



# City of Belmont

## ORDINARY COUNCIL MEETING

### MINUTES

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23 June 2020

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**MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, CITY OF BELMONT CIVIC CENTRE, 215 WRIGHT STREET, CLOVERDALE ON TUESDAY, 23 JUNE 2020 COMMENCING AT 7.05PM.**

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**PRESENT**

Cr P Marks, Mayor (Presiding Member)	East Ward
Cr G Sekulla, JP, Deputy Mayor	West Ward
Cr B Ryan	East Ward
Cr J Davis	South Ward
Cr J Powell	South Ward
Cr S Wolff ( <i>dep 11.08pm</i> )	South Ward
Cr L Cayoun	West Ward
Cr R Rossi, JP	West Ward

**IN ATTENDANCE**

Mr J Christie	Chief Executive Officer
Mr R Garrett	Director Corporate and Governance
Ms J Gillan	Director Development and Communities
Ms M Reid	Director Infrastructure Services
Ms AM Forte	Executive Manager People and Organisational Development
Mr J Olynyk, JP	Manager Governance
Mr W Loh ( <i>dep 10.10pm</i> )	Manager Planning Services
Mrs M Lymon	Principal Governance and Compliance Advisor
Ms K Spalding	Coordinator Marketing and Communications
Ms D Morton ( <i>dep 11.03pm</i> )	Media and Communications Adviser
Mrs H Mark	Governance Officer

**MEMBERS OF THE GALLERY**

There were 15 members of the public in the gallery and no press representative.

**1. OFFICIAL OPENING**

**7.05pm The Presiding Member welcomed all those in attendance and declared the meeting open.**

The Presiding Member read aloud the Acknowledgement of Country.

***Before I begin I would like to acknowledge the traditional owners of the land on which we are meeting today, the Noongar Whadjuk people, and pay respect to Elders past, present and future leaders.***

The Presiding Member invited Cr Ryan to read aloud the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers. Cr Ryan read aloud the affirmation.

**Affirmation of Civic Duty and Responsibility**  
***I make this affirmation in good faith and declare that I will duly, faithfully, honestly, and with integrity fulfil the duties of my office for all the people in the City of Belmont according to the best of my judgement and ability. I will observe the City's Code of Conduct and Standing Orders to ensure the efficient, effective and orderly decision making within this forum.***

**2. APOLOGIES AND LEAVE OF ABSENCE**

Cr M Bass

East Ward

**3. DECLARATIONS OF INTEREST THAT MIGHT CAUSE A CONFLICT**

**3.1 FINANCIAL INTERESTS**

Nil.

**3.2 DISCLOSURE OF INTEREST THAT MAY AFFECT IMPARTIALITY**

<b>Name</b>	<b>Item No and Title</b>	<b>Nature of Interest (and extent, where appropriate)</b>
Cr Ryan	12.1 Retrospective Development Application – Third Party Advertising Signage – Lot 405 (515) Great Northern Highway, Redcliffe	Cr Ryan has had verbal contact with the applicant.

**4. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) AND DECLARATIONS BY MEMBERS**

**4.1 ANNOUNCEMENTS**

Nil.

**4.2 DISCLAIMER**

**7.07pm The Presiding Member drew the public gallery's attention to the Disclaimer.**

The Presiding Member advised the following:

*'I wish to draw attention to the Disclaimer Notice contained within the Agenda document and advise members of the public that any decisions made at the meeting tonight can be revoked, pursuant to the Local Government Act 1995.*

*Therefore members of the public should not rely on any decisions until formal notification in writing by Council has been received.'*

**4.3 DECLARATIONS BY MEMBERS WHO HAVE NOT GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPERS PRESENTLY BEFORE THE MEETING**

Nil.

**5. PUBLIC QUESTION TIME**

**5.1 RESPONSES TO QUESTIONS TAKEN ON NOTICE**

Nil.

**5.2 QUESTIONS FROM MEMBERS OF THE PUBLIC**

**7.08pm The Presiding Member drew the public gallery's attention to the rules of Public Question Time as written in the Agenda. In accordance with rule (I), the Mayor advised that he had registered four members of the public who had given prior notice to ask questions.**

**The Presiding Member invited members of the public who had yet to register their interest to ask a question to do so. Four further registrations were forthcoming.**

**5.2.1 Ms L HOLLANDS, 2 MILLER AVENUE, REDCLIFFE**

1. I have been advised that there are mature trees being removed from various parts of Belmont including on Epsom Avenue apparently because they interfere with aircraft equipment and four trees in various streets I asked about at the last Council meeting. Those four trees were removed due to disease.

What records are kept by the City of Belmont when the arborist decides a tree has to be removed for disease reasons? Are any photos taken and if not why not? If these records were kept it would assist with residents enquiries and they could be sent photos.

**Response**

**The Director Infrastructure Services advised two trees were removed near Epsom Avenue, located at 1 Grand Parade, as the trees were growing within the flight path clearance zone.**

**As outlined in the response to the question from Mr Reakes at the last Ordinary Council Meeting, two shrubs were removed due to anti-social behaviour and two trees were removed due to being dead or dying.**

**In the interest of keeping operational costs to a minimum, where a tree is clearly dead or dying, a formal assessment is not undertaken and as such, photos are not recorded at the time of removal. Both the arborist and senior staff within the Parks team will identify trees for removal, more complex matters relating to tree health are dealt with by an arborist through the preparation of a formal assessment which includes photos.**

2. HACC Services wind up this week after many years.
  - a) Is there going to be any gathering/send off party and if so how many people will be attending?

**Response**

**The Director Development and Communities advised that in the face of the COVID 19 restrictions and in order to support a seamless transition for clients, with the majority of staff and volunteers moving directly to MercyCare, it was not considered advisable nor necessary to hold a major gathering. There will be a thank you, farewell and acknowledgement function for volunteers (Thursday 25 June) and staff (Friday 26 June) with both being held in the Belmont Civic Centre's Function Room. This enables formal acknowledgement and farewell to departing staff and volunteers.**

**Due to COVID 19 restrictions there will be 30 attendees at the volunteer function (18 volunteers and 12 staff) and 40 at the staff function (18 departing staff and 22 colleagues.) The CEO and Mayor will be present at the functions to thank the staff and volunteers for their contribution to the City.**

*Item 5.2.1 Continued*

- b) How much will this cost the ratepayer?

**Response**

**The Director Development and Communities advised that each function is expected to cost approximately \$400.**

- c) How many residents will be in attendance and are they users of the services or invited for other reasons?

**Response**

**The Director Development and Communities advised as above, only staff and volunteers will be attending functions. It should however be noted most of the volunteers are residents of the City of Belmont.**

3. Item 12.12 Accounts for Payment. In the accounts for payment under the headings of groceries, beverages, flowers and catering there is approximately \$4,781 to be paid. One item for WA Fresh Delivered for amounts usually in excess of \$350 comes up almost weekly. For the previous month the amount for this same category was around \$7,531.

- a) Why are these sort of expenses being paid particularly when at the time there was no gatherings or parties allowed?

**Response**

**The Director Corporate and Governance advised that in accordance with State Government expectations, the City continued to function as normally as possible during the pandemic response which included minor internal catering and the ongoing provision of services (including catering) to the community (e.g. Harman Park Day Centre).**

- b) Why are the residents paying for so many groceries and who is getting them?

**Response**

**The Director Corporate and Governance advised the City is paying for the groceries and the recipients are those who are participating in relevant activities in accordance with the City's operational requirements.**

- c) How much is usually spent in these headings?

**Response**

**The Director Corporate and Governance advised that this information is publicly available in Council agendas and will not be researched as it will redirect City resources away from operational activities.**

- d) Do the Councillors ever look these invoices over and if so are they happy there is so much money being spent on groceries, beverages and entertainment?

*Item 5.2.1 Continued*

**Response**

**The Chief Executive Officer advised that Elected Members receive the accounts payment summary report at every Ordinary Council Meeting and ask questions if clarification is required.**

4. Under Item 13 Councillors can move motions. The West Ward Councillors seem to be fairly active in this regard.

How many motions have been moved by Councillors in the East, South and West Wards respectively in the last three years?

**Response**

**The Director Corporate and Governance advised that this information is publicly available in Council agendas and will not be researched as it will redirect City resources away from operational activities.**

**5.2.2 Ms S HOLT, 24 THE BOARDWALK, ASCOT**

1. In relation to the draft Golden Gateway Local Structure Plan, I question why the City continues to go ahead with the proposed changes to the road alignment, moving the roundabout etc. when nothing has been approved by Main Roads at this point in time.

If the draft plan is approved without approval of Main Roads, will residents be consulted on those proposed amendments?

In relation to Attachment 11 being the analysis of the annotatable building height plans, I seek verification in writing of the number of responses per suggested maximum building height for the various identified areas of land.

**Response**

**The Director Development and Communities advised that in relation to Main Roads there are a number of issues that need to be discussed. When the item goes back out for public consultation, there will be ample opportunity for residents to make further comments.**

**The Presiding Member advised Ms Holt to discuss her concerns with the Director after the meeting to outline specific concerns.**

**5.2.3 MR G SUTHERLAND AND MRS J SUTHERLAND, 74A MORRISON STREET, REDCLIFFE**

The Haven Centre Inc. is a Registered Charity feeding the homeless and those living in financial difficulties with ABN: 13 780977 260, IARN: A1027363R Lic no: CC22537, 879 Albany Hwy, East Victoria Park 6101 WA Gordon & Joan Sutherland M: 0438-273-629 is seeking to have the Rate Exemption application submitted approved for 22 Wynyard Street, Belmont 6104 W.A (Rear) Distribution I Warehouse in direct support of The Haven Centre in East Victoria Park for approval. Which the Lessor – Anthony Nilantha Desliva / Indira Manawwadu of 10 Gladstone Road, Rivervale 6103 W.A M: 0417-946-170 in conjunction with C/o Ross Scarfone Real Estate, Suite 22/63 Knutsford Avenue, Belmont 6104 W.A Property Manager Jason Lee M: 0430-216-086 has submitted on behalf of The Haven Centre Inc. Lot (Part) of 83 on Plan 02094 TIVolume: 1148 Filio 93 to the Belmont City Council, Rates Department.

1. We have submitted an application for a rate exemption to Council. We are a registered charity and I would like to know why this application has been locked.

**Response**

**The Director Corporate and Governance advised that the City has received an objection to the rate record for the property. The City has requested further information and clarification from the owner of the property. Once all the appropriate information has been received, an evaluation will be made on the request and an appropriate report will be prepared for Council for consideration.**

**5.2.4 MR G SATNANI, 47 NORTHERLY AVENUE, ASCOT**

1. Any specific reason as why the development on Lot 452 in Ascot Waters is not being combined with Ascot Kilns development planning?

**Response**

**The Director Development and Communities advised that the Ascot Kilns site belongs to the Western Australian Planning Commission (WAPC) and is listed as a State heritage site. There have been a number of issues identified with that land and it has separate ownership to Perth Racing. It was identified that there was a need for a Local Development Plan which was drafted by the WAPC but did not proceed. There is no reason why these lots cannot be combined further down the track, however, that is a matter for the landowners to resolve.**

2. Should Lot 452 be amalgamated with the Kilns site? And how is height coordinated among the development sites?

**Response**

**The Director Development and Communities advised that the Lots are owned by different land owners and they cannot be forced to amalgamate.**

*Item 5.2.4 Continued*

**The Manager Planning Services further advised that the Officer report goes through detail of how the height of parcels on Lot 452 would align with existing development in Ascot Waters, and what has previously been considered by Council for the Ascot Kilns site. The Officer report includes the rationale of transitional heights.**

3. What happens with the pathway which separates Lot 442 with Lot 452? There is no mention anywhere about the fate of this pathway.

**Response**

**The Director Development and Communities advised this question would be taken on notice.**

4. Given that Lot 452 is being proposed to be maintained as 'Place of Public Gathering', the plan mentions that any development needs to leave 4m space between Lot 442 and that development. Will this distance be maintained when zoning for Lot 452 be decided later on?

**Response**

**The Director Development and Communities advised that the requirement for a 4 metre buffer would not change the zoning. The structure plan had to have regard to this though it is not a change of zoning, the Structure Plan is a larger scale strategic vision.**

**5.2.5 MR D SMITH, 87 TOORAK ROAD, RIVERVALE**

1. Have Council considered geopolitical factors in advancing Golden Gateway Plan?

I note the existing high rise developments in The Springs are amongst some of the highest vacancy rates in the Council area. The supply of foreign buyers for these units is going to dry up, given developments in China in particular.

What happens when we have finished this plan and there is no one to build or live in these high rise developments?

**Response**

**The Director Development and Communities advised that the Structure Plan is a long term vision not a market driven plan. It is something that will probably take much longer to work with the local community in going through the issues. Planning is not about current viability, it is about a vision for the future and what might be realised. There will be a range of recommendations and a range of heights. This is not something that will be built tomorrow.**

*Item 5.2.5 Continued*

2. Should we consider delaying the plan for further community consultation?

**Response**

**The Director Development and Communities advised that it took 25 years of strategic planning to realise the vision for The Springs area. The Council at that point in time decided to ask for a particular standard of development within the City and they did ultimately achieve better development outcomes because of that vision.**

**5.2.6 MR P HITT, 14 MCLACHLAN WAY, BELMONT**

I recently requested information relating to staff turnover for the twelve months prior to the employment of Mr John Christie and eighteen months after his commencement as CEO.

Those figures were to be broken down into two categories - administration and maintenance staff.

1. Even if you do not categorise your staff turnover data into administration and maintenance staff, you must have the raw data to answer my question in specific numbers otherwise how can you calculate the averages presented in your letter? I therefore ask the CEO, are you trying to fudge the answer to the specific question requested by a ratepayer?

**Response**

**The Chief Executive Officer advised that he is not.**

- 2: My question is directed to the Mayor. Can you please inform the residents and ratepayers in the gallery as to the present situation, regarding the Council's request to State Government as to the alteration or withdrawal of the Deed of Trust covering the location known as Parry Fields?

**Response**

**The Manager Governance advised that this question would be taken on notice.**

- 3: My question is directed to the Mayor. I recently heard from residents that there was a proposal to develop apartment tower blocks on Parry Fields up to twenty stories in height, if the Deed of Trust is removed on the location known as Parry fields. Is this correct, and would the CEO's remuneration be increased accordingly due to the population increase within the city?

**Response**

**The Presiding Member advised that this question would be taken on notice.**

**In response to Mr Hitt's question regarding CEO remuneration, the Chief Executive Officer clarified that his salary has no correlation with the population of the City and is set by the Salaries and Allowances Tribunal, which is available on the State Government website.**

7.40pm **ROSSI MOVED, POWELL SECONDED** that public question time be extended.

**CARRIED 8 VOTES TO 0**

**5.2.7 Ms J GEE, 97 GABRIEL STREET, CLOVERDALE**

1. A three storey building has been built on Belinda Avenue which is the street behind mine. I would like to know if letters were sent out to neighbouring properties before this was actually built?

**Response**

**The Director Development and Communities advised the address of the property in question would be required for the City to further investigate.**

2. In Item 13.2 there is a motion being put forward from a Councillor. When Councillors are considering this motion for extension of the operating hours for police station, please consider the other side of locking police officers in a police station when they should be out in the district. I would like to see extended hours of the police station, but not to the detriment of having police officers on the street.

**Response**

**The Presiding Member advised the Councillors will take this into consideration when this item is discussed.**

**5.2.8 Ms S CARTER, 3/10 MARINA DRIVE, ASCOT**

1. My question relates to Golden Gateway item. There were over 100 submissions received and a very large number opposed the proposal. How many does it take to get a proposal deferred?

**Response**

**The Director Development and Communities advised when public consultation is carried out, each submission received is assessed on the basis of planning merit, so it is not typically related to the volume of numbers, it is the information that is contained within the submissions. From memory there were 129 submissions received and you have a number of submissions with conflicting views which are contained in the Officer's report. From there it is a matter of coming up with a range of options. The Officer Recommendation tries to take on board all submissions and has to balance views and come up with a recommendation. The Officer recommendation is actually that there should be a number of modifications to the draft and it should go out for consultation again.**

*Item 5.2.8 Continued*

2. When Officers read comments and they are noted i.e. refer to previous comment, are they not being pushed out of field?

**Response**

**The Director Development and Communities advised that it would be an extremely lengthy document if responses to a question that has previously been asked were to be continually repeated. If a submission raises points already raised, referring to an earlier submission is not being dismissive; it assists to streamline the responses to coordinate a commonality between the submissions.**

3. With regard to The Golden Gateway Structure Plan, there were comments on the quality of future development, where it talked about tree retention, communal open space, size and layout, waste management, height, setbacks and vehicular access, I refer to the Marina East development and I am asking what of your planning policies did you observe when you approved multiple variations to precisely those things that you say are the quality of future development?

**Response**

**The Director Development and Communities advised that the Marina East development was part of a report referred to Joint Development Assessment Panel (JDAP) and they made the decision on that basis. Development standards and policies can be varied and this was approved by a JDAP panel.**

**5.2.9 Ms L HOLLANDS ON BEHALF OF BELMONT RESIDENT AND RATEPAYER ACTION GROUP (BRRAG)**

1. Item 12.2 Draft Golden Gateway Local Structure Plan – The roundabout and its location is an issue raised by the residents of Ascot Waters and I believe Main Roads have not agreed with location and they say there should be no addition of traffic lights. What is the plan for the City of Belmont in terms of this roundabout if this item is approved and goes back out for advertising. Does it go back to the Planning Commission? Is there another option being considered and if so, what is that option?

**Response**

**The Director Development and Communities advised that the Officer's recommendation makes it clear that a number of issues need to be resolved with Main Roads, which will need to be resolved before the draft goes back out for public advertising. The 60 day period to submit a report kicks in from the end of the advertising period. If Council resolve to follow the Officer Recommendation to adopt the modifications, Officers will be able to resolve these issues with Main Roads before further public advertising.**

*Item 5.2.9 Continued*

2. At the April Ordinary Council Meeting, Cr Davis remarked that \$1.1m has been spent on gratuity payments. How much has the Council spent on gratuity payments over the last five years, broken down into individual payments and the corresponding years of service for that amount?

**Response**

**The Director Corporate and Governance advised this question would be taken on notice.**

3. At the last Council Meeting, a question was asked regarding the costs of our Councillors. The answer provided for allowances was \$440,537. According to the budget report, on page 45, it was \$446,931. The question from May also asked for a list of other things, such as meal allowances before meetings, Councillor's lounge, vehicles, training, and dinners they attend such as volunteer functions and pioneer luncheon. The figure provided for this was \$65,000 a year with a grand total of \$505,000. In the June 2019 Minutes, regarding the budget on page 7, there was \$28,000 listed for training, conferences and accommodation. On page 8, \$3,000 and meals another \$12,000 on beverages and on page 16, \$7,182 for Councillor's equipment.

Where did the figure of \$65,000 that you provided in the May Council Meeting come from?

**Response**

**The Director Corporate and Governance advised this question would be taken on notice.**

4. The Mayor's vehicle cost appears to be missing from the figures, in addition to the cost of dinners. Mayoral dinner is shown at \$33,000. Can we have an accurate costing?

**Response**

**The Director Corporate and Governance advised this question would be taken on notice.**

**7.53pm As there were no further questions, the Presiding Member declared Public Question Time closed.**

**6. CONFIRMATION OF MINUTES/RECEIPT OF MATRIX**

**6.1 ORDINARY COUNCIL MEETING HELD 26 MAY 2020  
(Circulated under separate cover)**

**OFFICER RECOMMENDATION**

**SEKULLA MOVED, POWELL SECONDED**

That the Minutes of the Ordinary Council Meeting held on 26 May 2020 as printed and circulated to all Councillors, be confirmed as a true and accurate record.

**CARRIED 8 VOTES TO 0**

**6.2 MATRIX FOR THE AGENDA BRIEFING FORUM HELD 16 JUNE 2020  
(Circulated under separate cover)**

**OFFICER RECOMMENDATION**

**DAVIS MOVED, POWELL SECONDED**

That the Matrix for the Agenda Briefing Forum held on 16 June 2020 as printed and circulated to all Councillors, be received and noted.

**CARRIED 8 VOTES TO 0**

**7. QUESTIONS BY MEMBERS ON WHICH DUE NOTICE HAS BEEN GIVEN  
(WITHOUT DISCUSSION)**

Nil.

**8. QUESTIONS BY MEMBERS WITHOUT NOTICE**

**8.1 RESPONSES TO QUESTIONS TAKEN ON NOTICE**

Nil.

**8.2 QUESTIONS BY MEMBERS WITHOUT NOTICE**

Nil.

**9. NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON  
PRESIDING OR BY DECISION**

Nil.

**10. BUSINESS ADJOURNED FROM A PREVIOUS MEETING**

Nil.

**11. REPORTS OF COMMITTEES**

Nil.

**12. REPORTS OF ADMINISTRATION**

**WITHDRAWN ITEMS**

Item 12.1 was withdrawn at the request of Cr Davis

Item 12.2 was withdrawn at the request of Cr Davis

Item 12.3 was withdrawn at the request of Cr Rossi

Item 12.6 was withdrawn at the request of Cr Davis

Item 12.10 was withdrawn at the request of Cr Cayoun

**DAVIS MOVED, SEKULLA SECONDED,**

*That with the exception of Items 12.1, 12.2, 12.3, 12.6 and 12.10, which are to be considered separately, the Officer or Committee Recommendations for Items 12.4, 12.5, 12.7, 12.8, 12.9, 12.11, 12.12 and 12.13 be adopted en bloc by an Absolute Majority decision.*

**CARRIED BY ABSOLUTE MAJORITY 8 VOTES TO 0**

7.57pm Having declared an Impartiality Interest in Item 12.1, Cr Ryan departed the meeting.

**12.1 RETROSPECTIVE DEVELOPMENT APPLICATION – THIRD PARTY ADVERTISING  
SIGNAGE – LOT 405 (515) GREAT EASTERN HIGHWAY, REDCLIFFE**

**BUILT BELMONT**

**ATTACHMENT DETAILS**

<b><u>Attachment No</u></b>	<b><u>Details</u></b>
Attachment 1 – Item 12.1 refers	<a href="#"><u>Justification Letter and Signage Plan</u></a>

Voting Requirement	:	Simple Majority
Subject Index	:	115/001 – Development/Subdivision/Strata – Applications and Application Correspondence
Location / Property Index	:	Lot 403 (515) Great Eastern Highway, Redcliffe
Application Index	:	517/2019/SIGN
Disclosure of any Interest	:	Nil
Previous Items	:	28 May 2019 Ordinary Council Meeting Item 12.2
Applicant	:	Rowe Group
Owner	:	Caratti Holding Company Pty Ltd
Responsible Division	:	Development and Communities Division

**COUNCIL ROLE**

- |                                     |                       |   |
|-------------------------------------|-----------------------|---|
| <input type="checkbox"/>            | <b>Advocacy</b>       | <i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input type="checkbox"/>            | <b>Executive</b>      | <i>The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | <b>Legislative</b>    | <i>Includes adopting local laws, local planning schemes and policies.</i>   |
| <input type="checkbox"/>            | <b>Review</b>         | <i>When Council reviews decisions made by Officers.</i>   |
| <input checked="" type="checkbox"/> | <b>Quasi-Judicial</b> | <i>When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |

**PURPOSE OF REPORT**

For Council to determine a retrospective development application for two existing wall signs displaying third party advertising at Lot 403 (515) Great Eastern Highway (GEH), Redcliffe (refer [Attachment 1](#)).

*Item 12.1 Continued*

**SUMMARY AND KEY ISSUES**

- At the 28 May 2019 Ordinary Council Meeting, Council refused an identical retrospective development application for third party advertising signs at 515 GEH.
- The reasons for refusal were:
  1. The signs do not comply with Clause 3.2(c) of Local Planning Policy No. 12 (LPP 12), which provides that only services or products associated with those available on the lot can be advertised.
  2. The size of the signs (41.25m<sup>2</sup> and 42.57m<sup>2</sup>) exceed the 8m<sup>2</sup> permitted by Clause 3.4.1(d) of LPP 12.
  3. The signs do not comply with Main Roads Western Australia's Policy and Application Guidelines for Advertising Signs within and beyond State Road Reserves as they are located within the Device Restriction Area and pose an unacceptable risk to traffic safety on GEH.
  4. Approval would set an undesirable precedent as there are no unique circumstances associated with the subject application that warrant departure from the standards specified in LPP 12 and Main Roads Western Australia's Policy and Application Guidelines.
- The landowner exercised their right to apply to the State Administrative Tribunal (SAT) to review Council's refusal of the third party signage.
- Prior to the matter proceeding to a full hearing at the Tribunal, the applicant sought the City's consent to withdraw the proceedings subject to the City not seeking a cost order against them. The City consented to the withdrawal on that basis.
- Given Council's refusal of the development application and the withdrawal of Tribunal proceedings, the City requested that the landowner removes the unauthorised signage.
- Rather than removing the unauthorised signage, the applicant submitted an identical development application again seeking approval on the basis that they consider third party advertising appropriate, and that a revised version of LPP 12 has since been formalised.
- While the revised policy provides that the size of the wall signs may be acceptable, the signs are classified as third party advertising signs as they do not advertise products or services associated with the premises. The signs therefore do not comply with the 'Policy Objectives' and 'Development Requirements' of revised LPP 12.

*Item 12.1 Continued*

- Main Roads Western Australia (MRWA) has advised that the location of the signs do not comply with the MRWA Policy and Application Guidelines for Advertising Signs within and beyond State Road Reserves. The signs are therefore considered to pose an unacceptable risk to road safety at the intersection of GEH and Fauntleroy Road. Given that advice, the signs again do not comply with the safety requirement in the 'Policy Objectives' and 'Development Requirements' of revised LPP 12.
- Given the non-compliance of the application with the requirements of LPP12 and the concerns raised by MRWA, it is recommended that Council refuse the application.
- Notwithstanding refusal of the application, Council may provide additional time for the unauthorised signage to be removed in light of the difficulties posed by the current COVID-19 State of Emergency. It is recommended that Council requires the removal of the unauthorised signage within 90 days of the cessation of the current COVID-19 State of Emergency.

## **LOCATION**

The subject site is located at the intersection of GEH and Fauntleroy Avenue. The property has an area of 8,503m<sup>2</sup> and features an existing 'Warehouse/Office' building.

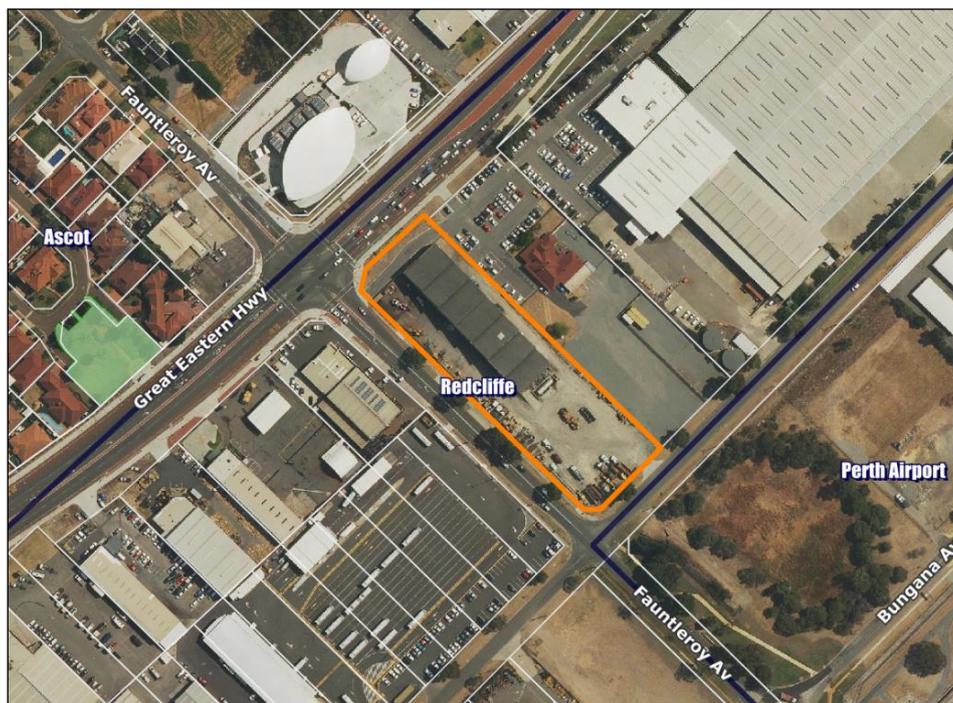


Figure 1 – Aerial map (Source: Intramaps)

## **CONSULTATION**

Category C applications are those that need external referrals from third parties such as the Environmental Protection Authority, Western Australian Planning Commission, Swan River Trust, Heritage Council etc. Category C applications may also require statutory advertising, referral to neighbours or consideration by Council.

*Item 12.1 Continued*

As GEH is a Category 2 Primary Regional Road under the control of MRWA, the application was referred to MRWA for comment.

- In their 14 February 2020 response, MRWA advised that they do not support the signage application as the proposal did not include information for assessment of:
  1. The suitability of the site and location of the signage against Section 3.1.1 of MRWA's policy;
  2. The suitability of the physical characteristics of the advertising device against Section 3.1.2 of the policy – specifically to do with the luminance levels for lighting associated with the signage; and
  3. Vehicle crash data and the risk to traffic safety against Section 3.1.3 of the policy.
- To address this, the applicant submitted a Road Safety Assessment to MRWA on 18 March 2020. Main Roads Western Australia provided a further response on 18 May 2020 but still did not support the signs for the following reasons:
  1. They are located within the 'Device Restriction Area', which in this instance is 65 metres of an intersection; and
  2. The 'Crash Rate' stated in the Road Safety Assessment does not include all relevant crash data and therefore does not comply with MRWA's Policy.

**STRATEGIC COMMUNITY PLAN IMPLICATIONS\***

In accordance with the Strategic Community Plan Key Result Area: Built Belmont.

**Objective:** Achieve a planned City that is safe and meets the needs of the community.

**Strategy:** Encourage a wide choice and consistent implementation of development approaches.

**Corporate Key Action:** Implement Local Planning Scheme No. 15 (LPS 15).

\*Note: The Strategic Community Plan Implications outlined are reflective of the City of Belmont Strategic Community Plan 2016 – 2036. Council recently endorsed the City of Belmont 2020 – 2040 Strategic Community Plan which, as a result of COVID-19 administrative implications, is yet to be implemented across the City.

*Item 12.1 Continued*

## **POLICY IMPLICATIONS**

### **Main Roads Western Australia – Policy and Application Guidelines for Advertising Signs Within and Beyond State Road Reserves**

The purpose of this document is to provide guidance on the assessment and approval of applications to display roadside advertising within State Road Reserves and beyond the boundaries of, but visible from, State Road Reserves. The Policy outlines criteria for advertising devices within property boundaries visible from State controlled roads to ensure a high level of safety for road users is maintained. The Policy incorporates specific distance restrictions from intersections for signage, based on the speed limit to ensure traffic efficiency.

### **Local Planning Policy No. 12 (Advertising Signs)**

Local Planning Policy No. 12 – Advertisement Signs (LPP12) sets out the development requirements for all signage applications within the City. The following 'Policy objectives under Part 3 and 'General Requirements' under Part 6.1 of LPP 12 are of particular relevance to this application:

- 3.1 *Ensure that advertisement signs are appropriate for their location, relate to the land and/or buildings for which they are placed, and do not adversely impact on the amenity of the surrounding area.*
  - 3.2 *Ensure advertising signage is of a scale appropriate to buildings, lot size and lot frontage/s of the site relevant to the application.*
  - 3.3 *Ensure the advertisement signs only advertise services offered and/or products produced, sold and/or manufactured on the land or buildings/s related to the approved use/s taking place.*
  - 3.4 *To ensure advertisement signs do not pose an unnecessary risk to the safety of people and vehicles by virtue of their location, design, use and function.*
- 6.1.1 *Advertisement signs shall only advertise services and products available on the premises to which it relates. Third party advertising is not permitted.*
  - 6.1.3 *Advertisement signs that will or are likely to, cause interference with or be hazardous to vehicular traffic and pedestrians, are prohibited.*

The 'Advertisement Sign Requirements' list the following 'Deemed-to-Comply' provisions for Wall Signs:

*'Wall Signs shall:*

- a) *Not extend laterally beyond either end of the wall or protrude above the top of the wall;*
- b) *Not cover more than 10% of the façade for each tenancy within a building and/or development site visible from the public realm; or*
- c) *Where there is an approved signage strategy, not cover more than 25% of a façade within a building and/or development site visible from the public realm.*

Item 12.1 Continued

## **STATUTORY ENVIRONMENT**

### **Local Planning Scheme No. 15**

The subject site is zoned 'Industrial' under LPS 15, with a small portion of the land along Fauntleroy Avenue within the Primary Regional Road Reserve.

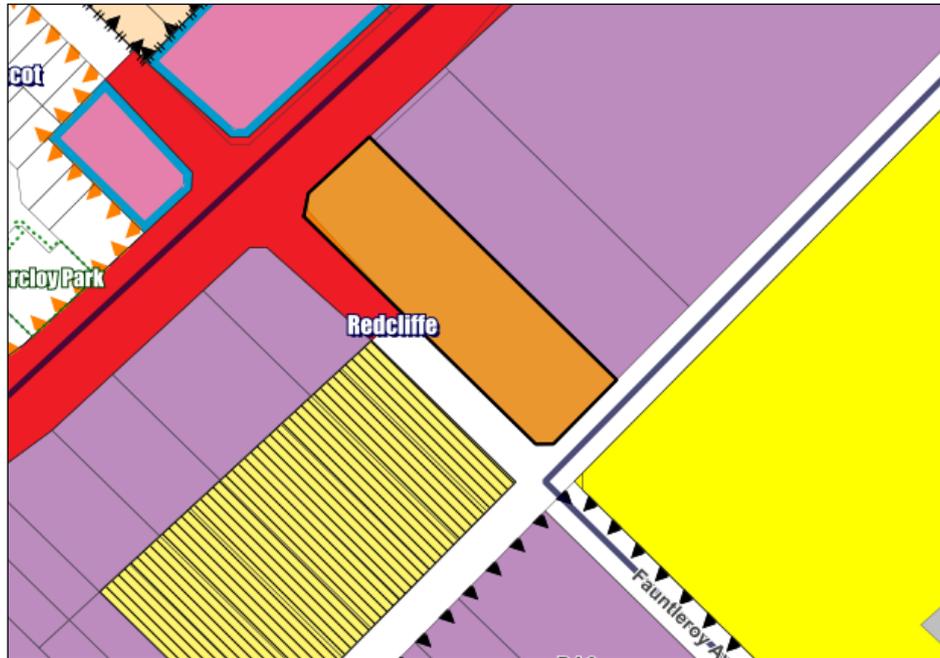


Figure 2 – Extract LPS 15 Scheme Map

The purpose and intent of the 'Industrial' zone is to:

*"...provide for the industrial development of the Kewdale Industrial Estate and the Redcliffe Industrial Estate. The significance of the Kewdale Industrial Estate as a transport and logistics hub as part of the Kewdale-Hazelmere Integrated Masterplan is acknowledged. The City may approve a wide range of industrial activities within this zone subject to conditions designed to achieve a high standard of industrial environment."*

### **Planning and Development (Local Planning Schemes) Regulations 2015**

Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 Deemed Provisions outlines the matters to be considered by the local government in determining an application for development approval. The following provisions are relevant to this application:

- (b) the requirement of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;*
- (f) any policy of the State;*
- (n) the amenity of the locality including the following –*

*Item 12.1 Continued*

- (i) environmental impacts of the development*
- (ii) the character of the locality*
- (iii) social impacts of the development.*
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety.'*

**Planning and Development Act Instrument of Delegation 2017/02**

This Instrument of Delegation (Del 2017/02) requires that the City refers this application to MRWA prior to determining the application.

Section B Clause 4(b) outlines that:

*'Where the recommendation provided by the public authority specified in the delegation notice is not acceptable to the local government the application, together with the recommendations provided by all public authorities consulted and the reasons why the recommendation is not acceptable to the local government, shall be referred immediately to the WAPC for determination.'*

As MRWA does not support the sign application, the City does not have the authority to grant approval. If Council considers that the application should be approved, the application must be referred to the Western Australian Planning Commission (WAPC) for determination.

**Deemed Refusal**

Under Clause 75 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, an application is 'deemed to be refused' if it is not determined within a 90 day period.

The only exception is where there is a written agreement for a further time between the applicant and the City of Belmont. In this case, there is no written agreement for the statutory time period to be extended.

The deemed refusal date for this application passed on 7 March 2020 and the applicant already has deemed refusal rights.

The assessment could not be processed within the statutory timeframe as MRWA were not prepared to support the application, and required additional information to further consider the application. In the interest of gaining support for the proposal, the applicant submitted further information on 18 March 2020.

While the application would have ordinarily been determined by officers under delegated authority, the applicant requested that the proposal is determined by Council. It was agreed that the application would be presented for Council to consider at the 23 June 2020 Ordinary Council Meeting.

**Right of Review**

Is there a right of review?  Yes  No

*Item 12.1 Continued*

The applicant/owner may make application for review of a planning approval/planning refusal to the SAT subject to Part 14 of the *Planning and Development Act 2005*. Applications for review must be lodged with SAT within 28 days. Further information can be obtained from the SAT website—[www.sat.justice.wa.gov.au](http://www.sat.justice.wa.gov.au).

**BACKGROUND**

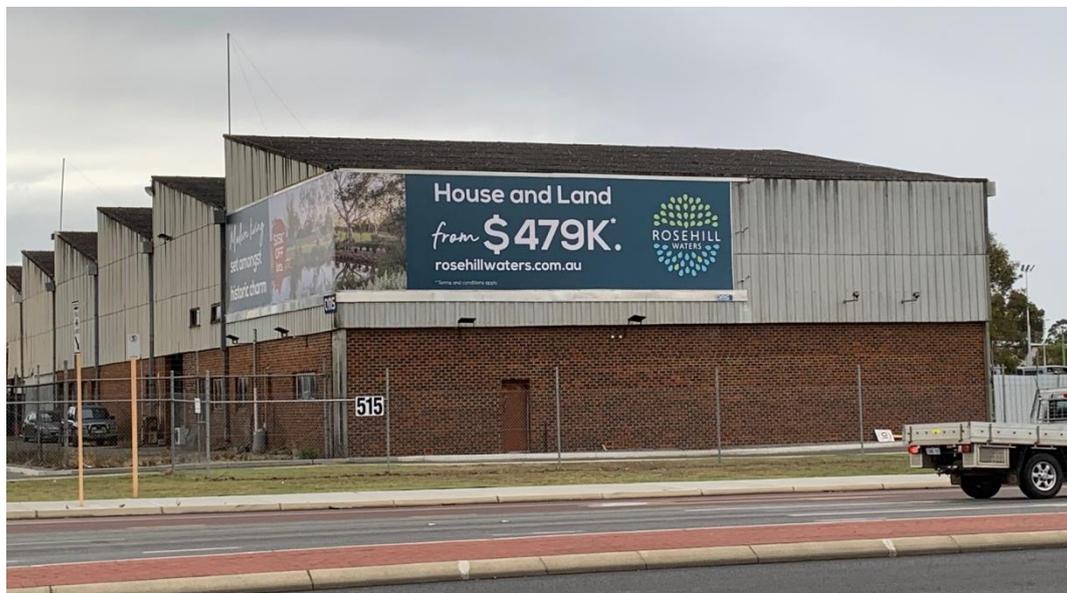
<b>Lodgement Date:</b>	9 December 2019	<b>Use Class:</b>	Warehouse/Office
<b>Lot Area:</b>	8, 503m <sup>2</sup>	<b>LPS Zoning:</b>	'Industrial'
<b>Estimated Cost of Development:</b>	\$3, 500	<b>MRS:</b>	Urban / Partially within Primary Regional Road Reserve

The subject site features an existing 'Warehouse/Office' building, which was constructed in 1961 and includes additions constructed in 1964 and 1966.

**Proposal**

The retrospective application seeks approval for two existing unauthorised wall signs attached to the building. The signs display third-party advertising. The location and dimensions of the signs are as follows:

- A wall sign located on the north-west elevation facing GEH measuring 12.5 metres long x 3.3 metres high with a total face area of 41.25m<sup>2</sup>.
- A wall sign located on the north-east elevation of the building measuring 12.9 metres long and 3.3 metres high with a total face area of 42.57m<sup>2</sup>.



*Figure 3 – Photograph of third-party advertising sign (4 May 2020)*

While the development plans accompanying the application do not show the advertising content of the wall signs, the applicant has indicated that the wall signs will contain third party content (i.e. not products or services associated with the subject land). The signs currently advertise the sale of houses and land at the Rosehill Waters estate in South Guildford, which is unrelated to the business operating at the subject site.

