future years and what is expensed to ensure that the data does not become compromised over time. Perhaps the WAAMI model could provide some persuasive guidance on this matter in the future. At present some local governments do not re-value roads assets at all, some use a 5 year cycle, some 2 years and some annually. These inconsistencies must be resolved before progressing.

Even the discussion in the report suggests a 3 year cycle at Page 62 (final paragraph) and a 5 year cycle approximately half way down page 63 - so the revaluation timeline issue is not clear at present even to the report authors.

Officer's response to Recommendation

In principle, the premise behind this recommendation is a good one but it will be necessary to get greater clarity around some of the issues noted above before it can be introduced.

Recommendation 16

That a schedule of recommended depreciation rates for each class of fixed assets be incorporated into the first release of the accounting manual.

Disclosure requirement for asset acquisitions be expanded to show the value of acquisitions for new assets and outlays on the renewal of existing assets. The definitions used in the WAAMI model will be used as the basis for defining 'new' or 'renewal'.

Comment

The notion of comparability between local governments is a noble one and is worthy of consideration / action wherever possible. However this should not be achieved at the cost of compromising the integrity of data simply to achieve that comparability. The City certainly accepts that there are some unrealistic and inappropriate depreciation models being used in some jurisdictions – and indeed that a little rational thought about what those depreciation rates mean in terms of useful life should highlight a need for review.

Perhaps the immediate focus of attention should be on addressing those 'outliers' to identify the reasons for or validity of their 'out of range' values rather than trying to 'homogenise' the whole local government industry.

The City of South Perth does not support the notion that there is a one size fits all approach to depreciation. This view is premised on the basis that it fails to take into account local topography, geography, climate or traffic load /mix factors. Arguably the use of a number of 'regional' models that reflect local governments having some similarity in these attributes may help to overcome this problem.

On the positive side, commonly agreed and accepted definitions of asset maintenance, renewals and enhancements is a great step forward. Should this matter be resolved inconsistencies in accounting treatments for asset expenditures may be greatly reduced as a matter of course.

Officer's response to Recommendation

Unless the issues raised in the discussion under the Comments heading can be satisfactorily resolved, the City of South Perth would have difficulty supporting this recommendation.

Recommendation 17

That a system of revaluation of assets such as buildings and infrastructure on a five yearly basis be incorporated into the annual financial accounts prepared by a Local Government.

Comment

The revaluation of buildings and infrastructure assets on a regular basis to reflect their current replacement values for both reporting and insurance purposes make good sense and is a practice already adopted by the City of South Perth.

Whether or not there should be a prescribed 5 year cycle for revaluations is debateable. The revaluation cycle may be at the discretion of the local government - providing it is done at least once in a five year cycle. The local government may care to stagger its revaluations of different classes of assets across the cycle so that it is not trying to bring all classes of re-valued assets to account in the one year. This is consistent with the rolling revaluation approach allowed under the accounting standards.

Consideration should also be given to addressing the capacity of smaller rural local governments to access the expert skills necessary to conduct regular revaluations - and the cost of doing so. Perhaps a regional approach could be applied to address this challenge.

Officer's response to Recommendation

Supported in principle - but requiring further thought to address the issues raised above.

Recommendation 18

That WALGA continue investigation of the possible creation of a Local Government Finance Authority.

Comment

This is considered to be one of the least worthwhile initiatives contained in the SSS Report. It is considered that the suggested economies of scale and local government benefits are highly unlikely to be significant even if they did arise (and that is uncertain). It is unlikely in the opinion of this local government that we (or many other metropolitan local governments) would subscribe to or support such an entity. It is in our view an unnecessary duplication of the facilities already available to local governments through WA Treasury and the banking sector. We would oppose the diversion of scarce resources to support the creation of a lender of last resort to unsustainable local governments.

Officer's response to Recommendation

Not considered to be a priority for the application of limited WALGA or industry resources.

Recommendation 19

That WALGA support the rate setting process as outlined Section 6.22 as an example of best practice in rate setting.

Comment

This is simply common sense and largely reflects the approach that the City of South Perth and many other local governments have been applying for some years. Local governments that are not using this approach are therefore not applying a responsible and rigorous approach to rate setting. Positive encouragement from WALGA supporting this approach would be a very worthwhile initiative for the industry.

The only suggested enhancement to the model would be to check and confirm (at appropriate stages in the iterative process) the alignment between the Annual Budget with its 1 year time horizon and the Strategic Financial Plan (or similar) and its longer (say 5 year timeframe) to ensure that what is proposed for next year is sustainable into the future.

Officer’s response to Recommendation

The City strongly supports and endorses this initiative.

Recommendation 20

- (a) That WALGA in conjunction with the ABS constructs and maintains a revised WA Local Government Cost Index using average actual expenditure and appropriate cost and price indices.
- (b) That the WA Local Government Cost Index be delivered via a website that allows members to input individual expenditure to customise their weightings and develop an index tailored to their circumstances.
- (c) That Local Governments use a revised WA Local Government Cost Index as part of their budget calculations and communications.

Comment

The WALGA Cost Index is an excellent and extremely useful indicator that is customised to local government expenditures – and therefore has much greater relevance than CPI. Given the comments regarding the rating effort of local governments collectively and the failure to set fees that maintain pace with the costs associated with maintaining facilities and providing services, an industry guideline such as the WALGA cost Index is essential - and invaluable.

By promoting and encouraging the use of the WALGA Local Government Cost Index, much of the ‘politicisation’ of rate setting that may have compromised funding activities in the past can be removed. This in itself is a very worthwhile outcome.

With ratepayers in all communities receiving ‘the same message’ local governments may find it easier to justify and explain reasonable rate increases – just still highlight ‘out of range’ increases. The suggested approach may in fact bring an element of ‘smoothing’ of the movements in rates rather than the erratic fluctuations that may have occurred in the past.

Availability of the Cost Index on a website that allows local governments to model their own cost increases is also considered to be a value adding approach – and one that is supported.

Officer’s response to Recommendation

The City strongly supports and endorses this initiative.