*Item 12.1 Continued*

### **Development Application History**

It is noted that the third party advertising content of the subject signs have changed from time to time. The City's records show that these wall signs have been the subject of long standing compliance issues. On 6 September 1991, the City issued a Notice under the Sign Bylaws requiring the owner to remove the unauthorised billboards from the front and sides of the factory building within 14 days.

In response, Caratti Holding Company Pty Ltd requested an extension of time as the lease of the 'Billboard Space' was to expire in approximately eight months and would not be renewed. Council at its meeting held on 14 October 1991 did not support this request and the applicant was advised that the order issued on 6 September 1991 remained in place. There are no records which indicate whether the signs were removed or not.

Council records show that a further application for wall signage measuring 2.5 metres x 12 metres and advertising 'Blokpave' was considered by Council at its meeting held on 30 June 2003. Council refused this application on the grounds that the content of the sign did not relate to the subject premises, the size of the sign was excessive and approval would cause visual clutter.

In August 2018, the issue of two unauthorised wall signs on the site again came to the City's attention. When the matter was raised with the landowner, they again chose to submit an application seeking approval for the signage to be retained.

This non-compliant signage proposal would ordinarily have been refused under delegated authority; however, the applicant requested for the application to be determined by Council. In the interest of procedural fairness, the application was presented to Council for consideration. At the 28 May 2019 Ordinary Council Meeting, Council refused the application for the following reasons:

1. The signs do not comply with Clause 3.2(c) of LPP 12, which provides that only services or products associated with those available on the lot can be advertised.
2. The size of the signs (41.25m<sup>2</sup> and 42.57m<sup>2</sup>) exceed the 8m<sup>2</sup> permitted by Clause 3.4.1(d) of LPP 12.
3. The signs do not comply with MRWA's Policy and Application Guidelines for Advertising Signs within and beyond State Road Reserves as they are located within the Device Restriction Area and pose an unacceptable risk to traffic safety on GEH.
4. Approval would set an undesirable precedent as there are no unique circumstances associated with the subject application that warrant departure from the standards specified in LPP 12 and MRWA's Policy and Application Guidelines.

### **Application to State Administrative Tribunal**

Following Council's May 2019 decision to refuse the application, the applicant chose to exercise their right to apply for the SAT to review the matter.

At the initial hearing, the City maintained to the Tribunal that refusal was the correct planning decision given the strong basis and clear reasons for Council's decision.

*Item 12.1 Continued*

Given this, the matter was scheduled to a further directions hearing with a view for the matter to be programmed for a full hearing before the Tribunal.

Just prior to that directions hearing, the applicant's solicitor wrote to the City seeking consent for the application to be withdrawn from the Tribunal, subject to the City agreeing not to pursue a cost application against them. The City consented to the withdrawal on those terms and the application before the Tribunal was withdrawn on 5 September 2019.

The landowner subsequently wrote to the City indicating that the Tribunal proceedings were withdrawn on the basis that a new application for development approval will be submitted which addresses the City's reasons for refusal.

The landowner submitted the subject application on 9 December 2019; however, the proposal was identical to the application refused by Council in May 2019.

### **OFFICER COMMENT**

The applicant contends that this proposal should be supported in light of the revisions to signage provisions under LPP 12. The applicant is also of the view that the supporting information they have provided addresses Council's reasons for refusal.

Although revisions to the City's LPP 12 has been formalised since Council refused an identical application on the subject property in May 2019, the essence of the revised policy remains unchanged from the draft revisions that were contemplated in May 2019.

An assessment of the application has found that the arguments presented by the applicant do not address the primary reason for refusal. The table below outlines the applicant's justification in addressing each reason for refusal, and the corresponding officer comment.

<b>1. Reason for Refusal</b>	<i>Only services or products associated with those available on the lot can be advertised.</i>
<b>Applicant's Justification</b>	The third-party advertising content does not negatively impact on the amenity of the area. The signs improve the visual quality of the existing warehouse which is old and weathered.
<b>Officer Comment</b>	<p>The revenue earning potential of third party advertising billboards also discourages development of the property. This significantly undermines the objective of the zone to provide for industrial activities with development being designed to a high standard industrial environment. This is particularly relevant for an old building that has reached the end of its productive life.</p> <p>For this reason, Council has consistently refused applications for third-party signage at other locations such as 155 GEH (Belmont), and 347 Orrong Road (Kewdale).</p> <p>This is the primary reason for refusal. Even if the proposal addresses the other reasons for refusal, there are no unique circumstances or reasons to grant planning approval for third-party signage on this property.</p>

*Item 12.1 Continued*

<b>2. Reason for Refusal</b>	<i>The size of the signs (41.25m<sup>2</sup> and 42.57m<sup>2</sup>) exceed the 8m<sup>2</sup> permitted by Local Planning Policy No. 12.</i>
<b>Applicant's Justification</b>	The size of the signage remains unchanged, but is compliant with the revised provisions of LPP 12.
<b>Officer Comment</b>	Updates to LPP 12 were adopted by Council on 27 August 2019. The updated provisions allow for wall signs to cover up to 25% of the façade of the building. The subject signage covers 22.5% of the façade fronting GEH.  On this basis, the size of the signage may be considered acceptable.
<b>3. Reason for Refusal</b>	<i>The signs are located within Main Roads' Device Restriction Area and pose an unacceptable risk to traffic safety on Great Eastern Highway.</i>
<b>Applicant's Justification</b>	The traffic engineer's Road Safety Assessment addresses MRWA's concerns relating to the suitability of: <ul style="list-style-type: none"><li>• The location of the signage;</li><li>• The illumination level of the signage; and</li><li>• The risk to traffic safety.</li></ul>
<b>Officer Comment</b>	MRWA has affirmed that the signage does not satisfy the traffic safety requirements of their policy.  Notwithstanding MRWA's recommendation on the application, the proposed third-party advertising content contravenes the City's signage policy. The application should therefore be refused.
<b>4. Reason for Refusal</b>	<i>Approval would set an undesirable precedent as there are no unique circumstances associated with the subject application.</i>
<b>Applicant's Justification</b>	The proposal will not set a precedent as signage has existed for at least 30 years.
<b>Officer Comment</b>	This is also a significant reason for refusal and works in tandem with Refusal Reason No. 1 as a primary reason for refusal.  The signage has never been approved. On the contrary, it has been formally determined to be inappropriate through multiple decisions by Council in 1991, 2003 and 2019.  The landowner has taken the City's leniency for granted despite the City accommodating extensions of time for the unauthorised signage to be removed on multiple occasions in the past.  Blatant defiance of the planning framework and the mere existence of unauthorised signage does not eliminate the concern that approving such signage sets an undesirable precedent for other such signage.

While there are significant reasons to refuse the application, it is noted that revised provisions for LPP 12 provides for wall signs to cover up to 25% of the building façade. The wall sign on the north-west elevation, facing GEH covers 22.5% of the façade and the wall sign on the north-eastern elevation covers 5.1% of the total façade. Given this, the size of the wall signs are acceptable under the provisions of LPP 12.

Item 12.1 Continued

Should Council consider granting support for the wall signs on the basis of their size complying with size standards, it is necessary for Council to consider other aspects of LPP 12 which requires that signage does not cause interference with, or be hazardous to vehicular traffic and pedestrians. It is therefore necessary for Council to have due regard for the advice from MRWA in relation to their concerns over traffic safety and compliance with their policy.

**Traffic Safety**

The subject site is located at a signalised intersection of a Primary Regional Road (i.e. GEH). Main Road Western Australia’s ‘Policy and Application Guidelines for Advertising Signs within and beyond State Road Reserves’ provides standards for advertising devices on major roads such as GEH.

Main Roads Western Australia’s Policy states that an advertising device is considered to be a traffic safety hazard if it distracts a driver at a critical time, such as at a signalised traffic intersection. Given the 60 kilometres per hour speed limit for traffic on GEH, the Policy does not support signage within 65 metres of a major intersection (i.e. the ‘Device Restriction Area’) as reflected in Figures 4, 5 and 6.

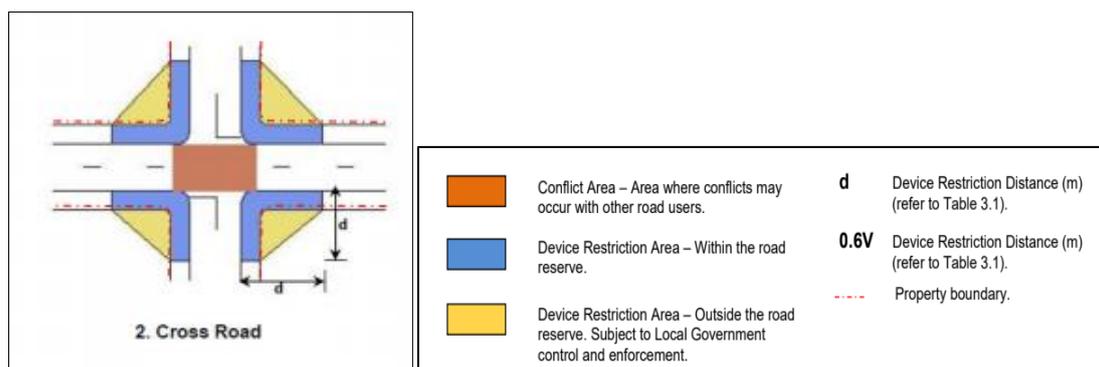


Figure 4 – Appendix A, Figure 1, Diagram 2 ‘Cross Road of Main Roads’ Policy and Application Guidelines for Advertising Signs within and beyond State Road Reserves

Speed Limit (km/h)	Distance ‘d’ (m)	0.6V (m)
50 or less	45	30
60	65	36
70	85	42
80	110	48
90	140	54
100	170	60
110	210	66

Table 3.1<sup>1</sup> – Distance ‘d’ for use with Device Restriction Area drawings in Appendix A

Figure 5 – Extract from Main Roads’ Policy and Application Guidelines for Advertising Signs within and beyond State Road Reserves Table 3.1

Item 12.1 Continued

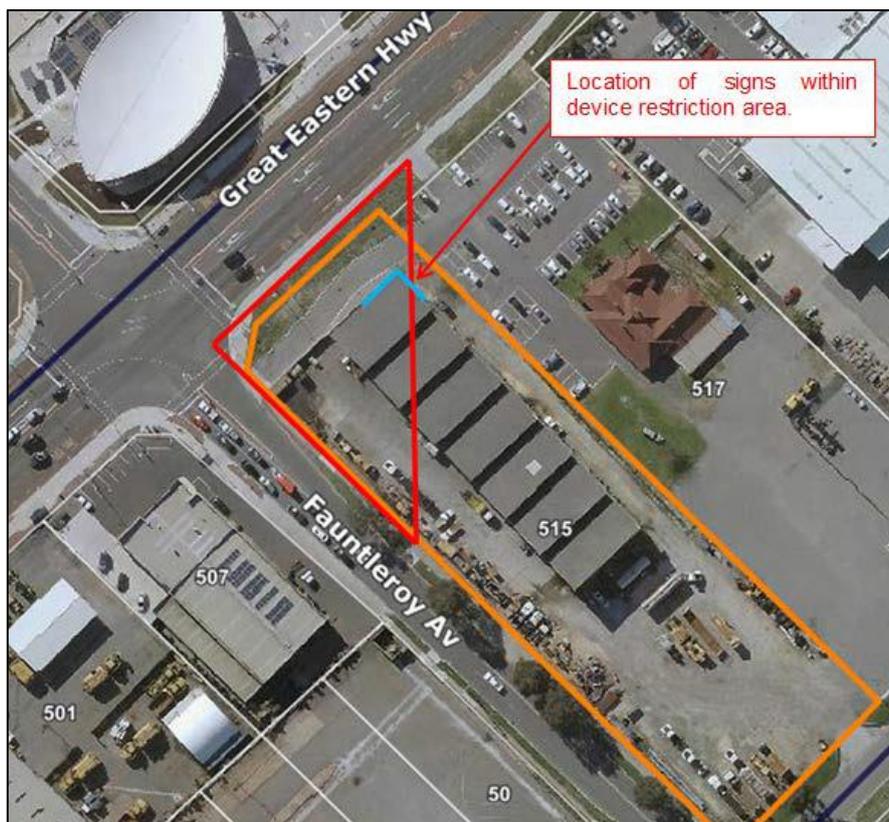


Figure 6 – Approximate location of signs with Device Restriction Area

In their 18 May 2020 referral response, MRWA has affirmed that the signage is located in the device restriction area, and therefore poses a risk to traffic safety. Further to this, MRWA has indicated that the crash data provided by the applicant omits relevant crash data and does not satisfactorily address the traffic safety criteria required by the policy.

Given MRWA's objection, Instrument of Delegation DEL 2017/02 does not permit the City to approve the signage. Instead, the application must be referred to the WAPC for determination.

**Option 1 – Recommend Approval for Signage with Third Party Advertising**

Council may therefore consider the option of referring the application to WAPC for determination and recommend that the signage is approved with the third party advertising content as sought by the applicant.

This option is not recommended as the signage is within the Device Restriction Area and contravenes MRWA's policy, and allowing third party signage:

1. Is inconsistent with the objectives of the Industrial zone as it does not provide for or support the industrial activities of the Redcliffe industrial precinct.
2. Would prejudice the economic development and wellbeing of the City as it does not create employment opportunities for the community or contribute to businesses and the local economy.
3. Sets an undesirable precedent and could lead to the proliferation of third-party signage which would impact on amenity along the City's regional roads.

*Item 12.1 Continued*

### **Option 2 – Recommend Approval for Signage without Third Party Advertising**

Alternatively, Council may consider the option recommending that WAPC approves the signage with a condition restricting the content of the signs to only allow advertising of services or products provided by the business operating on the property.

This option is also not recommended as the applicant has clearly indicated their desire to display third party advertising on the signs. Imposing such a restriction would be an unreasonable planning condition as it would not allow the development (i.e. third-party signage) that the applicant seeks approval for. Such a condition would be tantamount to refusing the application. Should WAPC grant approval on the basis of this recommendation, the approval would be futile to the applicant. The City would also be nonetheless obliged to enforce compliance and compel the landowner to remove the existing unauthorised third party advertising content.

### **Minister’s request for Councils to use Discretionary Powers**

Notwithstanding the above, it is noted that the landowner has written to Councillors seeking support for the application. They have referred to a letter from the Minister for Planning requesting that local governments use their discretionary powers and planning processes to both promote development and support businesses in light of the COVID-19 situation.

In duly noting the direction from the Minister, it is also necessary to consider the longer term and permanent implications approving this application for third-party advertising signage would have on the City’s Local Planning Strategy. As discussed above, third-party advertising results significant returns for a low or nil investment on a property owners part. There is some concern that this could lead to the proliferation of third-party signage and the impact on amenity along the City’s regional roads. However, there is greater concern that allowing third-party advertising will prejudice the desire for renewal and redevelopment of ageing and rundown properties. This long term consequence needs to be carefully considered as planning provisions generally allow an approved development (third-party signage in this case) to continue in perpetuity under non-conforming use rights even if planning standards are changed in the future to prohibit such development. Such an outcome significantly undermines the objective of the Planning Scheme to facilitate development along regional roads and key transport corridors such as GEH.

### **Timeframe for Compliance**

While there are clear grounds for refusing the application, it is the City’s desire to provide reasonable assistance to our business community. On this basis, Council may allow additional time for the unauthorised signage to be removed considering this declared COVID-19 State of Emergency. Upon the cessation of this State of Emergency, the landowner would be provided with a further 90 days to remove the signage. This timeframe aligns with the other planning concessions provided under the State of Emergency.

*Item 12.1 Continued*

### **Conclusion**

Although the two wall signs may be appropriate in terms of their size and scale, the signs are located within the Device Restriction Area and pose an unacceptable safety risk to motorists at the intersection of GEH and Fautleroy Road. The signage also contains third party advertising which is contrary to the requirements of LPP 12 and undermines the strategic planning objectives of properties along GEH. The application should therefore be refused.

Notwithstanding refusal of the application, Council may provide relief to the landowner by allowing additional time for the unauthorised signage to be removed in light of the COVID-19 State of Emergency.

### **FINANCIAL IMPLICATIONS**

If the application is refused and the applicant chooses to exercise their right of appeal to the SAT, the City would be responsible for costs associated with responding to the matter at the Tribunal.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

### **SOCIAL IMPLICATIONS**

There are no social implications associated with this report.

### **Note:**

**Cr Ryan declared an interest that may affect impartiality in Item 12.1 as he has had verbal contact with the applicant and did not take part in the discussion or vote on this item.**

*Item 12.1 Continued*

**OFFICER RECOMMENDATION**

**DAVIS MOVED, WOLFF SECONDED**

**That Council:**

- A. Refuse planning application 517/2019/A as detailed in plans dated 9 December 2019 submitted by Rowe Group on behalf of the owner Caratti Holding Company Pty Ltd for two Wall Signs at Lot 403 (No 515) Great Eastern Highway, Redcliffe, subject to the following conditions/reasons:**
- 1. Having regard for Clause 67(g) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the signs contain advertisement of services/products which are not available at the site, contrary to Objectives 3.1 and 3.3, and the requirements of Clause 6.1.1 of the City of Belmont Local Planning Policy No. 12.**
  - 2. Having regard for Clause 67(g) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the location and function of the signs impact on the safety of people and vehicles, contrary to Objective 3.4, and the requirements of Clause 6.1.3 of the City of Belmont Local Planning Policy No. 12.**
  - 3. Having regard for Clause 67(r) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the signs are located within the Device Restriction Area and pose an unacceptable risk to traffic safety on Great Eastern Highway, contrary to the requirements of Main Roads Western Australia's Policy and Application Guidelines for Advertising Signs within and beyond State Road Reserves.**
- B. Require the landowner to remove the unauthorised signage within 90 days of the cessation of the current COVID-19 State of Emergency Declaration.**

**CARRIED 7 VOTES TO 0**

**8.01 pm Cr Ryan returned to the meeting.**

**12.2 DRAFT GOLDEN GATEWAY LOCAL STRUCTURE PLAN**

**BUILT BELMONT**

**ATTACHMENT DETAILS**

<b><u>Attachment No</u></b>	<b><u>Details</u></b>
Attachment 2 – Item 12.2 refers	<a href="#"><u>Draft Golden Gateway Local Structure Plan Report (Excluding Attachments)</u></a>
Attachment 3 – Item 12.2 refers	<a href="#"><u>Bushfire Management Plan</u></a>
Attachment 4 – Item 12.2 refers	<a href="#"><u>Environmental Assessment Report</u></a>
Attachment 5 – Item 12.2 refers	<a href="#"><u>Movement and Access Strategy</u></a>
Attachment 6 – Item 12.2 refers	<a href="#"><u>Local Water Management Strategy</u></a>
Attachment 7 – Item 12.2 refers	<a href="#"><u>Infrastructure Assessment Report</u></a>
Attachment 8 – Item 12.2 refers	<a href="#"><u>Public Realm Strategy</u></a>
Attachment 9 – Item 12.2 refers	<a href="#"><u>Draft Golden Gateway Local Structure Plan Overview</u></a>
Attachment 10 – Item 12.2 refers	<a href="#"><u>Schedule of Submissions</u></a>
Attachment 11 – Item 12.2 refers	<a href="#"><u>Analysis of Annotatable Building Height Plans</u></a>
Attachment 12 – Item 12.2 refers	<a href="#"><u>List of Proposed Amendments</u></a>

Voting Requirement : Simple Majority  
Subject Index : 116/113–Golden Gateway Precinct  
Location / Property Index : Various Lots  
Application Index : N/A  
Disclosure of any Interest : N/A  
Previous Items : 28 August 2018 Ordinary Council Meeting Item 12.1  
26 February 2019 Ordinary Council Meeting Item 12.6  
Applicant : City of Belmont  
Owner : State Government, Local Government and Various Private Landowners  
Responsible Division : Development and Communities Division

Item 12.2 Continued

### **COUNCIL ROLE**

- |                                     |                       |   |
|-------------------------------------|-----------------------|---|
| <input type="checkbox"/>            | <b>Advocacy</b>       | <i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input type="checkbox"/>            | <b>Executive</b>      | <i>The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input checked="" type="checkbox"/> | <b>Legislative</b>    | <i>Includes adopting local laws, local planning schemes and policies.</i>   |
| <input type="checkbox"/>            | <b>Review</b>         | <i>When Council reviews decisions made by Officers.</i>   |
| <input type="checkbox"/>            | <b>Quasi-Judicial</b> | <i>When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |

### **PURPOSE OF REPORT**

For Council to consider the draft Golden Gateway Local Structure Plan (LSP) following the conclusion of public consultation.

### **SUMMARY AND KEY ISSUES**

- The draft Golden Gateway LSP has been prepared to coordinate the future subdivision, zoning and development of land generally bound by Great Eastern Highway (GEH) to the south, the Swan River to the west, the Ascot Waters precinct to the north, and the Ascot Racecourse/Residential and Stables precinct to the east.
- Council adopted the draft Golden Gateway LSP for advertising on 26 February 2019. The draft LSP was subsequently advertised from 3 October 2019 to 31 October 2019 (28 days), and a total of 127 submissions and a petition with 109 signatories were received.
- The key issues raised by submissions relate to traffic, built form, public open space (POS), land use, car parking and the future of the Ascot Kilns and Belmont Trust sites.
- In light of the submissions received, a number of modifications are proposed to the Golden Gateway LSP, primarily relating to zoning, density and the movement network. In addition, administrative amendments are also proposed to provide additional clarity on certain aspects of the draft LSP.
- It is recommended that Council support the proposed modifications and require re-advertising of the draft Golden Gateway LSP.

Item 12.2 Continued

## **LOCATION**

The draft Golden Gateway LSP encompasses land generally bound by GEH, the Swan River, Resolution Drive (north), Grandstand Road (north), the south-eastern boundary of Ascot Racecourse, Carbine Street and Hardey Road (Figure 1).



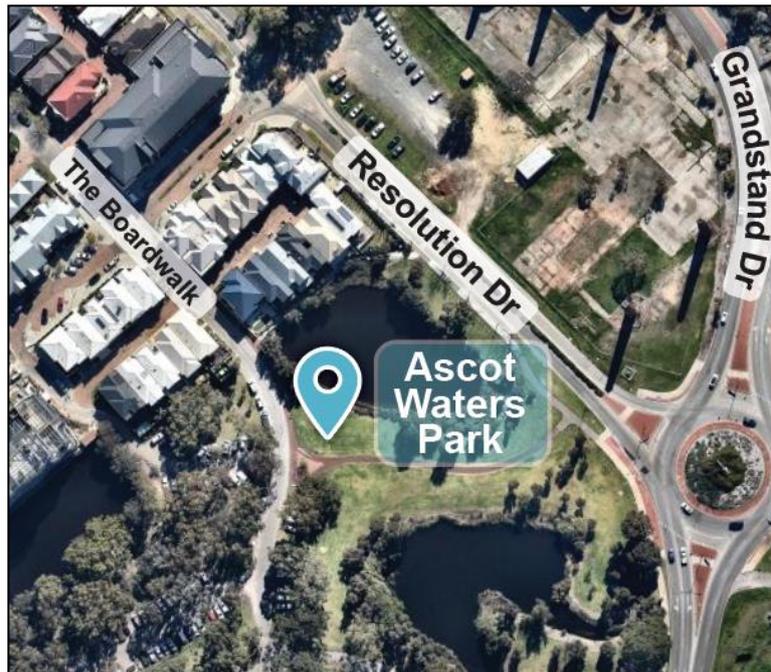
Figure 1: Golden Gateway Local Structure Plan area

## **CONSULTATION**

The draft Golden Gateway LSP was advertised for a period of 28 days (from 3 October 2019 to 31 October 2019), in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2 – Deemed Provisions (the Regulations)* and the Golden Gateway Community Engagement Strategy which was previously endorsed by Council. Advertising was undertaken by way of:

- Letters being sent to landowners and occupiers within and surrounding the precinct, including all properties within Ascot Waters Estate and the Residential and Stables Area.
- Letters being sent to government agencies.
- Placing a public notice in the 3 October 2019 edition of the Southern Gazette newspaper.
- A community information session hosted at the City of Belmont Civic Centre on 9 October 2019.
- A community information booth held in Ascot Waters Park (Figure 2) on 19 October 2019.

*Item 12.2 Continued*



*Figure 2: Information Booth location*

- Erecting two advertising signs (one on Epsom Avenue and one along Stoneham Street).
- Displaying a notice and information on the City's website and Belmont Connect webpage.
- Posting information on the City's Facebook page

At the conclusion of the advertising period, a total of 127 submissions were received, with 10 being received from government bodies and agencies and 117 from landowners and/or occupiers. In addition to these submissions, a petition was received with 109 signatories.

A map identifying the extent of the consultation area and the origin of submissions received from the referral area follows (Figure 3). It should be noted however that 19 submissions received were from outside of the referral area. A summary of the submissions received and comments thereon are included in the Schedule of Submissions contained as [Attachment 10](#).

Item 12.2 Continued

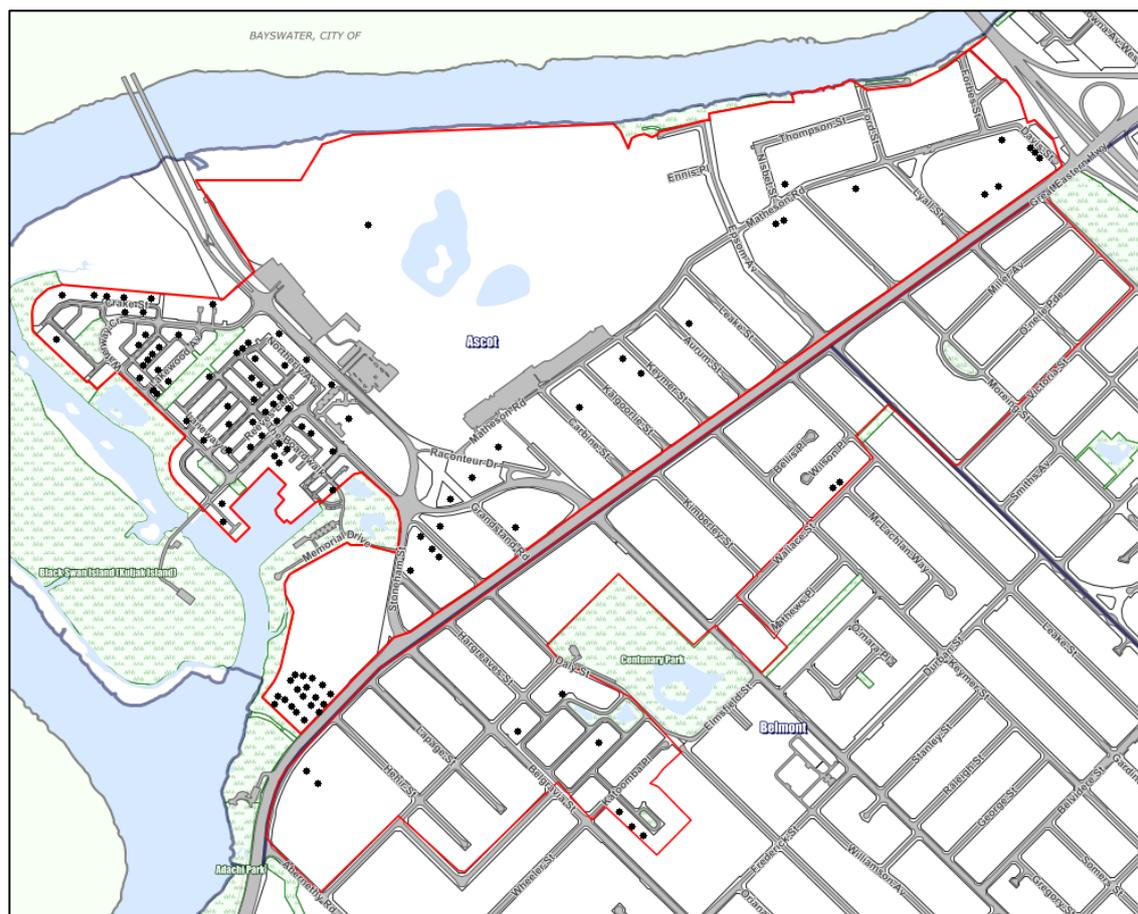


Figure 3: Referral area and origin of submissions

The key concerns raised in the submissions relate to:

- The proposed building heights and whether these are appropriate for the area.
- The appropriateness of certain land uses within the mixed use zone.
- Whether the amount of POS proposed to be provided within the precinct is adequate.
- Potential built form outcomes and whether these will create visual privacy and overshadowing impacts.
- An increase in traffic and the capacity of the existing road network to support the redevelopment of the area.
- The proposed design of the movement network.
- Whether the proposed car parking requirements will be adequate for the precinct.
- Whether public transport options in the area are adequate to support redevelopment.
- The future use of the Ascot Kilns and Belmont Trust sites.

The abovementioned concerns are further discussed in the Officer Comment section of this report.

*Item 12.2 Continued*

### **STRATEGIC COMMUNITY PLAN IMPLICATIONS\***

In accordance with the Strategic Community Plan Key Result Area: Natural Belmont.

**Objective:** Protect and enhance our natural environment.

**Strategy:** Develop quality POS in accordance with community needs.

In accordance with the Strategic Community Plan Key Result Area: Built Belmont

**Objective:** Achieve a planned City that is safe and meets the needs of the community.

**Strategy:** Encourage a wide choice and consistent implementation of development approaches.

**Objective:** Provide a safe, efficient and well maintained transport network.

**Strategy:** Encourage a broad range of transport alternatives and provide adequate management of traffic, density, parking, congestion and safety of the transport network, in and surrounding the City of Belmont.

In accordance with the Strategic Community Plan Key Result Area: Business Belmont.

**Objective:** Maximise business development opportunities.

**Strategy:** Attract and support high quality business development and the sustainable use of land in Belmont, including Perth Airport, by providing information and assistance to businesses seeking to establish operations in the City.

\*Note: The Strategic Community Plan Implications outlined are reflective of the City of Belmont Strategic Community Plan 2016 – 2036. Council recently endorsed the City of Belmont 2020 – 2040 Strategic Community Plan which, as a result of COVID-19 administrative implications, is yet to be implemented across the City.

### **POLICY IMPLICATIONS**

There are no policy implications associated with this report. It should be noted however that the draft Golden Gateway LSP proposes that a Local Planning Policy (LPP) be prepared to assist with the future implementation of the LSP and to guide future development in the precinct.

### **STATUTORY ENVIRONMENT**

#### **Strategic Planning Framework**

##### **Perth and Peel @ 3.5 Million**

The State strategic framework documented under the Western Australian Planning Commission (WAPC) 'Perth and Peel @ 3.5 million' impacts upon the statutory direction for the City.

*Item 12.2 Continued*

The Perth and Peel region will need to accommodate significant population growth by 2050 with an additional 1.5 million people requiring approximately 800,000 new homes. The 'Perth and Peel @ 3.5 million' strategic planning framework requires that a substantial amount of this growth (i.e. 47%) be delivered through infill developments. It identifies that the City of Belmont population will increase from 37,360 to 60,260 people by 2050 and to accommodate that increase an additional 10,410 dwellings will be required.

Perth and Peel @ 3.5 million promotes the concept of 'urban corridors' as a way of achieving integrated land use and transport outcomes. Great Eastern Highway is identified as an 'urban corridor' because it provides a connection between the Burswood and Perth Airport Activity Centres. Great Eastern Highway abuts the Golden Gateway LSP area. Grandstand Road/Resolution Drive is identified as a 'high frequency public transit' route and Belgravia Street (being the extension of Stoneham Street) is identified as an 'integrator arterial' road. The framework suggests that the focus should be given to investigating increased residential densities and mixed land uses around urban corridors.

### **City of Belmont Local Planning Strategy**

The City of Belmont Local Planning Strategy (2011) is the strategic planning document that broadly sets out the long-term planning direction for the City and informed the preparation of Local Planning Scheme No. 15 (LPS 15). It recognises that GEH, which abuts the LSP area, is the only major regional road within the City that is designated as an 'urban corridor'. The key objectives of the Local Planning Strategy and its supporting sub-strategies, as relevant to the Golden Gateway precinct, are as follows:

- Enhance the north-west entrance to the City.
- Encourage landmark development.
- Produce a Structure Plan and Implementation Plan for the locality.
- Utilise the development process to rationalise and improve traffic access to commercial properties along GEH.
- Provide more frequent and safe pedestrian crossing points along GEH.
- Provide for higher density residential development along GEH, in addition to mixed use, landmark buildings that create an entry statement and a high standard of urban amenity.
- Encourage a new local convenience centre within Ascot Waters, but Lot 713 Grandstand Road (Ascot Kilns site) should no longer form part of any commercial strategy.
- Acknowledge that Ascot Racecourse and the Swan River are 'strategic tourism sites' of state significance to benefit future tourism development.
- Recognise the importance of the river for transport, commerce, tourism and leisure as well as its conservation values.

*Item 12.2 Continued*

### **Draft Great Eastern Highway Urban Corridor Strategy**

The GEH Urban Corridor Strategy is a draft planning document that establishes a 'vision' for the GEH corridor and proposes a series of implementation strategies to ensure that the vision is realised. The Strategy will be implemented through Scheme provisions, structure planning and local planning policies.

The Strategy identifies four precincts along GEH and aims to provide area-specific guidance on their future growth and development in accordance with the urban design framework. Precinct 2 of the Strategy includes the section of GEH between Belmont Avenue and Hardey Road, of which the northern side of GEH falls within the Golden Gateway precinct. The Strategy identifies this area as an 'activity node' for a range of commercial land uses, offices, professional and technical services, cafés/restaurants and improved civic spaces to support the local workforce and high density residential development capitalising on the proximity of the Swan River.

The draft Golden Gateway LSP is consistent with the draft GEH Urban Corridor Strategy.

### **Statutory Planning Framework**

#### ***Planning and Development (Local Planning Schemes) Regulations 2015***

Part 4, Schedule 2 – Deemed Provisions of the *Regulations* outlines the procedure for the preparation, advertising and consideration of a structure plan. The key requirements under Part 4 of the *Regulations* are as follows:

- The local government must advertise a structure plan for at least 14 days but not more than 28 days, unless otherwise approved by the WAPC, within 28 days of a structure plan being accepted for assessment and advertising.
- Following the conclusion of the advertising period, the local government must, within 60 days from the last day for making submissions, consider all submissions made on the proposed structure plan and prepare a report to the WAPC which includes the following:
  - A list of the submissions considered by the local government;
  - Any comments by the local government in respect of those submissions;
  - A schedule of any proposed modifications to address issues raised in the submissions;
  - The local government's assessment of the proposal based on appropriate planning principles; and
  - A recommendation by the local government on whether the proposed structure plan should be approved by the WAPC.
- If the WAPC is not given a report on a proposed structure plan they may make a decision on the proposed structure plan in the absence of a report. In making a decision, the WAPC may request technical advice or further information from the local government and if the local government fails to provide this, the WAPC may obtain the information themselves. If the WAPC incur any costs during this process, they may seek to recover these from the local government.

*Item 12.2 Continued*

- The local government may advertise any modifications proposed to the structure plan to address issues raised by submissions; however it cannot advertise modifications on more than one occasion without approval from the WAPC.
- On receipt of a report on a proposed structure plan from the local government, the WAPC must within 120 days, consider the plan and determine whether to approve the structure plan, require the structure plan to be modified or refuse the structure plan.
- The WAPC may direct the local government to readvertise the structure plan where it considers that major modifications have been made however; it cannot direct the local government to readvertise the structure plan on more than one occasion.

## **State Planning Policies**

### State Planning Policy 7.3 – Residential Design Codes

The Residential Design Codes (R-Codes) establish built form controls for all residential development within Western Australia (WA). It is premised on the allocation of residential densities that correlate to specific built form requirements under Volume 1 or Volume 2 of the R-Codes. Volume 1 of the R-Codes establishes standards for single houses and grouped dwellings, as well as multiple dwellings at densities up to R30. Volume 2 of the R-Codes specifically relates to multiple dwelling developments including mixed use development, at the R40 density and above.

### Liveable Neighbourhoods

Liveable Neighbourhoods is an operational policy that guides planning in greenfield and large urban infill areas. It provides guidance on the design of movement networks, activity centres, subdivision design and POS provision.

## **BACKGROUND**

### **Golden Gateway Precinct**

The Golden Gateway precinct comprises of approximately 24 ha of land generally bound by GEH, the Swan River, Resolution Drive (north), Grandstand Road (north), Ascot Racecourse (southern boundary), Carbine Street and Hardey Road. The precinct is located north of the Belmont Business Park, west of the Residential and Stables area and south of Ascot Racecourse and the Ascot Waters residential estate. The Garret Road bridge is located approximately 900 metres north of the site which serves a key north-south link between Guilford Road and GEH across the Swan River.

The area is characterised by fragmented land ownership, and contains a range of existing land uses including; offices, warehouses, service stations and fast food outlets. There are also several parcels of vacant and/or underutilised land within the precinct, including land owned by Perth Racing. The Ascot Kilns site is located within the Golden Gateway precinct; having regard for its State heritage significance and previous planning work initiated for the site, the draft LSP requires that development be undertaken in accordance with an adopted Local Development Plan (LDP).

Item 12.2 Continued

The Belmont Trust land, formerly occupied by the 'Parry Fields' baseball field, is also located within the Golden Gateway precinct. This land is controlled by the 'Belmont Trust' and is subject to a Declaration of Trust requiring the land to be provided for public enjoyment and recreation. This land has been included within the precinct on the basis that any future use/development of the land for public enjoyment and recreation would have implications for the wider Golden Gateway precinct. It also serves as a connection between the Swan River and the wider area, including the Residential and Stables zone and the southern side of GEH, via the Golden Gateway precinct.

Figure 4 shows the location of the precinct in relation to the surrounding area.

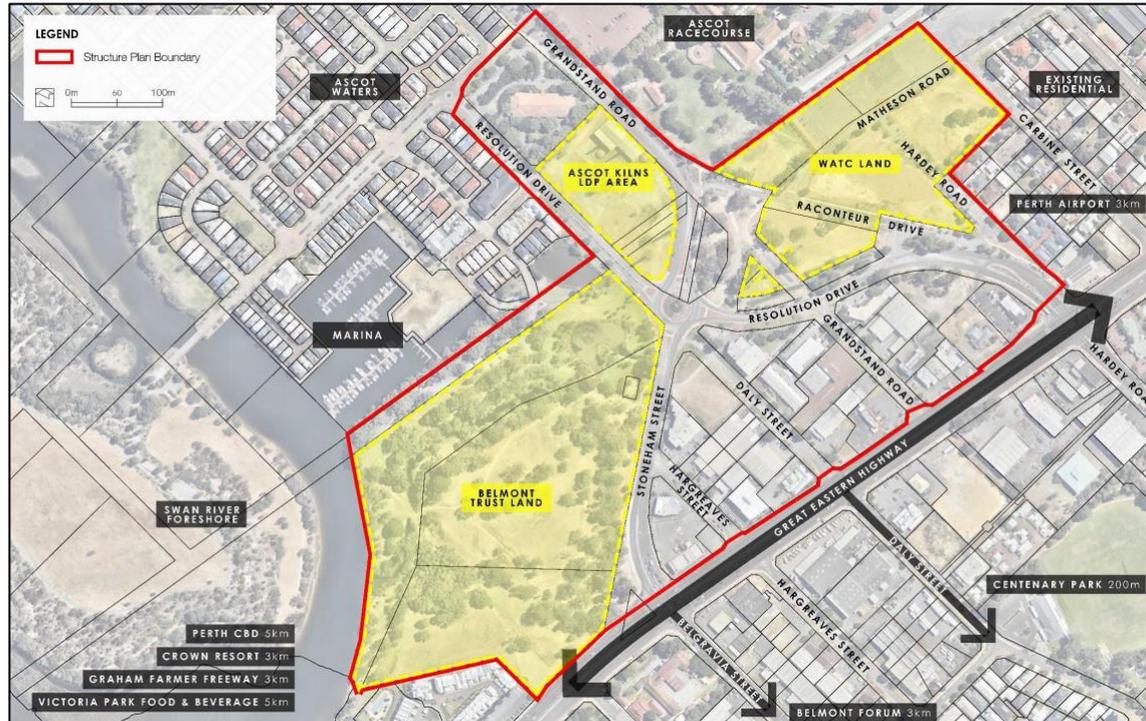


Figure 4: Location Plan

Under the Metropolitan Region Scheme (MRS), the area is primarily zoned 'Urban', with a portion of land abutting the Swan River being reserved for 'Parks and Recreation', and located within the Swan River Development Control Area. Great Eastern Highway, which abuts the precinct, is reserved as a 'Primary Regional Road' under the MRS and is controlled by Main Roads Western Australia (MRWA). Figure 5 below illustrates the LPS 15 and MRS zonings and reservations of the precinct and surrounding area.

Item 12.2 Continued

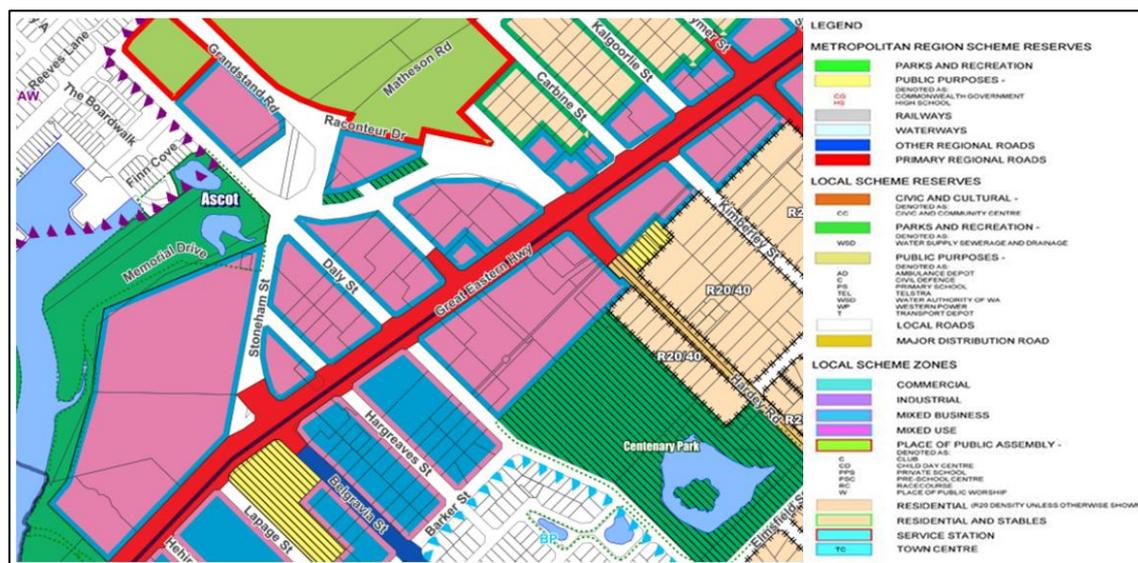


Figure 5: Zoning

Private landholdings within the precinct are predominantly zoned 'Mixed Use' under LPS 15, with parcels of Perth Racing land zoned 'Place of Public Assembly'. In addition, the open drain abutting Resolution Drive is reserved as 'Parks and Recreation' and various parcels of crown land and road reserves are reserved as 'Local Roads' under LPS 15.

In 2008, the Golden Gateway precinct was identified as a key strategic area due to its prominent position on GEH and at the north-western 'gateway' of the City of Belmont. It was recognised that there was significant potential for high quality mixed commercial and residential development in the location, however existing site access constraints and land fragmentation made it apparent that coordinated planning was required. It was also considered necessary to provide precinct-specific planning controls and that a 'one-size-fits-all' approach to development within the precinct would not be conducive to desirable outcomes.

### **Draft Golden Gateway Local Structure Plan**

The draft Golden Gateway LSP has been prepared to coordinate future redevelopment of the precinct. More specifically it addresses:

- The proposed zoning, reservation and density coding of land within the precinct, and prescribes the suitability of certain land uses.
- Built form controls premised on precinct areas, including plot ratio, minimum and maximum building height, setbacks and car parking requirements.
- The provision of POS and public realm improvements.
- The identification of a road hierarchy and movement network for vehicles, pedestrians and cyclists, as well as the consideration of street design and traffic management.
- Strategies for the management and treatment of stormwater runoff within the precinct.

*Item 12.2 Continued*

- The identification of infrastructure and serving requirements required for the redevelopment of the precinct.
- The requirements to facilitate implementation of the draft LSP.

A copy of the draft Golden Gateway LSP is contained as [Attachment 2](#), with the associated Technical Appendices being contained as [Attachment 3](#), [Attachment 4](#), [Attachment 5](#), [Attachment 6](#), [Attachment 7](#) and [Attachment 8](#). A summary of the key elements of the draft LSP is provided in [Attachment 9](#).

## **OFFICER COMMENT**

### **Procedural Considerations**

The draft Golden Gateway LSP is a planning document that has been prepared to provide a basis for the zoning, subdivision and development of the precinct. The draft LSP is required to be progressed in accordance with the *Regulations*, which includes requirements for the advertising, consideration and determination of structure plans. The *Regulations* also establish processing timeframes which can only be varied subject to WAPC approval.

As outlined previously in this report, following the conclusion of the advertising period, the City is required to consider all the submissions made on the draft LSP and prepare a report to the WAPC with its assessment and a recommendation for its determination. The *Regulations* require that the report be provided to the WAPC within 60 days from the close of advertising (i.e. 30 December 2019), however given the complexity of the draft LSP and the issues raised, the WAPC has granted an extension of time to 26 June 2020. Should no decision be made on how to progress the draft LSP, the WAPC may make a decision without the City's assessment and recommendation, and any costs incurred by the WAPC to enable this can be recovered from the City.

Notwithstanding the above, should Council resolve to require modifications and readvertising of the draft LSP, the requirement to prepare a report to the WAPC is effectively deferred and reset at the conclusion of readvertising. It should be noted that the *Regulations* stipulate that a local government can only readvertise a structure plan once, unless otherwise approved by the WAPC.

### **Proposed Activity Centre and Retail Floorspace**

The draft LSP seeks to facilitate the redevelopment of the Golden Gateway precinct as an 'activity centre' with mixed commercial and residential development. The draft LSP proposes to establish a 'Local Centre' with approximately 1,200m<sup>2</sup> of net lettable area (NLA) of retail floor space to provide local conveniences and amenities to support a future residential and business population. This is intended to be focussed around Daly Street as a 'main street', as well as some limited retail uses along GEH.

One of the submissions received during the advertising period raised the following concerns in relation to the provision of retail uses within the precinct:

- The provision of retail floor space is premised on an analysis undertaken in 2016 for the Ascot Kilns site, rather than a more recent precinct-specific analysis, which if inaccurate, could undermine future planning and the City's activity centres hierarchy.

*Item 12.2 Continued*

- The absence of any control over retail development within the precinct having implications for other activity centres within the City of Belmont.
- The identification of GEH as being suitable for retail development being inconsistent with the recommendations of the City's Local Commercial Strategy.
- A lack of clarity and general inconsistencies in the terminology used to describe the proposed provision of retail floor space within the precinct.

Having regard for the matters raised in this submission, it is noted that City's Local Commercial Strategy (2008) does not currently identify a 'Local Centre' within the Golden Gateway precinct. The establishment of any new activity centre requires consideration of any potential economic effects from a local community access or benefit perspective. This involves ascertaining the retail needs of an area and determining the appropriate distribution of retail floor space such that it does not impact the viability of existing activity centres. In considering this, the following points are relevant:

- Contemporary planning practice supports the provision of local convenience amenities within walkable distances to housing. This has the benefit of reducing the overall need to travel and promoting public transport, cycling and walking.
- There is currently no activity centre located within close proximity to the precinct, meaning that existing residents of the Ascot Waters Estate, the Residential and Stables area and the Belgravia Estate are required to travel in excess of 1 kilometre to access their closest centre.
- The City's Local Commercial Strategy identifies a future 'Local Centre' within Ascot Waters Estate. This centre however has never eventuated and it is considered that there may be barriers to providing retail development in this location, such as limited available floor space, passing trade and car parking.
- The GEH Urban Corridor Strategy identifies a future 'activity node' in the Golden Gateway precinct. This activity node is intended to provide conveniences for residents to the north and south, as well as the Belmont Business Park.
- The Local Commercial Strategy is currently being reviewed as a precursor to a review of LPS 15, whereby a more contemporary Activity Centres Planning Strategy is being prepared in its place. This will involve an assessment of the existing activity centres hierarchy, and in doing so modelling will be undertaken of the wider retail needs within the City of Belmont.
- The demand for retail floors pace in an area is directly correlated to population, therefore any increase in population would typically increase the retail need in an area.
- A Retail Needs Analysis undertaken in 2016 to support the proposed Ascot Kilns LDP identified that retail floor space demand increased by 80m<sup>2</sup> for every 250 apartments delivered in the area. On this basis, the provision of 3,400 dwellings in the area could support approximately 1,100m<sup>2</sup> of retail floor space.

*Item 12.2 Continued*

- The WAPC's Land Use and Employment Survey indicate that the precinct and surrounding land on the southern side of GEH currently accommodates 4,286m<sup>2</sup> of retail floor space. This is comprised of predominantly car/highway-oriented retail (i.e. fast food outlets, service stations) rather than serving the daily/weekly needs of the local residential population.
- In undertaking modelling to inform the preparation of the Activity Centres Planning Strategy and the review of LPS 15, early findings suggest that by 2036, the Golden Gateway Precinct could accommodate some 7,000m<sup>2</sup> of retail floor space. This is based on a conservative estimate of the population increasing by only 1,031 people, and as such the retail demand could in fact be greater depending on the uptake of development in the precinct.
- Given the small scale nature of the proposed Local Centre and the absence of any nearby centre, it is considered that any retail development in the precinct can be developed without specific control on floor space and any supporting residential development in the first instance.

In light of the above, it is considered that the establishment of a Local Centre with the provision of 1,200m<sup>2</sup> retail floor space would be acceptable in the Golden Gateway precinct. Notwithstanding, it is acknowledged that the draft LSP should be modified to address inconsistencies between terminology and provide clarity on the provision of retail floor space within the precinct (Modification 1).

### **Belmont Trust Land**

The Belmont Trust Land falls within the Golden Gateway precinct, as identified by the draft LSP. Submissions received during the advertising period raised concerns that the Belmont Trust Land was included in the draft LSP, and subsequently requested that it be removed and retained as POS by being developed as gardens and parkland with community facilities. In considering this, the following points are relevant:

- The land is controlled by the 'Belmont Trust' as opposed to the Crown.
- The City of Belmont manages the Belmont Trust to accord with the provisions of the *Charitable Trusts Act 1962* and a Declaration of Trust which applies to the land.
- The Declaration of Trust in essence:
  - Results in the Elected Members of the City of Belmont acting as Trustees of the Belmont Trust; and
  - Requires the land to be provided for public enjoyment and recreation.
- This means that:
  - The role of the City's Elected Members as Trustees of the Belmont Trust is mutually exclusive from their role as Councillors of the City of Belmont; and
  - Regardless of the planning provisions over the land, the Trustees have the role of the Trust Board, and are obliged to administer the requirements of the Declaration of Trust.
- The land is currently zoned 'Mixed Use' under LPS 15.

*Item 12.2 Continued*

- The draft LSP does not prescribe any zoning or development provisions for the land. Rather, it identifies that further planning is required to be undertaken, which is discrete to the requirements of the Declaration of Trust.
- The land provides a connection between the Swan River, the Golden Gateway Precinct and the wider area, including the Residential and Stables area and the southern side of GEH.
- The future use/development of the land for public enjoyment and recreation would have implications for the wider Golden Gateway precinct, such as POS, access and traffic. It would be appropriate to consider these matters holistically rather than in isolation, which could be achieved by way of a later amendment to the LSP.

For the reasons mentioned above, it is considered appropriate for the Belmont Trust land to form part of the Golden Gateway precinct and be identified as requiring further planning.

### **Zoning and Reservation**

The draft Golden Gateway LSP proposes the following zoning and reservation of land under LPS 15:

- Rezoning Lot 452 Grandstand Road (Lee-Steere House) located in the north-western portion of the precinct and owned by Perth Racing, from 'Place of Public Assembly' to 'Residential'.
- Rezoning various lots owned by Perth Racing in the north-eastern portion of the precinct from 'Place of Public Assembly' to 'Mixed Use'.
- Maintaining the existing 'Mixed Use' zoning on all other properties within the precinct, including the Ascot Kilns site.
- For land proposed to be zoned 'Mixed Use', certain land uses are proposed to be restricted.
- The reservation of land identified for POS as 'Parks and Recreation' reserve.

A number of submissions were received during advertising of the draft LSP that raised concerns regarding the proposed zoning of land within the precinct. More specifically:

- The appropriateness, necessity and compatibility of the 'Mixed Use' zone in the precinct, particularly in regard to its surrounding context and the land uses afforded by that zoning.
- The zoning of Perth Racing's landholdings, namely Lot 452 Grandstand Road located in the north-western portion of the precinct and various lots in the north-eastern portion of the precinct, directly adjacent to Ascot Waters estate and the Residential and Stables area, respectively.
- The inclusion of the Ascot Kilns site within the draft LSP area, and the appropriateness of maintaining the existing 'Mixed Use' zoning over the precinct in light of community sentiment regarding the future use of the site as POS.

*Item 12.2 Continued*

Discussion on these elements follows.

**Appropriateness of Mixed Use Zone**

The draft Golden Gateway LSP proposes to zone a majority of the precinct 'Mixed Use' but with restrictions on certain land uses that are considered inappropriate for the precinct. The purpose of the 'Mixed Use' zone is to facilitate the development of a mix of varied, but compatible, land uses, particularly residential and commercial uses. As outlined previously, concerns have been raised about the appropriateness of this zoning, including whether it is necessary in this area and compatible with its setting. In considering this matter, the following points are relevant:

- The Golden Gateway precinct is strategically located on the GEH urban corridor. Facilitating infill development along urban corridors aligns with the State's Perth and Peel @ 3.5 million strategic planning framework and will contribute to the City meeting its infill housing targets.
- It is widely accepted that high density residential and mixed use development within walkable catchments to major transport nodes has the potential to reduce car dependence, increase accessibility for those without access to private cars, and therefore reduce road congestion and infrastructure demand.
- Encouraging high density residential development within the precinct provides for housing diversity and opportunities for more affordable living within areas that are well connected with services, employment and public transport.
- A majority of the precinct, including the Ascot Kilns site, is currently zoned 'Mixed Use' under LPS 15. This zoning currently allows for a wide variety of uses, including residential, commercial, light industrial, service, community and entertainment uses. Some of these land uses could be considered incompatible with residential development, particularly light industrial type uses which are more likely to produce heavy vehicle traffic, noise, and other emissions.
- In recognition of the existing commercial and light industrial nature of the precinct, it is considered unreasonable and impractical to transform this area into a purely residential estate. Similarly, it is considered that a pure commercial/industrial estate does not represent best use of the land given its strategic location and proximity to other residential areas.
- Roads often form logical boundaries between zones as they can provide physical separation between differing land uses and built form, thereby mitigating land use conflict.
- The expansion of the 'Mixed Use' zone to the northern side of the realigned Resolution Drive, comprising vacant land owned by Perth Racing adjacent to Ascot Racecourse, could be viewed as encroachment into the Residential and Stables area. Consideration of this issue is discussed later in this report.
- Whilst the lots currently zoned Mixed Use contain development and uses that are relatively small scale, of a low intensity and somewhat benign, there is potential under the existing Mixed Use zoning for more intensive development and land uses to be undertaken. The proposed LSP introduces controls to restrict certain uses which would typically be allowed in a 'Mixed Use' zone. This will limit potential land use conflict both within the precinct and the surrounding area.

Item 12.2 Continued

- The proposed restriction of land uses within the precinct will address the proliferation of Fast Food Outlet and Service Station land uses along GEH, as envisioned by the draft GEH Urban Corridor Strategy.
- Whilst the restriction of land uses will prohibit light industrial type uses, any existing operation will be afforded non-conforming use rights thereby providing for their continued operation albeit limit their ability to expand their operations.

For the reasons outlined above, it is considered that the 'Mixed Use' zone, with its proposed restrictions on particular land uses, is appropriate for the Golden Gateway precinct. Notwithstanding, as highlighted above, careful consideration is required on:

1. The interface between zones, particularly between the proposed 'Mixed Use' and 'Residential' zones, as well as Ascot Waters Estate to the north-west and the Residential and Stables area to the north-east, so as to avoid future land use conflicts.
2. The expansion of the 'Mixed Use' zone to the northern side of the realigned Resolution Drive, adjacent to Ascot Racecourse and the Residential and Stables area, as this could result in land use conflicts with existing stabling and racecourse operations.

The above issues are considered relevant to land on the periphery of the precinct as identified by Figure 6 below, which includes land owned by Perth Racing and the Ascot Kilns owned by the WAPC. This is discussed in greater detail in the next section of the report.



Figure 6: Interface between different zones and existing residential areas

Item 12.2 Continued

## Perth Racing Landholdings

Perth Racing own approximately 5.7 ha of land within the Golden Gateway precinct which can be distinguished by two distinct areas as shown in Figure 7 below.



Figure 7: Perth Racing's landholdings

The land parcel adjacent to Ascot Waters to the north (Lot 452 Grandstand Road) encompasses 'Lee-Steere House', which is used by the WA Turf Club as an administration building.

The area adjacent to the Residential and Stables zone to the east comprises a total of five lots with a combined area of approximately 4.555 ha. This land is predominantly vacant, with the exception of land on the northern side of Matheson Road which contains an existing car park associated with Ascot Racecourse.

As outlined previously, the draft LSP proposes to rezone Lot 452 Grandstand Road from 'Place of Public Assembly' to 'Residential'. The other Perth Racing landholdings are proposed to be zoned 'Mixed Use' under the draft LSP. Whilst the future development intentions of Perth Racing are unknown, they have indicated a desire for flexibility in any future development controls that apply to their land. This is discussed further below along with the relevant planning considerations.

### Lot 452 Grandstand Road

In response to advertising, Perth Racing have requested that the draft LSP be modified to zone a portion of Lot 452, fronting Grandstand Road, to 'Mixed Use' with the balance maintaining the proposed 'Residential' zone, as shown in Figure 8 below. This request has been made on the basis that the site would be conducive to commercial development fronting Grandstand Road, across from the main Ascot Racecourse entry, with the balance of the lot providing a residential interface to the adjacent Ascot Waters Estate.

Item 12.2 Continued

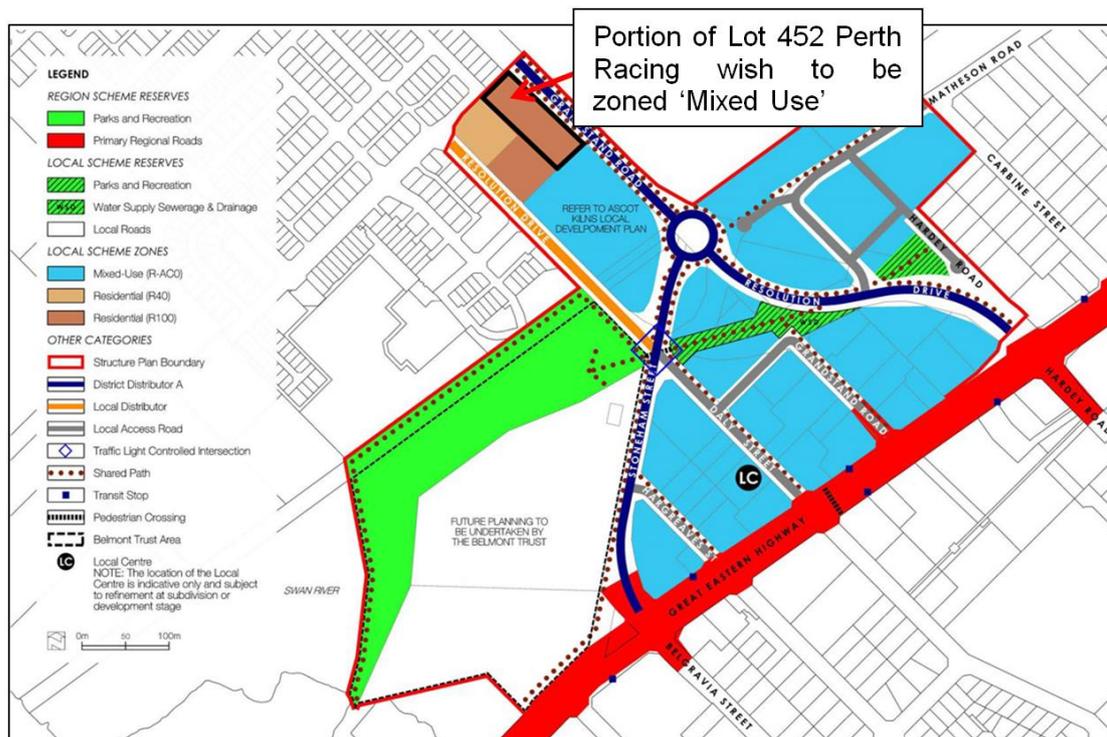


Figure 8: Portion of Lot 452 Perth Racing wish to be zoned 'Mixed Use' (Option A)

In light of Perth Racing's submission, the following zoning options for Lot 452 have been identified:

- *Option A (Perth Racing's request):* Zoning the portion of the site fronting Grandstand Road 'Mixed Use' and zoning the remainder of the site 'Residential'.
- *Option B (Currently Proposed under the draft LSP):* Zoning the entire site 'Residential'.
- *Option C:* Zoning the entire site 'Residential' but with additional land uses that provide for limited non-residential uses.
- *Option D (Existing zoning under LPS 15):* Zoning the entire site 'Place of Public Assembly'.

In considering the above, the following points are relevant:

- The site's frontage to Grandstand Road is likely to be attractive for commercial development due to its exposure to passing trade.
- The 'Mixed Use' zone provides for a wide variety of land uses, some of which could be considered incompatible with residential development. As Lot 452 is located directly adjacent to existing housing within the Ascot Waters Estate, the introduction of the 'Mixed Use' zoning and additional uses as per Options A and C, respectively, could result in land use conflict and amenity impacts for existing residents.

*Item 12.2 Continued*

- A 'Residential' zoning over the entirety of Lot 452, as per Option B, would provide an appropriate interface to adjacent development within the Ascot Waters Estate, however in the absence of knowing Perth Racing's future development intentions for the site, it is not considered practical to apply this zoning over the lot, as they may not intend to undertake residential development on the land.
- The existing building on the site (Lee Steere House) is proposed to be assessed for historical significance in the next review of the Municipal Heritage Inventory. Options B to D would maintain this building within one zoning, thereby supporting its ongoing use and retention, as opposed to Option A where the existing building would straddle the 'Mixed Use' and 'Residential' zones, which may make its retention impractical due to differing land use and development controls.
- In the absence of knowing the future of the adjacent Ascot Kilns site, there is a risk that any future uses on Lot 452 may not be compatible or provide an appropriate interface to the Ascot Kilns.
- A 'Place of Public Assembly' zoning is intended to allow for special places of assembly such as private schools, halls, showgrounds, sporting grounds and racecourses. Maintaining this zoning over Lot 452, as per Option D, would provide Perth Racing with an opportunity to determine their future intentions for the site prior to the draft LSP recommending an alternative zoning and associated controls for the land, having regard to the adjacent Ascot Waters Estate.

In light of the above, Option D, being to maintain the existing 'Place of Public Assembly' zoning over Lot 452, is the preferred option and it is therefore recommended that the draft LSP be amended accordingly (Modification 2).

Remainder of Perth Racing Landholdings

Perth Racing own several lots on the northern side of the realigned Resolution Drive, adjacent to Ascot Racecourse and the Residential and Stables area, which are proposed to be zoned 'Mixed Use' under the draft LSP. There is a concern that this zoning could give rise to a range of non-residential land uses that are incompatible with the adjacent Residential and Stables zone, ultimately eroding the amenity of the area and resulting in land use conflict. In considering this concern in the context of the draft LSP, the following points are relevant:

- The Residential and Stables area is low density in nature with single houses on larger lots of around 900m<sup>2</sup> in area.
- The road network within the Residential and Stables area carries low traffic volumes and at slower speeds for the safety of horses being walked through the area.
- The Residential and Stables area could produce noise, dust and odour impacts which may be unacceptable to future residents within Golden Gateway precinct.
- A 'Mixed Use' zoning provides for a range of non-residential land uses and higher intensity residential development (e.g. multiple dwellings), that may produce a number of vehicle trips and a level of noise that has the potential to impact on the amenity of the Residential and Stables area.

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- The proposed zoning of land under the draft LSP does not currently provide for a transition between lower intensity development within the Residential and Stables area and more intensive development within the 'core' of the Golden Gateway precinct.
- Unlike other Perth Racing landholdings located to the north of Resolution Drive, a portion of Lot 100 Raconteur Drive, Ascot, bound by Hardey Road, Matheson Road and Carbine Street, is located adjacent to land within the Residential and Stables area. It is considered that a 'Mixed Use' zoning over this land is encroaching into the Residential and Stables area and provides an opportunity for land use conflict to occur (Figure 9).

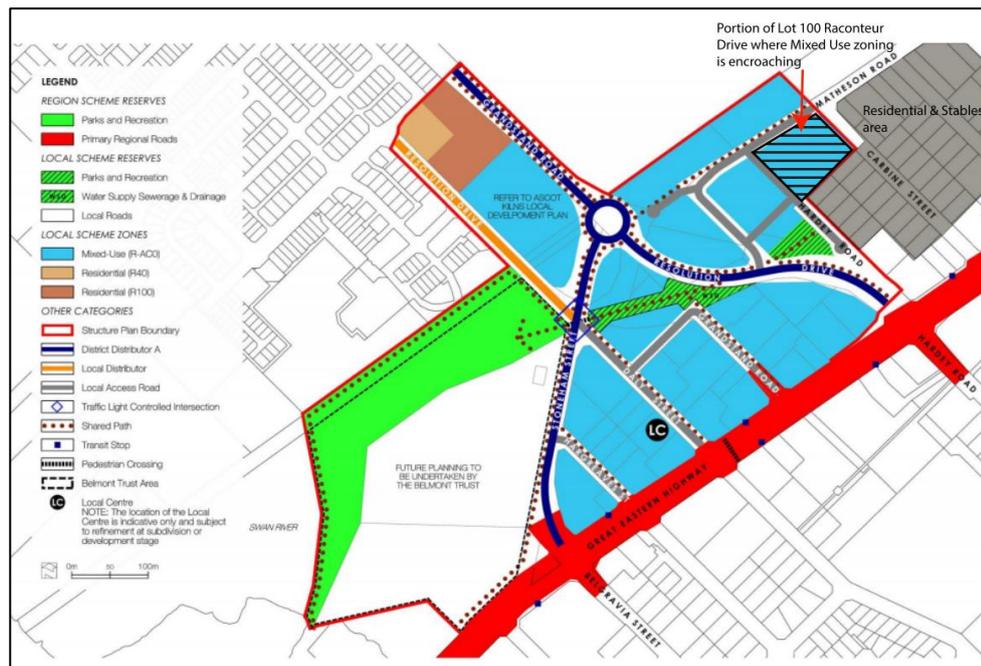


Figure 9: Mixed Use zoning over a portion of Lot 100 Raconteur Drive, Ascot

- A 'Mixed Use' zoning is considered appropriate adjacent to Resolution Drive as this land is located in close proximity to the 'core' of the Golden Gateway precinct and setback from existing land within the Residential and Stables area (Figure 10).

Item 12.2 Continued



Figure 10: Mixed Use zoning adjacent to Resolution Drive

- Matheson Road provides a physical separation between Ascot Racecourse and the remainder of land within the Golden Gateway precinct. It is considered that a 'Mixed Use' zoning in this location is encroaching into the Residential and Stables area and has the potential to impact on existing Ascot Racecourse operations (Figure 11).

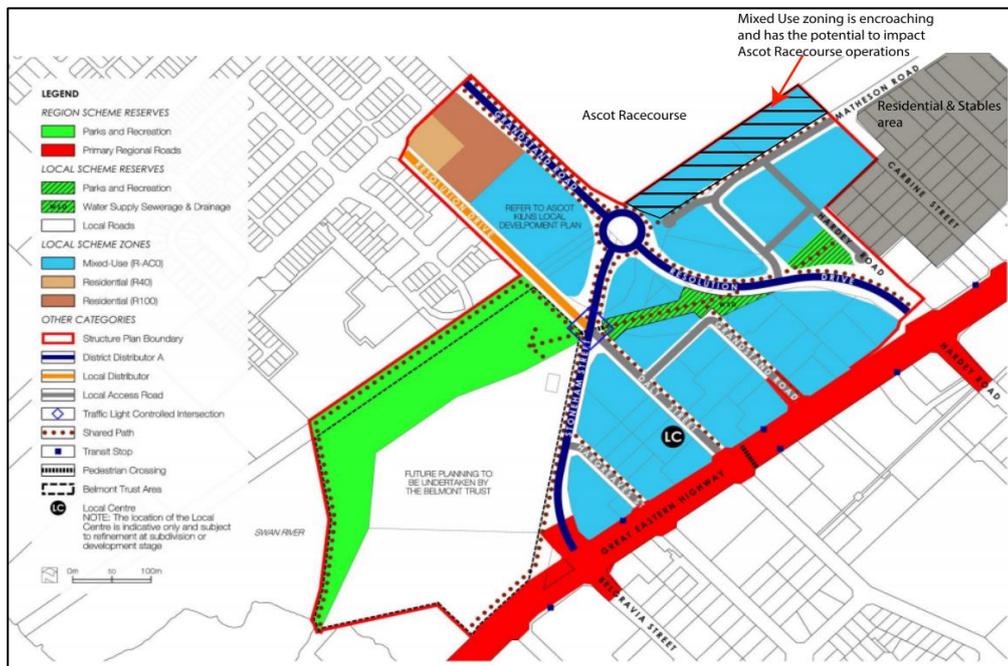


Figure 11: Mixed Use zoning encroaching on Residential and Stables area and Ascot Racecourse

Item 12.2 Continued

In light of the above, it is considered that the draft LSP should be modified to provide for a more appropriate transition from the more intensive land uses within the 'core' of the Golden Gateway precinct, to the more sensitive uses in the Residential and Stables area. This would include:

- Maintaining the 'Mixed Use' zoning on land immediately fronting Resolution Drive on the basis that this land is located in close proximity to the centre of the Golden Gateway precinct and provides for future development to be highly visible to passing trade and directly accessed, without the need for vehicles to traverse through the Residential and Stables area (Figure 12).



- For the north-eastern portion of Lot 100 Raconteur Drive, bound by Matheson Road, Carbine Street and Hardey Road, apply either:
  1. A 'Residential and Stables' zone on the basis that the subject site forms part of a wider cell of properties zoned 'Residential and Stables' and would therefore provide an appropriate interface to existing development within the area; or
  2. A 'Place of Public Assembly' zone which represents the existing zoning arrangement under LPS 15 which could ultimately be reconsidered should Perth Racing form a position on its future development intentions.

Option 1 is preferred on the basis that it would be more compatible with the adjacent 'Residential and Stables' zone, thereby limiting opportunities for land use conflict to occur (Figure 13).

Item 12.2 Continued



Figure 13: Recommended Residential and Stables zoning over a portion of Lot 100 Raconteur Drive

- Maintaining the existing 'Place of Public Assembly' zoning over land on the northern side of Matheson Road (Figure 14). This is proposed on the basis that Matheson Road forms a logical boundary between racecourse operations and the surrounding area. Furthermore it is acknowledged that this area currently accommodates car parking for Ascot Racecourse and directly abuts an area where horses are kept on race days. It is therefore not considered appropriate for an alternative zoning to apply to this land in the absence of knowing Perth Racing's future development intentions.



Figure 14: Recommended Place of Public Assembly zoning

Item 12.2 Continued

- Applying a 'Residential' zoning over the portion of Lot 100 Raconteur Drive that is bound by Hardey Road and the realigned Matheson Road (Figure 15). This is on the basis that this land is located between two areas that are recommended to be zoned 'Mixed Use' and 'Residential and Stables' respectively. It is therefore considered that a 'Residential' zoning in this location could act as an appropriate transition area between the two zones.



Figure 15: Recommended Residential zoning

The above recommended changes are illustrated by Figure 16 below and reflected as Modification 3 in [Attachment 12](#). Notwithstanding the above recommendations Perth Racing may provide further comment on a draft modified LSP as part of readvertising or alternatively apply later to modify the adopted LSP to align with its future development intentions.



Figure 16: Recommended zoning for Perth Racing landholding's located to the north-east of the precinct

*Item 12.2 Continued*

### **Ascot Kilns Site**

The draft LSP proposes to retain the existing 'Mixed Use' zoning over the Ascot Kilns site, which is currently owned in freehold by the WAPC. By way of background, the Department of Planning, Lands and Heritage (DPLH) prepared a draft LDP for the site to facilitate mixed use development and the restoration of the heritage structures. Council at its meeting on 12 December 2017 (Item 12.2) considered the draft LDP and resolved to require modifications to limit building height. The draft LDP has never been finalised by the DPLH, however, advice received from the Minister for Planning indicates that its redevelopment is essential to pay for the restoration of the site and will be re-evaluated upon the return of more favourable market conditions.

Submissions raised concerns in relation to the Ascot Kilns site being included in the draft LSP precinct and subsequently requested that it be removed. Submissions also requested that the Ascot Kilns site be upgraded and preserved, with surrounding land used for the purpose of POS.

In terms of the inclusion of the Ascot Kiln's site within the LSP, given its location near the centre of the Golden Gateway precinct, its inclusion is considered logical. Notwithstanding, there are two options that can be considered in relation to how the Ascot Kilns site is reflected in the draft LSP including:

- Option 1: Maintain the existing 'Mixed Use' zoning over the Ascot Kilns site.
- Option 2: Apply a 'Parks and Recreation' reserve over the Ascot Kilns site.

Whilst Option 1 could facilitate the development of the site and the restoration of the Ascot Kilns, there is no requirement under a 'Mixed Use' zoning to provide POS for use by the wider community, as requested in submissions. Whilst Option 2 aims to provide POS for the wider community, proceeding with this option presents several issues including:

- The land would need to be acquired from the WAPC or transferred to the State to become Crown Land, in order for it to be converted into POS.
- In order to acquire the land, negotiations with the WAPC would need to be undertaken, which has not occurred to-date.
- If the City was to attempt to acquire the land without consent from the WAPC, it would be necessary for the Minister for Lands to be agreeable to the acquisition. It is likely that the Minister for Lands would not agree to take land for a public work without evidence of attempted negotiations with the landowner first (i.e. the WAPC).
- If the land was to be transferred to the State as Crown Land, there would likely be a Management Order imposed that requires the City of Belmont to maintain the land.
- Acquiring the land or a Management Order over the land may result in the City of Belmont becoming responsible for funding the stabilisation and restoration of the Ascot Kilns and Stacks, and being liable for any claims should the structures fail and damage property or injure a person.
- The land may contain areas of potential contamination due to past industrial functions and processes undertaken on the site and may require remediation prior to conversion to POS.

*Item 12.2 Continued*

- Applying a 'Parks and Recreation' reservation would not provide for adaptive reuse of the site to fund the restoration of the Ascot Kilns and Stacks.

For the above reasons, proceeding in accordance with Option 1 is preferred. Whilst Option 1 provides for a 'Mixed Use' zoning over the land, as mentioned above the WAPC have advised that they do not intend on progressing the draft LDP for the site at this stage. This presents an opportunity to require further detailed planning to be undertaken for the site by the WAPC, which incorporates a level of POS as requested by the community. This could be achieved by modifying the draft LSP to require the following:

1. A LDP to be prepared prior to any subdivision or development on the site; and
2. A minimum 10% POS to be provided on the site, as specified by an LDP approved by the City of Belmont.

Whilst it is considered that the amount of POS proposed within the precinct is acceptable for the reasons discussed later in this report, providing some POS on this site would allow for the wider community to access and interact with the heritage structures. The provision of 10% POS on the site would be consistent with the requirements of the WAPC's Liveable Neighbourhoods and Development Control Policy 2.3 – POS in Residential Areas. It should be noted that the ceding of 10% POS to the Crown will not trigger any compensation requirement.

In light of the above, it is recommended that the draft LSP retain the existing 'Mixed Use' zoning over the Ascot Kilns site and be modified to identify the requirement for a LDP and a minimum 10% POS on the site (Modification 4).

### **Residential Density and Built Form Control**

The application of a residential density code over land provides control over the scale and bulk of development through the plot ratio and building height requirements established by the R-Codes. The precinct is not currently assigned a density code under LPS 15, and therefore the draft LSP is proposing to apply the following:

- An 'R40' and 'R100' density code over Lot 452 Grandstand Road, which is located adjacent to Ascot Waters Estate and is proposed to be zoned 'Residential'.
- An 'R-AC0' density coding has been allocated over land proposed to be zoned 'Mixed Use'.

It should be noted that in the case of apartment development at the 'R-AC0' coding, the R-Codes do not specify plot ratio and building height; rather these controls are to be established by an LSP. It is intended that planning instruments such as a LSP can vary certain elements of the R-Codes for the purposes of facilitating design appropriate for the context of an area.

*Item 12.2 Continued*

For the purposes of responding to locational aspirations, the draft LSP divides the Golden Gateway area into eight precincts, each with a unique intent and built form control. For the purpose of analysis, the precincts have been consolidated into four areas, with a summary of the plot ratio and building height standards proposed by the draft LSP provided in Table 1 below.

<b>Location</b>	<b>Density Code</b>	<b>Plot Ratio</b>	<b>Maximum Building Height</b>
Great Eastern Highway	R-AC0	No limit	15 storeys
Precinct Core (Stoneham Street, Main Street, Resolution Drive Precincts)	R-AC0	No limit	10 storeys
Interface with Ascot Waters Estate (Ascot Kilns and Racecourse Interface (West) Precincts).	R40, R100 or subject to future planning	As per the R-Codes (0.6 for R40, 1.3 for R100)	3 storey (R40) 6 storey (R100)
Interface with Residential and Stables Area (Racecourse Interface (East) and Hardey Road (East) Precincts)	R-AC0	No limit	2 – 6 storeys

*Table 1: Summary of Proposed Density and Built Form Controls*

As part of the advertising process, the City sought specific feedback from the community on the proposed building heights, which was provided by way of submitters annotating a plan with building heights they considered appropriate for the precinct ([Attachment 11](#)). A number of submissions raised concerns regarding the density and built form proposed by the draft LSP. Concerns were also raised regarding large scale development adjacent to Ascot Waters Estate and the Residential and Stables area. The submissions varied in opinion over what the preferred building height should be.

These matters are discussed below along with other relevant technical considerations.

### **Great Eastern Highway**

As outlined above, the draft LSP proposes a maximum building height of 15-storeys and no plot ratio limits for future development along GEH. A majority of the submissions received supported more intensive development fronting GEH. In considering this, it should be noted the building heights proposed would align with the recommendations of the draft GEH Urban Corridor Strategy. It should also be recognised that there are several other larger developments that have been approved and/or constructed along GEH, including the development of a 16-storey building on the corner of GEH and Belgravia Street (opposite the Golden Gateway precinct) which has not yet been constructed. Given this, the proposed maximum building height of 15-storeys is considered appropriate.

Notwithstanding building height, there is concern that the draft LSP does not provide adequate control over building bulk by virtue of its proposed 'R-AC0' coding. It is therefore considered appropriate to apply a density code that includes more specific standards to address the context and achieve the intended built form outcome. In this regard, the R-Codes identify three density codes that are appropriate for activity centre locations, as summarised below in Table 2 below and illustrated by Figure 17.

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Context/Character	Density Code	Plot Ratio	Maximum Building Height
<b>Mid-Rise Urban Centres:</b> Characterised by mid-rise buildings of approximately 6 storeys and pedestrian friendly street frontages that include some activation.	R-AC3	2	6 storeys
<b>High Density Urban Centres:</b> Characterised by podium and tower development that support highly activated and pedestrianised street frontages.	R-AC2	2.5	7 storeys
	R-AC1	3	9 storeys

Table 2: Summary of Activity Centre R-Coding

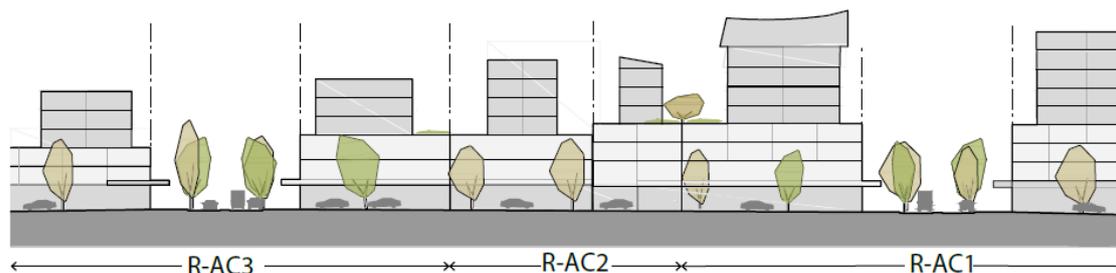


Figure 17: Illustration of Activity Centre R-Coding

Having regard for the R-AC density codes, it is considered that a ‘high density urban centre’ context would appropriately represent the future desired character for development along GEH. While it is considered acceptable for buildings to extend to 15-storeys in the GEH precinct, the R-AC1 density code provides for a maximum building height of only nine-storeys. It is appropriate for the LSP to vary this standard to allow for a 15-storey building in the context of the GEH precinct. In the same instance the R-AC1 density coding provides a plot ratio control that aligns with the desired context for the location. It will therefore be recommended that the draft LSP be amended to apply an R-AC1 coding to the GEH Precinct, but with a modified standard to permit building heights up to 15-storeys (Modification 5).