Recommendation 21

That Local Governments use the principles of: transparency, timeliness, comparability and pricing policy as key elements of best practice in setting fees and charges.

Comment

The general principle of having an approach to setting fees that encourages transparency is good common sense. The principle of setting fees in a timely manner is also inherently sensible as is having a logical, justifiable and published basis for the fee (for instance cost recovery, statutory, benchmark or

community subsidy). Making available the policy or strategy explaining how the pricing has been developed and relating it to the strategies of the local government is also endorsed.

However, the idea of comparability of fees by publishing between one and three years comparative fees seems onerous, pointless and resource hungry. For many mid to larger size local governments this would condemn the Fees & Charges Schedule to becoming an intimidating and weighty tome that is more likely to discourage users from accessing it rather than having the opposite effect.

Officer's response to Recommendation

The general principles of transparency, timeliness and pricing policy for fee setting is supported. However, the suggested comparability principle is considered irrelevant and not value adding. For that reason it is not supported.

Recommendation 22

The LGIAC is the reference panel for the purpose of setting standard costs for like goods and services provided by Local Governments. The LGIAC to include representation from the Department of Local Government and Regional Development, Industry Organisations including WALGA and the WA Department of Treasury and Finance to overview the relativity, accuracy, applicability and methodology of standard costs, which would be available for Local Governments to adopt.

The LGIAC would conduct reviews of best practice in pricing policy and suggest methodologies for setting discounted community fees and charges to ensure industry consistency. The default unit for analysis and fee setting should be regional.

Comment

Whilst the comments about conservatism in price setting (particularly in rural or smaller local governments) are agreed, the concepts of autonomy and general competence are assumed to still underlie the Local Government Act.

Taking this into consideration, the City of South Perth does not believe that the solution to responsible optimisation of revenue opportunities whilst respecting community service obligations lies in creation of a new entity to perform this function.

It is suggested that the adoption and promotion of the WALGA Local Government Cost Index and education of local governments about the principles underlying responsible pricing decisions should be able to achieve the same outcome with the commitment of far less resources.

Officer's response to Recommendation

Not supported.

Recommendation 23

That Sec 6.16 (3) of the *Local Government Act (1995)* be amended to allow Local Governments to set fees and charges other than at the time of adopting the annual budget and provide sufficient time to be applicable from 1st July each year.

Comment

The recommendation is unclear - if it is suggesting that the fees could be adopted prior to the adoption of the budget - without the requirement to advertise the fees, then the recommendation is supported.

Officer's response to Recommendation

Supported.

Recommendation 24

That Sec 6.16 of the *Local Government Act (1995)* be amended to cater for circumstances where Local Governments operate a commercial undertaking selling fast moving consumer goods and where marketing imperatives require line managers to make pricing and discounting decisions.

Comment

This seems to be a reasonable solution to an illogical issue. Why are local governments expected to include the price of fast moving consumer goods such as food in their Schedule of Fees & Charges. Surely this is not what the legislation framers had in mind when they drafted this regulation. If it was, then local government as an industry should request an urgent re-visiting of this regulation.

Officer's response to Recommendation

As noted above.

Recommendation 25

That Local Governments use the WA Local Government Cost Index (as enhanced by Recommendation 20) to approximate cost increases as part of their annual review of fees and charges cost levels.

Comment

The recommendation appears to be advisory only. The WALGA Cost Index is an excellent and extremely useful indicator that is customised to local government expenditures. Therefore it has much greater relevance than CPI when reviewing and determining fees and charges. Given the comments made elsewhere in the report regarding the failure of local governments to set fees that maintain pace with the costs associated with maintaining facilities and providing services, an industry guideline such as the WALGA cost Index is essential - and invaluable.

Such an approach would alleviate the potential revenue leakage that is currently occurring in many local governments - and would provide a simple basis for reviewing fees whilst offering a consistent and defensible justification for fee increases. Having said that, the use of WALGA cost index should not be mandatory, as other reference may be equally or more relevant. The index should be used as a reference tool but not exclusively.

Officer's response to Recommendation

This recommendation is strongly supported by the City of South Perth.

Recommendation 26

That LGIAC establishes a website for the purpose of providing Local Governments with access to comparable information on rates in terms of the ratios outlined in this report.

Comment

The outcome suggested by this recommendation reflects a formalisation of the practices that a number of metropolitan local governments such as South Perth currently employ. The concepts of peer comparison and the use of relevant financial ratios such as those suggested on Page 106 are valuable inputs to the budget process as a mechanism for monitoring rating effort. As such they are endorsed and the City of South Perth would happily endorse the roll out of such practices across all local governments.

Access to the comparative information for other local governments on-line would be a great initiative that would eliminate considerable duplication of individual effort by different local governments. Hopefully, it should also lead to a better and more consistent aggregate rating effort for the local government sector.

Officer's response to Recommendation

The City would strongly encourage this initiative and would like to see it given a high priority for implementation.

Recommendation 27

That WALGA continue supporting ALGA in their push for Financial Assistance Grants to be allocated based upon a percentage of Commonwealth Taxation as the most effective way of increasing financial assistance to WA.

Comment

Based upon the limited discussion of this initiative in the report, it would seem to be a responsible and suitably pragmatic way of pursuing this agenda.

Officer's response to Recommendation

Supported.

Recommendation 28

WALGA and LGMA seek approval to present a joint submission to State Government focusing on the benefits gained from the \$3m investment and seeking to expand the scope of the fund, as set out in this report, to cover sustainability issues and increase the amount of the financial allocation to an indicative \$6m per annum for 5 years.

Comment

The level of support provided by the State Government to research and facilitate reform measures has been minimal to date – particularly when compared with the level of financial support provided by other States. In recent times, State assistance has been obtained to principally facilitate amalgamations between the City of Geraldton and Shire of Greenough and the Town and Shire of Northam, the establishment of the Wildflower Country Regional Council and progress has been made as a result. A further injection of significant funds will undoubtedly assist in the reform process and encourage research, discussion and investigations to occur at a much faster rate than would otherwise occur.

Officer's response to Recommendation

Supported.

Recommendation 29

That WALGA endorse the Principles and methodologies contained in the document *Guidelines: Levying Development Contributions for Community Infrastructure* and seek funding from the State Government for the expansion of the Community Infrastructure Planning framework proposed in that document.

Further, WALGA recommend that Councils experiencing significant levels of growth and development should prepare as part of their strategic planning process Community Infrastructure Plans.

Comment

It is noted that the recommendation suggests that this initiative is aimed primarily at local governments experiencing significant levels of growth and development - and the City commends the taskforce for recognising the importance of such planning in these areas whilst also acknowledging that the cost benefit ratio for mature areas not experiencing such growth is somewhat different.

However, to allow those low growth areas to enjoy the benefits of the (albeit) more modest revenues from the developer contributions revenue stream, it is suggested that this recommendation could be modified to recognise differences of scale of development and their consequential demand for new community infrastructure. For instance, a determination could be made as to the 'maximum' developer contribution that could be levied without the requirement for a full-blown' Community Infrastructure Plan to be developed - but certainly not without the 'thinking' about required infrastructure. If a local government sought to levy a contribution beyond that threshold, they would be required to adopt and follow the principles and methodologies contained in the document *Guidelines: Levying Development Contributions for Community Infrastructure*.

Officer's response to Recommendation

Supported in principle - but consideration to be given to the point made above.

Recommendation 30

That WALGA advocate change to Sections 6.41((2)(b) of the Local Government Act (1995) to increase a Local Government's flexibility to offer a monthly payment of property rates without a individual instalment notice.

Comment

The City observes that the discussion surrounding this issue appears to begin with a mis-understanding of the mechanics of a 'Rates Discount' which is really little more than a smoke and mirrors trick. In reality what happens is that a local government will work out what it wants its net rate revenue to be - and then calculates the 'cost of a discount' which is then added back to the amount to be funded from rates. In effect, there is no real impact on yield - and no additional value to the ratepayer.

In fact a more responsible and sincere approach is to offer a variety of customer friendly payment mechanisms, implement timely and effective collection activities throughout the year and use the maximum level of interest penalty for overdue rates. An early payment incentive prize scheme supported by local businesses (modest prizes nothing extravagant) not only allows the local government to support and promote businesses in the local community - but is a proven and effective way to stimulate cash flow early in the rating year.

In addition, local governments should also be active and diligent in contacting ratepayers who have not made payment by the first instalment due date and take timely action to put in place alternative payment plans (which could include monthly payment options). This is already possible without any

need to change legislation to allow monthly payment of rates. The legislation currently provides for the options that **must** be offered to ratepayers, individual local governments already have the ability to introduce informal monthly payment schemes if desired.

Should the monthly payment option become legislatively enshrined, there will be an obligation on software manufacturers to modify their systems to accommodate bulk volumes of such a payment regime. The high level of complexity in modifying local government software systems to facilitate monthly instalments - and the risk of compromising other components of the rating system such as calculation of interest, ESL payments, pensioner arrangements etc makes a compelling case for not supporting the idea of allowing for monthly payments as a 'standard' payment option. (the ESL and seniors entitlement experiences of recent years are highly relevant examples of the unintended problems that can arise through such modification to established and proven systems.

The cost of software modification, the inherent risks and the burden of extensive software testing would greatly outweigh any potential benefit (if there is any) from monthly instalments.

Officer's response to Recommendation

The City of South Perth is extremely strongly opposed to this suggestion.

Recommendation 31

- (a) That the *Local Government Act (1995)* be amended to mandate implementation of formal standardised long term asset management planning for Local Governments as soon as possible, and as part of that implementation confirm the annual preservation maintenance gap and establish the extent of the infrastructure backlog.
- (b) That the *Local Government Act (1995)* be amended to require Local Governments to publish the result of their asset management plans in their annual report in a prescribed format.
- (c) That WALGA advocate for the current Roads to Recovery program to be established as a permanent funding source and escalated each year based upon the increase in Commonwealth Taxation Revenue.

Comment

The City endorses and supports the concept and importance of informed, responsible and prudent asset management planning. It is acknowledged that responsible and prudent stewardship of the communities assets is an essential component of every council's responsibilities.

The question is however, whether this noble objective is best achieved by mandating a single formal standardised asset management plan. The City's view is that this is not the best approach. As a general principle, education and engagement is always preferable to 'forced compliance' through legislation. It is suggested that it is the philosophy and thinking behind the asset management planning (with its inherent trade-offs between level of service and the community's capacity to pay for that service) is more important than having a standardised format for the plans. This idea would seem to be entirely consistent with the WAAMI initiative that has been rolled out already in a significant number of larger local governments.

Having said that, it is acknowledged that the WAAMI model may not be within the financial or technical capacities of all local governments to achieve. However, those who have committed significant resources to such an initiative should not be compelled to re-do the work to translate their plans into the agreed ‘standardised’ format (should such an agreement ever be achieved). In contrast, those who have you to embark on such an exercise may, if mandated to do so, achieve begrudging compliance without really committing to the underlying management philosophy.

The City encourages the adoption of a set of asset management planning principles complemented with education initiatives - but stops short of supporting the course of action recommended in recommendation 31 (a). Similar observations would apply to recommendation 31 (b).

The proposal that WALGA advocate for the current Roads to Recovery program to be established as a permanent funding source and be escalated each year based upon the increase in Commonwealth Taxation Revenue is strongly endorsed..

Officer’s response to Recommendation

As detailed above.

Recommendation 32

That the proposals contained in the Report *Achieving Best Practice in Urban Regeneration: A review of statutory constraints to Local Government guided outcomes* be adopted and the *Local Government (Functions and General) Regulations 1996* be amended as proposed in the Report to enable a Local Government to form a corporate entity (such as a company, partnership or joint venture) providing that any amendment contains restrictions and safeguards, as outlined in this discussion, in relation to an appropriate governance model.