### Precinct Core

The ‘Precinct Core’ is referred to as the area encompassing the Stoneham Street Main Street and Resolution Drive precinct areas. This represents the central area within the Golden Gateway Precinct. The draft LSP proposes to establish an R-AC0 coding over this area and provides for building heights up to 10-storeys; however, no plot ratio limits are specified. The submissions received on building heights varied substantially in this location. For comparison, the responses in submissions have been grouped and summarised in Table 3 below.

Scale	Maximum Building Height Range	Responses
Low	2 – 3 storeys	11
Medium	4 – 8 storeys	20
High	10 – 20 storeys	21

Table 3: Summary of Maximum Building Height responses

As indicated above, there appears to be a greater preference for medium to high built form within the Precinct Core. On this basis, it is considered that the proposed maximum building height of 10-storeys represents a reasonable balance. It is anticipated that it would deliver a medium scale built form outcome as it is unlikely that all development would seek to achieve this 10-storey maximum height. It is also considered that this height would represent an appropriate transition between built form on GEH and low scale areas adjacent to Ascot Waters Estate and the Residential and Stables area.

Item 12.2 Continued

In terms of the density coding, it is considered that applying an R-AC2 coding to this area represents an appropriate graduation in density and would establish a desired context and maximum plot ratio for the area. It is therefore recommended that the draft LSP be amended to apply an R-AC2 coding to the Precinct Core, but maintain standards to permit building heights up to 10-storeys (Modification 6).

### Interface with Ascot Waters Estate

For the purpose of analysis, the interface with Ascot Waters Estate relates to the Ascot Kilns and Perth Racing's administration building (Lee Steere House) on Lot 452 Grandstand Road. Having regard for the heritage considerations associated with the Ascot Kilns site, the draft LSP does not propose any standards to control built form, rather these standards are proposed to be established through an LDP. For Lot 452, the draft LSP proposes to graduate the density and building height with an 'R40' density code with a maximum height of three-storeys fronting Northerly Avenue and a portion of Resolution Drive, and an 'R100' density code with a maximum height of six-storeys for the remainder of the site (Figure 18).



Figure 18: Density and Building Height context – Lot 452 Grandstand Road and Ascot Waters Estate

The draft LSP proposes that Lot 452 maintains its existing 'Place of Public Assembly' zoning under LSP 15. This zoning does not provide for any residential development, it is therefore not necessary or appropriate to apply a density code to this land (Modification 7). It is however still appropriate to maintain standards for maximum building height for the purposes of guiding any potential development considered under the 'Place of Public Assembly' zoning.

*Item 12.2 Continued*

In determining an appropriate maximum building height for Lot 452, it should be noted that the community feedback received generally favoured low scale development of two to three-storeys immediately fronting Northerly Avenue and Resolution Drive. The feedback received for the remainder of Lot 452 varied, with approximately half of the responses similarly favouring low-scale development, whereas all other responses favoured medium-scale development of four-storeys and above. In considering this further, the following points are relevant:

- Nearby developments within Ascot Waters Estate range between two-storeys and four-storeys in height and at a scale equivalent to the 'R30', 'R40' and 'R100' density codes.
- The portion of Lot 452 with a proposed maximum building height of three-storeys interfaces with existing two-storey residential development that backs onto Resolution Drive and two-storey development fronting onto Northerly Avenue.
- The portion of Lot 452 with a proposed maximum building height of six-storeys interfaces with the following:
  - Two-storey and four-storey residential development that abut Resolution Drive, respectively, along Lot 452's south-western boundary.
  - A two-storey single house on Lot 442 Northerly Avenue immediately abuts Lot 452's north-western boundary.
  - The Ascot Kilns immediately abutting Lot 452's south-eastern boundary.
  - Grandstand Road and Ascot Racecourse to Lot 452's north-eastern boundary.
- Council at its meeting on 12 December 2017 considered a draft LDP for the Ascot Kilns site and resolved to restrict building height for any development to five storeys or less.
- The setback requirements for the 'Place of Public Assembly' zone under LPS 15 are 15 metres to the primary street, 7.5 metres to a secondary street and 4 metres to side boundaries adjoining residential land. Based on these requirements, development on Lot 452 could be setback 4 metres from Lot 442 Northerly Avenue and at least 24 metres and 30 metres from existing houses fronting Northerly Avenue and Resolution Drive, respectively.
- Overshadowing from any development on Lot 452 at a maximum building height of six-storeys would comply with the R-Codes requirements and would not extend onto any surrounding properties at midday 21 June.

In light of the above, the proposed maximum building heights on Lot 452 can be supported on the basis that they will provide an appropriate transition between low scale development in Ascot Waters Estate and medium to high-scale development in the remainder of the Golden Gateway precinct. Notwithstanding, there are concerns in relation to the location of building height on Lot 452, specifically:

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- Along the north-western boundary, abutting the existing two-storey house on Lot 442 Northerly Avenue, it is considered that the maximum building height should be modified to be no greater than three-storeys.
- For the south-western boundary abutting Resolution Drive, the maximum building height allowance of three-storeys should be extended to encompass the portions of the site which are directly opposite existing two-storey development.
- For the remaining portion of Lot 452, the maximum building height should be reduced from six-storeys to five-storeys to align with Council's previous decision in relation to the adjacent Ascot Kilns.

It is considered that the above modifications, reflected in Figure 19 below, would provide a more appropriate transition between existing and future development, and are reflected as Modification 7 in [Attachment 12](#).



Figure 19: Building Height recommendations – Lot 452 Grandstand Road

### Interface with Residential and Stables Area

For the purpose of analysis, the interface with the Residential and Stables area is identified as the land within the Racecourse Interface (east) (Precinct 7) and Hardey Road (east) (Precinct 8), located on the northern side of Resolution Drive and immediately adjacent to Ascot Racecourse (Figure 20).

Item 12.2 Continued

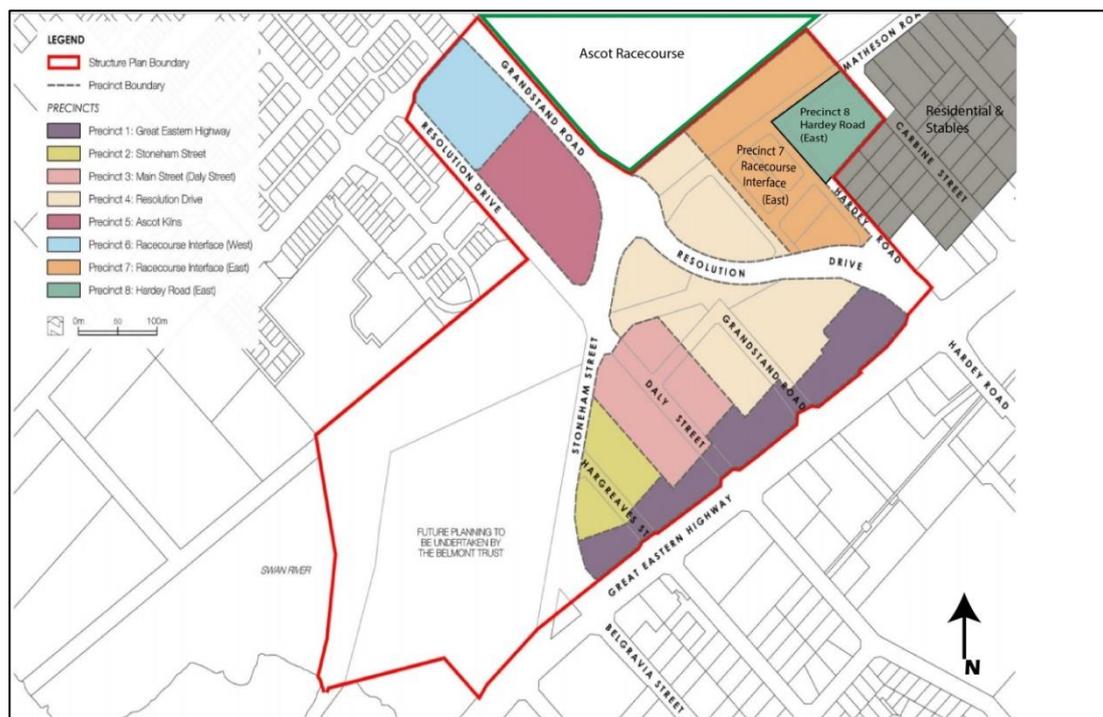


Figure 20: Location of Racecourse Interface (east) and Hardey Road (east) precincts

The draft LSP proposes to establish an R-AC0 coding over this area with no specified maximum plot ratio. The maximum building height in the area graduates between two to six-storeys, with the two-storey maximum provided immediately abutting Residential and Stables properties and increasing in height to six-storeys towards Resolution Drive.

In terms of the building height, there was some variation in opinions from community submissions however they were mostly supportive of the building heights as proposed by the draft LSP. On this basis, it is considered that the building heights in this area should remain as proposed.

The modifications to the zoning of land within this precinct (discussed earlier in this report) have implications on the application of a residential density code. A number of changes are recommended to address this, as illustrated in Figure 21 and detailed below:

- The north-eastern portion of Lot 100 Raconteur Drive, bound by Matheson Road, Carbine Street and Hardey Road is recommended to be zoned 'Residential and Stables'. To align with the surrounding area, it is considered appropriate that a density code of 'R10' is applied to this land.
- The northern portion of Lot 100 Raconteur Drive, bound by Hardey Road and the realigned Matheson Road, is recommended to be zoned 'Residential'. To provide a graduation in density between the Residential and Stables area and the wider Golden Gateway precinct, it is considered appropriate that an 'R50' and 'R100' density code be applied to the north and southern portions of this cell.
- Lot 13 Grandstand Road and Lot 7705 Matheson Road, located to the north of Matheson Road are recommended to be zoned 'Place of Public Assembly'. As this zoning does not provide for any residential development, it is not necessary or appropriate to apply an R-Coding to the land.

Item 12.2 Continued

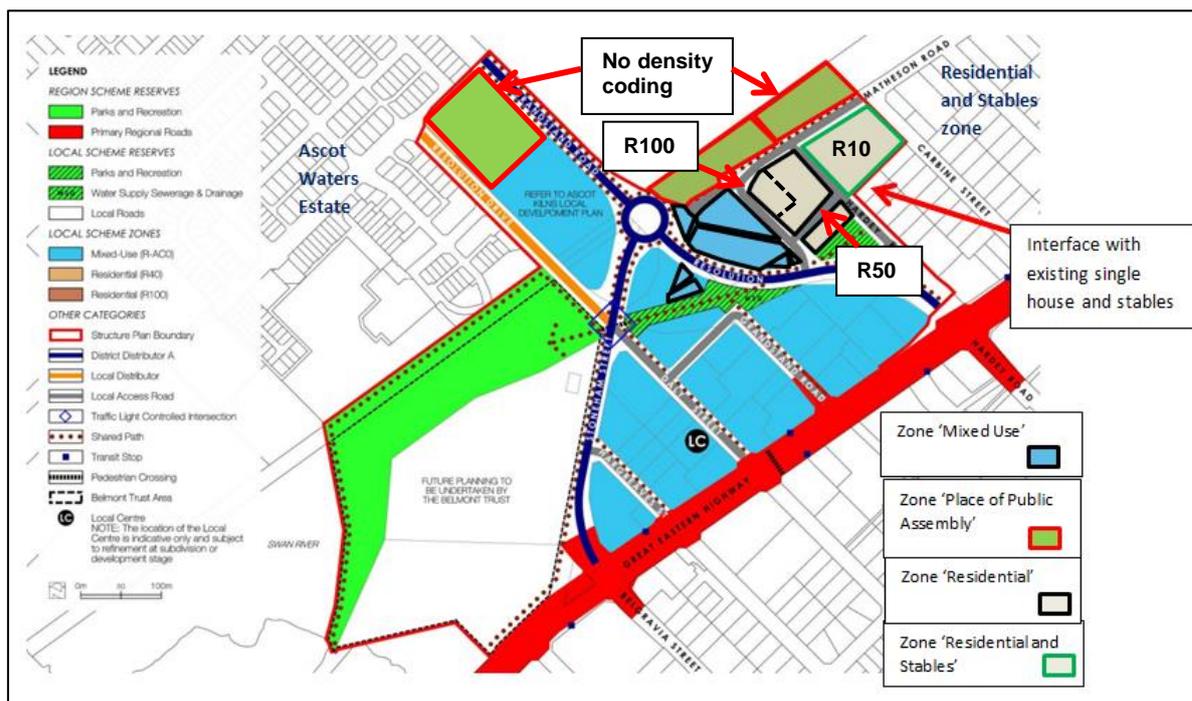


Figure 21: Proposed density modifications to Perth Racing landholdings

It is therefore recommended that the draft LSP be modified to adjust the density coding for the interface to the Residential and Stables area (Modifications 8 – 10). It is considered that these recommended changes would more appropriately support the desired context and built form outcome for this area.

### Landmark Sites

The draft LSP proposes various landmark sites where additional building height (up to a maximum of five-storeys) can be supported where design excellence is achieved. The landmark sites have been selected based on urban design principles of demarcating prominent intersections which provide public vistas with views upon approach. A number of submissions questioned the appropriateness and necessity for these landmark sites, and in one instance a submission suggested that:

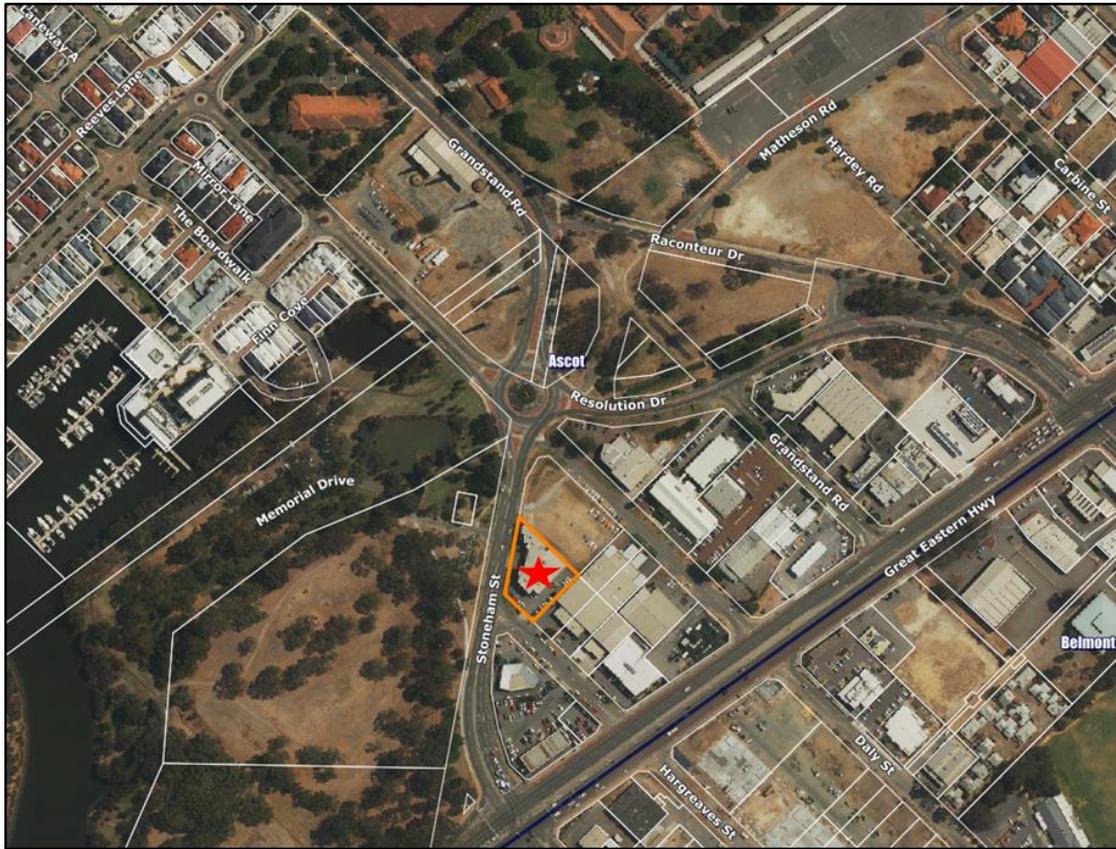
- The landmark sites are not consistent with community support for tapering down building heights from GEH into the precinct;
- The proposed landmark site in close proximity to the relocated roundabout would result in the removal of significant trees; and
- The landmark sites on GEH would impact on the adjacent intersections.

Notwithstanding the above concerns, it is important to note that some submissions were supportive of the draft LSP identifying landmark sites. One of those submissions also requested that No. 5 Stoneham Street situated on the eastern corner of Stoneham Street and Hargreaves Street (Figure 22) be designated as a landmark site on the basis that:

- Hargreaves Street and Stoneham Street having the potential to become a key intersection that warrants a landmark site development to respond to view lines and public vistas;
- The site being located opposite future development land (Belmont Trust);

*Item 12.2 Continued*

- To create a gradual transition in building height from GEH to the Belmont Trust area; and
- To provide additional opportunities for short-term redevelopment within the precinct.



*Figure 22: No. 5 Stoneham Street, Ascot*

In considering the above concerns and suggestions, it is important to acknowledge the following:

- The landmark sites have been selected taking into consideration overshadowing impacts and amenity considerations and are not located adjacent to existing residential development.
- The sites are proposed to act as key nodes that are located at the termination of important view lines and along significant pedestrian movement corridors to facilitate in wayfinding.
- The development of a landmark site will not impact on existing trees more than a standard development could. It is important to note that a key objective of Volume 2 of the R-Codes is for site planning to maximise retention of existing healthy and appropriate trees. Therefore any future 'Apartment' or 'Mixed Use' developments undertaken within the precinct would be required to take this into consideration.
- Designating properties as 'landmark sites' provides an opportunity to achieve unique high quality development outcomes within the precinct, as additional height considerations at landmark sites can only be approved if a proposal meets design excellence requirements contained within a future local planning policy.

*Item 12.2 Continued*

- It is not considered that identifying landmark sites will directly impact on adjacent intersections. Notwithstanding, the impact of the draft LSP on intersections is later discussed in the movement network section of this report.

In light of the above, it is considered that there is merit to retaining the landmark sites in the draft LSP. In terms of the suggested designation of No. 5 Stoneham Street as a landmark site, it is considered that it will not attract any significant view lines based on the current proposed configuration of the precinct. Notwithstanding, the site is located opposite the Belmont Trust land which is for public enjoyment and recreation. As such, there may be some merit in the suggestion that it become a landmark site, however in the absence of information in relation to any improvements to facilitate recreation activities on the Belmont Trust land, designating No. 5 Stoneham Street as a landmarks site is premature.

### **Development Controls**

Future development within the precinct will need to accord with the standards and requirements of LPS 15, relevant State and local planning policies and the provisions contained within the draft LSP. A number of submissions raised concerns in relation to the quality of future development within the precinct and the car parking requirements stipulated in the draft LSP. These concerns are discussed below.

### **Quality of Future Development**

Various submissions raised concerns in relation to the quality of future development within the precinct, in particular in relation to apartment style development resulting in amenity, overshadowing and overlooking impacts.

In considering these concerns, it is important to note that the requirements of the R-Codes specify standards to address overlooking and overshadowing. In addition, the State Government introduced a new assessment framework for apartment developments titled State Planning Policy 7.3 – Residential Design Codes – Volume 2 – Apartments (R-Codes) in 2019. The R-Codes require apartment developments to address a range of elements that were not previously required to be addressed, to facilitate in achieving high quality development outcomes. Some of these elements include:

- Tree retention and deep soil areas
- Communal open space
- Façade design
- Public interface
- Orientation and ventilation
- Size and layout of dwellings
- Energy efficiency
- Water management and conservation
- Waste management.

*Item 12.2 Continued*

To further ensure that high quality development outcomes are achieved, it is proposed that a local planning policy is prepared to guide development within the precinct. It is anticipated that the local planning policy will address matters including:

- Dwelling diversity
- Building envelopes, height, built form and typology
- Setbacks
- Activation and interface between buildings and the public realm
- Public art
- Vehicular access, parking and service areas.

Furthermore, all applications for development within the precinct will be referred to the City's Design Review Panel for review. This Panel comprises technical experts in the fields of architecture, urban design, engineering, transport, landscape architecture and sustainability. The purpose of the panel is to facilitate high quality design outcomes through providing objective review and feedback to proponents on their development proposals.

### **Car Parking**

The draft LSP stipulates that car parking is generally to be provided in accordance with LPS 15. Notwithstanding, the draft LSP contains specific car parking requirements for 'mixed use' and multiple dwelling developments. Furthermore, the draft LSP outlines that innovative approaches to car parking provision, such as reciprocity and car-pooling programs, may allow for a reduced car parking provision to be considered, where appropriate.

Submissions raised the following key concerns in relation to car parking:

- That the car parking requirements stipulated in the draft LSP are not adequate, in particular for dwellings that contain two or more bedrooms.
- That future development within the precinct will increase demand for on-street parking, due to the number of vehicles per dwelling often exceeding the number of car parking bays provided.
- That the draft LSP allowing for consideration of innovative approaches to car parking within the precinct is inappropriate, due to not being accommodating of the elderly, families and those who cannot rely on public transport to commute to and from work.

In considering these concerns, the following points are relevant:

- The residential car parking requirements outlined in the draft LSP are consistent with Volume 2 of the R-Codes.
- The stipulated car parking standards are a minimum requirement only. There is therefore an opportunity for developments to provide additional car parking, subject to complying with the other requirements of the draft LSP.

*Item 12.2 Continued*

- Car parking required for a development site will generally be required to be contained within the lot boundaries of that site.
- The precinct is located adjacent to GEH which is identified in Perth and Peel @ 3.5 million as a high frequency public transit corridor. This therefore provides an opportunity for future residents and employees to utilise public transport, opposed to a private motor vehicle.
- Not all developments within the precinct may seek or be eligible for a reduction in the minimum car parking requirements.
- In the context of a 'mixed use' development, there will likely be opportunities for reciprocity of car parking, due to commercial development generating a different peak period demand to residential development.
- Increasing car parking requirements would have a direct impact on housing affordability.
- The provision of on-street car parking will be investigated at detailed design stage for road upgrades in the precinct.

In light of the above it is considered that the proposed car parking standards applicable to development within the Golden Gateway Precinct are appropriate.

### **Movement Network**

The Golden Gateway Precinct is bound by GEH along its southern boundary which serves as a major east-west connection across the Perth metropolitan area. Resolution Drive, Stoneham Street and Grandstand Road all traverse the precinct area, connecting GEH and Guildford Road as a key crossing point across the Swan River. These roads perform a regional function for traffic, public transport and cyclists, but also serve Ascot Waters Estate, Ascot Racecourse and the Residential and Stables area, as well as businesses within the precinct area itself.

The draft LSP proposes various modifications to the existing movement network, a detailed summary of which is provided within [Attachment 9](#). A significant proportion of the submissions received raised some concern in relation to traffic and access, as well as the adequacy of existing public transport and pedestrian and cyclist connectivity within the precinct. These concerns are discussed below.

### **Road Network**

The draft LSP proposes various changes to the road network, with the key changes being the realignment of Resolution Drive and modifications to the Resolution Drive/Stoneham Street/Daly Street and Grandstand Road intersections. The preparation of the draft LSP has been informed by a Movement and Access Strategy, contained as [Attachment 5](#), which assesses the performance of the existing and proposed movement network and identifies any potential impacts that may arise from the redevelopment of the precinct.

*Item 12.2 Continued*

A number of submissions raised concerns regarding the proposed road network, particularly in relation to:

- Increases in traffic volumes and potential impacts on intersections to GEH.
- The future design of Stoneham Street and Resolution Drive and its potential to encourage vehicles to utilise Resolution Drive and Hardey Road to access Belmont Forum and the Belmont Business Park.
- Matheson Road becoming a through road to provide access for Perth Racing.
- Access and egress associated with Ascot Waters.
- The extension of Grandstand Road through private property.

In addition, submissions raised concerns in relation to the traffic surveys and modelling that was undertaken for the Golden Gateway Precinct and that it did not take into consideration Ascot Racecourse event days and recent development within the area.

These concerns are discussed below.

Traffic Volumes and Intersection Performance

A number of submissions highlighted existing traffic issues within the area and suggested that the redevelopment of the precinct would exacerbate these problems, exhaust the capacity of the existing road network and impact the performance of the Stoneham Street and Resolution Drive intersections with GEH. The following points summarise the findings of the Movement and Access Strategy and provide context to the existing and future performance of the road network:

- Great Eastern Highway and Grandstand Road (north) serve as the primary access points into the Golden Gateway Precinct. Full movement access is available to GEH via a signalised intersection from Stoneham Street and Resolution Drive, with left-in/left-out access provided from Hargreaves Street, Daly Street and Grandstand Road (south).
- Great Eastern Highway is classified as a 'Primary Distributor' road under the Functional Road Hierarchy on the basis that it is a major regional road that carries large volumes of traffic. Main Roads Western Australia is responsible for the management of GEH.
- Great Eastern Highway currently accommodates around 60,000 vehicles per day (vpd) which is forecast to increase to up to 80,000 vpd by 2031. Modelling indicates that the redevelopment of the precinct will have minimal impact on peak hour traffic volumes along GEH.
- Grandstand Road (north), Stoneham Street and Resolution Drive (between GEH and Grandstand Road) are all classified as 'District Distributor A' roads on the basis that they carry large traffic volumes between GEH and Guildford Road, across the Swan River.
- The precinct currently generates approximately 3,600 vpd, which is expected to increase to approximately 5,200 vpd upon the redevelopment of the precinct.

*Item 12.2 Continued*

- Traffic counts indicate that Grandstand Road (north) carries approximately 18,000 vpd whereas Stoneham Street and Resolution Drive carry up to 14,000 vpd and 6,500 vpd, respectively. Modelling indicates that by 2031, traffic volumes along Grandstand Road, Stoneham Street and Resolution Drive will increase to 26,500 vpd, 23,800 vpd and 12,500 vpd, respectively.
- Stoneham Street is a four-lane road and Resolution Drive is a two-lane road (i.e. one lane in each direction), with both roads widening at their approach to GEH. The abovementioned traffic counts and modelling indicate that Stoneham Street currently carries and will continue to carry the majority of the traffic through the precinct.
- An assessment of the Stoneham Street/GEH/Belgravia Street intersection indicates existing performance issues for right-turn movements to GEH and through movements to Belgravia Street from Stoneham Street, during the AM peak period. Modelling indicates that the performance of this intersection is expected to fail by 2031 in the AM peak period, irrespective of the redevelopment of this precinct, with significant delays anticipated for vehicles access/egressing GEH to/from Stoneham Street and Belgravia Street.
- An assessment of the Resolution Drive/GEH/Hardey Road intersection similarly indicates existing performance issues for right-turn movements to GEH and through movements to Hardey Road from Resolution Drive, during the AM peak period. Modelling indicates that this issue will continue to worsen over time and extend into the PM peak period by 2031, irrespective of the redevelopment of this precinct.
- An assessment of the existing roundabout at the intersection of Resolution Drive/Stoneham Street/Grandstand Road indicates that there are no existing performance issues.
- Modelling indicates that the proposed roundabout at the intersection of Grandstand Road/Stoneham Street/Resolution Drive and the proposed traffic signals at the intersection of Resolution Drive/Stoneham Street/Daly Street will perform at acceptable levels at 2031.

In considering the above, it is acknowledged that traffic volumes will increase in the area and ultimately impact the performance of intersections to GEH. Notwithstanding, it is important to note the following:

- The increase in traffic volume is not simply attributed to the redevelopment of the precinct, but also largely a consequence of regional growth in the wider area.
- The precinct is inherently difficult to plan due to the access constraints presented by the existing road network and its regional traffic function.
- The responsibility for monitoring traffic flows and associated queuing for GEH and undertaking improvements to address issues to improve performance rests with MRWA.
- All roads will continue to perform their intended function.

*Item 12.2 Continued*

- Significant development potential currently exists within the precinct and the draft LSP has the role of coordinating development rather than providing for increased development.
- The amount of vehicle trips expected to be generated from the redevelopment of the precinct will increase from the existing situation, however this increase is considered to be marginal in the context of the overall traffic volumes that the road network is expected to accommodate by 2031.

For the reasons mentioned above, whilst concerns regarding traffic volumes in the area are substantiated, it is considered that they are representative of a wider issue that may need to be addressed separately by MRWA and the City of Belmont at a future point in time. The issue cannot be rectified through this draft LSP and therefore should not deter establishing an appropriate planning framework for the precinct.

Design of Resolution Drive and Stoneham Street

The draft LSP proposes that Resolution Drive and Stoneham Street be designed as follows:

- Modifying the alignment of Resolution Drive to follow the historical Raconteur Drive alignment to create a more consolidated precinct area.
- Proposing a new roundabout at the connection of Resolution Drive, Grandstand Road and Stoneham Street.
- Converting the existing roundabout at the intersection of Stoneham Street, Grandstand Road and Resolution Drive to traffic signals.
- Maintaining Stoneham Street as a four lane road.
- Widening Resolution Drive, between Grandstand Road and GEH, to a four lane road.

Submissions raised concerns that the new design would discourage traffic along Stoneham Street and Belgravia Street, resulting in increases in traffic utilising Resolution Drive and Hardey Road to access the Belmont Business Park and Belmont Forum. In considering these concerns, the following points are relevant:

- The proposed roundabout provides for traffic to be 'split' between Resolution Drive and Stoneham Street, as per the existing road layout. This arrangement allows traffic to choose between travelling on Resolution Drive or Stoneham Street and for traffic to access either Belgravia Street or Hardey Road.
- Belgravia Street is a four-lane road that is classified as a 'District Distributor A' road on the basis that it carries high volumes of traffic between GEH and the Belmont Business Park, Belmont Forum and Kewdale Industrial Area, via Fairbrother Street and Abernethy Road.

*Item 12.2 Continued*

- Hardey Road is designed as a two-lane road (i.e. one lane in each direction) and includes traffic calming devices and space for on-street parking. It is classified as a 'District Distributor B' road<sup>1</sup> on the basis that it carries traffic between GEH and the wider Belmont, Cloverdale and Redcliffe residential areas.
- Belgravia Street and Hardey Road currently accommodate in the order of 12,500 vpd and 8,200 vpd, respectively on a week day, and modelling indicates that this could increase to 22,200 vpd and 16,500 vpd by 2031.
- Whilst traffic signals may delay travel along Stoneham Street, it will still remain a more direct route for those seeking to travel westbound on GEH or access the Belmont Business Park, Belmont Forum and Kewdale Industrial Area.
- Given that Resolution Drive currently connects and will continue to connect to Hardey Road, it is reasonable to assume that some traffic from the Golden Gateway precinct will utilise Hardey Road to access the wider Belmont, Cloverdale and Redcliffe residential area. This would align with its classification as a 'District Distributor B' road.
- Significant development potential currently exists within the precinct and is not proposed to be increased by way of the draft LSP.

In light of the above, it is considered that the proposed modifications to the road network are unlikely to influence travel behaviour such that more traffic would utilise Hardey Road instead of Belgravia Street. Nonetheless, given that traffic volumes will increase over time, irrespective of the redevelopment of the precinct, it is reasonable to expect some level of traffic on Hardey Road given its classification as a 'District Distributor B' road.

#### Matheson Road Extension

The draft LSP proposes to extend Matheson Road to connect to Resolution Drive (south), providing public access to Ascot Racecourse, the adjacent Perth Racing landholdings and the Residential and Stables area. This would involve removing Perth Racing's current private access roads from Grandstand Road, Hardey Road and Matheson Road (refer to Figure 23).

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<sup>1</sup> *In accordance with the Main Roads WA Functional Road Hierarchy, the 'District Distributor A' and 'District Distributor B' classifications are relatively similar in terms of function, with the key difference being that roads with an 'A' classification accommodate slightly more vehicles and the road design should reflect this accordingly.*

Item 12.2 Continued

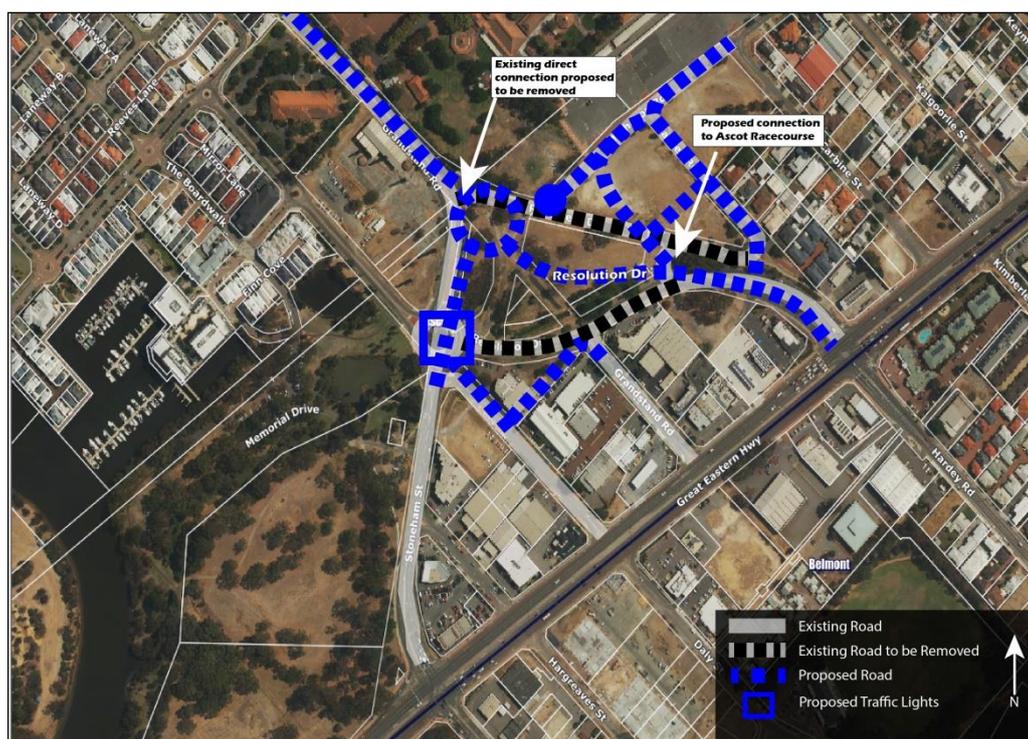


Figure 23: Existing and proposed access to Perth Racing landholdings

Various submissions raised concerns that this extension would result in an increase in traffic through the Residential and Stables area, impacting the safety of pedestrians and horses in the area. Perth Racing also raised concerns about the loss of direct access between Ascot Racecourse and Grandstand Road. They have suggested that Matheson Road could be extended to connect to the proposed roundabout as a fourth leg to provide more direct access to Ascot Racecourse.

In considering concerns regarding potential for increased traffic through the Residential and Stables area, it should be noted that the modelling undertaken was unclear on the distribution of eastbound vehicle trips on Matheson Road. It is reasonable to assume however that by extending Matheson Road to Resolution Drive, some vehicles, particularly local traffic, will utilise this connection to access the Residential and Stables area. This however requires further analysis along with consideration of any implications that future development on the northern side of Resolution Drive may have on traffic utilising Matheson Road.

In terms of Perth Racing's suggestion, it is considered appropriate for further investigations to be undertaken into potential road network options for this location. In considering any future road network design for the area, it will be important to balance Perth Racing's request for adequate access to their landholdings with the concerns of other landowners in relation to additional vehicles traversing the Residential and Stables area. Some options that could be investigated include:

- Connecting Matheson Road to the relocated roundabout in a form that does not encourage vehicles to continue through to the Residential and Stables area.
- Providing a road network within the area that restricts certain vehicle movements to discourage through-movements (i.e. 'rat-running').

*Item 12.2 Continued*

It is therefore recommended that alternative road network options for the area be investigated, with subsequent modifications then undertaken to the draft LSP (Modification 11).

Ascot Waters Access and Egress

The draft LSP proposes to replace the existing roundabout at the intersection of Resolution Drive (north), Stoneham Street and Daly Street with traffic signals to facilitate safer pedestrian access to the Swan river foreshore. Submissions queried the rationale for the proposed traffic signals and raised concerns that they would impact on traffic movements in the area, particularly access and egress into the Ascot Waters Estate. Furthermore, submissions also raised concerns in relation to future traffic volumes impacting on access and egress to the Ascot Waters Estate.

In considering the concerns relating to future traffic volumes impacting access and egress to Ascot Waters, it should be noted that modelling indicates that the Stoneham Street/Daly Street/Resolution Drive intersection would operate satisfactorily across all approaches during the AM and PM peak periods.

In considering the concerns in relation to the proposed traffic signals, it is noted that MRWA outlined in their submission that they are not supportive of the proposed traffic signals due to:

- Their location being too close to the existing intersection of Stoneham Street and GEH.
- The potential impact they may have on the proposed relocated roundabout.
- Any additional demand on Daly Street having the potential to result in queuing and blockage of traffic along GEH.
- The signals being inconsistent with MRWA Vehicle Access Policy Plan which identifies Daly Street as a cul-de-sac.

In light of the above, an alternative layout and control will need to be investigated for this intersection. It is considered that maintaining a roundabout in this location could be acceptable, provided it is designed appropriately and located far enough from the proposed new roundabout and GEH to prevent issues relating to traffic queuing. This however would require further analysis and it is therefore recommended that alternative road network options for the area be investigated, with subsequent modifications then undertaken to the draft LSP (Modification 11).

Grandstand Road Realignment and Extension

The draft LSP proposes to realign Grandstand Road through closing its access to Resolution Drive, and extending it to connect to Daly Street via private property (Lot 52 Daly Street) (refer to Figure 24 below).

Item 12.2 Continued

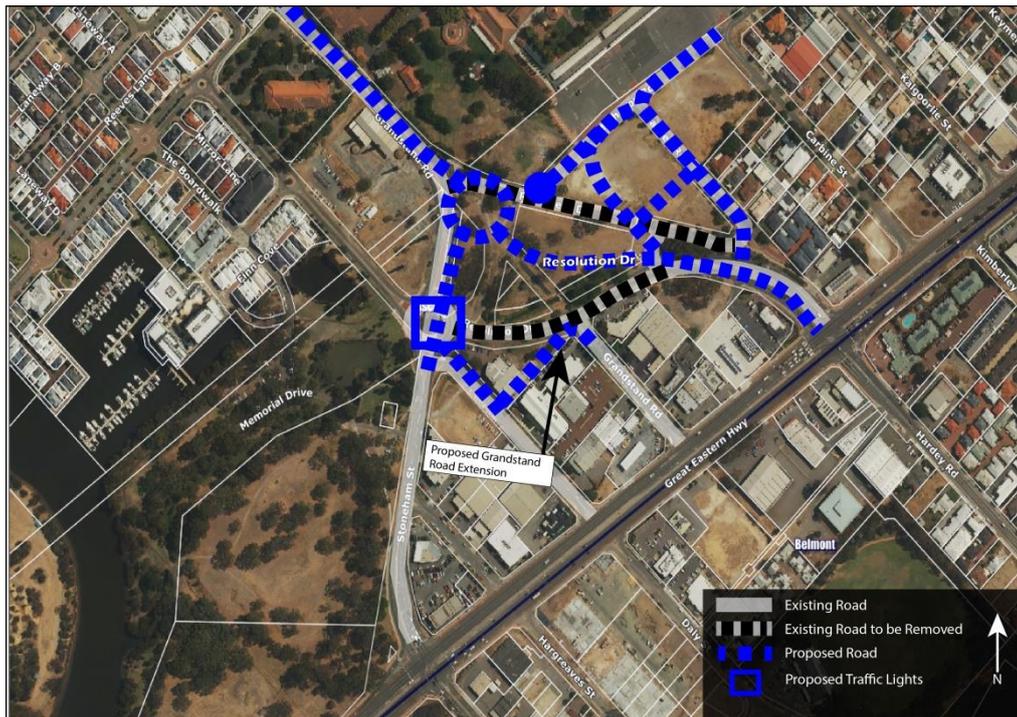


Figure 24: Proposed Grandstand Road realignment and extension

This connection would facilitate the creation of the linear POS and provide for residents/businesses to access GEH both east and westbound. The landowner of Lot 52 Daly Street, Ascot objected to this change based on the following reasons:

- The extension is contrary to the City's Strategic Community Plan key result area Business Belmont.
- The extension having the potential to jeopardise the future business operations at the site.
- The proposal being illogical and not sufficiently justified.
- The extension disproportionately and unreasonably burdening the landowner.