Proposals are outlined as follows:

for insertion in the Local Government (Functions and General) Regulations 1996

32A. Local government permitted to form corporate entities

(1) In this regulation:

approved commercial enterprise means an enterprise to which sub regulation (8) applies and which has been approved by the Minister.

approved development project means a project approved by the WA Planning Commission as meeting the criteria for an Improvement Plan under section 37A of the Metropolitan Region Planning Scheme Act, and by the Minister for the purposes of this Act.

approved investment scheme means an investment scheme to which sub regulation (9) applies and which has been approved by the Minister.

control and *controlled* have the meanings contained in [Corporations Law]

independent Board member means a person other than an elected member of the local government, or an employee of the local government, who is appointed to the Board of a local government corporate entity

local government corporate entity means a corporate entity (including an incorporated company or a trust) that is owned or controlled by a local government and has been approved by the Minister in accordance with this regulation.

- (2) Where a local government wishes to undertake or participate in commercial activities (including ownership of commercial property or participation in a property development project primarily for investment or income-producing purposes) within its boundaries that involve, or have the potential to involve or to create the impression of, a conflict of interest between the regulatory and investment activities of the local government, the local government shall have regard to such measures as may be necessary to remove the existence or appearance of a conflict of interest.
- (3) A local government may form, or participate in forming, or control a local government corporate entity established in accordance with this regulation with the approval of the Minister on such terms as the Minister may see fit to impose for any of the following purposes:
 - (vii) to participate in an approved development project; or
 - (viii) to participate in an approved commercial enterprise; or
 - (ix) to participate in an approved investment scheme.
- (4) Every local government corporate entity established in accordance with this regulation shall be placed under the control of a Board appointed by the local government and shall:
 - (ix) be governed by the applicable law governing the type of entity to which it conforms; and
 - (x) have a Constitution approved by the Minister; and
 - (xi) operate in accordance with an annual Statement of Intent agreed be subject to [Public Sector Finance provisions].
- (5) The Board of a local government corporate entity shall comprise not fewer than 3 nor more than 5 persons appointed for their expertise, knowledge and experience relevant to the nature of the business of the local government corporate entity.
- (6) A person who is an elected member of the local government, or an employee of the local government, may be appointed to the Board of a local government corporate entity if he has the requisite expertise, knowledge and experience to qualify for appointment under sub regulation (5).

However, under no circumstances may the number of independent Board members be fewer than one half of the total membership of the Board.

- (7) Every local government corporate entity must prepare an annual Statement of Intent describing its proposed business activities for the following year, including the performance measures by

which it proposes to measure the success of those activities. The Statement of Intent must be approved by the local government and thereafter made available for public inspection.

- (8) If a local government believes that an enterprise is:
 - (i) essential to the well-being of its local community; and
 - (ii) but for the intervention or participation of the local government, the services and facilities provided by that enterprise would not be reasonably available or accessible to residents of its area the local government may apply to the Minister stating reasons why, in the opinion of the local government, the enterprise should be declared an approved commercial enterprise for the purposes of this Act.
- (9) Where a local government wishes to hold investments that involve, or have the potential to involve or to create the impression of, a conflict of interest between the regulatory and investment activities of the local government, the local government may apply to the Minister stating reasons why, in the opinion of the local government, the enterprise should be declared an approved investment scheme for the purposes of this Act.
- (10) The approval of the Minister to the formation or control of a local government corporate entity may be given on such terms as the Minister sees fit, and may be limited as to term. The Minister may direct that the local government seek the views of its ratepayers by the conduct of a poll on the proposed establishment of the local government corporate entity, and may take the results of such poll into consideration, although not bound to do so.
- (11) Where more than one local government jointly forms, or participates in forming, or controls a local government corporate entity, the provisions of this regulation apply jointly and severally to each local government.
- (12) The transfer of property to a local government corporate entity is an exempt transaction under section 3.58 (5)(d) and section 3.59(10) of the Act.
- (13) The approval of the Minister to participate in an approved investment scheme meets the requirement for approval under section 6.14(1)(b) of the Act.

Comment

The Report “*Achieving Best Practice in Urban Regeneration: A review of statutory constraints to Local Government guided outcomes*” is contained at appendix A to the WALGA Sustainability report. The appendix report highlights the cumbersome and restrictive provisions contained in the Local Government Act that prevent Local Government from participating in the formation of a corporate entity to aid urban redevelopment – even on a small scale.

The report compares provisions of the Western Australian legislation with other jurisdictions in Australia and New Zealand and concludes that the WA legislation is the most restrictive of those considered. The most obvious restrictions include:-

- Lack of power to establish a corporate entity;

- Excessive requirements to publish plans of proposals; and
- Limited powers of borrowing.

This general restriction to participate in even small re-generation schemes also restricts Local Governments revenue raising capacity and that is one of the reasons why the current legislation is a potential threat to sustainability. Not surprisingly, the State enjoys all the power it needs to enter into urban regeneration schemes to be considered of State significance through Land Corp and Redevelopment Authorities.

Whilst recognising that some major reform of the current legislation is important - some would even suggest urgent - it is considered premature, at this stage to adopt the very detailed recommendation contained in the WALGA report without detailed industry review. Certainly the principle of the recommendation is supported as there is a widely recognised need to “free up” the restrictive nature of the legislation.

Officer’s response to Recommendation

The general nature of the proposed changes to the Local Government Act and Regulations to enable corporate entities to be formed by Local Government be supported but advise that further consultation on the specific model and changes is required before a commitment can be given.

Recommendation 33

That WALGA seek to establish a Local Government Independent Assistance Commission for the purposes outlined in this discussion and seeks funding from the nominated sources to achieve this task.

Comment

The reasons advanced for the creation of a “Local Government Independent Assistance Commission” include the increasing skills shortage, staff turnover, revenue diminution and other factors and has suggested that the following could be provided in the form of services:-

- asset Management Implementation
- assisting Local Governments achieve best practice
- fees and charges
- collecting and publishing aggregated financial data from a central repository
- undertaking individual sustainability assessments (upon request)
- reporting on sector sustainability issues
- supporting research that leads to improved efficiency
- encouraging standardised process development
- website hosting for peer review and managing the WALGCI.

Whilst it is acknowledged that all of the above features, if available in the form of assistance, will be beneficial to Local Government either generally or specifically, it is not necessarily agreed that the creation of an “Assistance Commission” is the preferred model.

One of the reasons why there is a perceived need for assistance – particularly for country councils is the diminishing role of the Department of Local Government. The Department's focus in recent times has been on legislation and compliance whereas in the past its role has included education and assistance. It is not suggested that the industry should now revert back to past methods, but there may be alternative methods of providing assistance to those councils in need without resorting to another level of bureaucracy.

For example, given that WALGA has taken a lead role in the sustainability issue and the Department has only taken a very passive interested observer role, perhaps with the resources that would otherwise be directed to an "Assistance Commission" could be directed to WALGA – a non-statutory organisation which would have a lot more freedom to operate – to provide the identified services.

Officer's response to Recommendation

WALGA be advised that whilst the City supports the concept of provision of assistance to Local Government but is not convinced that the creation of an "Assistance Commission" is the most suitable vehicle to deliver assistance. The City would urge WALGA to review other methods of providing assistance to Local Government including providing the service itself.

Recommendation 34

That when discussing the future of Local Government the definition of sustainability of Local Government should include social, environmental, economic, financial and cultural factors.

Comment

The reason for this recommendation is not entirely understood as on the surface the traditionally accepted definition of "sustainability" has simply been extended by the inclusion of the term "cultural factors". No objection is seen to this but does further widen the scope of an already complex task and without legislative change to the Act, cannot be binding.

Officer's response to Recommendation

The recommendation for the purpose of addressing future Local Government sustainability is supported.

Recommendation 35

That the diversity of Local Government not be used as a reason to avoid taking responsibility to address issues impacting on sustainability and to improve outcomes through innovation and change, and determine the future direction and sustainability of the sector.

Comment

It is often argued that the strength of Local Government is its diversity because of the wide range of services delivered to communities across the State. It is not logical to claim that diversity is a reason to avoid sustainability issues - diversity should be regarded as a challenge and opportunity to address sustainability issues.

Officer's response to Recommendation

The recommendation is supported.

Recommendation 36

That each Local Government must place emphasis on achieving good value in the use of the community's resources entrusted to it through continually improving service delivery.

Comment

The recommendation is a statement of fact, purpose and intent and no further comment is necessary.

Officer's response to Recommendation

The recommendation is supported.

Recommendation 37

That each Local Government conduct a self assessment of its sustainability by 30 June 2009 and thereafter annually utilising the Sustainability Checklist in Section 10.1.

Comment

The checklist referred to is a schedule of "high level" tasks that the Sustainability taskforce has identified as being critical to document performance assessment of each Local Government presumably on an annual basis. Whilst the proposal is supported in principle, for many Local Governments - particularly country Local Governments - to perform the identified tasks would not be easily achieved, if achieved at all and is therefore considered premature.

One of the reasons why the legislative requirement to prepare a "Principal Activity Plan" which contained many particular requirements was abandoned by the Department in favour of an undefined "Plan for the Future" was that many Local Governments simply did not have the resources to comply with the Act.

Given that the vast majority of country Local Governments are presently not sustainable for the reasons identified earlier and the benefits (and relevance) of some of the tasks contained on the checklist without appropriate standard setting are of dubious benefit.

The focus should be on increasing capacity and when that has been achieved, Local Government will be in a far better position to monitor performance.

Officer's response to Recommendation

That the proposal should be referred back to the industry for further specific comment to ensure that the potential benefits of the checklist are realised.

Recommendation 38

That the following amendments be made to the *Local Government Act 1995* (LGA) and the *Local Government (Functions and General Regulations) 1996*

e. **Local Government Act**

Issue: Principle of LGA is supposed to be 'general competence'. The level of prescription in the Act and regulations limits the degree of flexibility to a level which is more like *ultra vires*.

Proposal: Review or evaluation of the Act in relation to 'general competence' powers.

f. **Local Government Act**

Issue: To implement improved service delivery initiatives will quite probably create a 'major trading undertaking'. Local Government is then required to prepare and publish business plans. Disadvantages community by requiring disclosure of commercially significant information. Limits the potential to be innovative in seeking different and more effective ways to do LG business.

Proposal: Clarify Act to remove any requirement where the initiative is for delivery of Local Government services by an individual Local Government or by joint arrangements. Review the requirements to remove any requirement which requires disclosure of commercially important information (including to potential competitors).

g. **Local Government Act**

Issue: A Local Government must employ a person to be the CEO. Other provisions relate to annual review and contract of employment. The provisions are drafted envisaging one CEO working for one LG. New opportunities such as sharing a CEO between two or more Local Governments, including on a regional or district basis, require a new approach in the Act.

Proposal: Revise the LGA so that it recognises the shared CEO option and reduce the level of direction so that local arrangements can be made and entered into by contract.

h. **Local Government (Functions and General) Regulations**

Issue: Local Government is required in prescribed circumstances to call competitive tenders. The assumption of the requirement is a competitive market place. In reality this is often not the case where a number of supplies are either monopolised or the subject of an oligopoly, particularly in regional areas. The Regulations may also place impediments on innovated service arrangements

by Local Government, especially if they involve some form of long term commercial arrangements. Although the tender threshold was recently lifted to \$100,000 this amount varies across Local Governments and is not defined to the extent that minor purchasing will not eventually be subject to competitive public tender. The tender provisions of the Functions and General Regulations require revision to remove obstacles to innovative service delivery options and foster sustainability.