Taking into consideration the abovementioned concerns, it may be appropriate for an alternative layout to be investigated that does not require Grandstand Road to be extended through private property, whilst still maintaining POS provision for the precinct. It is considered that the following alternative options could be investigated:

- Grandstand Road connecting to the realigned Resolution Drive; or
- Grandstand Road connecting to Daly Street along the former Resolution Drive (south) alignment.

It is therefore recommended that alternative road network options for the area be investigated, with subsequent modifications being undertaken to the draft LSP (Modification 11).

*Item 12.2 Continued*

Traffic Surveys and Modelling

Submissions raised a number of concerns in relation to the traffic surveys and modelling that was undertaken as part of the Movement and Access Strategy ([Attachment 5](#)), particularly relating to:

- The age of the traffic data used
- The modelling not taking into consideration an Ascot Racecourse event scenario
- Not all trip generation rates referencing source data
- Limited justification being provided for trip generation rates
- Modelling not being undertaken for all intersections
- Modelling being undertaken that uses incorrect intersection configurations
- The Strategy not taking into consideration development at 16 Marina Drive, Ascot (Multiple Dwellings and Café) and 52 Grandstand Road, Ascot (Nursing Home).

The abovementioned concerns are justified, with the exception of submitters concerns in relation to the Strategy not taking into consideration developments at 16 Marina Drive, Ascot and 52 Grandstand Road, Ascot. It should be noted that the traffic volumes associated with these developments would be insignificant in the context of the overall volumes that the road network accommodates, and therefore would unlikely influence the ultimate planning for the area.

It is recommended that the Movement and Access Strategy be modified to address the remainder of the abovementioned concerns (Modification 11).

**Public Transport**

A number of submissions raised concerns in relation to the adequacy of public transport within close proximity to the Golden Gateway Precinct and the future bus routes and frequency of routes that will operate along GEH once the Redcliffe Train Station is operational. In considering this, the following should be noted:

- The Circle Route (998/999) is a high frequency bus route that travels along Resolution Drive and Grandstand Road however the nearest stop is located outside the precinct along Grandstand Road, near the main entry to Ascot Racecourse.
- Bus routes 36, 40, 295, 296 and 299 currently all operate to form a high frequency bus corridor along GEH. These routes provide services to key destinations including the Perth CBD, Perth Airport, Victoria Park, Midland, Guilford, Burswood and Kalamunda.
- When Redcliffe Station becomes operational, a number of changes will be made to the existing bus routes whereby only high frequency route (the 940 Superbus) will operate along GEH, between Redcliffe and Elizabeth Quay Stations, via the Victoria Park Transfer Station.

*Item 12.2 Continued*

In light of the above, it is considered that the Golden Gateway Precinct is adequately serviced by bus routes to and from key destinations. Whilst there are currently no bus stops located within the precinct, with the exception of along GEH, there are opportunities for the Public Transport Authority to make improvements to public transport access overtime.

### **Pedestrian and Cyclist Connections**

Submissions raised concerns in relation to pedestrian and cyclist connectivity within the Golden Gateway Precinct, particularly in relation to crossing GEH and Stoneham Street. Submissions also raised concerns in relation to the safety of pedestrians along Grandstand Road, Resolution Drive and Stoneham Street and suggested that various overpasses be constructed. In considering these concerns, the following points are relevant:

- Signalised pedestrian access across GEH is available at its intersections with Stoneham Street/Belgravia Street and Resolution Drive/Hardey Road. In addition, pedestrian access across GEH is provided through a mid-block crossing to the east of Daly Street, which currently performs at acceptable levels.
- The draft LSP currently proposes a signal-controlled crossing of GEH in close proximity to Daly Street. Main Roads Western Australia have advised however that they are not supportive of this on the basis that it is too close to existing traffic signals and would disrupt the flow of traffic, and should therefore be removed from the draft LSP (Modification 12).
- The draft LSP proposes traffic signals at the intersection of Stoneham Street, Daly Street and Resolution Drive (north) to facilitate in the safe crossing of pedestrians between the Precinct and the Swan River. Notwithstanding, MRWA are not supportive of traffic signals in this location, therefore an alternative layout will need to be considered that supports pedestrian access.
- To facilitate in pedestrian and cyclist safety within the precinct shared path connections are proposed to be retained/constructed along roads including Grandstand Road, Resolution Drive and Stoneham Street.

In light of the above it is considered that pedestrian and cyclist connections will be acceptable within the Precinct, however further investigation is required for pedestrian access across Stoneham Street.

### **Public Open Space**

The assessment criteria for POS provision is set out in the WAPC's Development Control Policy 2.3 – POS in Residential Areas and the Liveable Neighbourhoods document. The usual requirement is that 10% of land to be subdivided is to be set aside for POS. Notwithstanding, in the case of mixed use development; there is no minimum requirement for the provision of POS. Instead, Liveable Neighbourhoods outlines that POS contribution is to be determined by the WAPC on a case by case basis having regard to:

- The amount of mixed uses proposed and the potential number of residents;
- The amount of POS available in 300 metres of the mixed use area;

*Item 12.2 Continued*

- The proportion of the mixed use area likely to be used for non-residential purposes; and
- The level of innovation and quality of the resultant urban form in neighbourhood and town centres.

The draft LSP proposes 6,974m<sup>2</sup> of land to be reserved for POS, which is to be provided as two separated areas of 4,536m<sup>2</sup> and 2,438m<sup>2</sup> in area. This represents a POS provision of 3.47% of the total developable area within the precinct.

A number of submissions received during the advertising period raised concerns in relation to the amount of POS proposed to be provided, and requested that provision be made for additional POS within the precinct. In considering these concerns, the following is relevant:

- The City's POS Strategy outlines that the suburb of Ascot is overprovided with POS, particularly in terms of land area to population ratio. Notwithstanding, Ascot relies to a large extent on Regional Open Space and has a shortfall of active space.
- It is anticipated that future development within the precinct will predominantly be in the form of mixed residential and commercial development. It is therefore considered that there will be different peak period demands for POS.
- The Belmont Trust Land currently acts as an area of POS. Whilst not formally reserved for the purposes of POS, there is a deed that applies to the land requiring it to be developed for public recreation and enjoyment.
- Development could currently occur within the precinct under the existing zoning however there would be no opportunity to establish any POS. The draft LSP therefore provides an opportunity for POS to be provided within the area, through the realignment/closure of roads.
- Additional POS could be achieved within the precinct, however depending on the reconfiguration of the road network, this would likely be at the expense of privately-owned land.
- The precinct is located in close proximity to the Swan River Foreshore Reserve, which provides for direct access to active water based recreational and sporting activities.

In light of the above, it is considered that the amount of POS proposed to be provided within the Precinct is acceptable. Notwithstanding, as discussed previously in this report, it is considered beneficial that some additional POS be provided on the Ascot Kilns site to allow for the wider community to access and interact with the heritage structures. It should be noted however that the exact design and configuration of POS on the Ascot Kilns site requires further planning through an LDP, and in the case of the wider precinct, the amount and configuration of POS may change as a result of required modifications to the road network, as outlined above in the Road Network section of the report.

*Item 12.2 Continued*

### **Water Management**

A Local Water Management Strategy (LWMS) has been prepared for the precinct to provide a broad drainage strategy that addresses the management of additional quantities of stormwater created from development. The LWMS was prepared in accordance with the WAPC's Better Urban Water Management (2008) document and has been endorsed by the Department of Water and Environmental Regulation (DWER).

A key aspect of the draft LSP is the piping of the Central Belmont Main Drain, an existing open drain that traverses the precinct and carries water from the wider Belmont area to the Swan River. This is premised on a Water Corporation report from 2009 that proposed the drain be piped to improve safety. The piping of this drain represents an opportunity to establish the POS area to provide useable recreational space within the precinct.

In advertising the draft LSP, the Department of Biodiversity, Conservation and Attractions (DBCA) advised that they are not supportive of the proposal to pipe the drain on the basis that it would not maintain or improve ecological values or water quality of the Swan Canning river system. Whilst the Water Corporation did not raise any concerns with the piping of the drain as part of their submission, subsequent correspondence received advised that they supported the DBCA's position on the matter, despite their report from 2009 proposing the piping of the drain.

In considering the DBCA and Water Corporation's concerns, the following points are relevant:

- If the subject portion of the Central Belmont Main Drain was to be piped, it would still flow into the Ascot Waters Compensation Basin prior to entering the Swan River. The Ascot Waters Compensation Basin controls flow rates and allows for sediment to settle before it is discharged into the river.
- The side slopes to a living stream should have a gradient of 1:8 or flatter to facilitate in safe pedestrian access to the water's edge. Where side slopes with a gradient steeper than 1:6 are proposed, any living stream is required to be fenced for safety reasons.
- Converting the Central Belmont Main Drain into a living stream would require additional land and may require the acquisition of a portion of surrounding properties.
- A living stream would reduce the amount of POS proposed to be provided within the Precinct.
- The subject section of the Central Belmont Main Drain is only approximately 150 metres in length and flows into a pipe that runs under Stoneham Street, prior to entering the Ascot Waters Compensation Basin. It is therefore not considered that transforming this section of the drain into a living stream will substantially improve the ecological values of the Swan River.

In light of the above, whilst a living stream may have some benefit, it is not considered to be appropriate or practical in this location. Notwithstanding, it is considered that further liaison with the Water Corporation, DWER and DBCA is required to resolve this matter.

*Item 12.2 Continued*

## **Conclusion**

The draft Golden Gateway LSP will ultimately facilitate the coordination of future subdivision and development within the precinct. Notwithstanding, to address a number of concerns raised in the submissions, it is recommended that several modifications to the draft LSP be undertaken, as outlined in [Attachment 12](#) , with key modifications relating to the zoning of land, building height and the movement network.

In terms of zoning, the proposed 'Mixed Use' zone is considered to be appropriate for a majority of the Golden Gateway precinct, however to mitigate conflict with the adjacent Ascot Waters Estate to the west and the Residential and Stables area to the east of the precinct, alternative zoning has recommended for properties adjacent to these areas. This includes applying the 'Residential and Stables', 'Residential' and the 'Place of Public Assembly' zonings to align with existing or adjacent zoning or to form as a transitional zone. In the case of the 'Place of Public Assembly' zoning, it should be noted that this is proposed to be applied to land containing Perth Racing's existing administration building and the Ascot Racecourse car park, which could be modified should Perth Racing consider redeveloping or changing the use of this land.

In response to advertising, consideration has been given to the proposed maximum building heights and modifications are recommended to align with community expectations. Given that LPS 15 currently provides limited restrictions on building heights in this location, it is considered entirely appropriate that this be addressed through the draft LSP. This will enable future development to occur in a manner that is both coordinated and considerate of its surrounding context.

The recommended changes to zoning and building heights have triggered reconsideration of other elements of the draft LSP, including residential density and the allocation of precinct areas. In addition, consideration has been given to improving clarity and consistency in the draft LSP, including with existing planning frameworks such as the R-Codes and other planning work being undertaken such as the review of LPS 15. It is considered that enhancing such aspects of the draft LSP will improve legibility and efficiency of this future framework.

This report has outlined various issues associated with the proposed movement network that became apparent through the feedback received during the public consultation period. It is evident that the precinct's location adjacent to GEH, and dissection by the key distributor roads of Resolution Drive and Stoneham Street, presents a significant constraint to planning in the precinct. To resolve these issues, it is necessary to undertake further investigations and analysis, and in particular seek further input from, and collaboration with MRWA as the custodian of GEH.

It is recommended that Council support the proposed modifications to the draft LSP and endorse re-advertising in accordance with the *Regulations*. It is considered crucial that Council make a decision on this matter to comply with the requirements under the *Regulations*. This will also ensure that the draft LSP is progressed in a matter that is acceptable to Council and the community, whilst also balancing relevant technical considerations to support orderly and proper planning.

*Item 12.2 Continued*

### **FINANCIAL IMPLICATIONS**

- All costs associated with the preparation and advertising of the draft LSP to date have been met by the Planning Services operational budget.
- There are costs associated with undertaking modifications and re-advertising the draft LSP. These costs will be covered by the Planning Services operational budget.

### **ENVIRONMENTAL IMPLICATIONS**

Environmental implications associated with the draft LSP are outlined in [Attachment 4](#) Environmental Assessment Report. There are no environmental implications associated with undertaking modifications to and re-advertising the draft LSP.

### **SOCIAL IMPLICATIONS**

- There are currently limited planning controls that apply to the Golden Gateway precinct, which may result in development that does not align with community expectations. The draft LSP will provide more certainty to the community in relation to how the precinct can be developed.
- The draft LSP proposes to establish a Local Centre within the precinct to provide local convenience and amenities to both future and existing residents and businesses in the area.
- The draft LSP proposes a number of upgrades to the public realm which is intended to improve the overall amenity of the area.

### **OFFICER RECOMMENDATION**

That Council:

1. Adopt the modifications detailed in [Attachment 12](#) to the draft Golden Gateway Local Structure Plan.
2. Endorse the re-advertising of the draft modified Golden Gateway Local Structure Plan in accordance with Schedule 2, Part 4, Clause 19(1)(d) and Schedule 2, Part 4, Clause 19(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. Notify the Western Australian Planning Commission of the Council's resolution on the draft Golden Gateway Local Structure Plan.
4. Write to those who made a submission advising them of Council's decision.
5. Collaborate with Main Roads Western Australia in considering alternative road network options for the precinct.

*Item 12.2 Continued*

**Note:**

**Cr Davis put forward the following Alternative Motion.**

ALTERNATIVE COUNCILLOR MOTION

DAVIS MOVED, SEKULLA SECONDED

That Council:

1. Adopt the modifications detailed in Attachment 12 to the draft Golden Gateway Local Structure Plan, subject to the following amendments:
  - a. Modify the text relating to the Belmont Trust Land, reflected on Plan 1 Structure Plan, Plan 2 Precinct Plan, Plan 3 Building Height Plan, Figure 4 Land Tenure and Figure 24 Implementation, to read 'Belmont Charitable Trust Land' (Modification 40).
  - b. Include text within the draft Local Structure Plan that explains that the Belmont Trust land is for public recreation and enjoyment, and further planning work needs to be undertaken at a later date to ensure adequate access to the site, and an appropriate interface with the surrounding properties (Modification 41)
  - c. Modify the text relating to the Ascot Kilns site, reflected on Plan 1 Structure Plan, Plan 3 Building Height Plan, Figure 4 Land Tenure, Figure 15 Open Space Provision, Figure 23 Movement Network and Figure 24 Implementation, to read 'State Government Owned Land' (Modification 42).
  - d. Amend Modification 6 to apply an R-AC3 coding to land within the Stoneham Street, Main Street and Resolution Drive Precincts.
  - e. Amend Plan 3 – Building Height Plan to adjust the maximum building heights applicable to land within Precinct 1: Great Eastern Highway to be a maximum height of 9 storeys (Modification 43).
  - f. Amend Plan 3 – Building Height Plan to adjust the maximum building heights applicable to land within Precinct 2: Stoneham Street, Precinct 3: Main Street and Precinct 4: Resolution Drive to be a maximum height of 6 storeys (Modification 44).
  - g. Amend Plan 3 – Building Height Plan to delete the landmark site designations and associated height bonus provisions applicable to land within Precinct 3: Main Street (Daly Street) and Precinct 4: Resolution Drive (Modification 45).
  - h. Amend Modification 15 to include modifications maximum building height in Table 2 – Precinct Development Table for Precincts 1, 2, 3 and 4 to align with the R-Coding of these properties.
  - i. Amend Modification 11 to remove investigating and analysing road network options pertaining to access to Perth Racing's landholdings and Ascot Racecourse, and access and egress on Matheson Road.

*Item 12.2 Continued*

- j. Modify the draft Local Structure Plan to reflect Matheson Road as requiring further planning to be undertaken at a later date (Modification 46).
2. Write to Perth Racing requesting that the gate providing access between Raconteur Drive and Matheson Road is retained and controlled into the future to prevent traffic rat-running through the Residential and Stables precinct.
3. Endorse the re-advertising of the draft modified Golden Gateway Local Structure Plan in accordance with Schedule 2, Part 4, Clause 19(1)(d) and Schedule 2, Part 4, Clause 19(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
4. Notify the Western Australian Planning Commission of the Council's resolution on the draft Golden Gateway Local Structure Plan.
5. Write to those who made a submission advising them of Council's decision.
6. Collaborate with Main Roads Western Australia in considering alternative road network options for the precinct.

Reason:

- To clarify the community perception and concern over the future of the Ascot Kilns and Belmont Trust sites.
- To ensure the revised road network does not cause rat running in the Residential and Stables precinct.
- To ensure that the height of development in the precinct is not excessive.

**8.52pm** The Presiding Member requested a mover and seconder to adjourn the meeting for a short period.

**8.52pm** **ROSSI MOVED, SEKULLA SECONDED**, that the meeting be adjourned for a short period to enable discussion of the process relevant to the *Standing Orders Local Law 2017*.

**CARRIED 8 VOTES TO 0**

**Note:**

The Presiding Member reconvened the meeting at 9.05pm with a previously proposed amendment motion and incomplete procedural motion being withdrawn. Debate on Cr Davis's Alternative Councillor Motion continued.

**4 VOTES TO 4**

*For: Cayoun, Davis, Ryan, Sekulla  
Against: Marks, Powell, Ryan, Wolff*

*(In accordance with s5.21 of the Local Government Act 1995,  
the Mayor used his casting vote in the negative)*

**LOST 4 VOTES TO 5**

*For: Cayoun, Davis, Ryan, Sekulla  
Against: Marks, Powell, Ryan, Wolff*

*Item 12.2 Continued*

**Note:**

**Cr Powell put forward the following Foreshadowed Councillor Motion.**

**FORESHADOWED COUNCILLOR MOTION**

That Council:

1. Adopt the modifications detailed in Attachment 12 to the draft Golden Gateway Local Structure Plan, subject to the following amendments:
  - a. Modify the text relating to the Belmont Trust Land, reflected on Plan 1 Structure Plan, Plan 2 Precinct Plan, Plan 3 Building Height Plan, Figure 4 Land Tenure and Figure 24 Implementation, to read 'Belmont Charitable Trust Land' (Modification 40).
  - b. Include text within the draft Local Structure Plan that explains that the Belmont Trust land is for public recreation and enjoyment, and further planning work needs to be undertaken at a later date to ensure adequate access to the site, and an appropriate interface with the surrounding properties (Modification 41)
  - c. Modify the text relating to the Ascot Kilns site, reflected on Plan 1 Structure Plan, Plan 3 Building Height Plan, Figure 4 Land Tenure, Figure 15 Open Space Provision, Figure 23 Movement Network and Figure 24 Implementation, to read 'State Government Owned Land' (Modification 42).
  - d. Amend Modification 6 to apply an R-AC3 coding to land within the Stoneham Street, Main Street and Resolution Drive Precincts.
  - e. Amend Plan 3 – Building Height Plan to adjust the maximum building heights applicable to land within Precinct 1: Great Eastern Highway to be a maximum height of 9 storeys (Modification 43).
  - f. Amend Plan 3 – Building Height Plan to adjust the maximum building heights applicable to land within Precinct 2: Stoneham Street, Precinct 3: Main Street and Precinct 4: Resolution Drive to be a maximum height of 6 storeys (Modification 44).
  - g. Amend Plan 3 – Building Height Plan to delete the landmark site designations and associated height bonus provisions applicable to land within Precinct 3: Main Street (Daly Street) and Precinct 4: Resolution Drive (Modification 45).
  - h. Amend Modification 15 to include modifications maximum building height in Table 2 – Precinct Development Table for Precincts 1, 2, 3 and 4 to align with the R-Coding of these properties.
  - i. Amend Modification 11 to remove investigating and analysing road network options pertaining to access to Perth Racing's landholdings and Ascot Racecourse, and access and egress on Matheson Road.
  - j. Modify the draft Local Structure Plan to reflect Matheson Road as requiring further planning to be undertaken at a later date (Modification 46).

*Item 12.2 Continued*

- k. Apply a Residential and Mixed Use zone over Lot 452 Grandstand Road by:
- Deleting Modification 2 that proposed to apply a 'Place of Public Assembly' zone over Lot 452 Grandstand Road.
  - Modifying Plan 1 – Structure Plan to apply a 'Mixed Use' zoning over the north-eastern portion of Lot 452, fronting Grandstand Road and a 'Residential' zoning over the south-western portion of Lot 452, fronting Resolution Drive (and inserting this as an additional modification to the List of Proposed Amendments).
  - Modifying Plan 1 – Structure Plan to identify the requirement for a Local Development Plan for Lot 452 Grandstand Road that addresses the interface to adjoining residential development, access arrangements and the composition of any future development, prior to any subdivision and/or development of the site (and inserting this as an additional modification to the List of Proposed Amendments).
  - Amending Modification 7 such that the 'R40' and 'R100' density coding over Lot 452 Grandstand Road remains.
- l. Apply a Residential zone over Lot 7705 Matheson Road by:
- Amending Modification 3 relating to the zoning of Perth Racing's landholdings on the northern side of Resolution Drive to delete the proposed 'Place of Public Assembly' zoning over Lot 7705 Matheson Road and substituting it with a 'Residential' zoning.
  - Amending Modification 9 to include applying an 'R50' density coding to Lot 7705 Matheson Road.
- m. Apply a Mixed Use zone over Lot 13 Grandstand Road by:
- Amending Modification 3 relating to the zoning of Perth Racing's landholdings on the northern side of Resolution Drive to delete the proposed 'Place of Public Assembly' zoning over Lot 13 Grandstand Road.
- n. Amend modifications relating to Precinct areas and land use permissibility as follows:
- Amend Modification 14 relating to modifications to Plan 2 – Precinct Plan by:
    - Deleting the proposed modification to reduce the size of Precinct 4 (Resolution Drive) to exclude Lot 13 Grandstand Road.
    - Including a modification to adjust the boundaries of Precinct 4 (Resolution Drive) to encompass Lot 13 Grandstand Road in its entirety, and adjusting the boundaries of the adjacent Precinct 7 (Racecourse Interface (East)) to reflect this change.
    - Deleting the proposed modifications to Precinct 7 (Racecourse Interface (East)).

*Item 12.2 Continued*

- Deleting the modification which proposes the creation of a new Precinct 9, bound by Hardey Road and the realigned Matheson Road.
  - Delete Modification 24 to allow for Single Houses to be permissible within Precinct 7.
- 2. Write to Perth Racing requesting that the gate providing access between Raconteur Drive and Matheson Road is retained and controlled into the future to prevent traffic rat-running through the Residential and Stables precinct.
- 3. Endorse the re-advertising of the draft modified Golden Gateway Local Structure Plan in accordance with Schedule 2, Part 4, Clause 19(1)(d) and Schedule 2, Part 4, Clause 19(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 4. Notify the Western Australian Planning Commission of the Council's resolution on the draft Golden Gateway Local Structure Plan.
- 5. Write to those who made a submission advising them of Council's decision.
- 6. Collaborate with Main Roads Western Australia in considering alternative road network options for the precinct.

Reason:

- To clarify the community perception and concern over the future of the Ascot Kilns and Belmont Trust sites.
- To ensure the revised road network does not cause rat running in the Residential and Stables precinct.
- To ensure that the height of development in the precinct is not excessive.
- To apply appropriate zoning over Perth Racing's landholdings that reflects their future development aspirations.

*Item 12.2 Continued*

**Note:**

**Cr Sekulla put forward the following Amendment to the Foreshadowed Councillor Motion.**

AMENDMENT TO THE FORESHADOWED COUNCILLOR MOTION

SEKULLA MOVED, ROSSI SECONDED

That Council:

1. Adopt the modifications detailed in Attachment 12 to the draft Golden Gateway Local Structure Plan, subject to the following amendments:
  - a. Modify the text relating to the Belmont Trust Land, reflected on Plan 1 Structure Plan, Plan 2 Precinct Plan, Plan 3 Building Height Plan, Figure 4 Land Tenure and Figure 24 Implementation, to read 'Belmont Charitable Trust Land' (Modification 40).
  - b. Include text within the draft Local Structure Plan that explains that the Belmont Trust land is for public recreation and enjoyment, and further planning work needs to be undertaken at a later date to ensure adequate access to the site, and an appropriate interface with the surrounding properties (Modification 41)
  - c. Modify the text relating to the Ascot Kilns site, reflected on Plan 1 Structure Plan, Plan 3 Building Height Plan, Figure 4 Land Tenure, Figure 15 Open Space Provision, Figure 23 Movement Network and Figure 24 Implementation, to read 'State Government Owned Land' (Modification 42).
  - d. Amend Modification 6 to apply an R-AC3 coding to land within the Stoneham Street, Main Street and Resolution Drive Precincts.
  - e. Amend Plan 3 – Building Height Plan to adjust the maximum building heights applicable to land within Precinct 1: Great Eastern Highway to be a maximum height of 9 storeys (Modification 43).
  - f. Amend Plan 3 – Building Height Plan to adjust the maximum building heights applicable to land within Precinct 2: Stoneham Street, Precinct 3: Main Street and Precinct 4: Resolution Drive to be a maximum height of 6 storeys (Modification 44).
  - g. Amend Plan 3 – Building Height Plan to delete the landmark site designations and associated height bonus provisions applicable to land within Precinct 3: Main Street (Daly Street) and Precinct 4: Resolution Drive (Modification 45).
  - h. Amend Modification 15 to include modifications maximum building height in Table 2 – Precinct Development Table for Precincts 1, 2, 3 and 4 to align with the R-Coding of these properties.
  - i. Amend Modification 11 to remove investigating and analysing road network options pertaining to access to Perth Racing's landholdings and Ascot Racecourse, and access and egress on Matheson Road.

*Item 12.2 Continued*

- j. Modify the draft Local Structure Plan to reflect Matheson Road as requiring further planning to be undertaken at a later date (Modification 46).
- k. ~~Apply a Residential and Mixed Use zone over Lot 452 Grandstand Road by:~~
- ~~• Deleting Modification 2 that proposed to apply a 'Place of Public Assembly' zone over Lot 452 Grandstand Road.~~
  - ~~• Modifying Plan 1 – Structure Plan to apply a 'Mixed Use' zoning over the north-eastern portion of Lot 452, fronting Grandstand Road and a 'Residential' zoning over the south-western portion of Lot 452, fronting Resolution Drive (and inserting this as an additional modification to the List of Proposed Amendments).~~
  - ~~• Modifying Plan 1 – Structure Plan to identify the requirement for a Local Development Plan for Lot 452 Grandstand Road that addresses the interface to adjoining residential development, access arrangements and the composition of any future development, prior to any subdivision and/or development of the site (and inserting this as an additional modification to the List of Proposed Amendments).~~
  - ~~• Amending Modification 7 such that the 'R40' and 'R100' density coding over Lot 452 Grandstand Road remains.~~
- l. Apply a Residential zone over Lot 7705 Matheson Road by:
- Amending Modification 3 relating to the zoning of Perth Racing's landholdings on the northern side of Resolution Drive to delete the proposed 'Place of Public Assembly' zoning over Lot 7705 Matheson Road and substituting it with a 'Residential' zoning.
  - Amending Modification 9 to include applying an 'R50' density coding to Lot 7705 Matheson Road.
- m. ~~Apply a Mixed Use zone over Lot 13 Grandstand Road by:~~
- ~~• Amending Modification 3 relating to the zoning of Perth Racing's landholdings on the northern side of Resolution Drive to delete the proposed 'Place of Public Assembly' zoning over Lot 13 Grandstand Road.~~
- n. ~~Amend modifications relating to Precinct areas and land use permissibility as follows:~~
- ~~• Amend Modification 14 relating to modifications to Plan 2 – Precinct Plan by:~~
    - ~~○ Deleting the proposed modification to reduce the size of Precinct 4 (Resolution Drive) to exclude Lot 13 Grandstand Road.~~
    - ~~○ Including a modification to adjust the boundaries of Precinct 4 (Resolution Drive) to encompass Lot 13 Grandstand Road in its entirety, and adjusting the boundaries of the adjacent Precinct 7 (Racecourse Interface (East)) to reflect this change.~~

*Item 12.2 Continued*

- ~~○ Deleting the proposed modifications to Precinct 7 (Racecourse Interface (East)).~~
  - ~~○ Deleting the modification which proposes the creation of a new Precinct 9, bound by Hardey Road and the realigned Matheson Road.~~
  - ~~● Delete Modification 24 to allow for Single Houses to be permissible within Precinct 7.~~
2. Write to Perth Racing requesting that the gate providing access between Raconteur Drive and Matheson Road is retained and controlled into the future to prevent traffic rat-running through the Residential and Stables precinct.
  3. Endorse the re-advertising of the draft modified Golden Gateway Local Structure Plan in accordance with Schedule 2, Part 4, Clause 19(1)(d) and Schedule 2, Part 4, Clause 19(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
  4. Notify the Western Australian Planning Commission of the Council's resolution on the draft Golden Gateway Local Structure Plan.
  5. Write to those who made a submission advising them of Council's decision.
  6. Collaborate with Main Roads Western Australia in considering alternative road network options for the precinct.

Reason

To allow for the inclusion of all considerations, though enable the zoning to be considered further as part of the consultation.

**9.48pm** The Presiding Member requested a mover and seconder to adjourn the meeting for a short period to allow the Manager Planning Services to consider the consequences of the proposed changes.

**9.48pm** **CAYOUN MOVED, ROSSI SECONDED** that the meeting be adjourned for a short period for consideration of the implication of the proposed amendment.

**CARRIED 8 VOTES TO 0**

*Item 12.2 Continued*

**Note:**

The Presiding Member reconvened the meeting at 10.01 pm. There was an explanation by the Manager Planning Services relevant to the removal of Item “n” in Cr Sekulla’s proposed amendment.

**4 VOTES TO 4**

*For: Cayoun, Davis, Rossi, Sekulla  
Against: Marks, Powell, Ryan, Wolff*

*(In accordance with s5.21 of the Local Government Act 1995,  
the Mayor used his casting vote in negative)*

**LOST 4 VOTES TO 5**

*For: Cayoun, Davis, Rossi, Sekulla  
Against: Marks, Powell, Ryan, Wolff*

**Note:**

The Foreshadowed Councillor Motion was put as the Substantive Motion.

**FORESHADOWED COUNCILLOR MOTION**

**POWELL MOVED, WOLFF SECONDED**

**That Council:**

1. Adopt the modifications detailed in Attachment 12 to the draft Golden Gateway Local Structure Plan, subject to the following amendments:
  - a. Modify the text relating to the Belmont Trust Land, reflected on Plan 1 Structure Plan, Plan 2 Precinct Plan, Plan 3 Building Height Plan, Figure 4 Land Tenure and Figure 24 Implementation, to read ‘Belmont Charitable Trust Land’ (Modification 40).
  - b. Include text within the draft Local Structure Plan that explains that the Belmont Trust land is for public recreation and enjoyment, and further planning work needs to be undertaken at a later date to ensure adequate access to the site, and an appropriate interface with the surrounding properties (Modification 41)
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  - d. Amend Modification 6 to apply an R-AC3 coding to land within the Stoneham Street, Main Street and Resolution Drive Precincts.
  - e. Amend Plan 3 – Building Height Plan to adjust the maximum building heights applicable to land within Precinct 1: Great Eastern Highway to be a maximum height of 9 storeys (Modification 43).

*Item 12.2 Continued*

- f. **Amend Plan 3 – Building Height Plan to adjust the maximum building heights applicable to land within Precinct 2: Stoneham Street, Precinct 3: Main Street and Precinct 4: Resolution Drive to be a maximum height of 6 storeys (Modification 44).**
- g. **Amend Plan 3 – Building Height Plan to delete the landmark site designations and associated height bonus provisions applicable to land within Precinct 3: Main Street (Daly Street) and Precinct 4: Resolution Drive (Modification 45).**
- h. **Amend Modification 15 to include modifications maximum building height in Table 2 – Precinct Development Table for Precincts 1, 2, 3 and 4 to align with the R-Coding of these properties.**
- i. **Amend Modification 11 to remove investigating and analysing road network options pertaining to access to Perth Racing’s landholdings and Ascot Racecourse, and access and egress on Matheson Road.**
- j. **Modify the draft Local Structure Plan to reflect Matheson Road as requiring further planning to be undertaken at a later date (Modification 46).**
- k. **Apply a Residential and Mixed Use zone over Lot 452 Grandstand Road by:**
  - **Deleting Modification 2 that proposed to apply a ‘Place of Public Assembly’ zone over Lot 452 Grandstand Road.**
  - **Modifying Plan 1 – Structure Plan to apply a ‘Mixed Use’ zoning over the north-eastern portion of Lot 452, fronting Grandstand Road and a ‘Residential’ zoning over the south-western portion of Lot 452, fronting Resolution Drive (and inserting this as an additional modification to the List of Proposed Amendments).**
  - **Modifying Plan 1 – Structure Plan to identify the requirement for a Local Development Plan for Lot 452 Grandstand Road that addresses the interface to adjoining residential development, access arrangements and the composition of any future development, prior to any subdivision and/or development of the site (and inserting this as an additional modification to the List of Proposed Amendments).**
  - **Amending Modification 7 such that the ‘R40’ and ‘R100’ density coding over Lot 452 Grandstand Road remains.**
- l. **Apply a Residential zone over Lot 7705 Matheson Road by:**
  - **Amending Modification 3 relating to the zoning of Perth Racing’s landholdings on the northern side of Resolution Drive to delete the proposed ‘Place of Public Assembly’ zoning over Lot 7705 Matheson Road and substituting it with a ‘Residential’ zoning.**
  - **Amending Modification 9 to include applying an ‘R50’ density coding to Lot 7705 Matheson Road.**

*Item 12.2 Continued*

- m. **Apply a Mixed Use zone over Lot 13 Grandstand Road by:**
    - **Amending Modification 3 relating to the zoning of Perth Racing's landholdings on the northern side of Resolution Drive to delete the proposed 'Place of Public Assembly' zoning over Lot 13 Grandstand Road.**
  - n. **Amend modifications relating to Precinct areas and land use permissibility as follows:**
    - **Amend Modification 14 relating to modifications to Plan 2 – Precinct Plan by:**
      - **Deleting the proposed modification to reduce the size of Precinct 4 (Resolution Drive) to exclude Lot 13 Grandstand Road.**
      - **Including a modification to adjust the boundaries of Precinct 4 (Resolution Drive) to encompass Lot 13 Grandstand Road in its entirety, and adjusting the boundaries of the adjacent Precinct 7 (Racecourse Interface (East)) to reflect this change.**
      - **Deleting the proposed modifications to Precinct 7 (Racecourse Interface (East)).**
      - **Deleting the modification which proposes the creation of a new Precinct 9, bound by Hardey Road and the realigned Matheson Road.**
    - **Delete Modification 24 to allow for Single Houses to be permissible within Precinct 7.**
2. **Write to Perth Racing requesting that the gate providing access between Raconteur Drive and Matheson Road is retained and controlled into the future to prevent traffic rat-running through the Residential and Stables precinct.**
  3. **Endorse the re-advertising of the draft modified Golden Gateway Local Structure Plan in accordance with Schedule 2, Part 4, Clause 19(1)(d) and Schedule 2, Part 4, Clause 19(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**
  4. **Notify the Western Australian Planning Commission of the Council's resolution on the draft Golden Gateway Local Structure Plan.**
  5. **Write to those who made a submission advising them of Council's decision.**
  6. **Collaborate with Main Roads Western Australia in considering alternative road network options for the precinct.**

*Item 12.2 Continued*

Reason:

- To clarify the community perception and concern over the future of the Ascot Kilns and Belmont Trust sites.
- To ensure the revised road network does not cause rat running in the Residential and Stables precinct.
- To ensure that the height of development in the precinct is not excessive.
- To apply appropriate zoning over Perth Racing's landholdings that reflects their future development aspirations.

**4 VOTES TO 4**

*For: Marks, Powell, Ryan, Wolff  
Against: Cayoun, Davis, Rossi, Sekulla*

*(In accordance with s5.21 of the Local Government Act 1995,  
the Mayor used his casting vote in affirmative)*

**CARRIED 5 VOTES TO 4**

*For: Marks, Powell, Ryan, Wolff  
Against: Cayoun, Davis, Rossi, Sekulla*

**10.10pm The Manager Planning Services departed the meeting and did not return.**

**12.3 ENDORSEMENT OF THE ASPIRATIONAL LONG TERM CYCLE NETWORK (LTCN)**

**BUILT BELMONT**

**ATTACHMENT DETAILS**

<b>Attachment No</b>	<b>Details</b>
Attachment 13 – Item 12.3 refers	<a href="#">DOT Final Draft LTCN map showing regional context of LTCN and City Of Belmont</a>
Attachment 14 – Item 12.3 refers	<a href="#">Map showing LTCN with localised detail</a>
Attachment 15 – Item 12.3 refers	<a href="#">Map showing LTCN with City of Belmont Community routes included</a>
Attachment 16 – Item 12.3 refers	<a href="#">Sustainable Transport Plan – Summary Brochure Map showing LTCN with City of Belmont Community routes included</a>

Voting Requirement : Simple Majority  
Subject Index : 102/035 : TravelSmart  
Location/Property Index : N/A  
Application Index : N/A  
Disclosure of any Interest : Nil  
Previous Items : N/A  
Applicant : N/A  
Owner : N/A  
Responsible Division : Infrastructure Services

**COUNCIL ROLE**

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, local planning schemes and policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

**PURPOSE OF REPORT**

To present the Department of Transport's aspirational Long Term Cycle Network (LTCN) and supporting statement for Council endorsement.

The report also outlines how the endorsement of the LTCN relates to the City's Sustainable Transport Plan.

*Item 12.3 Continued*

## **SUMMARY AND KEY ISSUES**

### **Long Term Cycle Network (LTCN)**

- Since 2018 the Department of Transport (DoT) has been working with 33 metropolitan Local Government Authorities (LGAs) in the Perth and Peel Region to reach an agreement on the most optimal cycle routes that link parks, schools, community facilities and transport services, to make cycling a convenient and viable option.
- The aim of the LTCN project is to develop an aspirational blueprint to support State and local governments working together towards the delivery of one continuous cycle network, providing additional transport options and recreational opportunities, while supporting tourism and commercial activity.
- DoT have agreed to the proposed network which has been reviewed by Main Roads WA and the Public Transport Authority. DoT are now seeking Council endorsement of the agreed LTCN network (refer [Attachment 13](#) and [Attachment 14](#)) and a supporting statement from each of the 33 metropolitan LGAs to achieve region wide agreement.
- This wide ranging agreement is expected to be attained by LGAs by 30 June 2020 and will assist with acquiring Federal funding and ensure consistency going forward.
- From July 2020 all WA Bicycle Network Grants for metropolitan local governments will be linked to the endorsed LTCN.
- While DoT has indicated that the ultimate planning horizon is 2050, the LTCN may receive some changes with each revision of a LGAs local bicycle plan (the Sustainable Transport Plan in the City's case).

### **Sustainable Transport Plan**

- In 2019 the City's previous Local Bike Plan and TravelSmart plans were merged and replaced by the Sustainable Transport Plan (STP). This operational plan was endorsed by the City's Executive Team for implementation on 5 June 2019 and is included in the Corporate Business Plan 2019 – 2023.
- [Attachment 16](#) provides the concise eight page Summary Brochure of the STP for reference.
- A short term initiative in the STP is to 'Confirm the Long Term Cycle Network (LTCN) with Department of Transport'. Endorsing the aspirational LTCN and supporting statement is considered the final step required by the City to complete this initiative.
- As the LTCN was being created at the same time as the City's STP, both are designed to align entirely. Consultation, data analysis and on the ground research were all used to shape the LTCN through the STP.
- A Local Government Authority endorsed LTCN is required for any future State Government grant funding applications for infrastructure associated with the cycle network.

*Item 12.3 Continued*

- In the STP implementation there are initiatives that will ultimately require larger infrastructure investments where State grant funding would be considered essential.

## **LOCATION**

The LCTN covers the whole of the City of Belmont area.

## **CONSULTATION**

The LTCN has been created by the Department of Transport in partnership with the City. The agreed network for the City of Belmont has also been reviewed by Main Roads WA and Public Transport Authority/METRONET.

The City undertook extensive community consultation on the cycling network and its related issues during the creation of the City's STP in 2018. Community survey responses, pinpointed feedback and considerable time spent cycling the potential routes have all been combined to create the LTCN network within the STP.

As the LTCN is completely interconnected to the City's STP, each future revision of the Plan would provide the community with an opportunity to comment and potentially refine the network if required.

While the STP currently outlines projects that will create the elements of the LTCN; before any significant infrastructure work commences on its delivery, it is envisaged that the City's community would have the opportunity to provide feedback on which of the corridors and sections are of priority.

## **STRATEGIC COMMUNITY PLAN IMPLICATIONS\***

In accordance with the Strategic Community Plan Key Result Area: Built Belmont.

**Objective:** Provide a safe, efficient and well maintained transport network.

**Strategy:** Encourage a broad range of transport alternatives and provide adequate management of traffic density, parking, congestion and safety of the transport network in and surrounding the City of Belmont.

**Corporate Key Action:** 261 - Implement the Sustainable Transport Plan.

\*Note: The Strategic Community Plan Implications outlined are reflective of the City of Belmont Strategic Community Plan 2016 – 2036. Council recently endorsed the City of Belmont 2020 – 2040 Strategic Community Plan which, as a result of COVID-19 administrative implications, is yet to be implemented across the City.

## **POLICY IMPLICATIONS**

There are no policy implications associated with this report.

Item 12.3 Continued

## **STATUTORY ENVIRONMENT**

There are no specific statutory requirements in respect to this matter.

## **BACKGROUND**

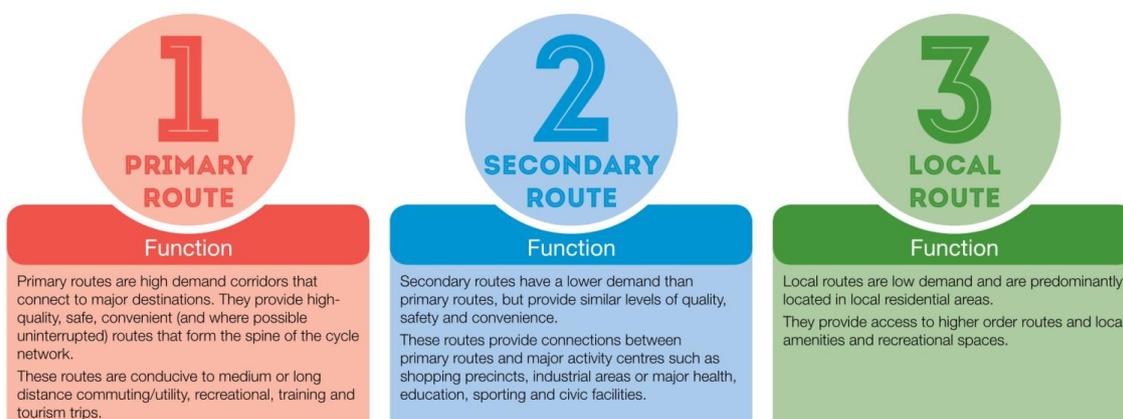
Previous region wide cycle network planning has been somewhat unsuccessful with parties working in isolation. This was often evident at local government boundaries.

In 2016 as part of the State Government's long term transport strategy (*Transport @3.5M*) the Transport Portfolio released the *Cycling Network Plan*. This was developed by the Department of Transport (DoT) in-house with limited consultation with local governments.

In 2018 DoT were successful in receiving funding across a two year period to deliver the LTCN (Long Term Cycle Network) project. The LTCN project included comprehensive engagement with 33 local governments across Perth and Peel to agree on a long term aspirational bicycle network for the region that supports and addresses local and regional bicycle connections.

Since September 2018 DoT and City officers have worked together to identify LTCN routes and categorise routes using a new simplified three tier route hierarchy of Primary Routes, Secondary Routes and Local Routes. [Attachment 13](#) shows the aspirational LTCN in a wider context, while [Attachment 14](#) provides more localised detail.

The categorisation of routes has been based on the function of a given route within the network:



Following DoT and local government officers agreeing on an aspirational draft LTCN, the network was reviewed by Main Roads and PTA/METRONET teams. This process has ensured that these State agencies are aware of the aspirational LTCN routes proposed and have made comments to assist in shaping the network in relation to their State controlled assets.

For the City's own consideration and purposes, an additional tier to those above was created. This consists of other known corridors and other 'local' routes that people use to move around the City of Belmont. These have been classified as Community routes and sit outside this LTCN process.

*Item 12.3 Continued*

These Community routes are considered important at a City level and are also outlined throughout the City's Sustainable Transport Plan. These are referenced for information purposes in orange in [Attachment 15](#) but do not make up part of the formal LTCN (the focus of this report).

DoT is seeking Council endorsement of the aspirational LTCN (refer [Attachment 13](#)) and for consistency amongst local governments, has provided the following statement:

*'Council endorse/adopt the aspirational Long Term Cycle Network (LTCN) developed in collaboration between Council officers and the Department of Transport. Endorsement of the LTCN does not commit Council nor State Government agencies to deliver all, or any part, of the LTCN within a particular timeframe – nor does endorsement commit any party(s) to fund any specific route within the LTCN.*

*Council endorsement confirms support for Local and State Government agencies to work together in delivering the aspirational LTCN over the longer term.'*

Longer term is understood to be based around the year 2050.

### **OFFICER COMMENT**

The City has been in discussion with DoT since 2018 on the LTCN. A wide ranging and locally supported cycle network plan for the whole Perth and Peel region is considered a good idea.

The City's Sustainable Transport Plan was created with the LTCN model and route hierarchy in mind.

While consultation from the development of the STP helped shape the LTCN somewhat, a number of the corridors shown have a long history as cycle routes. As the City changes, future revisions to parts of the network may be inevitable. It is after all, aspirational.

Implementing actions and initiatives from current and future STP's over the next 30 years is the mechanism for how the LTCN will come into existence in the City of Belmont.

This iteration of the STP suggests: Bike Streets on low volume roads, Green Routes to connect the City's parks and recreation, cycle routes to rail infrastructure and safe routes to schools as elements which will help make up the LTCN.

Experience, feedback, user data and consultation are combined to suggest that in the early years, the City expects to use signage and wayfinding to establish the corridors before any significant infrastructure is implemented.

Some examples of the projects related to the LTCN extracted from the STP include:

- Knutsford Avenue - a quiet bike street alternative to Belmont Avenue
- Sydenham Street - a quiet bike street alternative to Alexander Road and Wright Street; and
- Daly Street - a quiet bike street alternative to Hardey Road and Belgravia Street.

*Item 12.3 Continued*

State grant funding will be imperative to implement any major infrastructure required later in the current Sustainable Transport Plan and others to follow.

If the City wishes to access any future grant funding from DoT, having this statement endorsed is critical.

In essence, asking Council to endorse the LTCN network and statement shows support to DoT, the LTCN project and the City's commitment to cycling as a whole.

**FINANCIAL IMPLICATIONS**

Endorsing the aspirational Long Term Cycle Network itself has no immediate or binding financial implications.

DoT has previously provided funding grants for cycle related infrastructure via a 50:50 arrangement with the City and have clearly stated that access to any future grant funding for cycle infrastructure via the WA Bicycle Network Grants scheme, will require:

1. Agreement to the LTCN in general, and
2. That infrastructure projects being applied for are contributing to corridors/network outlined in the LTCN.

Implementation of the City's Sustainable Transport Plan in future years will benefit greatly from any available grant funding.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

**SOCIAL IMPLICATIONS**

There are no social implications associated with this report.

**OFFICER RECOMMENDATION**

**ROSSI MOVED, WOLFF SECONDED**

**That Council:**

1. **Endorse the aspirational Long Term Cycle Network (LTCN) developed in collaboration between Council officers and the Department of Transport.**
2. **Notes that endorsement of the LTCN does not commit Council nor State Government agencies to deliver all, or any part, of the LTCN within a particular timeframe – nor does endorsement commit any party(s) to fund any specific route within the LTCN.**
3. **Confirms support for Local and State Government agencies to work together in delivering the aspirational LTCN over the longer term.**

**CARRIED 8 VOTES TO 0**

**12.4 TENDER 02/2020 – BELMONT OASIS LEISURE CENTRE WATER TREATMENT AND CHLORINE PLANT ROOMS REFURBISHMENT**

**BUILT BELMONT**

**ATTACHMENT DETAILS**

<b>Attachment No</b>	<b>Details</b>
<b>Confidential Attachment 1 – Item 12.4 refers</b>	<a href="#"><u>Evaluation Matrix</u></a>
<b>Confidential Attachment 2 – Item 12.4 refers</b>	<a href="#"><u>Price Schedule</u></a>
<b>Confidential Attachment 3 – Item 12.4 refers</b>	<a href="#"><u>Financial Implications</u></a>

Voting Requirement : Simple Majority  
Subject Index : 114/2020-02  
Location/Property Index : N/A  
Application Index : N/A  
Disclosure of any Interest : Nil  
Previous Items : N/A  
Applicant : N/A  
Owner : N/A  
Responsible Division : Infrastructure Services

**COUNCIL ROLE**

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, local planning schemes and policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

**PURPOSE OF REPORT**

To seek Council approval to award Tender 02/2020 – Belmont Oasis Leisure Centre Water Treatment and Chlorine Plant Rooms Refurbishment.

*Item 12.4 Continued*

## **SUMMARY AND KEY ISSUES**

This report outlines the process undertaken to invite and evaluate the tenders received and includes a recommendation to award Tender 02/2020 to Commercial Aquatics Australia in accordance with the requirements of the *Local Government Act 1995*.

The scope of work comprises the following:

- Re-design and re-routing of existing services
- Supply of new equipment and material
- Refurbishment of building surfaces and tidy-up of various aspects of the plant room
- Coordination and supervision of required trades, installation, commissioning, testing and placing into service replacement equipment, piping, electrical cables and control cabling associated with the water treatment systems; and
- Associated work on building elements within and adjacent to the water treatment and chlorine plant rooms.

## **LOCATION**

Belmont Oasis Leisure Centre, corner Abernethy Road and Alexander Road, Cloverdale.



## **CONSULTATION**

The managers of the City's Belmont Oasis Leisure Centre (BOLC), Bluefit Pty Ltd (Bluefit), have been consulted throughout the design and documentation phases for the proposed works. Oceanis International Pty Ltd (Oceanis) who are the lead consultants for this project have prepared the technical specifications and will act as Superintendent. Pal Consulting was also involved and provided technical information for the refurbishment works required in the chlorine plant room to ensure legislative compliance for the storage of dangerous goods.

*Item 12.4 Continued*

### **STRATEGIC COMMUNITY PLAN IMPLICATIONS\***

In accordance with the Strategic Community Plan Key Result Area: Built Belmont.

**Objective:** Maintain Public Infrastructure in accordance with sound Asset Management practices.

**Strategy:** Manage the City's infrastructure and other assets to ensure that an appropriate level of service is provided to the community.

**Corporate Key Action:** Maintain Assets in accordance with associated Asset Management Plans.

\*Note: The Strategic Community Plan Implications outlined are reflective of the City of Belmont Strategic Community Plan 2016 – 2036. Council recently endorsed the City of Belmont 2020 – 2040 Strategic Community Plan which, as a result of COVID-19 administrative implications, is yet to be implemented across the City.

### **POLICY IMPLICATIONS**

BEXB7.1–Purchasing

#### **POLICY OBJECTIVE**

This policy aims to deliver a high level of accountability whilst providing a flexible, efficient and effective procurement framework.

### **STATUTORY ENVIRONMENT**

The *Local Government Act 1995*, in particular Section 3.57 states that “a local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services”.

### **BACKGROUND**

At the expiration of the previous management agreement with Belgravia Leisure on 30 June 2019, the City became responsible for the ongoing maintenance of the pool plant and equipment and building asset at the BOLC. A new management contract was awarded to Bluefit that commenced on 1 July 2019 for a period of seven years.

Apart from the occasional replacement of pool plant and equipment at breakdown, there have been no major upgrades undertaken in the existing plant rooms or to the water treatment and chlorine systems at the BOLC in the past 20 years. In order for the existing facility to continue to operate and function correctly during the new management period, it was agreed that the water treatment and chlorine plant rooms needed refurbishing to meet operational and legislative requirements.

The City engaged the services of suitably qualified and experienced consultants, Oceanis and Pal Consulting to undertake condition and risk assessments on the plant rooms and identified areas for required improvements. The assessments were completed and recommendations incorporated into the specifications for this tender.

*Item 12.4 Continued*

An invitation to tender for the refurbishment of the Water Treatment and Chlorine Plant rooms at the Belmont Oasis Leisure Centre was advertised in the West Australian on Saturday, 7 March 2020, closing on Tuesday, 31 March 2020 at 2pm.

The tender documents were available on the City's eTendering portal and were downloaded by 22 prospective tenderers. Three responses were received from:

- Commercial Aquatics Australia (CAA)
- Trisley's Hydraulic Services Pty Ltd (THS)
- Watercon

**OFFICER COMMENT**

The Evaluation Panel consisted of Manager City Facilities & Property, Coordinator Building Operations and Coordinator Procurement. Each panel member has signed a Declaration of Confidentiality and Impartiality Form confirming that they have no known conflict of interest to disclose.

The responses received were assessed on the selection criteria included with the invitation to tender, being:

	<b>CRITERIA</b>	<b>WEIGHTING</b>
1	Company Profile	10%
2	Experience	20%
3	Company Capacity	15%
4	Methodology	15%
5	Safety	10%
6	Price	30%
	<b>TOTAL</b>	<b>100%</b>

The specifications required the tenderers to submit prices to complete works in the following areas:

**Specification A – Water Treatment Plant Room Refurbishment** scope consisted of 24 essential components and required the tenderer to submit a separate price for further optional works.

The BOLC water treatment system operates with a gravity filter for the main pool. Component 3 of the optional works required tenderers to submit a price for the removal of the existing gravity filter sand and media and provide a report to the City on the condition of the existing filter structure, waterproofing and filter laterals. Until it is emptied and the condition assessment completed, the final cost of the potential repairs to the gravity filter is unknown. The last time that this work was carried out was approximately 16 years ago. When the condition assessment is completed it is possible that additional repairs may be needed, which could impact and increase the final project cost.

The contractor will be asked at that time to provide a quote for the works identified, if any. The price quoted will be assessed by the Superintendent to ensure it is reasonable based on the minimum work required to ensure the correct operation of the filter.

*Item 12.4 Continued*

**Specification B – Chlorine Plant Room Refurbishment** consisted of 21 essential components that needed to be priced. All three tenders have provided a price to carry out the refurbishment to the chlorine plant room and other building works associated with the containment of gas in the event of a leak. The works specified in the tender were designed to meet new standards for the storage of dangerous goods.

[Confidential Attachment 1](#) – Evaluation Matrix shows that CAA’s submission was considered by the Evaluation Panel to be the most advantageous as they demonstrated that they have the experience and capacity to deliver the services, together with a full understanding of the contract requirements while submitting a competitive price.

### **FINANCIAL IMPLICATIONS**

In comparing costs for the purpose of providing a score for the price criterion, the lump sums for essential works for both plant rooms were utilised (refer [Confidential Attachment 2](#) – Price Schedule – Table 1 - Total of Specification A and B).

The Price Schedule also included a table for optional items (refer [Confidential Attachment 2](#) – Price Schedule – Table 1 - Total of Table 2 Items 1 - 11). It should be noted that only two of the tenderers submitted prices for the optional works with the third tenderer choosing not to submit a price at this time, preferring to negotiate if they were the preferred tenderer. It is recommended that the optional items should be included in the contract. A contingency allowance for potential repairs to the gravity filter has been included in the project budget.

[Confidential Attachment 3](#) – The Financial Implications details the project costs and funds available in the 2019–2020 budget.

There was an original amount of \$1.7 million allocated in the 2019–2020 budget (Account BB1709) to complete renewal works at BOLC, which included the refurbishment of the plant room, change room and toilets of which \$300,000 came from the Building Maintenance reserve and the balance \$1.4 million coming from municipal funds. At the March budget review and prior to the tender closing this amount was reduced to \$500,000 with the balance of \$1.2 million being allocated to the Building Maintenance reserve to be used in the 2020–2021 financial year to complete other works at the BOLC (changeroom and toilet refurbishment).

The tender from Commercial Aquatics requires a total budget allocation of \$683,150 and of the \$500,000 that remained in the 2019–2020 budget, \$21,278 has been expended leaving a balance of \$478,722. This leaves a short fall of \$204,428 to carry out the plant room refurbishment. Minimal spending will occur against the budget allocated for this project in the 2019-2020 financial year and the shortfall will be addressed through the 2020-2021 budget review process.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

### **SOCIAL IMPLICATIONS**

There are no social implications associated with this report.

*Item 12.4 Continued*

**OFFICER RECOMMENDATION**

**That Council:**

- 1. Accepts the tender submitted by Commercial Aquatics Australia for Tender 02/2020 – Belmont Oasis Leisure Centre Water Treatment and Chlorine Plant Rooms Refurbishment as specified for the lump sum of \$683,150 excluding GST as the most advantageous.**

***OFFICER RECOMMENDATION ADOPTED EN BLOC BY ABSOLUTE MAJORITY –  
REFER TO RESOLUTION APPEARING AT ITEM 12***

**12.5 TENDER 08/2016 – PROVISION OF A COMMUNITY WATCH SECURITY SERVICE**

**SOCIAL BELMONT**

**ATTACHMENT DETAILS**

<b>Attachment No</b>	<b>Details</b>
<b>Confidential Attachment 4 – Item 12.5 refers</b>	<a href="#"><u>Contract Evaluation</u></a>

Voting Requirement : Simple Majority  
Subject Index : 114/2016-08 – Community Security Watch  
Location/Property Index : N/A  
Application Index : N/A  
Disclosure of any Interest : Nil  
Previous Items : N/A  
Applicant : N/A  
Owner : N/A  
Responsible Division : Development and Communities Division

**COUNCIL ROLE**

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, local planning schemes and policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

**PURPOSE OF REPORT**

To seek Council approval to extend the contract for Tender 08/2016 – Provision of a Community Watch Security Service.

*Item 12.5 Continued*

### **SUMMARY AND KEY ISSUES**

The State Government has made some amendments to the *Local Government (Functions and General) Regulations 1996* in response to the COVID-19 Public Health Emergency. These amendments include the discretion to renew or extend an existing contract that expires when a state of emergency is in force. Limitations include a requirement that the original contract must have less than three months remaining and the renewal or extension cannot be for more than 12 months.

The current security contract expires on 31 August 2020. The City has previously experienced difficulty in attracting providers with a similar or better capacity than the incumbent and with the current COVID crisis these issues will likely be exacerbated.

The City substantially commenced a full review of all of its security related requirements to address the growing demands of the community which was interrupted by operational requirements associated with the COVID crisis. The proposed 12 month extension to the current contract will allow this review to be completed. The City will by then have a full understanding of what its' security needs are and how to implement them.

### **LOCATION**

Not applicable.

### **CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

### **STRATEGIC COMMUNITY PLAN IMPLICATIONS\***

In accordance with the Strategic Community Plan Key Result Area: Social Belmont.

**Objective:** Create a city that leads to feelings of wellbeing, security and safety.

**Strategy:** The City will continue to design and implement programs which enhance safety, security and wellbeing in the community.

**Corporate Key Action:** Implement Community Safety and Crime Prevention Plan 2018-2021.

\*Note: The Strategic Community Plan Implications outlined are reflective of the City of Belmont Strategic Community Plan 2016 – 2036. Council recently endorsed the City of Belmont 2020 – 2040 Strategic Community Plan which, as a result of COVID-19 administrative implications, is yet to be implemented across the City.

*Item 12.5 Continued*

## **POLICY IMPLICATIONS**

### **BEXB7.1–Purchasing**

#### **Policy Objective**

This policy aims to deliver a high level of accountability whilst providing a flexible, efficient and effective procurement framework.

## **STATUTORY ENVIRONMENT**

This issue is governed in the main by the *Local Government Act 1995*, in particular Regulation 11(2)-(ja) which states that:

*“Tenders do not have to be publicly invited according to the requirements of this Division if the contract is a renewal or extension of the term of a contract (the original contract) where –*

- (i) the original contract is to expire within 3 months; and*
- (ii) the renewal or extension is for a term of not more than 12 months from the expiry of the original contract; and*
- (iii) the contract for renewal or extension is entered into at a time when there is in force a state of emergency declaration applying to the district, or part of the district, of the local government.”*

Delegation DA04 provides that the Chief Executive Officer can only authorise purchases that are exempt from tendering regulations where the purchase value is no more than \$250,000 per annum. The value of this contract is \$1,271,747 per annum.

## **BACKGROUND**

Tender 08/2016 – Provision of a Community Watch Security Service was awarded to Wilson Security Pty Ltd for a term of two years commencing 1 September 2016 with two, one year extension options. The final extension option is due to expire 31 August 2020.

## **OFFICER COMMENT**

The current COVID-19 situation is putting pressure on many contractors to continue working within the social distancing regulations. Many businesses have closed and contractors face financial uncertainty during this time. Because of the closure of entertainment centres, concerts and sporting events, the security industry has seen a drop in the demand for its services and may not have ready access to suitably trained personnel.

Based on the current circumstances, with the future being so unpredictable, there is the potential that contractors could be hesitant to commit to a long term contract or, in an attempt to secure a contract, be tempted to submit low rates which may not be sustainable over the term of the contract.

*Item 12.5 Continued*

The State Government has recognised the practical difficulties for businesses to respond to a formal tender process under the current circumstances and an amendment has been made to the *Local Government (Functions and General) Regulations 1996* allowing local governments to extend existing contracts that would otherwise expire within three months for a period of not more than 12 months at a time when there is in force a state of emergency declaration.

The Contract Evaluation (refer [Confidential Attachment 4](#)) indicates that generally Wilson Security has been providing a service that meets the requirements of the contract and is valued by the community. There have however been some issues with aspects of their performance, as indicated in the Contract Evaluation, and further commentary is provided on the scoring.

Performance and Reporting: Officers have always been well presented and carry required identification. They have consistently maintained required response times to calls for general attendance and alarms. Scheduled locking and unlocking of City facilities have been undertaken as per agreement. City officers meet with the security supervisor on a daily basis to discuss day to day requirements and issues.

Report documents provided to the City confirm call, response and departure times for all attendances. As all vehicles are fitted with a GPS tracking system any allegations of slow/non-attendance or for parking for too long in one location can be easily investigated. The City has received several complaints that officers have been parked in one location for too long however investigations have confirmed the officers have been patrolling or checking a City building or area. In addition the vehicle is the officer's "office" which they can legitimately use when writing up attendance reports and taking breaks.

Wilson Security has always managed to provide the City with officers as required and responded in a timely manner to requests for additional staff. Staff are always provided with the correct personal protective equipment (PPE) and training. The City is invoiced promptly and accurately and when quotes are requested, they too are provided in a timely manner.

Response Times: There have been issues with the response times where the contractor's call centre staff has failed to respond within acceptable parameters. This has rightly led to complaints. The City has followed up on this issue on a number of occasions with management. The contractor is well aware this is an important aspect of their service provision. As such they have taken steps to provide additional staffing to prevent unacceptably long answering times.

For an extended period of time the contractor also failed to provide action reports in a regular and timely manner. This resulted in City officers having to chase up the reports. This matter had to be raised with the contractor on a number of occasions but has now been resolved.

*Item 12.5 Continued*

Overall Performance: The contractor's general performance over an extended number of years has been good. There have however been a few issues and incidents where the service was not as expected or required. These are detailed below:

- Council owned security vehicles have been damaged on a number of occasions where driver error has been the cause. This has resulted in the City issuing breach of contract notices on two occasions. One of these occasions resulted in the removal of the officer from site after failing to report the damage and trying to cover it up. On occasions the City has invoiced the contractor for the costs of the damage to City vehicles.
- The second breach was due to the officer using a mobile phone when driving, which was unacceptable. This officer was also removed from site.
- In late December 2019 there was an incident where an injured elderly lady was left unattended by officers. This incident was a very poor outcome and reflected badly on the contractor and the City. The contractor did however respond immediately and the failings involved were addressed as were all the other issues of concern the City had.

Notwithstanding these occurrences, officers respond to approximately 5000 calls every year from residents. While there have been some issues, based on these numbers, it is fair to say they have been more an exception to the rule.

Conclusion: The City has already started a full review of its security needs to address the growing demands of the community. The City's infrastructure continues to develop and increase and the Belmont Hub presents new security needs internally and around the Faulkner Park precinct. Currently the contractor can provide these services and by extending the contract for another year the security review will have then been completed. The City will by then have a much better understanding of what its security needs are and how the City wants to implement them.

### **FINANCIAL IMPLICATIONS**

The annual lump sum for the provision of mobile patrol services and a static officer in the Faulkner Civic Precinct is \$1,271,747 excluding GST. Additional costs are incurred when security officers are required for special events. The Contractor is entitled to request a price review to allow for industry award increases on the anniversary date of the contract. Price adjustments would be in line with the consumer price index (CPI). The City has budgeted \$1,273,663 for financial year 2020/2021. This will cover the labour costs for the mobile services (Belmont Community Watch), the static guard (who patrols the Faulkner Park precinct) and the lease of the Global Positioning System supplied by the Contractor and fitted to the City owned vehicle.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

*Item 12.5 Continued*

**SOCIAL IMPLICATIONS**

There are no social implications associated with this report.

**OFFICER RECOMMENDATION**

**That Council:**

- 1. In accordance with the provisions of regulation 11 (2) (ja) of the *Local Government (Functions and General) Regulations 1996* extends the contract with Wilson Security Pty Ltd for Tender 08/2016 – Provision of a Community Watch Security Services to 31 August 2021; and**
- 2. Authorises the Coordinator Procurement to advise the Contractor by letter of the decision to extend the current arrangements under the same terms and conditions with the option to adjust their rates to allow for changes in the industry award.**

***OFFICER RECOMMENDATION ADOPTED EN BLOC BY ABSOLUTE MAJORITY –  
REFER TO RESOLUTION APPEARING AT ITEM 12***

**12.6 DELEGATED AUTHORITY REGISTER REVIEW 2020-2021**

**BUSINESS EXCELLENCE BELMONT**

**ATTACHMENT DETAILS**

<b><u>Attachment No</u></b>	<b><u>Details</u></b>
Attachment 17 – Item 12.6 refers	<a href="#">Draft Delegated Authority Register 2020-2021</a>

Voting Requirement	:	Absolute Majority
Subject Index	:	11/005 Delegations and Authorisations
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	25 February 2020 Ordinary Council Meeting Item 12.9 27 August 2019 Ordinary Council Meeting Item 12.9 25 June 2019 Ordinary Council Meeting Item 12.5
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Corporate and Governance

**COUNCIL ROLE**

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, local planning schemes and policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

**PURPOSE OF REPORT**

To seek Council endorsement of the proposed 2020-2021 Delegated Authority Register as detailed in [Attachment 17](#).

*Item 12.6 Continued*

### **SUMMARY AND KEY ISSUES**

In accordance with section 5.46 of the *Local Government Act 1995* (the Act), the Delegated Authority Register is to be reviewed at least once in every financial year.

The Delegated Authority Register is structured to provide for a best practice approach to the City's operations and efficiency in the delivery of strategic outcomes.

### **LOCATION**

Not applicable.

### **CONSULTATION**

The Executive Leadership Team and all designated employees have been consulted regarding the proposed amendments to the Delegated Authority Register.

The proposed Delegated Authority Register was forwarded to Elected Members via memorandum on 22 May 2020 for consideration and input.

### **STRATEGIC COMMUNITY PLAN IMPLICATIONS\***

In accordance with the Strategic Community Plan Key Result Area: Business Excellence Belmont.

**Objective:** Achieve excellence in the management and operation of the local government.

**Strategy:** Ensure Council is engaged at a strategic level to enable effective decision making

\*Note: The Strategic Community Plan Implications outlined are reflective of the City of Belmont Strategic Community Plan 2016 – 2036. Council recently endorsed the City of Belmont 2020 – 2040 Strategic Community Plan which, as a result of COVID-19 administrative implications, is yet to be implemented across the City.

### **POLICY IMPLICATIONS**

There are no policy implications associated with this report.

### **STATUTORY ENVIRONMENT**

The following sections of the *Local Government Act 1995* are applicable when considering delegations:

- s5.16 Delegation of some powers and duties to certain committees
- s5.17 Limits on delegation of powers and duties to certain committees
- s5.18 Register of delegations to committees
- s5.42 Delegation of some powers and duties to CEO

*Item 12.6 Continued*

- s5.43 Limits on delegations to CEO
- s5.44 CEO may delegate powers and duties to other employees
- s5.45 Other matters relevant to delegations under this division
- s5.46 Register of, and records relevant to, delegations to CEO and employees.

A number of other pieces of legislation allow for delegation in Western Australia.

Those which are relevant to the City's Delegated Authority Register in addition to the *Local Government Act 1995* are listed below:

- *Building Act 2011*
- *Bush Fires Act 1954*
- *Cat Act 2011*
- *Dog Act 1976*
- *Food Act 2008*
- *Health Act 1911*
- *Public Health Act 2016*
- *Main Roads Act 1930*
- *Planning and Development Act 2005*
- *Strata Titles Act 1985*
- *Local Government (Administration) Regulations 1996*
- *Local Government (Financial Management) Regulations 1996*
- *Local Government (Functions and General) Regulations 1996*
- *Local Government Act (Uniform Local Provisions) Regulations 1996.*

## **BACKGROUND**

The Delegated Authority Register was last formally reviewed by Council at the Ordinary Council Meeting of 25 June 2019 – Item 12.5. Subsequent amendments to specific delegations were considered and resolved by Council at the Ordinary Council Meetings of 27 August 2019 (Item 12.9) and 25 February 2020 (Item 12.9) due to changes in position titles and a change to a specific delegation contained in *DA 25 Development Applications* respectively.

In developing and reviewing delegations, the City has applied principles outlined in the City's Decision Making and Compliance Management Models. The delegations are structured to be defined and specific in order to support a greater level of control and clearly identify decisions that occur under Delegated Authority.

The use of delegations is supported by the Department of Local Government, Sport and Cultural Industries (the Department). The Local Government Operational Guideline No 17 – Delegations has been published by the Department to assist with the creation, use and review of delegations.

*Item 12.6 Continued*

### **OFFICER COMMENT**

Delegations by Council are an effective way to reduce red tape and improve customer satisfaction through quicker decision making processes. Using the power of delegation appropriately assists local governments to efficiently deal with a wide range of operational matters that are minor, administrative in nature and time consuming.

Safeguards are contained within the delegations through the conditions and limitations of when the delegation is able to be exercised as well as granting appeal rights to the Council when an impacted individual is aggrieved with an Officer's decision.

It is important to note that Officers are not obliged to use, or exercise, a delegation; where a matter is determined to be of a contentious nature, the matter will be referred to Council.

A number of minor administrative changes have been made to reflect changes following the annual policy review and subsequent move to Council and operational policy formats.

The proposed changes are outlined in the table below however changes of note are the removal of DA07- Appoint Acting Chief Executive Officer, DA18 Common Seal and DA21 Authentication of Documents.

The current DA07 and DA21 will be replaced by policy. The Acting Chief Executive Officer replacement policy is being presented for consideration by Council as a separate item at this meeting. An Execution of Documents Policy is currently being developed by the Governance section for Council endorsement. This also entails a review of the BEXB32 Decision Making operational policy.

The application of the common seal is a non-delegable function under section 5.46(3) of the Act and should be an authorisation through a Council resolution in accordance with s9.49 A of the Act. The wording for the authorisation is at point 2 of the officer's recommendation.

<b>Delegation Number</b>	<b>Name</b>	<b>Recommendation</b>	<b>Comment</b>
DA01	Appointment of Authorised Officers	Minor Amendment	<ul style="list-style-type: none"><li>• Inclusion of wording to provide further detail in relation to conditions of the delegation.</li></ul>
DA02	Powers of Entry in an Emergency	No Change	
DA03	Road Closures – Temporary	No Change	
DA04	Tenders	Amendment	<ul style="list-style-type: none"><li>• Removal of Condition dot point 4 relating to goods and services as this is covered in dot point 1 addressing annual purchase of routine supplies.</li></ul>

Item 12.6 Continued

Delegation Number	Name	Recommendation	Comment
DA05	Acquisition or Disposal of Land	No Change	
DA06	Disposal of Assets	No Change	
DA07	Appoint Acting Chief Executive Officer	Deletion	<ul style="list-style-type: none"> <li>To be replaced by policy attached as separate item.</li> </ul>
DA087	Municipal and Trust Fund/Procedures and Payments	No Change	<ul style="list-style-type: none"> <li>Renumbered from 8 following deletion of <i>Appoint Acting Chief Executive Officer</i> delegation</li> </ul>
DA098	Waiver or Concessions - Granting	No Change	<ul style="list-style-type: none"> <li>Renumbered from 9</li> </ul>
DA409	Investments	No Change	<ul style="list-style-type: none"> <li>Renumbered from 10</li> </ul>
DA4410	Recovery of Unpaid Rates	No Change	<ul style="list-style-type: none"> <li>Renumbered from 11</li> </ul>
DA4211	Bank Accounts	No Change	<ul style="list-style-type: none"> <li>Renumbered from 12</li> </ul>
DA4312	Extension for Rate Exemption Application	No Change	<ul style="list-style-type: none"> <li>Renumbered from 13</li> </ul>
DA4413	Authorised Officers – Variation of Meeting Date – Annual Electors Meeting	Minor amendment	<ul style="list-style-type: none"> <li>Renumbered from 14</li> <li>Minor administrative amendment.</li> </ul>
DA15	<del>DOGS – Keeping of Three Dogs</del>	Moved to DA 30(New)	<ul style="list-style-type: none"> <li>Moved and Renumbered to DA30.</li> <li>Amendment to provide further clarity to delegation under the <i>Dog Act 1976</i></li> </ul>
DA46-14	Gratuity Payments	Amendment to Title Functions and Conditions	<ul style="list-style-type: none"> <li>Renumbered from 16</li> <li>Change in title to Discretionary Gratuity Payments.</li> <li>Change to the function to further clarify the extent of the delegations.</li> <li>Additional conditions which must be addressed when exercising the delegation.</li> </ul>

Item 12.6 Continued

Delegation Number	Name	Recommendation	Comment
DA1715	Determination of Applications for Legal Representation for Council Members and Employees	No Change	<ul style="list-style-type: none"> <li>Renumbered from 17</li> </ul>
DA18	<del>Common Seal</del>	Deletion	<ul style="list-style-type: none"> <li>To be replaced by authorisation as part of the recommendation that Council in accordance with section 9.49A (4) of the <i>Local Government Act 1995</i> authorise the Chief Executive Officer, in conjunction with the Mayor, to sign and affix the Common Seal of the City of Belmont upon documents on behalf of the local government, subject to compliance with legislative, policy, budgetary or other procedural requirements stipulated in supporting documents, if any.</li> </ul>
DA1916	Donations – Disaster Relief	No Change	<ul style="list-style-type: none"> <li>Renumbered from 19</li> </ul>
DA2017	Community Contribution Funds	No Change	<ul style="list-style-type: none"> <li>Renumbered from 20</li> </ul>
DA18	Belmont Business Innovation Grants	New	<ul style="list-style-type: none"> <li>To formalise delegation contained within policy BSB1.1 Belmont Innovation Grants</li> </ul>
DA21	<del>Authentication of Documents not Requiring the Common Seal</del>	Deletion	<ul style="list-style-type: none"> <li>A current authorisation is in place and shall be replaced by policy currently being drafted.</li> </ul>
DA2219	Receiving of Legal Documents to be Served on the City	No Change	<ul style="list-style-type: none"> <li>Renumbered from 22</li> </ul>
DA2320	<i>Building Act 2011</i>	No Change	<ul style="list-style-type: none"> <li>Renumbered from 23</li> </ul>
DA2421	Verge Permits	No Change	<ul style="list-style-type: none"> <li>Renumbered from 24</li> </ul>
DA2522	Development Applications	No Change	<ul style="list-style-type: none"> <li>Renumbered from 25</li> </ul>

*Item 12.6 Continued*

Delegation Number	Name	Recommendation	Comment
DA2623	Preliminary and Final Built Strata Approval	No Change	<ul style="list-style-type: none"> <li>Renumbered from 26</li> </ul>
DA2724	Bush Fires Act – Powers and Functions	Amendment	<ul style="list-style-type: none"> <li>Renumbered from 27</li> <li>Inclusion of specific delegation to the Chief Bush Fire Control Officer in relation to prosecutions and infringement notices.</li> </ul>
DA2825	Main Roads – Control of Advertisements	No Change	<ul style="list-style-type: none"> <li>Renumbered from 28</li> </ul>
DA2926	Prohibition Orders	No Change	<ul style="list-style-type: none"> <li>Renumbered from 29</li> </ul>
DA3027	Registration of a Food Business	No Change	<ul style="list-style-type: none"> <li>Renumbered from 30</li> </ul>
DA3428	<i>Food Act 2008</i> – Prosecutions	No Change	<ul style="list-style-type: none"> <li>Renumbered from 31</li> </ul>
DA29	Dogs	Amendment	<ul style="list-style-type: none"> <li>Capturing specific delegations of officers within the <i>Dog Act 1976</i>. Moving away from the concept of acting through to provide greater clarity.</li> </ul>
DA30	Keeping of three Dogs	Relocation from DA 15	<ul style="list-style-type: none"> <li>To align with other delegations using the <i>Dog Act 1976</i> as the head of power.</li> </ul>
DA31	Cat Act 2011	New	<ul style="list-style-type: none"> <li>Delegations captured within the <i>Cat Act 2011</i> and associated regulations. Moving away from the concept of acting through to provide greater clarity.</li> </ul>

The conditions for DA4 as summarised in the table above occurred after distribution to Elected Members of the draft Delegated Authority Register 2020-2021. The condition is being removed as it is appropriately addressed in the first dot point in the conditions relating to annual purchases of a routine nature.

A copy of the Delegated Authority Register 2020-2021 is attached ([Attachment 17](#)) with the proposed amendments showing as tracked changes.

### **FINANCIAL IMPLICATIONS**

There are no financial implications evident at this time.

*Item 12.6 Continued*

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

**SOCIAL IMPLICATIONS**

There are no social implications associated with this report.

**OFFICER RECOMMENDATION**

**DAVIS MOVED, SEKULLA SECONDED,**

**That Council:**

1. Endorse the 2020-2021 Delegated Authority Register as detailed in [Attachment 17](#).
2. In accordance with section 9.49A (4) of the *Local Government Act 1995* authorise the Chief Executive Officer, in conjunction with the Mayor, to sign and affix the Common Seal of the City of Belmont upon documents on behalf of the local government, subject to compliance with legislative, policy, budgetary or other procedural requirements stipulated in supporting documents, if any.

**CARRIED BY ABSOLUTE MAJORITY 8 VOTES TO 0**

**12.7 NEW POLICY – BEXB10.4 ROLE OF ACTING CHIEF EXECUTIVE OFFICER**

**BUSINESS EXCELLENCE BELMONT**

**ATTACHMENT DETAILS**

<b>Attachment No</b>	<b>Details</b>
Attachment 18 – Item 12.7 refers	<a href="#"><u>Policy BEXB10.4 - Role of Acting Chief Executive Officer</u></a>

Voting Requirement	:	Absolute Majority
Subject Index	:	32/015 Council Policy Manuals / Code of Conduct
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Corporate and Governance

**COUNCIL ROLE**

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, local planning schemes and policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

**PURPOSE OF REPORT**

For Council consideration and endorsement of a new Policy – BEXB10.4 Role of Acting Chief Executive Officer.

**SUMMARY AND KEY ISSUES**

To consider a new Policy – BEXB10.4 Role of Acting Chief Executive Officer (new Policy) to determine how the position and duties of the Chief Executive Officer (CEO) will be undertaken on an acting basis as required.

*Item 12.7 Continued*

### **LOCATION**

Not applicable.

### **CONSULTATION**

The City's Solicitors have been consulted and provided advice on the best course of action for the Directors to act in the capacity of CEO for temporary periods in the absence of the CEO.

### **STRATEGIC COMMUNITY PLAN IMPLICATIONS**

In accordance with the Strategic Community Plan Key Result Area: Business Excellence Belmont.