Proposal: Amendments to the Local Government Functions and General Regulations that focus on the underlying purpose and effect of Local Government Purchasing:

- Establishment of varying tender thresholds based on organisation size and turnover, or alternatively the ability for each Local Government to nominate and submit its tender threshold through its purchasing policy which is lodged with the Department for approval.
- Enhanced exemptions to competitive public tendering in areas of limited supply, and the establishment of the capacity for Local Government to issue closed tenders (non-public requests) in specialised areas.
- Foster regional cooperation and shared service delivery by creating new regulatory provisions which provide for the establishment of panel contracts, and regional buying groups.
- Establish regulatory capacity to directly source market suppliers in the instance that no tenders are received, or that no compliant submissions within 20% of Councils budget are received.

Recognition of the advisory services, model documentation, training, and managed tender services of WALGA through its procurement program by enhancing the definition of (11) (2) (b) of Part 4 of the current regulations.

Comment

The WALGA sustainability Report has identified a number of areas where the Local Government Act could be reviewed to provide increased flexibility which should enable greater efficiency and effectiveness. The Report has identified that the “new” Act of 1995 was introduced under the banner of “general competence” but in many instances Local Government is disadvantaged because of unnecessary regulation and compliance requirements.

Without commenting on all of the particular amendment proposals, it is agreed that a general review of all restrictive legislation is a fundamental ingredient of future operation and is therefore an important sustainability issue worthy of urgent action.

Officer’s response to Recommendation

The recommendation is supported.

Recommendation 39

That WALGA seek a partnership with the Department of Local Government and Regional Development so that stakeholders work together in pursuing the goal of achieving a long term sustainable Local Government model, with particular emphasis on reviewing and modernising the Local Government Act to remove obstacles and foster sustainability.

Comment

Agreed. The contents of this recommendation are self explanatory and have been referred to elsewhere in this response. If Local Government is to become sustainable, it cannot be done in isolation and an industry approach must be taken. Sustainability cannot be achieved without the active support of the Department and a thorough overhaul of the legislation.

Officer’s response to Recommendation

The recommendation is supported.

Recommendation 40

That WALGA proceed to establish a bureau service (potentially on fee for service basis) which draws together expert teams to support members to examine and progress service options.

Comment

The key principle behind the WALGA report is one of “self-help”, ie the industry should control its own destiny without political interference provided that it is given the tools to enable it to be successful.

In recent times WALGA has extended the range of activities it is performing possibly in relation to the diminishing role of the Department. As the department has progressively withdrawn from providing assistance and advice to Local Government, WALGA and other support organisations have “filled the gap” through provision of services. An extended role of WALGA seems inevitable and a bureau model may well be appropriate as it would take the form of a non compulsory service provider that could adjust its service levels far more easily than say the recommended Local Government Assistance Commission” referred to in recommendation 33.

How the bureau is resources and funded would be determined by the particular services offered and the level of subsidisation offered by the State or other external agencies.

Officer’s response to Recommendation

The recommendation is supported.

Recommendation 41

That WALGA provide leadership and support by:

- Continuing to encourage and promote the reform of the sector by the sector.
- Developing resources to support members in identifying and investigating opportunities, including:-
 - A website which has examples of alternatives with case studies and contact details for more information.
 - A range of ‘toolkits’ for the range of options available (similar to the Department of Local Government and Regional Development handbook for Local Governments *Implementing Amalgamations*).

Comment

Agreed. The more information and assistance made available to the industry on sustainability and reform the more the subject is likely to be understood and resistance reduced. Up until now the majority of discussion on reform has centred around amalgamations and whilst this is still an option for many Local Governments, other options also exist.

A suite of resources with appropriate case studies easily accessible would go a long way to promote the benefit of reform and is encouraged.

Officer’s response to Recommendation

The recommendation is supported.

Recommendation 42

That the *Local Government Act 1995* be reviewed with the objective of amending unnecessary impediments and existing sources of inflexibility for regional Local Government structures.

Comment

The issue of complex and unnecessarily restrictive provisions of the Local Government Act has been identified earlier in the WALGA Report and is overdue.

Officer's response to Recommendation

The recommendation is supported.

Recommendation 43

That WALGA commence negotiation with State and Commonwealth Governments to secure funding for Local Governments to establish regional service provision (software costs, shared service agreements, etc).

Comment

This is one of the few Report recommendations that specifically addresses regional service provision, but it is one of the important issues that must be addressed for this concept to be successful.

Whilst the concept does not necessarily exclude Local Governments located in the metropolitan area, it is recognised that it is more likely to apply to country regions. The concept is that the larger regional centres would be responsible for providing many of the "back-end" administrative services for smaller surrounding Local Governments that would result in cost savings to all participating Local Governments.

Many of these "shared services" exist at the current time and some go beyond the "regional" concept proposed here, for example the City of Swan provides GIS services to the City of Kalgoorlie Boulder and the City of Canning provides accounting services to a number of small country Local Governments. Many country Local Governments share employees and this is common in the technical areas, ie Planning and building and Health areas.

This proposal goes beyond provision mere assistance to provision of capacity to facilitate a wide range of shared services. The recommendation also potentially includes re-alignment of the many different regional boundaries that apply to the same regions, ie Local Government regions, Regional Development Commission areas and rationalisation of State Agency areas for example Health, Education and Police. The rationalisation could also potentially affect how Government grants are allocated, ie to the region rather than to specific councils within the region and the "regional council" would then allocate funds to specific areas.

To progress this important proposal, discussion needs to commence with the State and Commonwealth Governments and as a result, the recommendation is supported.

This recommendation is also supported as it would enable a “live example” of a proposed Regional Council envisaged by the WALGA Report. Given the pilot nature of the work, external funding is appropriate as it is not reasonable for the particular region subject of the pilot to bear the whole cost of the investigation and research.

It is suggested however, that careful consideration should be given to identify the range or scope of services that are contemplated for the regional council model - some prove more problematic to resource and offer significant benefits from regionalisation. Some others such as rating for instance could be regionalised without necessarily providing any real benefits because many associated data functions (such as centralised name & address registers, electoral registers etc) would have to be maintained in duplicate anyway.

Officer's response to Recommendation

The recommendation is supported.

Recommendation 44

That the WALGA State Council initiate quarterly reviews of progress in achievement in the shift to regional platforms to support and review ongoing dialogue with State and Commonwealth Governments.