**Objective:** Achieve excellence in the management and operation of the local government.

**Strategy:** Ensure Council is engaged at a strategic level to enable effective decision making

\*Note: The Strategic Community Plan Implications outlined are reflective of the City of Belmont Strategic Community Plan 2016 – 2036. Council recently endorsed the City of Belmont 2020 – 2040 Strategic Community Plan which, as a result COVID-19 administrative implications, is yet to be implemented across the City.

### **POLICY IMPLICATIONS**

If Council endorses the recommendation the new Policy will be included in the City of Belmont Policy Manual and will be effective immediately.

### **STATUTORY ENVIRONMENT**

Sections 5.36 and 5.39 of the *Local Government Act 1995* provide:

#### ***'5.36. Local government employees***

- (1) *A local government is to employ —*
  - (a) *a person to be the CEO of the local government; and*
  - (b) *such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.*
- (2) *A person is not to be employed in the position of CEO unless the council —*
  - (a) *believes that the person is suitably qualified for the position; and*
  - (b) *is satisfied\* with the provisions of the proposed employment contract.*

*\* Absolute majority required.*

*Item 12.7 Continued*

**5.39. Contracts for CEO and senior employees**

- (1) *Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.*
- (1a) *Despite subsection (1) —*
- (a) *an employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which he or she is acting; and*
- (b) *a person may be employed by a local government as a senior employee for a term not exceeding 3 months, during any 2 year period, without a written contract.*
- (2) *A contract under this section —*
- (a) *in the case of an acting or temporary position, cannot be for a term exceeding one year;*
- (b) *in every other case, cannot be for a term exceeding 5 years.’*

**BACKGROUND**

There are pending amendments to the *Local Government Act 1995* (the Act) through the current review of the Act. The *Local Government Legislation Amendment Act 2019* was enacted on 5 July 2019 and includes the following:

**‘5.39C. Policy for temporary employment or appointment of CEO**

- (1) *A local government must prepare and adopt\* a policy that sets out the process to be followed by a local government in relation to the following-*
- a) *The employment of a person in the position of CEO for a term not exceeding 1 year;*
- b) *The appointment of an employee to act in the position of CEO for a term not exceeding 1 year.*
- \* Absolute majority required.*
- (2) *A local government may amend\* the policy.*
- \* Absolute majority required.*
- (3) *When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.*
- (4) *The CEO must publish an up-to-date version of the policy on the local government’s official website.’*

The amendments included in the *Local Government Legislation Amendment Act 2019* are yet to be proclaimed with some detail to be prescribed through Regulations. The Department of Local Government, Sport and Cultural Industries are currently considering feedback obtained from public submissions on the draft CEO Standards and Guidelines and it may be some time before the amendments to the Act are proclaimed and Regulations updated to include the prescribed detail.

*Item 12.7 Continued*

Historically, the appointment of the Acting Chief Executive Officer has been dealt with through Delegated Authority (DA07 – Appoint Acting Chief Executive Officer). This delegation is proposed for deletion through the current Delegated Authority Register review which is the subject of a report in the current agenda.

It is considered appropriate to implement a policy at this time to deal with the requirement for the City's Directors to carry out the duties and functions of the CEO during periods when the CEO is absent and delete the current delegated authority.

This report is noted for an Absolute Majority voting requirement so that if the policy satisfies all requirements of the legislation when proclaimed a future report to Council will not be necessary.

### **OFFICER COMMENT**

The attached Policy – BEXB10.4 Role of Acting Chief Executive Officer (refer [Attachment 18](#)) has been drafted in line with legal advice received and through research of other Local Governments' similar policies.

The adoption of Policy – BEXB10.4 Role of Acting Chief Executive Officer is the appropriate method to enable the Directors at the City (persons appointed as the permanent incumbent to the position of Director) to act in the role of CEO as required.

As part of the Delegated Authority Register Review 2020-2021 which is the subject of a report in the current agenda, it is proposed that Delegation DA07 – Appoint Acting Chief Executive Officer be deleted from the Delegated Authority Register. The adoption of the new policy will provide clear guidelines for who will carry out the functions of the Chief Executive Officer on an acting basis in the absence of the CEO.

The new Policy proposes that the Chief Executive Officer informs all Elected Members in writing whenever a Director will be in the role of Acting Chief Executive Officer to ensure Elected Members are kept fully informed. The Policy is for periods not exceeding one year.

### **FINANCIAL IMPLICATIONS**

There are no financial implications evident at this time.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

### **SOCIAL IMPLICATIONS**

There are no social implications associated with this report.

### **OFFICER RECOMMENDATION**

**That Council endorse Policy BEXB10.4 - Role of Acting Chief Executive Officer ([Attachment 18](#)).**

***OFFICER RECOMMENDATION ADOPTED EN BLOC BY ABSOLUTE MAJORITY –  
REFER TO RESOLUTION APPEARING AT ITEM 12***

**12.8 COUNCIL PARTICIPATION IN THE NATIONAL REDRESS SCHEME FOR VICTIMS OF INSTITUTIONAL CHILD SEXUAL ABUSE**

**SOCIAL BELMONT**

**ATTACHMENT DETAILS**

Nil.

Voting Requirement	:	Simple Majority
Subject Index	:	67/005
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	Department of Local Government, Sport & Cultural Industries
Owner	:	N/A
Responsible Division	:	Corporate and Governance

**COUNCIL ROLE**

- |                                     |                       |   |
|-------------------------------------|-----------------------|---|
| <input type="checkbox"/>            | <b>Advocacy</b>       | <i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | <b>Executive</b>      | <i>The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | <b>Legislative</b>    | <i>Includes adopting local laws, local planning schemes and policies.</i>   |
| <input type="checkbox"/>            | <b>Review</b>         | <i>When Council reviews decisions made by Officers.</i>   |
| <input type="checkbox"/>            | <b>Quasi-Judicial</b> | <i>When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |

**PURPOSE OF REPORT**

For Council to consider joining the National Redress Scheme.

*Item 12.8 Continued*

## **SUMMARY AND KEY ISSUES**

A National Redress Scheme (the Scheme) for the survivors of institutional child sexual abuse commenced on 1 July 2018 and offers eligible applicants three elements of Redress:

- A direct personal response (apology) from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

All State and Territory Governments and many major non-government organisations and church groups have joined the Scheme which will run for 10 years.

The City of Belmont now has three options:

1. To join the Scheme.
2. To join the Scheme at some later date if considered necessary.
3. To not join the Scheme.

## **LOCATION**

Not applicable.

## **CONSULTATION**

The State, through the Department of Local Government, Sport and Cultural Industries (DLGSC), consulted with the WA local government sector and other key stakeholders on the Royal Commission into Institutional Responses to Child Sexual Abuse (in 2018) and the National Redress Scheme (in 2019).

The consultation throughout 2019 focused on the National Redress Scheme with the aim of:

- raising awareness about the Scheme;
- identifying whether WA local governments are considering participating in the Scheme;
- identifying how participation may be facilitated; and
- enabling advice to be provided to Government on the longer-term participation of WA local governments.

It was apparent from the consultations local governments were most commonly concerned about the:

- potential cost of Redress payments;
- availability of historical information;
- capacity of local governments to provide a Direct Personal Response (apology) if requested by Redress recipients;
- process and obligations relating to maintaining confidentiality if Redress applications are received, particularly in small local governments;
- lack of insurance coverage of Redress payments by LGIS, meaning local governments would need to self-fund participation and Redress payments.

*Item 12.8 Continued*

The WALGA State Council meeting on 3 July 2019 recommended that:

1. *WA local government participation in the State's National Redress Scheme declaration with full financial coverage by the State Government, be endorsed in principle, noting that further engagement with the sector will occur in the second half of 2019.*
2. *WALGA continue to promote awareness of the National Redress Scheme and note that local governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.*

DLGSC representatives presented at a WALGA hosted webinar on 18 February 2020 and presented at all WALGA Zone meetings in late February 2020.

The State's decision, in particular to cover the costs / payments to the survivor, has taken into account the feedback provided by local governments during the consultation detailed above.

### **STRATEGIC COMMUNITY PLAN IMPLICATIONS\***

In accordance with the Strategic Community Plan Key Result Area: Social Belmont.

**Objective:** Create a city that leads to feelings of wellbeing, security and safety.

**Strategy:** The City will continue to design and implement programs which enhance safety, security and wellbeing in the community.

\*Note: The Strategic Community Plan Implications outlined are reflective of the City of Belmont Strategic Community Plan 2016 – 2036. Council recently endorsed the City of Belmont 2020 – 2040 Strategic Community Plan which, as a result of COVID-19 administrative implications, is yet to be implemented across the City.

### **POLICY IMPLICATIONS**

There are no policy implications associated with this report.

### **STATUTORY ENVIRONMENT**

If the City of Belmont agrees to join the Scheme, compliance to legislative requirements set out in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Commonwealth Act), will be required. These include, but are not limited to, confidentiality, application processing / staffing, record keeping and redress decisions.

Authorisation of an appropriately appointed person to execute a service agreement with the State, if a Redress application is received, will be in accordance with s.9.49A(4) of the *Local Government Act 1995*.

*Item 12.8 Continued*

## **BACKGROUND**

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) was established in 2013 to investigate failures of public and private institutions to protect children from sexual abuse. The Royal Commission released three reports throughout the inquiry:

- Working with Children Checks (August 2015);
- Redress and Civil Litigation (September 2015); and
- Criminal Justice (August 2017).

The Royal Commission's Final Report (15 December 2017) incorporated findings and recommendations of the three previous reports and contained a total of 409 recommendations, of which 310 are applicable to the Western Australian Government and the broader WA community.

The implications of the Royal Commission's recommendations are twofold: the first is accountability for historical breaches in the duty of care that occurred before 1 July 2018 within any institution; the second is future-facing, ensuring better child safe approaches are implemented holistically moving forward.

The Royal Commission's Redress and Civil Litigation (September 2015) Report recommended the establishment of a single National Redress Scheme (the Scheme) to recognise the harm suffered by survivors of institutional child sexual abuse.

A National Redress Scheme for the survivors of institutional child sexual abuse commenced on 1 July 2018 and offers eligible applicants three elements of Redress:

- A direct personal response (apology) from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

All State and Territory Governments and many major non-government organisations and church groups have joined the Scheme which will run for 10 years.

Under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Commonwealth Act), local governments may be considered a State Government institution for the purposes of the Scheme. However, when the State Government decided to join the Scheme, a decision was made to exclude WA local governments from the Scheme at that time to allow consultation with the sector.

WALGA and Local Government Professionals WA were extensively involved in this consultation and, in July 2019, WALGA recommended that local governments participate in the Scheme if the State Government met the costs.

In December 2019, following the consultation with local governments, the State Government agreed to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to victims. Subsequently, it has been agreed that the State Government will pay costs in relation to counselling, legal fees and administration (including coordination of requests for information and record keeping). Consequently, the WALGA request for the State Government to meet the potential cost of participation has been achieved.

*Item 12.8 Continued*

State Government financial support for local government participation in the Scheme, as set out, will ensure that Redress is available to as many WA survivors of institutional child sexual abuse as possible.

Individual local governments participating in the Scheme as a State Government institution will be responsible for:

- Providing the State with the necessary information to participate in the Scheme (such as information on the facilities and services historically offered);
- Gathering information and providing that information to the State (if a Redress application is received); and
- Costs associated with the delivery of a Direct Personal Response (DPR) (apology), if requested (based on a standard service fee (\$3,000), plus travel and accommodation depending on the survivor's circumstance).

**OFFICER COMMENT**

The City of Belmont essentially has three options:

1. To join the Scheme in accordance with the proposal above (with the advantage that the State Government will cover any significant costs incurred). In consultation with the Business Continuity and Risk department, risk associated with this option is deemed low;
2. To join the Scheme at some later date if considered necessary. (While this is an option, it has no advantages, as the State is only agreeing to cover the costs for those who join now); and
3. To not join the Scheme. While there were no cases of local government child sexual abuse presented to the Royal Commission it would represent a divergence from the positions taken by the Commonwealth, the States and WALGA, and create a reputational exposure (noting the Commonwealth's preparedness to name and shame non-participating organisations). If this position is adopted, the only remaining method of redress for a victim of any past City abuse (should there have been any) would be through civil litigation, with no upper limit on the amount that could be claimed. Given the complexity and uncertainty of insurance response in this circumstance, this represents a moderate to major financial risk.

The City's participation in the Scheme also provides greater security in that the City is not only covered for activities, services or events it provides, but also those provided by third parties on behalf of the City by way of contract or other means.

Based on the above analysis, it will be recommended that the City joins the Scheme now and that the Chief Executive Officer be authorised to execute a service agreement under the Scheme if an application is received. Should an application be received, a confidential report will be provided which will inform Council that an application has been received.

It should be noted that decisions regarding an application for redress, and the institution responsible, are made by Independent Decision Makers and that the State Government and the City will have no influence on the decision made. Further, there is no right of appeal against the decision.

*Item 12.8 Continued*

### **FINANCIAL IMPLICATIONS**

There is no cost to join the Scheme. Further, based on the fact that the Royal Commission uncovered no incidences of child sexual abuse in local government, it is unlikely that a claim will be made against the City of Belmont. If a claim is made, and a DPR is required, the City will incur a service fee of \$3,000. However, joining the Scheme will mean that the State will cover any monetary payment the Independent Decision Makers determine for redress; costs in relation to counselling, legal fees and administration; and the provision of trained staff to support the process.

The State's decision also mitigates a significant financial risk to the local government in terms of waiving rights to future claims. Accepting an offer of redress has the effect of releasing the responsible participating organisation and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that the person who receives redress through the Scheme, agrees to not bring or continue any civil claims against the responsible participating organisation in relation to any abuse within the scope of the Scheme.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

### **SOCIAL IMPLICATIONS**

Supporting this initiative and involvement in the National Redress Scheme will provide and demonstrate support to any affected community member in a positive manner through access to the Scheme whilst enhancing a sense of community for the City of Belmont.

### **OFFICER RECOMMENDATION**

**That Council:**

- 1. Supports the City of Belmont's participation in the National Redress Scheme as a State Government institution and that the City be included as part of the State Government's declaration.**
- 2. Authorises the Chief Executive Officer to execute a service agreement with the State Government, if a redress application is received.**
- 3. Notes that a confidential report will be provided to Council if a redress application is received by the City.**

***OFFICER RECOMMENDATION ADOPTED EN BLOC BY ABSOLUTE MAJORITY –  
REFER TO RESOLUTION APPEARING AT ITEM 12***

**12.9 ADOPTION OF FEES AND CHARGES FOR 2020-2021**

**BUSINESS EXCELLENCE BELMONT**

**ATTACHMENT DETAILS**

<b>Attachment No</b>	<b>Details</b>
<b>Attachment 19 – Item 12.9 refers</b>	<a href="#"><b>Fees and Charges for 2020-2021</b></a>

Voting Requirement	:	Absolute Majority
Subject Index	:	54/004 – Budget Documentation Council
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Corporate and Governance

**COUNCIL ROLE**

- |                                     |                       |   |
|-------------------------------------|-----------------------|---|
| <input type="checkbox"/>            | <b>Advocacy</b>       | <i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | <b>Executive</b>      | <i>The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | <b>Legislative</b>    | <i>Includes adopting local laws, local planning schemes and policies.</i>   |
| <input type="checkbox"/>            | <b>Review</b>         | <i>When Council reviews decisions made by Officers.</i>   |
| <input type="checkbox"/>            | <b>Quasi-Judicial</b> | <i>When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |

**PURPOSE OF REPORT**

To Adopt Council's Fees and Charges applicable for the 2020-2021 financial year.

**SUMMARY AND KEY ISSUES**

Each Division has reviewed its Fees and Charges for the 2020-2021 Budget process and Council needs to endorse each Division's review. This report brings all the Fees and Charges together for inclusion in the 2020-2021 Budget.

*Item 12.9 Continued*

### **LOCATION**

Not applicable.

### **CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

### **STRATEGIC COMMUNITY PLAN IMPLICATIONS\***

In accordance with the Strategic Plan Key Result Area: Business Excellence.

**Objective:** Achieve excellence in the management and operation of the local government.

**Strategy:** Ensure Council is engaged at a strategic level to enable effective decision making

\*Note: The Strategic Community Plan Implications outlined are reflective of the City of Belmont Strategic Community Plan 2016 – 2036. Council recently endorsed the City of Belmont 2020 – 2040 Strategic Community Plan which, as a result of COVID-19 administrative implications, is yet to be implemented across the City.

### **POLICY IMPLICATIONS**

There are no policy implications associated with this report.

### **STATUTORY ENVIRONMENT**

Section 6.16 (1) of the *Local Government Act 1995* states:

*“A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

*\* Absolute majority required.”*

Section 6.16 (3) states further that:

*“Fees and charges are to be imposed when adopting the annual budget but may be —*

*(a) imposed\* during a financial year; and*

*(b) amended\* from time to time during a financial year.*

*\* Absolute majority required.”*

*Item 12.9 Continued*

## **BACKGROUND**

In order to comply with the provisions of the *Local Government Act 1995*, all Fees and Charges to be levied by Council for the financial year are to be submitted for adoption by Council.

## **OFFICER COMMENT**

Each Division has reviewed the Fees and Charges applicable to their particular area and their recommendations are submitted through this report to Council for consideration as part of the Budget Adoption process.

The consolidated Schedule of Fees and Charges presented with this report (refer [Attachment 19](#)) has a similar format to the one to be adopted as part of the budget process and includes a description of how the Fee or Charge was calculated based on one of the following categories:

- Cost recovery - Recovery of the costs to provide the service
- Statutory - Fee or Charge established by Legislation or Regulation
- Benchmarked - Comparisons with other Local Governments or organisations.

The Schedule presented with this report (refer [Attachment 19](#)) also includes those Fees and Charges applicable in 2019-2020 to enable a comparison. Those that have changed are highlighted.

An additional column has been included which confirms those Fees that have been waived due to COVID-19 during 2020-2021 following Council resolution in April 2020. Those fully or partially waived have also been highlighted.

It should also be noted that many of these Fees do not include GST as most are exempt from GST under *A New Tax System (Goods and Services Tax) Act 1999*. A full list of all Fees and Charges and their GST implications is also presented as part of the final Budget process.

## **FINANCIAL IMPLICATIONS**

In the adopted Budget, the table detailed will also show the level of income being budgeted as a result of the imposition of these Fees and Charges. This is a requirement for the Budget document that will be presented for formal adoption in the prescribed manner.

## **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

## **SOCIAL IMPLICATIONS**

There are no social implications associated with this report.

*Item 12.9 Continued*

**OFFICER RECOMMENDATION**

1. That the review of the Fees and Charges 2020-2021 shown in [Attachment 19](#) be endorsed by Council for the 2020-2021 financial year.
2. That Officers be authorised to advise any affected parties of the new Fees and Charges immediately to ensure collection systems are in place by 1 July 2020 where required.

***OFFICER RECOMMENDATION ADOPTED EN BLOC BY ABSOLUTE MAJORITY –  
REFER TO RESOLUTION APPEARING AT ITEM 12***

**12.10 2020-2021 RATE SETTING BUDGET**

**BUSINESS EXCELLENCE BELMONT**

**ATTACHMENT DETAILS**

<b>Attachment No</b>	<b>Details</b>
Attachment 20–Item 12.10 refers	<a href="#">Annual Budget 2020-2021</a>
Attachment 21–Item 12.10 refers	<a href="#">Construction Summary 2020-2021</a>
Attachment 22–Item 12.10 refers	<a href="#">Reserve Accounts</a>

Voting Requirement : Simple Majority  
Subject Index : 54/004 - Budget Documentation Council  
Location/Property Index : N/A  
Application Index : N/A  
Disclosure of any Interest : Nil  
Previous Items : N/A  
Applicant : N/A  
Owner : N/A  
Responsible Division : Corporate and Governance

**COUNCIL ROLE**

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, local planning schemes and policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application/matter that directly affect a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

**PURPOSE OF REPORT**

To present the 2020-2021 Rate Setting Budget for consideration.

**SUMMARY AND KEY ISSUES**

To consider the 2020-2021 Budget and endorse the Municipal Fund Budget for Rate Setting Purposes so that the differential rates in the dollar can be advertised in the lead up to the formal adoption of the Budget at the Ordinary Council Meeting on 28 July 2020.

*Item 12.10 Continued*

### **LOCATION**

Not applicable.

### **CONSULTATION**

The City's research that drives the development of the Strategic Community Plan and the Corporate Business Plan also flows into the development of the Annual Budget. Research is conducted annually with the Community and outcomes from the Strategic Community Plan are funded through the Annual Budget.

### **STRATEGIC COMMUNITY PLAN IMPLICATIONS\***

In accordance with the Strategic Community Plan Key Result Area: Business Excellence Belmont.

**Objective:** Achieve excellence in the management and operation of the local government.

**Strategy:** Ensure Council is engaged at a strategic level to enable effective decision making.

The rate setting budget provides the financial framework to enable the objectives and outcomes of the Strategic Community Plan to be achieved.

\*Note: The Strategic Community Plan Implications outlined are reflective of the City of Belmont Strategic Community Plan 2016 – 2036. Council recently endorsed the City of Belmont 2020 – 2040 Strategic Community Plan which, as a result of COVID-19 administrative implications, is yet to be implemented across the City.

### **POLICY IMPLICATIONS**

There are no policy implications associated with this report.

### **STATUTORY ENVIRONMENT**

There are no specific statutory implications as Council is not adopting its budget through this process. This report is a step in the process that enables the required advertising of proposed differential rates, and culminates in the adoption of the Budget in the prescribed manner at the Ordinary Council Meeting on 28 July 2020.

*Item 12.10 Continued*

## **BACKGROUND**

The budget working papers are attached and follow the same basic format as previous years.

The Budget Report as attached contains the following information:

- 2019-2020 Adopted Budget;
- 2019-2020 Revised Budget (as reviewed in March 2020);
- 2019-2020 Actual's to 25 May 2020;
- 2020-2021 Budget estimates;
- Percentage Increase; and
- Comments providing further explanation where applicable.

The attachment has been summarised so that the costs associated with each Council building, park or capital project are reported as a total. This is consistent with previous years.

### [Attachment 20](#) – Annual Budget 2020-2021

The format of the working papers is in fact the City of Belmont Rate Setting Budget and shows the projected incomes and expenditures for 2020-2021. The true cash position of the City (both during and at the end of the coming financial year) will also be impacted by COVID-19. This particular report does not deal with the rate in the dollar setting process as that is the subject of a separate report in this Agenda. Once Council is satisfied with the Rate Setting Budget the rates in the dollar etc. are dealt with in the Rate Calculations Report.

The budget allows for rubbish charges to decrease 5% (rounded) in 2020-2021 resulting in the (base) rubbish charge decreasing from \$318.81 to a flat \$303. Rubbish charges are a fee for service and aim to cover costs with any surpluses or losses offset by transfers through the Waste Management Reserve. The Reserve will be available for future waste Food Organics, Garden Organics (FOGO) implementation purposes.

At the time of writing this report, the Consumer Price Index (CPI) and WALGA Local Government Cost Index (LGCI) for Perth can't be reliably estimated for 2020-2021. The best case scenario, as extracted from WALGA's May edition of the Economic Update, is that national inflation will be minus 1.00% for the 2019-2020 year and then rebounding to a positive 2.75% in 2020-2021. The true position and impact of COVID-19 will become clearer as 2020-2021 unfolds.

The draft budget has been prepared adopting a responsible approach to maintaining Councils assets, providing services to the community and responding accordingly to COVID-19. Other than those individual budgets impacted by COVID-19 the budget is based on maintaining costs consistent with 2019-2020 with employee related costs increasing 1.75% based on anticipated CPI increases.

As per Council resolutions in April and May 2020 the budget includes almost \$2M in additional costs and reductions in income as COVID-19 financial assistance measures. This has been funded by way of reductions in cost budgets, many of which are a result of COVID-19 (e.g. training, events, etc.), and reserve transfers.

*Item 12.10 Continued*

A balanced budget has been achieved with a 0% increase in the rate yield. This continues the strategy of increasing rates in line with relative forecasted price indices or less, and sufficiently to offset the budget deficit. Although in the case of the 2020-2021 budget as a result of COVID-19, income from reserves has also been sourced to balance the budget. This strategy is also supported by a thorough review of expenditure budgets with a zero based budget being the starting point. The budget is a key component in the Integrated Planning Reporting process and enables Council to financially resource key actions as identified in the Corporate Business Plan. This ensures budgets remain focused on the community's needs. Expenditure efficiency measures, as supported by Councils Purchasing Policy, are also considered and factored into the budget process.

### **OFFICER COMMENT**

Each Division has provided a report on its 2020-2021 Budget to highlight particular parts of their budget and add further explanation to the comments contained in the working papers.

The key factors driving the preparation of the 2020-2021 Budget are:

- Delivering the outcomes of the Strategic Community Plan through the Key Actions of the Corporate Business Plan;
- Maintaining a viable workforce through effective attraction and retention;
- Being responsive to research results i.e. crime and safety, business engagement;
- Increase communications with the community and community development;
- Maintaining required service delivery standards;
- Maintaining infrastructure based on Asset Management Plans;
- Delivery of the Belmont Hub (New Community Centre) and the additional associated operational costs; and
- Responding appropriately to the COVID-19 pandemic.

This report is designed to address some of the major items or projects contained within the budget and not each individual line item. It's worth noting that Activity Based Allocations (ABC's) have been recalculated based on updated inputs. Some of the inputs include the number of IT devices, staff numbers and office space per section. There have been some significant movements but ABC's are internally generated and have a nil impact on the overall budget.

### **Chief Executive Officer's Division**

#### **Chief Executive Officer (CEO)**

The majority of accounts in this section are similar to the previous year's budget. There has been a notable reduction in the Consultants budget.

#### **People and Organisational Development**

The People and Organisational Development budget has now been fully aligned with changes arising from the restructure including the separation into two Business Units: Human Resources and Business Planning and Improvement. Budgets have been transferred accordingly with some increases in employee costs associated with the transfer of some staff from another Department. There have also been some projected decreases in costs associated with the impacts of the COVID-19 pandemic.

*Item 12.10 Continued*

## **Corporate and Governance Division**

### **Executive Services**

Executive Services covers those areas related to Governance support services. This includes Governance, Legal, and Compliance activities. The majority of accounts are in line with last year with small decreases in overall expenses.

### **Records Management**

No notable changes with the majority of accounts being in line with last year's budget.

### **Governance – Elected Members Support**

No notable changes with the majority of accounts being in line with last year. Elected members' fees and allowances have been budgeted in line with Salaries and Allowances Tribunal decisions, no increase.

### **Belmont Trust**

This section reflects the cost of managing the Trust land. An amount for preparation costs for possible legal activities is also included, as well as an allocation for a strategic planning process for the Trust land. It should be noted that this section also includes investment returns of the Belmont Trust Reserve. These investment returns are transferred back into the Belmont Trust Reserve and expenditure incurred by the Belmont Trust is recovered from the Belmont Trust Reserve, so the impact on the Municipal Fund is nil.

### **Business Continuity, Risk & Insurance**

This portfolio has been moved from Finance to Governance which has seen the creation of new account codes for the associated costs. No increases have been applied to any of these activities.

Insurance premiums are expected to increase for 2020-2021 based on estimates provided by the Local Government Insurance Service. Increases have also been impacted by the Belmont Hub, changes to building valuations and the estimated rebate reported separately as income.

### **Marketing and Communications**

The Marketing and Communications budget funds the areas of marketing, promotions, media and communications as well as major community events and civic functions. The 2020-2021 Budget continues to focus on providing high quality and engaging communications both in print and increasingly in the digital landscape.

COVID-19 has seen the downscaling of events proposed for the forthcoming year with some events cancelled. These include Avon Descent, Mayoral Dinner and Civic Dinner all cancelled. Expenditure on all other events has been reduced to allow for a reduction based upon the COVID-19 pandemic. Allowances for catering and meals etc. are also reduced based upon a reduction of in person meetings and events at the Civic Centre. This may require reconsideration at future budget reviews as the situation changes with COVID-19.

*Item 12.10 Continued*

However, other components have seen an increase relative to COVID-19 dealing in the main with communications, media and various publications etc. This equates to approximately \$138k, including additional signage, increased advertising in the Southern Gazette, Facebook, Instagram and podcast / radio, community revitalisation and support and printing etc.

Finance Department

No notable changes although the Consultants budget has slightly increased to allow for the revaluation of significant infrastructure assets as per statutory requirements. Some cost budgets have been reduced as a result of COVID-19.

Financing Activities

Investment returns have fallen as a result of current market conditions and a reduction in available cash and cash reserves. Returns on reserve investments are transferred to reserve and have no impact on the municipal budget.

A notable budget allocation is a transfer to and from the Land Acquisition Reserve of \$8M. This reflects a loan to the Municipal account if required to support any cashflow issues as a result of COVID-19. Any interest earned by the Municipal Fund would be repaid to the Reserves so there would be a nil cost to the Municipal Fund. Apart from the low cost, this also allows for some flexibility and it is hoped the \$8M transfer will not be required. This item will also be subject to revision in future budget reviews.

Transfers to Reserve

This budget provides sufficient funds for transfer to the relatively short term 'operational expense smoothing' reserve needs such as employee entitlements, election expenses and revaluation expenses.

The budgeted investment income in relation to the Reserve Accounts for 2020-2021 is \$0.8M.

Budgeted 2020-2021 Reserve Balances are provided in [Attachment 22](#).

Rates

A full rates report is presented as part of this agenda. In summary the budget is based on a 0% change in the rate yield although total rates income will have a minor budget increase as compared to 2019-2020. Increases are due to both growth in 2020-2021 and interim rates received through developments in 2019-2020 being reflected for the full 12 months in 2020-2021.

General Purpose Income

The Grants Commission Financial Assistance Grant (FAG) remains as the main item in general purpose income with 50% of the FAG budgeted in 2020-2021 as the other 50% is expected to be prepaid in the current financial year.

Information Technology (IT)

The majority of accounts in this section are very much under or in line with the previous year's budget. The additional Business Application budget results from increases by our software providers, including Technology One, Aurion, Trapeze and additional software required for the library at Belmont Hub.

*Item 12.10 Continued*

Business Applications (capital) comprises website and Intranet redevelopment; electronic minutes and agenda, development of Mobile Apps. The other minor software items are for integration of business applications to transition to the Cloud.

IT capital equipment predominantly comprises of renewal of printers / photocopiers and a disaster recovery solution using Cloud storage.

Capital expenditure in regards to the Belmont Hub has been carried forward due to delays in 2019-2020. Respective reserve funding has also been carried forward.

### **Infrastructure Services Division**

The Infrastructure Services Division largely has a major capital works focus including roads, drainage and paths. The preliminary budget for each programme was submitted to Council for discussion at the Information Forum meeting of 10 March 2020 with programmes based on respective Asset Management Plans.

### **Roads Programme**

The following provides a brief account of the major areas of expenditure in each programme.

Major works programmed in the coming financial year include:

- \$1,080,310 to rehabilitate the Abernethy Road pavement in two sections from Wright Street to Fulham Street and from Gabriel Street to Keane Street in both directions using the foamed bitumen methodology;
- \$280,000 to lengthen the right turn slip lane in Abernethy Road on the southern approach to Alexander Road;
- \$350,000 for traffic management devices in Moreing St between Stanton Road and Great Eastern Highway;
- \$125,000 to progress the design and public utilities investigation to inform the construction of a new roundabout at the intersection of Stanton Road and Kanowna Ave in the 2021-2022 financial year (this year includes the installation of speed plateaus and improved street lighting);
- \$175,000 to reprioritise the intersection of Gladstone Road and Barry Street; and
- 40 other individual roads projects ranging in values.

The major funding sources from operational and capital grants total \$973,202, and include the following:

- \$626,266 from the Metropolitan Regional Road Group Direct Grant administered by Main Roads; and
- \$346,936 from the Roads to Recovery Programme.

The schedule of all capital works can be found in [Attachment 21](#) - Construction Summary 2020-2021.

### **Drainage**

The drainage works programme has been developed through the review of the current stormwater network to ensure that an acceptable level of service is achieved based on the Drainage Asset Management Plan. The drainage projects have been identified and listed for funding as reflected in the budget.

*Item 12.10 Continued*

The list consists of five cost items which includes programmes for the replacement of the ageing aluminium pipe network and some general drainage improvements that are yet to be finalised. As a requirement of the Drainage Asset Management Plan, funding to undertake a condition survey of drainage pipes using Closed Circuit Television (CCTV) has also been included.

Other cost items include the replacement of old and inefficient chute-type gullies and the upgrade of pollutant control measures to improve stormwater quality. The total funding of the drainage programme amounts to \$0.5M.

### **Paths**

The draft programme maintains Council's commitment to the ongoing upgrade and repair of the existing path infrastructure to minimise potential liability. The rehabilitation programme continues to address paths identified and prioritised in the ten year financial plan and condition surveys.

Next year's programme will include upgrades to 14 paths throughout the City and two programmes accounts to improve connectivity and path rehabilitation. A further six new footpaths will be installed in locations requested by the community and as part of the Sustainable Transport Plan.

The total funding of the path construction programme amounts to \$0.7M.

### **Asset Management**

The focus for the Asset Management Section in 2020-2021 is to:

- Continue refining the City's Asset Management Plans and processes in line with the State Government's Integrated Planning requirements;
- Undertake an asset data capture and condition assessment of the City's road network using Laser Profiling;
- Continue the detailed collection of drainage asset data to determine network age;
- Creation of an Infrastructure Plan as an overarching document for the City's existing infrastructure Asset Management Plans;
- Renewal of the City's Asset Management Strategy for Council review and adoption;
- Commence work on the renewal of the City's Community Infrastructure Plan; and
- Undertake a network wide path fault survey as it was delayed in 2019-2020 due to the effects of the COVID-19 lock down in the second half of the financial year. It will be used to prepare a minor works programme for path maintenance.

The continuous cycle of asset data collection will ensure improvement in the City's asset information and assist in the formation of accurate financial data for long term financial planning.

### **TravelSmart**

Continued implementation of the Sustainable Transport Plan will include key strategic actions in areas of: community, schools, workplaces, city staff and planning and infrastructure. The plan will focus on encouraging cycling, public transport, walking and carpooling as alternatives to sole occupant vehicle transport.

*Item 12.10 Continued*

This section will be heavily involved in developing actions and incentives to be used by both City and not-for-profit staff in the new Belmont Hub to promote alternative modes of transport to qualify the new building's Green Star credentials.

The budget is consistent with the current financial year.

City Projects

The allocated budget covers departmental staffing to provide project management services for current and programmed major projects; and obtaining consultancy services as needed for nominated projects.

Grounds Operations

Grounds Operations accommodates the traditional areas of Parks Maintenance and Parks Construction and is designed to assist with the continuous improvement of the City's parks and reserves, with the ultimate aim of providing a high quality experience for residents and visitors to the City of Belmont.

Parks Maintenance is a significant and substantial area with a total of 309 hectares of parkland and public open space, with over 200 hectares of this being maintained to a high standard. These areas include active, passive and premier reserves, rehabilitated environmental areas, streetscape treatments and verges, the Swan River foreshore, the management of arboricultural assets and other areas.

The significant construction projects (including funding sources) for the 2020-2021 financial year can be summarised as follows:

- A municipal programme valued at approximately \$2.5M which includes projects funded from income from state agencies of \$97,000;
- \$152,000 for Abernethy median landscaping;
- \$119,773 for the installation of an entry statement at the corner of Abernethy and Leach Highway;
- \$301,411 to complete the pump track at Forster Park;
- \$152,220 for the completion of Peach Park bike track and playground renewal;
- \$400,372 for the installation of Irrigation at Brearley Avenue;
- \$300,000 for the upgrade of aged assets at the Volcano Playground;
- \$380,000 for the upgrade and renewal of various irrigation networks;
- \$60,000 for Sporting Facilities renewal programme;
- \$160,000 for the renewal of Cracknell Park Playground; and
- \$90,000 for the installation of park exercise equipment at Lions Park.

Environment

The focus of the Environment budget in 2020-2021 is concentrated on design development of future foreshore stabilisation projects plus the implementation of the Environment and Sustainability Strategy 2016-2021. The operating budget for Environmental Services has not changed. The budget for capital projects has seen a small increase in comparison to last year's budget, primarily associated with design development for Bilya Kard Boodja Lookout foreshore stabilisation and Garvey Park Section 2 foreshore, and repair of the foreshore revetment adjacent to Ascot Racecourse.

*Item 12.10 Continued*

Leisure

The majority of accounts in this section are in line with the previous year's budget. During 2020-2021 financial year, the Community Wellbeing Section will focus on:

- Working in partnership with BlueFit Pty Ltd in providing leisure and aquatic programmes and services at the Belmont Oasis Leisure Centre;
- Expanding and updating leisure and recreation opportunities for the community; and
- Developing operational and strategic plans in relation to the delivery of recreation and leisure services in the future.

**City Facilities and Property Department**

Facilities and Property Section

The majority of expense accounts in this section are very much in line with the previous year's authorised budget capturing administrative costs and ongoing cost of managing the City's leased facilities and property related activities. There have been some significant reductions in expected rental/lease income as a result of COVID-19.

Building Construction

The Building Capital Works Programme for 2020-2021 is made up of Renewal projects and Capital Upgrade projects.

Building renewal and capital upgrade projects have been compiled from long-term asset management programmes enabling Council to spread the impact on its financial resources. The timing of the listed items and the items themselves will over the years have to be flexible and / or changed to meet the ever-changing demands on Council facilities and the available funds. Projects to be considered for future years will continue to be reviewed as part of the asset management plan and renewal programme reviews.

The major capital projects listed for consideration are:

Rehabilitation / Renewal Projects

- BB1709 – Oasis Leisure Centre (\$1,882,500) – Refurbish the plant room, change rooms and toilets; and
- BB1804 – Administration Centre Mechanical Services (\$50,000) – Complete the replacement of the air conditioning Building Management System (BMS).

Capital Upgrade Projects

The projects below are all carry over works to complete the Belmont Hub project:

- BB1410 - Civic Centre Revitalisation Project (\$25,000) - Professional fees associated with the finalisation of the Belmont Hub project;
- BB1801 – Faulkner Civic Precinct Community Centre (\$987,000) - allocation to finalise the construction of the Belmont Hub; and
- BB2008 –Café Kitchen Fit Out (\$315,000) – allocation for the fit out of the café area at the Belmont Hub.

A summary of the Building Construction projects can be found in [Attachment 21](#) - Construction Summary 2020-2021.

*Item 12.10 Continued*

The Renewal budget totals \$1,962,500 (gross) and is partially offset by funding from reserves (\$1,200,000). This results in \$762,500 being funded from Municipal funds. Capital Upgrades totalling \$1,337,000 (gross) are largely funded from reserves (\$1,302,000). This results in \$35,000 being funded from Municipal funds.

Details of funding for items above include:

- BB1709 - \$1,200,000 from reserve to carry out the refurbishment of the plant rooms, change rooms and toilets at the Belmont Oasis Leisure Centre;
- BB1801 - \$987,000 from Property Development reserve to complete the construction of the Belmont Hub; and
- BB2008 - \$315,000 from the Property Development reserve to fund the fit out of the café in the Belmont Hub.

A summary of all Building Construction projects can be found in [Attachment 21](#) - Construction Summary 2020-2021.

Facilities (Building) Maintenance

The Facilities Maintenance budget is broken into three components namely Operating, Maintenance and Vandalism.

The Operating Budget includes allowances for costs such as cleaning, public building compliance, various utility charges and building insurance. The Operating budget for 2020-2021 is \$1,989,880 which is an increase of 18.97% over the previous year. This increase is largely attributed to the additional operational costs that will be incurred at the new Belmont Hub for a full year, the Oasis Leisure Centre and the Belmont Sport and Recreation Club. Some of these additional costs incurred may be offset by lease fees and outgoings received from lessees at these facilities.

The Maintenance Budget is based on work determined as being required, requests received during the year, contingencies for reactive maintenance and programmed maintenance activities. The allocation for 2020-2021 is \$1,203,720, a budget decrease of 2.71% from the previous year. The decrease in the budget this year is due to a reduction in the number of facilities requiring painting and the expected reduction in repairs to parks lighting as the majority of the fittings have now been replaced with new. The City's facilities are generally in very good condition with scheduled maintenance of plant and equipment being undertaken on a regular basis. This adds to the overall life of the assets and reduces cost.

The Vandalism Budget is based on trends from previous years. The allocation for 2020-2021 is \$51,776 which is a budget increase of 5.66% over the previous year. There were a number of incidences in the 2019-2020 financial year that have led to an increase in the projected vandalism expenditure.

The overall Facilities Maintenance Budget has increased next year by 9.68% to \$3,245,376, however if the Belmont Hub costs were excluded it would have resulted in an overall decrease of 5.51%.