Comment

Monitoring progress on a regular basis will ensure that the subject of Local Government sustainability is kept at the forefront of the reform agenda and is supported. Unless there is a "secret" agenda adopted by the Department of Local Government on behalf of the State, the subject of Local Government sustainability is not likely to be a high priority of the Department. As the Department is therefore unlikely to take a lead role, WALGA should continue to be the driving force behind reform in this State.

Officer's response to Recommendation

The recommendation is supported.

Recommendation 45

That WALGA engage regional workforce planning processes for the Local Government sector in collaboration with Regional Development Commissions (RDCs). The engagement should extend to involvement in regular reviews of existing plans.

Comment

This recommendation is more relevant to country Local Governments because of the existence of Regional Development Commissions in country areas. In these areas, as Regional Development Commissions already exist, it makes sense that their structures be used in any regional approach to Local Government reform. A review and alignment of regional boundaries seems to be a pre-requisite to any progress being made.

Having said that, it is also known that many country Local Governments do not have a high regard for Regional Development Commissions and would prefer that the resources allocated to them be re-allocated to Local Government as the service providers which would also make these Local Governments more sustainable.

Whilst there is no harm from regional workforce planning occurring, it is suggested that WALGA be advised that a general review of Regional Development Commissions is also warranted.

Officer’s response to Recommendation

The recommendation is supported and that WALGA be advised that a general review of the relationship between Local Government and Regional Development Commissions be conducted with a view to ensuring that the most appropriate structure exists for delivering services to regional centres is available.

Recommendation 46

That WALGA develop a policy where recruitment is undertaken using the Regional Model framework and not purely based on a local model framework.

Comment

Despite a significant amount of work done in recent times by all major players in the industry, it is considered that the “industry” of Local Government, at least as far as an employment destination and career is not fully appreciated by the community at large. WALGA has embarked on a television and cinema advertising campaign and participated in a number of employment expo’s in the UK and elsewhere in recruitment drives. The Department, LGMA and IPEA have all participated in education programs promoting the industry to school leavers at career expo’s.

Local Government is probably seen as 142 different organisations across the State and a regional model could possibly assist in addressing some of the issues in promoting Local Government as a career.

Officer’s response to Recommendation

The recommendation is supported.

Recommendation 47

That WALGA request the State Government to amend the *Local Government Act (1995)* to require Councillors to undertake training within their first term.

Comment

The need for relevant, appropriate and timely training for elected members and staff is considered paramount. WALGA has proposed that mandatory training of elected members occurs during the first term after becoming elected. The details of how such training would occur has not yet been fully identified or documented but would be based on the WALGA training modules that currently exist and supplemented by additional training. Emphasis would also be placed on ensuring that candidates at election are aware of “roles, responsibilities and obligations” prior to seeking election.

State subsidisation of costs appears likely to be sought as costs would otherwise be prohibitive.

Officer’s response to Recommendation

The recommendation is supported.

Recommendation 48

That WALGA urgently pursue State Council endorsement of the mandatory four core training modules.

Comment

The “four core training modules” have been identified in the WALGA Report as follows:-

- Legal responsibilities
- Finance
- Sustainable asset management or Land use planning – with selection dependent on the existing extent to which asset management is a core function of the Local Government concerned
- Corporate Governance/Ethics.

It is agreed that the areas identified are very important and it does make sense that once priorities for training have been identified steps should be taken should be to encourage introduction and implementation of these priorities for use by the industry.

Any increased emphasis on training is seen as beneficial whether it is improved content, scope or regularity.

Officer’s response to Recommendation

The recommendation is supported.

Recommendation 49

That WALGA develop on-line delivery of the core modules required for Councillor accreditation.

Comment

This recommendation is a reflection of the benefits of increased use of technology which would be particularly beneficial in a State the size of Western Australia. The cost of travel and accommodation within Western Australia, particularly for country Local Governments is often seen as a barrier. On-line development of training modules is an opportunity to provide the training content not necessarily in a “classroom” environment.

The development of development of on-line training modules is a matter for the WALGA State Council to consider and allocate a priority status through budget funding.

Officer’s response to Recommendation

The recommendation is supported.

Recommendation 50

That WALGA establish and support regional training programs for Councillors.

Comment

It is noted that levels of training have diminished with falling financial contributions and interest by the Department. Consistent with previous comment, it is suggested that support for regional training programs for Councillors should be given as it can only increase awareness of elected member issues and provision of regional training in itself supports the concept of regionalisation. Provided that quality training can be delivered on a relevant and timely basis at a cost effective price then this course of action should be pursued.

Officer's response to Recommendation

The recommendation is supported.

Recommendation 51

That WALGA implement information sessions for prospective candidates and non-mandatory networking for new Councillors. These events to be delivered on a regional/WALGA Zone basis.

Comment

In the past regional forums for interested candidates were conducted with financial assistance provided by the Department. These have now all but ceased. Individual Local Governments have therefore taken action to fill the gap by arranging their own information forums – which have had only limited success in terms of public participation. One of the issues that arises is that because all such forums held generally occur around the same time and involve similar topics – there is a limited availability of experienced external speakers.

The proposal for WALGA to centrally organise and promote regional forums makes sense as it will eliminate some of the issues identified above – although the funding issue has yet to be resolved. The recommendation is therefore sensible and is supported in principle.

Officer's response to Recommendation

The recommendation is supported.

Recommendation 52

That 'New Councillor Weekends' be re-established.

Comment

The 'New Councillor Weekends' was at one time a popular component of elected member training but has basically been abandoned because lack of funding support from the Department. The re-activation of such a feature would enable attendance by those elected members who find attendance at weekday courses unsuitable. At the very least, 'New Councillor Weekends' would provide another option for training and networking opportunities.

Officer's response to Recommendation

The recommendation is supported.

Recommendation 53

That WALGA request the State Government to amend the *Local Government Act 1995* to require Councillors to undertake 'refresher training' every four years after initial training to ensure that Councillors are familiar with any changes in compliance requirements and best practice models.

Comment

Consistent with the proposal to introduce education programs through training to ensure that candidates are exposed to certain features of elected member responsibilities and obligations, introduction of mandatory training for newly elected members, this recommendation proposes mandatory training during each successive four year term.

Clearly, the general thrust is to ensure that elected members are armed to the best possible level to enable them to serve their communities to the most appropriate standard. The proposed training regime is equivalent to the "continuing professional development" programs that many staff are involved with and should ensure that knowledge remains contemporary and relevant.

Officer's response to Recommendation

The recommendation is supported.

Recommendation 54

That formal mentoring arrangements, and supporting training, be established to support new Councillors and be delivered on a regional/WALGA Zone basis.

Comment

As mentioned previously for a number of reasons, a regional approach to provision of training is a sound concept and should be supported. Mentoring is a form of training and should also be supported.

Officer's response to Recommendation

The recommendation be supported.

Recommendation 55

WALGA produce a discussion paper on the creation of an Industry Training Fund during 2008, with full implementation by 2010.

Comment

In earlier years an industry training scheme operated but its usefulness declined along with withdrawals of State Government funding. Presumably the scheme was a casualty of the beginnings of a Department focussing on a narrower set of priorities. The proposal to create a discussion paper during

the balance of 2008 is supported but if adopted, the scheme should be targeted to be introduced in time for the 2009 general elections.

Given the emphasis throughout the WALGA report recommendations being on mandatory training, unless a serious attempt is made to introduce such a training regime in time for the 2009 elections, this will result in a complete cycle of training not being introduced until the 2011 general elections.

One area of likely contention is source of funding of the proposal. A suggestion made in the Report is that each Local Government contribute 1% of its payroll budget. The fund would also be used to provide industry training programs for staff similar to the Building Industry Trust Fund.

Officer's response to Recommendation

The recommendation be supported but that WALGA be advised that this funding proposal would require legislation amendment to enable it to be implemented. It would be preferable to have some form of training scheme in place for the 2009 general election cycle, commencing with the regional based interested candidate information sharing sessions.

- Other funding opportunities be explored

Recommendation 56

That WALGA develop an appropriate Local Government 'work experience' program and/or explore other relevant labour force interventions.

Comment

Again, similar schemes have been attempted in the past but have not continued. In theory such schemes provide opportunity for people to be trained in various aspects of Local Government employment so that the skill base and employment pool is continually refreshed as employees leave the industry.

Any attempt to enhance the labour pool is to be encouraged as it is generally recognised that the solution to a healthy workforce pool will be the result of a number of initiatives rather than a single course of action.

Officer's response to Recommendation

The recommendation is supported.

Recommendation 57

That WALGA immediately develop a discussion paper on the creation of an Industry Training Council focused on the needs of Local Government.

Comment

This recommendation is similar to recommendation 55 which proposes that a discussion paper be formulated with a view to create an Industry Training Fund. Presumably the fund, if introduced, would need to be managed appropriately and an appointed "Council" is proposed. Logically the two recommendations should be merged as they are inter-related.

Officer's response to Recommendation

The recommendation is supported and dealt with in conjunction with Report recommendation 55.

Recommendation 58

That WALGA seek to work with the State Government to develop a training fund specifically designed to work with Indigenous communities increasing the pool of employees.

Comment

The benefit of employing local indigenous communities is well recognised as in particular areas provides the potential for a ready made source of employment after appropriate training. At this stage this proposal is in conceptual form and requires negotiations with the State Government.

Officer's response to Recommendation

The recommendation is supported.

Recommendation 59

That a key theme for industry promotion in 2010-2011 be flexible employment options. WALGA to showcase and promote through industry forums models and options which have demonstrated success.

Comment

The underlying theme of flexible employment options is supported and many Local Governments, including the City of South Perth, have adopted practices consistent with this theme as a matter of necessity to attract and retain staff in recent years as the skills shortage has begun to bite. Given that we are now in the 2007/08 financial year, promotion of flexible employment options cannot be put on hold for another three years. Accessing a skilled workforce is one of the significant issues faced by all Local Governments now and should be addressed as a matter of urgency.

Officer's response to Recommendation

The principle of industry promotion of flexible employment options is considered very appropriate but any action should be commenced much earlier than 2010 - 2011 as a matter of urgency.

Recommendation 60

That should the State Government engage in external intervention to restructure Local Government prior to completion of the voluntary change process by Local Government, the 10 Year Plan explored in this paper should be used as the WALGA negotiating position.

Comment

One of the dangers in committing to a recommendation of this type is that because reference is made to the "10 year Plan" it is difficult to predict what changes the State might want to impose on Local Government over the next ten years or so. Certainly it would be reasonable to suggest that reference would be made to the material contained in the WALGA Report but the extent to which it is relevant

would largely depend upon whether or not progress had been made during any implementation phase and how successful it had been.

If the recommendation was not adopted by the WALGA State Council, it would not prevent the Plan from being referred to in the event of a State Government strike.

Rather than recognise that the State may take action of this sort and then advertise what the Industry's response would be if it did, it is suggested that the recommendation should not be adopted but WALGA proactively inform the Department of the actions taken over the past four years to identify and address the issues and of future support required by the Department to ensure future sustainability of Local Government – consistent with the recommendations contained in the Report.

Officer's response to Recommendation

The recommendation not be adopted and that WALGA advise the Department of Local Government:-

- Of actions taken over the past four years to identify and address issues associated with the sustainability of Local Government; and
- Seek the active support of the Department of Local Government to implement the recommendations contained in the Report.

Recommendation 61

That WALGA advocate and seek initial funding to develop a pilot Regional Council and \$30m to progress the Regional Model concept.

Comment

This recommendation appears to be a variation to **Recommendation 43:-**

“That WALGA seek funding to develop a pilot Regional Council to progress the Regional Model concept”.

As a consequence, because of their similarity, it is suggested that a single recommendation on this topic be formed.

Officer's response to Recommendation

That WALGA be advised that the general thrust of the recommendation is supported but that this recommendation should be merged with recommendation 43.