The Facilities Maintenance Budget includes all City owned facilities with budgets appearing in various sections of the municipal budget.

*Item 12.10 Continued*

## **Community and Statutory Services Division**

### **Planning Department**

There are a number of planning projects that the City has committed to in previous years, and is continuing in 2020-2021. The work involves consultants' fees as follows:

- Progress planning and implementation framework for Development Area 6 - \$120,000;
- Scheme Review community engagement activities - \$5,000;
- Finalising Great Eastern Highway Corridor Strategy - \$11,500; and
- Updates and revisions to the Golden Gateway Local Structure Plan further to public consultation - \$50,600.

The budget also incorporates development application fee waivers and significant cash-back discounts in-line with Council's COVID-19 relief measures.

### **Building Control Section**

The proposed budget allocation for Building Applications income has been reduced from last year's estimate of \$290,000 down to \$44,000. This budget reflects a general downturn in building activity over the last year but more significantly the Council approved waiving of fees associated with Certified Building Permit, Occupancy Permit, Demolition and Verge Permit applications as a result of COVID-19.

### **Community Safety & Crime Prevention**

The City of Belmont's Community Safety and Crime Prevention Plan (CSCP) continues to provide the community with initiatives to improve the safety, security and wellbeing of residents, businesses and visitors.

The CSCP Plan works on partnerships with State and Government agencies as well as with private service providers.

During 2020-2021 the City will continue to expand and improve its CCTV network with additional cameras being installed at existing locations including the Epsom Avenue Shops (\$40,000) along Progress Way (\$25,000) and around the new Belmont Hub (\$25,000).

Substantial grant funding from the Federal government (\$540,000) will be used to install the new CCTV system in the Belmont Hub with state of the art analytical software. The installation of CCTV cameras both internally and externally is nearly completed with a small number of cameras due to be installed once the buildings fixtures and equipment have been installed. The analytics software will be installed in the early part of the new financial year in readiness for the building's opening.

Other funding secured will target youth engagement and includes the Hip Hop Ed programme (\$25,000), the Social Street Basketball programme (\$20,499) and the first instalment of \$168,000 for the Positive Engagement Programme (PEP).

The budget also allows for the ongoing support of Constable Care and the Theatrical Response Group (\$40,000).

*Item 12.10 Continued*

The Community Taskforce, formed in late 2018, is a multi-agency group operating at a high level to address community safety and perception of crime issues. Promotion of the group and its initiatives has been an ongoing process with short and longer term goals implemented and funded through the budget process (\$30,000). The Neighbourhood Watch programme will be promoted through the Taskforce's Community Safety Alliance with the budget reallocated to this initiative.

The City's Criminal Damage (Graffiti) Removal programme continues to be successful with the ongoing prompt removal of graffiti throughout the City. After a three month trial from December 2019 to February 2020 the City took on the responsibility of graffiti removal on the Main Roads noise walls that run along the main highways around the City (Leach, Tonkin and Great Eastern). This year's budget has allocated \$48,000 in materials and labour to ensure these highly visible structures are kept free of graffiti. It will however be cost neutral to the City with Main Roads paying for all costs associated with the work on their structures.

The Community Watch patrol continues to provide an excellent service to the City and statistics show the demand for their services increasing. The Community Watch officers have been invaluable in assisting Environmental Health Officer's investigate and deal with out of hours noise complaints, such as building work and stereo / party noise. There has been no increase in costs for the upcoming financial year.

#### Health Services

As with previous years, both Immunisation and Mosquito Management Programmes provide essential services to the community at a more than reasonable cost. Both are seen as vital in preventing disease in the community and as such the City's ongoing provision of these services is of great importance. The City has also taken on the Chair of the Contiguous Local Authority Group (CLAG) which manages the joint grant funded finances (with the Department of Health) of all five member Local Governments. The budget of \$50,000 is used to bulk buy mosquito bait and for promotional initiatives supporting mosquito control for the benefit of the five members (Belmont, Bassendean, Bayswater, Swan and Town of Victoria Park).

Environmental Health work, such as noise related complaints and food premise inspections, continues to increase with changing community needs. The number of public events and festivals, run by the City and by external agencies is expected to reduce in view of current COVID-19 restrictions and social distancing requirements.

In support of the community and businesses the majority of fees related to Health services, permits, licences and applications have been waived by Council. This will result in an estimated loss of income totalling \$125,000.

#### Volunteer Emergency Services (VES)

The City continues to provide ongoing support and oversight of SES grant funding throughout City and promotion of Emergency Management awareness amongst staff and the community.

#### Ranger Services

In support of the community following Council's COVID-19 response, dog and cat registration fees have been waived which will result in an estimated loss of income totalling \$63,000. While Rangers will continue to infringe where appropriate there will be an estimated 25% reduction (\$13,850) in anticipated income from the issuing of warnings (as opposed to infringing).

*Item 12.10 Continued*

Economic and Community Development

The majority of accounts in this section are very much in line with the previous year's authorised budget. A budget increase is due to \$20,000 allocation for COVID-19 response projects as per Council's decision at the 28 April 2020 Ordinary Council Meeting.

Youth Services

There is a strong focus on the successful delivery of the City's 2019 and beyond Youth Strategy. The Strategy provides opportunities for the City's young people to participate in the community, live healthy and active lives, express themselves and gain access to training, education and employment. This section has a total budget allocation of \$747,269 and includes:

- Youth Services Tender Contract – Young Men's Christian Association WA (YMCA)
- Grant income from the Department of Communities for case management support provided by YMCA of \$61,500.

Seniors and Disability Programmes

Funds allocated to implement the City's Access and Inclusion Plan 2018-2021. The Age-Friendly Belmont Plan provides guidance to the City to ensure it is a place where people can continue to live as they age; feeling valued, respected and actively engaged in their community. This section has a total budget allocation of \$185,567 and includes:

- Review of the City's new website, Auslan Interpreters, services of access consultants and community asset mapping have been budgeted for during this financial year;
- In addition to regular events and staff training, dementia awareness sessions with key speakers and seniors skills workshops have been budgeted for during this financial year; and
- Due to COVID-19, the Dementia Friendly project will be implemented in 2020-2021 financial year. This an externally funded project by the Department of Communities, Age-Friendly Innovation Grant which the City received in 2019/2020 financial year.

Donations and Grants

The City supports a number of organisations, schools and community groups through Memorandum of Understanding agreements, service contracts and provision of community grants. The budget increase is due to \$40,000 allocation for COVID-19 response projects as per Council's decision at the 28 April 2020 Ordinary Council Meeting. This section has a total budget allocation of \$410,000.

Aboriginal and CaLD Programmes

The City of Belmont is committed to, and continues to work and support the local Aboriginal and Torres Strait Islander community by celebrating local art, cultures, histories and wellness through the implementation of the Reconciliation Action Plan (RAP). There is a strong focus on the successful implementation of the City's new Multicultural Strategy, which provides opportunities for the City's culturally and linguistically diverse community to be part of, and contribute to a socially cohesive community. This section has a total budget allocation of \$373,680 and includes:

- Outreach services provided by the Nyoongar Outreach Services including an allocation for external consultancy services to assist the City with the development of the next Reconciliation Action Plan; and

*Item 12.10 Continued*

- In addition to ongoing community workshops and events, allocation for translation of relevant materials and use of specific advertising for culturally diverse communities has been budgeted.

Sister City

The City maintains its relationship with the Special Ward of Adachi-ku in Japan. The mainstay of the relationship since its inception has been the annual Student Exchange Programme. Due to the impact of COVID-19 Adachi's delegation to Belmont in 2020 has been cancelled. As a result, this financial year one student exchange is scheduled. This section has a total budget allocation of \$47,500.

Volunteer Programmes

The City's values provide a range of opportunities for Volunteers. The City continues to raise awareness of volunteering, promote best practice and assist with the personal development of volunteers. This section has a total budget allocation of \$79,715 and includes:

- Regular Volunteers training, education and promotion of volunteering; and
- Regular recognition and reward programme, including formal Volunteer functions.

Community Services

The Community Services budget previously contained the grant income for Commonwealth Home Support Programme and WA Home and Community Care Programme and the changes are reflective of the transition away from the direct delivery of Aged and Community Care Services. Some residual expenses related to the obligations under the grant agreements and the potential for minor costs for the vehicles and the Harman Park Community Centre throughout the transition phase. These expenses will be recouped from the Commonwealth or incoming service provider respectively.

Community Place Making Department

Ruth Faulkner Library

Notable expenditure for Ruth Faulkner Library relates directly to the planned opening of the Belmont Hub in the following areas:

- \$155,280 for salaries associated with resourcing expanded services and opening seven days a week;
- \$60,000 for local stock purchases to support an anticipated increase in demand for library resources in the new Belmont Hub including materials to support English as a second language and DVDs. Funds are also included to increase the supply of e-books and e-audio books to support the increased demand for online resources as a result of COVID-19;
- \$30,000 for the replenishment and expansion of the range of merchandise stock in the new Library's retail shop as per the Retail Store Marketing and Merchandise Business Case. The shop will sell items such as pens, USBs, ear phones, local publications and unique library and heritage souvenirs and giftwares;
- \$47,570 is allocated for a range of projects including the promotion and delivery of a month long series of events and activities to celebrate the opening the new Library and Museum. Funds have also been allocated for promotional material relating to the new building and the range of services and programs on offer e.g. the new recording studio and local history studies room;

*Item 12.10 Continued*

- \$70,255 is allocated for a range of programmes and activities and includes alternative online delivery of all existing and new library programmes to the local community during the COVID-19 pandemic. This amount also includes \$30,000 as per OCM April 28 2020 for recording and live streaming of workshops, performers, authors and other guest speakers. The Library will offer an expanded range of targeted adult and children's programmes in the new Belmont Hub including sensory storytime series and 'build your business' workshop series to support social and local business recovery from COVID-19. The Library will also deliver a 'Film-it' programme targeting the building of digital skills with at-risk youth partially funded via Department of Jobs, Tourism, Science and Innovation grant (\$16,480); and
- \$48,600 is allocated for subscriptions to ensure the continuation of existing and expanded online resources for community members to support social recovery from COVID-19. This includes online tutoring and job seeker support, professionally delivered craft tutorials to develop new skills, support creativity and mental wellbeing and a complete reader's advisory solution via the online catalogue to provide tailored literacy and educational recommendations to the community.

Local History Project

The majority of accounts for the Local History Project are in line with the previous year's budget. Notable expenditure relates to the development of online cultural workshops to ensure continued community engagement with local history both during and in the recovery phase of the COVID-19 pandemic.

Belmont Hub – Library and Museum

Notable expenditure for the Belmont Hub relates directly to the development of a commemorative booklet for the official launch of the Belmont Hub as well as a promotional video detailing the projects development, construction and opening. Additionally, state wide mandatory restrictions and border closures coupled with international disruptions in freight caused by the COVID-19 pandemic resulted in some delays to the fitout stage of the Belmont Hub. These projects are on track to be completed in the first quarter of the new financial year.

Community Place Making

The majority of accounts in Community Placemaking are in line with the previous year's budget. The Community Placemaking Section focuses on achieving the key outcomes of the Community Placemaking Strategy 2018-2023 and art initiatives. Notable expenditure includes:

- Art and Photographic Exhibition – \$60,000 required to reintroduce the City's Annual Art and Photographic Exhibition and Awards in March-April 2021;
- Public Art - \$90,000 proposed for a mural art project on the Belmont Hub pump station building using funds specifically allocated by Council for public art related to the new building (OCM August 2018); and smaller scale community based public art projects that will help activate the surrounds of the Belmont Hub and engage the local community;
- Public Art maintenance - \$15,000 is allocated for maintenance work on existing Council commissioned public art assets;

*Item 12.10 Continued*

- Arts Development - \$48,000 is allocated for creative art projects and initiatives with opportunities to engage in both face to face and online programmes. Online programmes will allow for the community to engage in art development initiatives whilst social distancing measures are in place as a result of the COVID-19 pandemic. Funds also include the development of an animated film of The Adventures of the Belmonsters to promote the City's services and unique places;
- Place Activation - \$60,000 is allocated for place activation initiatives and infrastructure that will assist in creating connections between people and place, such as neighbourhood gatherings and installing small scale infrastructure in neighbourhoods or parks. All projects will engage the community, enhance well-being and inclusion and promote civic pride as part of the City's social and economic recovery from the COVID-19 crisis; and
- Community engagement and consultation - \$13,000 is allocated for connecting and consulting community groups, residents and businesses to assist with place planning and identifying public art opportunities.

### **FINANCIAL IMPLICATIONS**

The adoption of this report will ultimately drive the formal adoption of the budget, as this report performs the role of the rate setting process. Whilst the actual rate calculation process is the subject of a separate report, the rate setting process settles the required income and expenditures that when combined with the rates levied results in a balanced budget.

The budget is also partially funded by the estimated opening balance. The net actual incomes and expenditures of each Division have been reviewed with the likelihood of a surplus at 30 June 2020 of \$4.2M. This is mainly derived from \$0.7M of prepaid Financial Assistance Grants, \$1.3M carry forward of infrastructure projects, \$0.5M budgeted closing balance and the balance attributable to operating costs some of which have also been impacted by COVID-19.

The preparation of the City's Annual Budget has been a very challenging process as the economy labours under the duress of COVID-19, community's expectations remain high and the desire to make Belmont a better place to live and work remains strong. Balancing priorities and allocating sufficient funds to meet the community's needs, is a key driver of the City's Annual Budget process.

It is important to consider the role that governments on all levels play in supporting the economy through 2020-2021 and future years. The following is an extract from the Honourable David Templeman MLA Minister for Local Government; Heritage; Culture and The Arts;

*"All levels of government, in Australia and internationally, have been looking at their own budgets and stepping up to help their communities weather this difficult period. I also encourage them to keep as many projects going as possible, bring forward capital works programs where possible to keep people in jobs and consider deferring charges to support small business."*

The budget has been collated with a consideration to our fiscal responsibility and to ensure the City continues to remain financially sustainable going forward.

*Item 12.10 Continued*

The following summary represents the 2020-2021 Rate Setting Budget as it stands now:

<b>Estimated Opening Balance</b>	(4,250,000)
<b>Chief Executive Officer/Human Resources</b>	1,645,319
<b>Corporate and Governance</b>	(39,637,272)
<b>Infrastructure Services</b>	26,872,633
<b>Statutory and Community Services</b>	14,869,320
<b>Closing Balance</b>	500,000
	<u>Nil</u>

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

**SOCIAL IMPLICATIONS**

There are no social implications associated with this report.

**OFFICER RECOMMENDATION**

That Council endorse:

1. The Rate Setting Budget (Annual Budget) as shown in [Attachment 20](#).
2. The Construction Summary 2020-2021 in [Attachment 21](#).
3. The Reserve Accounts Budget as shown in [Attachment 22](#).

**Note:**

**Cr Cayoun put forward the following Alternative Councillor Motion.**

**ALTERNATIVE COUNCILLOR MOTION**

**CAYOUN MOVED, ROSSI SECONDED,**

That Council:

1. Not endorse Account 921503-00-1386-000 Catering – Meals amount \$48,000, and Council instead endorse an amount of \$15,000 to enable the purchase of sandwich platters or similarly priced meals for staff and/or Councillors to consume prior to meetings.
2. Provide a contribution to any residential account with a higher annualised rate charge in the 2020-2021 financial year as a direct result of the triennial revaluation process. The contribution will be equivalent to the rates difference to a maximum of \$250 with the total cost to be funded by deferral for future consideration of the following budget expense items currently included in the 2020-2021 Rate Setting Budget:

*Item 12.10 Continued*

- a. \$47,500 - Sister City Activity
  - b. \$150,000 - Peachey Park Toilet
  - c. \$119,773 - Entry Statement - Abernethy/Leach Hwy
  - d. \$94,000 - Museum Hampton Cheeses and Cadastral Map
3. Endorse the Rate Setting Budget (Annual Budget) as shown in [Attachment 20](#) (as amended).
  4. Endorse the Construction Summary 2020-2021 in [Attachment 21](#) (as amended).
  5. Endorse the Reserve Accounts Budget as shown in [Attachment 22](#) (as amended).

Reason:

1. So that the \$48,000 budgeted for meals at Council meetings can be debated among Councillors with a view to reducing the cost to \$15,000.
2. To provide certainty and financial relief to households in Belmont around rates for the coming year.

Council has previously committed to providing a 0% increase in rate revenue in the next budget to help protect households and businesses from the economic impacts of the COVID-19 pandemic. Given that the State Government has pursued the triennial revaluation, the application of revised Gross Rental Valuations and with the view of maintaining a 0% rate revenue increase for the City will result in some households receiving a higher rate charge than the previous year. This will ensure most households in Belmont receive no increase on their rate charge compared with last year.

**LOST 1 VOTE TO 7**

*For: Cayoun  
Against: Davis, Marks, Powell, Rossi, Ryan, Sekulla, Wolff*

**Note:**

**Cr Rossi put forward the following Foreshadowed Councillor Motion.**

**FORESHADOWED COUNCILLOR MOTION**

**ROSSI MOVED, CAYOUN SECONDED,**

**That Council:**

1. ***Amend Policy BEXB 7.7 Financial Hardship Policy (COVID-19) by including the following addition under Policy subheading "Effects"***
  - ***Once off application for assistance through the provision of a contribution to any residential rates account with a higher annualised rate charge in the 2020 -2021 financial year to a maximum of \$250.***

*Item 12.10 Continued*

- 2. Fund Item 1 above through the deferral of the “Entry Statement – Abernethy / Leach Highway” valued at \$119,773 in the Rate Setting Budget 2020 – 2021.**
- 3. Endorse the Rate Setting Budget (Annual Budget) as shown in [Attachment 20](#) (as amended).**
- 4. Endorse the Construction Summary 2020-2021 in [Attachment 21](#) (as amended).**
- 5. Endorse the Reserve Accounts Budget as shown in [Attachment 22](#) (as amended).**

Reason:

To ensure that assistance is given to those directly affected by COVID19.

**CARRIED 8 VOTES TO 0**

**10.40pm** The Media and Communications Adviser departed the meeting.

**10.41pm** The Media and Communications Adviser returned to the meeting.

12.11 2020-2021 RATE CALCULATIONS

**BUSINESS EXCELLENCE BELMONT**

**ATTACHMENT DETAILS**

<b>Attachment No</b>	<b>Details</b>
Attachment 23–Item 12.11 refers	<a href="#">2020-2021 Rate Model</a>
Attachment 24–Item 12.11 refers	<a href="#">Statement of Objectives and Reasons for Each Differential and Minimum Payment</a>

Voting Requirement : Simple Majority  
Subject Index : 54/004–Budget Documentation Council  
Location/Property Index : N/A  
Application Index : N/A  
Disclosure of any Interest : Nil  
Previous Items : N/A  
Applicant : N/A  
Owner : N/A  
Responsible Division : Corporate and Governance

**COUNCIL ROLE**

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive** *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, local planning schemes and policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application/matter that directly affect a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

**PURPOSE OF REPORT**

To set the rates in the dollar, minimum payments, rubbish charges and associated charges for 2020-2021.

**SUMMARY AND KEY ISSUES**

This report covers the new rates in the dollar that are calculated for the forthcoming 2020-2021 rating period. The minimum payments together with the separate rubbish charge and all payment arrangements are also resolved via this report.

*Item 12.11 Continued*

### **LOCATION**

Not Applicable.

### **CONSULTATION**

The advertising of Council's intention to levy the proposed differential rates in the dollar and minimum payments and the invitation to make submissions is designed to fulfil the consultation process required by the *Local Government Act 1995*.

The Statement of Objectives and Reasons for each Differential and Minimum Payment ([Attachment 24](#)) is also included for Council endorsement. This Statement is made available to the public and explains why each differential and respective rates and minimum payments are proposed.

### **STRATEGIC COMMUNITY PLAN IMPLICATIONS\***

In accordance with the Strategic Plan Key Result Area: Business Excellence Belmont.

**Objective:** Achieve excellence in the management and operation of the local government.

**Strategy:** Ensure Council is engaged at a strategic level to enable effective decision making.

The rate setting budget provides the financial framework to enable the objectives and outcomes of the Strategic Plan to be achieved.

\*Note: The Strategic Community Plan Implications outlined are reflective of the City of Belmont Strategic Community Plan 2016 – 2036. Council recently endorsed the City of Belmont 2020 – 2040 Strategic Community Plan which, as a result of COVID-19 administrative implications, is yet to be implemented across the City.

### **POLICY IMPLICATIONS**

There are no policy implications associated with this report.

### **STATUTORY ENVIRONMENT**

There are no statutory implications as Council is not adopting its budget through this process. This report is a further step in the process that will result in the adoption of the Budget in the prescribed manner on 28 July 2020.

### **BACKGROUND**

A final and significant step in the preparation of the Budget is the process of setting the rates to be charged for the 2020-2021 Rate Levy.

*Item 12.11 Continued*

Landgate sets the Gross Rental Values (GRV) and Council determines the rate in the dollar. The GRV is multiplied by the rate in the dollar to give the total rates payable. The rate in the dollar differs for each differential rate with Council having three differential rates being Residential, Commercial and Industrial.

Council must also set a minimum payment for each rating category that cannot be charged on more than 50% of the total properties for any rate category i.e. Residential, Commercial or Industrial.

As reported in the Rate Setting Budget report, the Consumer Price Index (CPI) and WALGA Local Government Cost Index (LGCI) for Perth can't be reliably estimated for 2020-2021. The best case scenario, as extracted from WALGA's May edition of the Economic Update, is that national inflation will be minus 1.00% for the 2019-2020 year and then rebounding to a positive 2.75% in 2020-2021. The true position and impact of COVID-19 will become clearer as 2020-2021 unfolds.

### **OFFICER COMMENT**

The first exercise is to analyse the movement in valuations for each rate category. The following table compares the values applicable to 2019-2020 after annual growth has been included and the new values as supplied by Landgate that are applicable for the 2020-2021 financial year through the revaluation process.

There has been a relatively minor movement collectively as a result of the revaluation process.

<b>Rate Category</b>	<b>Values 2019-2020</b>	<b>Values 2020-2021</b>	<b>% Change</b>
Residential	376,367,341	304,991,839	-19.0%
Commercial	150,655,670	136,506,890	-9.4%
Industrial	136,510,227	123,530,884	-9.5%
	663,533,238	565,029,613	-14.8%

The following explanations are provided for each rate model which will form the basis for the recommendations that come from this report.

#### **Rate Model No 1 (Refer [Attachment 23](#))**

This Model is the final outcome that was adopted for the 2019-2020 rating year.

#### **Rate Model No 2 (Refer [Attachment 23](#))**

This model shows the current GRV's (i.e. prior to the revaluation) that would apply for the 2020-2021 rating year and no rate in the dollar increase. By applying the same rates in the dollar, differentials and minimum payments that applied in the 2019-2020 rating year to the updated GRV's, an amount of \$37,599,202 is generated.

#### **Rate Model No 3 (Refer [Attachment 23](#))**

This Model shows the outcome of applying the updated GRV's, as well as an adjusted rate in the dollar for each differential. The data in the table is consistent with the suggested scenario presented at the 3 June 2020 Information Forum with a 0% change to the rates yield as a sub-total within each sector and total rates. This model produces rate income of \$35,599,262 and results in a balanced 2020-2021 Budget.

*Item 12.11 Continued*

The final process in Rate Model No 3 is to review the minimum payments which are also based on a 0% change. The following table shows the impact of the keeping the proposed 2020-2021 minimum payments consistent with current minimum payments.

<b>Rate Category</b>	<b>Existing Minimums</b>	<b>No. of Properties</b>	<b>%</b>	<b>Proposed Minimums</b>	<b>No. of Properties</b>	<b>%</b>
Residential	840	4701	24.71%	840	5228	27.48%
Commercial	990	153	14.63%	990	188	17.97%
Industrial	1,010	8	1.69%	1,010	9	1.91%

The proposed 2020-2021 rate in the dollar and minimum payments for each differential is not consistent with past rating practices and strategies in that the increase is not considered in light of forecasted price increases. The 0% change in rate yield is in response to COVID-19 and seeks to reduce the cost burden on the community.

Other issues that Council needs to consider in relation to the Rate Setting process are the rubbish charges and the statutory levies applicable to rates instalments and penalties.

The budget allows for rubbish charges to decrease 5% (rounded) in 2020-2021 resulting in the (base) rubbish charge decreasing from \$318.81 to a flat \$303. Rubbish charges are a fee for service and aim to cover costs with any surpluses or losses offset by transfers through the Waste Management Reserve. The Reserve will be available for future waste Food Organics, Garden Organics (FOGO) implementation purposes.

The statutory Swimming Pool Levy for mandatory inspections is set at \$14.60 per annum.

### **FINANCIAL IMPLICATIONS**

The adoption of this report sets the rate calculations, rubbish charges and other charges that will be included in the Budget to be adopted in the prescribed manner at the 28 July 2020 Ordinary Council Meeting.

It is also necessary to consider the important role that governments on all levels play in supporting the economy through 2020-2021 and future years. The following is an extract from the Honourable David Templeman, Minister for Local Government; Heritage; Culture and The Arts;

*"All levels of government, in Australia and internationally, have been looking at their own budgets and stepping up to help their communities weather this difficult period. I also encourage them to keep as many projects going as possible, bring forward capital works programs where possible to keep people in jobs and consider deferring charges to support small business."*

Also of note is the fact that despite requests from both local government and WALGA for the State Government to take a very simple step to facilitate local governments ability to put in place an effective "rate freeze" for all individuals rather than the overall budget 'bottom line' itself by delaying the triennial revaluation as requested, the State Government chose, to deny local government the ability to practically achieve that outcome. Consequently, local government has been left in the situation where the calculation of its rate levy in compliance with legislative obligations will result in variable impacts on individual rate payers, with some being required to pay increased rates.

*Item 12.11 Continued*

The budget has been collated with a consideration of both our fiscal responsibility and the need to service the community as well as reducing financial pressures through a number of initiatives regarding fees, charges and rates.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

**SOCIAL IMPLICATIONS**

There are no social implications associated with this report.

**OFFICER RECOMMENDATION**

1. That the following general rates be endorsed for rate setting purposes that equate to a 0% change in the total rate levy.

<b>Rate</b>	<b>Cents in the Dollar</b>
<b>Residential</b>	6.5585
<b>Commercial</b>	6.9271
<b>Industrial</b>	6.9459

2. That the following minimum payments that result in a 0% change for Residential, Commercial and Industrial respectively be endorsed.

<b>Rate</b>	<b>\$</b>
<b>Residential</b>	<b>840</b>
<b>Commercial</b>	<b>990</b>
<b>Industrial</b>	<b>1,010</b>

3. That in accordance with Section 6.46 of the *Local Government Act 1995*, Council offers a 5% discount to ratepayers who pay the full amount owing within 35 days of issuing the rate notice.
4. That Council offer the following instalments for payment of Council Rates:
  - a) Single payment (all charges);
  - b) Two equal instalments (all charges); or
  - c) Four equal instalments (all charges),in accordance with Section 6.45 of the *Local Government Act 1995*.
5. That in accordance with Section 6.45 of the *Local Government Act 1995*, Council imposes a \$20.00 Administration Fee for all instalment options, excluding registered pensioners / seniors (unless waived in accordance with BEXB7.7 - Financial Hardship Policy (COVID-19)).
6. That in accordance with Section 6.45 of the *Local Government Act 1995*, Council imposes the maximum instalment interest rate allowable. This is currently 5.5% and is applicable to the four instalment option (unless waived in accordance with BEXB7.7 - Financial Hardship Policy (COVID-19)).

*Item 12.11 Continued*

7. That in accordance with *Local Government (COVID-19 Response) Order 2020* penalty interest is applied at the allowable rate of 8% and is applicable to overdue rates (including alternate arrangements unless waived in accordance with BEXB7.7 - Financial Hardship Policy (COVID-19).
8. That Council offer arrangements and financial support to Ratepayers suffering hardship in accordance with Council's Policy relating to financial hardship due to COVID-19 and the payment of rates and in accordance with Section 6.49 of the *Local Government Act 1995*.
9. That the payments in lieu of rates received by Council continue to be rated at the Commercial Differential Rate in the dollar on Gross Rental Values.
10. That the following Rubbish Charges be endorsed that equate to a 5% decrease (rounded):
  - a) \$303.00 per annum for one full service which includes a 240 litre cart removed weekly, 240 litre cart for recyclables removed fortnightly and up to 4 bulk bins per annum;
    - additional full service = \$303.00;
    - additional service rubbish = \$212.00;
    - additional service recycling = \$106.00;
  - b) Exempted Commercial and Industrial properties = \$106.00;
  - c) Apartments – shared service = \$212.00 per unit.
11. That a Swimming Pool Levy for mandatory inspections is set at \$14.60 per annum.
12. That the Statement of Objectives and Reasons for each Differential and Minimum Payment is endorsed by Council.
13. That in accordance with Section 6.36 of the *Local Government Act 1995*, note that the Director Corporate and Governance will advertise the proposed differential rates in the dollar for the statutory 21 day period.
14. That Council agree to the following key messages being included, as appropriate, as part of a community awareness campaign on the City of Belmont website, social media, and relevant publications including Statutory Advertising, Rates Brochure and Belmont Bulletin:
  - a) Council has endorsed a 0% total rate revenue increase for 2020-2021.
  - b) It is disappointing that the State Government triennial GRV revaluation process has gone ahead whilst residents and businesses are still recovering from the financial impacts of COVID-19.
  - c) This decision will result in some ratepayers paying more, in order for the City to collect the same total rates revenue as in 2019-2020.
  - d) The City's rate in the dollar has increased as a result of the decision to proceed with the triennial GRV revaluation process.

*Item 12.11 Continued*

- e) **If the City was to keep the same rate in the dollar as in 2019-2020, the total rates revenue collected would be 14.4% lower resulting in potential cuts to the services provided by the City.**
- f) **A reduction in the total rate revenue collected by the City, if the rate in the dollar was not adjusted, would impact on the City's ability to deliver essential statutory and community services, maintain parks and playgrounds, and invest in capital works projects.**
- g) **Any negative impact on projects, services or staff as a result of a reduction in the total rate revenue collected would not accord with the State Government directive to maintain staff levels and bring forward capital projects to stimulate the local economy.**
- h) **The City's fixed rubbish charges have decreased 5% as part of the City's financial assistance package in response to COVID 19.**
- i) **The City's intention is to protect the funding of essential community services to ensure the most vulnerable in our community are supported as the City recovers from the impact of COVID-19, whilst remaining fiscally responsible by avoiding debt.**
- j) **The City has implemented a "Financial Hardship Policy (COVID-19)" accessible on its website.**

***OFFICER RECOMMENDATION ADOPTED EN BLOC BY ABSOLUTE MAJORITY –  
REFER TO RESOLUTION APPEARING AT ITEM 12***

**12.12 ACCOUNTS FOR PAYMENT – MAY 2020**

**BUSINESS EXCELLENCE BELMONT**

**ATTACHMENT DETAILS**

<b>Attachment No</b>	<b>Details</b>
<b>Attachment 25 – Item 12.12 refers</b>	<a href="#"><b>Accounts for Payment – May 2020</b></a>

Voting Requirement	:	Simple Majority
Subject Index	:	54/007 – Creditors – Payment Authorisations
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Corporate and Governance Division

**COUNCIL ROLE**

- |                                     |                       |   |
|-------------------------------------|-----------------------|---|
| <input type="checkbox"/>            | <b>Advocacy</b>       | <i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input checked="" type="checkbox"/> | <b>Executive</b>      | <i>The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | <b>Legislative</b>    | <i>Includes adopting local laws, local planning schemes and policies.</i>   |
| <input type="checkbox"/>            | <b>Review</b>         | <i>When Council reviews decisions made by Officers.</i>   |
| <input type="checkbox"/>            | <b>Quasi-Judicial</b> | <i>When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |

**PURPOSE OF REPORT**

Confirmation of accounts paid and authority to pay unpaid accounts.

**SUMMARY AND KEY ISSUES**

A list of payments is presented to the Council each month for confirmation and endorsement in accordance with the *Local Government (Financial Management) Regulations 1996*.

*Item 12.12 Continued*

**LOCATION**

Not applicable.

**CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

**STRATEGIC COMMUNITY PLAN IMPLICATIONS\***

There are no Strategic Community Plan implications evident at this time.

\*Note: The Strategic Community Plan Implications outlined are reflective of the City of Belmont Strategic Community Plan 2016 – 2036. Council recently endorsed the City of Belmont 2020 – 2040 Strategic Community Plan which, as a result of COVID-19 administrative implications, is yet to be implemented across the City.

**POLICY IMPLICATIONS**

There are no policy implications associated with this report.

**STATUTORY ENVIRONMENT**

Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* states:

*“If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared:*

- (a) the payee's name;*
- (b) the amount of the payment;*
- (c) the date of the payment; and*
- (d) sufficient information to identify the transaction.”*

**BACKGROUND**

Checking and certification of Accounts for Payment required in accordance with *Local Government (Financial Management) Regulations 1996*, Clause 12.

*Item 12.12 Continued*

**OFFICER COMMENT**

The following payments as detailed in the Authorised Payment Listing are recommended for confirmation and endorsement.

Municipal Fund Cheques	788469 to 788479	\$34,239.49
Municipal Fund EFTs	EF067739 to EF068139	\$4,217,578.34
Municipal Fund Payroll	May 2020	\$1,535,218.66
Trust Fund EFT	EF067743 and EF067744	<u>\$13,107.10</u>
Total Payments for May 2020		<b>\$5,800,143.59</b>

A copy of the Authorised Payment Listing is included as [Attachment 25](#) to this report.

**FINANCIAL IMPLICATIONS**

Provides for the effective and timely payment of Council's contractors and other creditors.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

**SOCIAL IMPLICATIONS**

There are no social implications associated with this report.

**OFFICER RECOMMENDATION**

That the Authorised Payment Listing for May 2020 as provided under [Attachment 25](#) be received.

***OFFICER RECOMMENDATION ADOPTED EN BLOC BY ABSOLUTE MAJORITY –  
REFER TO RESOLUTION APPEARING AT ITEM 12***

**12.13 MONTHLY ACTIVITY STATEMENT AS AT 31 MAY 2020**

**BUSINESS EXCELLENCE BELMONT**

**ATTACHMENT DETAILS**

<b>Attachment No</b>	<b>Details</b>
<b>Attachment 26 – Item 12.13 refers</b>	<b><u>Monthly Activity Statement as at 31 May 2020</u></b>

Voting Requirement : Simple Majority  
Subject Index : 32/009-Financial Operating Statements  
Location/Property Index : N/A  
Application Index : N/A  
Disclosure of any Interest : Nil  
Previous Items : N/A  
Applicant : N/A  
Owner : N/A  
Responsible Division : Corporate and Governance

**COUNCIL ROLE**

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, local planning schemes and policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

**PURPOSE OF REPORT**

To provide Council with relevant monthly financial information.

**SUMMARY AND KEY ISSUES**

The following report includes a concise list of material variances and a Reconciliation of Net Current Assets at the end of the reporting month.

**LOCATION**

Not applicable.

*Item 12.13 Continued*

## **CONSULTATION**

There has been no specific consultation undertaken in respect to this matter.

## **STRATEGIC COMMUNITY PLAN IMPLICATIONS\***

There are no Strategic Community Plan implications evident at this time.

\*Note: The Strategic Community Plan Implications outlined are reflective of the City of Belmont Strategic Community Plan 2016 – 2036. Council recently endorsed the City of Belmont 2020 – 2040 Strategic Community Plan which, as a result of COVID-19 administrative implications, is yet to be implemented across the City.

## **POLICY IMPLICATIONS**

There are no policy implications associated with this report.

## **STATUTORY ENVIRONMENT**

Section 6.4 of the *Local Government Act 1995* in conjunction with Regulations 34 (1) of the *Local Government (Financial Management) Regulations 1996* requires monthly financial reports to be presented to Council.

Regulation 34(1) requires a monthly Statement of Financial Activity reporting on revenue and expenditure.

Regulation 34(5) determines the mechanism required to ascertain the definition of material variances which are required to be reported to Council as a part of the monthly report. It also requires Council to adopt a “percentage or value” for what it will consider to be material variances on an annual basis. Further clarification is provided in the Officer Comments section.

## **BACKGROUND**

The *Local Government (Financial Management) Regulations 1996* requires that financial statements are presented on a monthly basis to Council. Council has adopted ten percent of the budgeted closing balance as the materiality threshold.

## **OFFICER COMMENT**

The Statutory Monthly Financial Report is to consist of a Statement of Financial Activity reporting on revenue and expenditure as set out in the Annual Budget. It is required to include:

- Annual budget estimates
- Budget estimates to the end of the reporting month
- Actual amounts to the end of the reporting month
- Material variances between comparable amounts
- Net current assets as at the end of the reporting month.

*Item 12.13 Continued*

Previous amendments to the Regulations fundamentally changed the reporting structure which requires reporting of information consistent with the “cash” component of Council’s budget rather than being “accrual” based.

The monthly financial report is to be accompanied by:

- An explanation of the composition of the net current assets, less committed\* and restricted\*\* assets
- An explanation of material variances\*\*\*
- Such other information as is considered relevant by the local government.

*\*Revenue unspent but set aside under the annual budget for a specific purpose.*

*\*\*Assets which are restricted by way of externally imposed conditions of use e.g. tied grants.*

*\*\*\*Based on a materiality threshold of 10 percent.*

In order to provide more details regarding significant variations as included in [Attachment 26](#) the following summary is provided.

<b>Report Section</b>	<b>Budget YTD</b>	<b>Actual YTD</b>	<b>Comment</b>
<b>Expenditure - Capital</b>			
Computing	1,354,467	685,470	Relates to the purchase of IT equipment for the Belmont Hub that is currently on order.
Human Resources	50,939	Nil	Fleet vehicles are currently on order.
Crime Prevention and Community Safety	868,319	192,393	Relates to fleet replacement and CCTV for the Belmont Hub which has been ordered.
Belmont HACC Services	286,767	137,720	Vehicles including buses are currently on order.
Belmont Oasis	110,000	5,942	Equipment purchased for the Oasis has been delayed due to closure of the Centre related to Covid-19
Ruth Faulkner Library	2,128,963	271,544	Equipment and furniture purchases for the new library are currently on order with some items to be re-budgeted in 2020-2021.
Grounds Operations	2,400,174	1,073,246	Variance mainly relates to Brearley Ave POS Irrigation project being delayed.
Road Works	8,405,680	6,467,400	There are a number of large projects underway and the full year budget is expected to be utilised.
Streetscapes	423,201	339,822	Business Park Signage and Bus Shelter projects are under budget.
Footpath Works	751,131	615,361	Budget spread issue with many projects expected to be completed over the remainder of the year including the Faulkner Park Bridge Rehabilitation.
Drainage Works	270,996	128,470	Design works are progressing and some projects may be carried forward.
Operations Centre	201,435	42,217	Plant purchases for the Operations centre are currently on order.

Item 12.13 Continued

<b>Report Section</b>	<b>Budget YTD</b>	<b>Actual YTD</b>	<b>Comment</b>
Building Operations	18,223,580	16,421,006	Variance relates to projects that will be carried forward including the Belmont Hub and Oasis renewal works.
<b>Expenditure – Operating</b>			
Finance Department	1,976,679	1,894,071	Employee costs and Activity Based Costing allocations (ABC's) are below budget.
Computing	2,642,059	2,220,572	Variance mainly relates to employee and business application costs and costs associated with the Belmont Hub.
Marketing and Communications	1,896,643	1,587,895	Variance relates to various items including sponsorship of events, Belmont Hub, community surveys and the implementation of the new website.
Reimbursements	239,822	480,000	Significant amount of unbudgeted Paid Parental Leave (offset in revenue) and unallocated wages.
Executive Services	1,375,837	1,263,465	Employee costs and ABC's are below budget.
Chief Executive Officer	789,481	620,403	Variance mainly relates to employee and consulting costs.
Human Resources	1,132,060	1,042,521	Variance relates to Consultants and ABC's.
Occupational Safety and Health	205,123	136,760	Variance relates to employee costs.
Organisational Development	466,395	395,995	Variance mainly relates to employee and consulting costs.
Governance	3,192,191	2,819,819	Activity Based Costing allocations (ABC's) are below budget.
Belmont Trust	135,000	15,931	Variance relates to consulting and legal costs.
Property and Economic Development	1,006,970	862,267	Relates to a range of items mainly in relation to land transactions.
Rangers	890,154	811,841	Although there are a number of cost items slightly below budget the most significant variance relates to employee related costs.
Health	1,353,050	1,175,326	Variance mainly relates to employee costs.
Aboriginal Strategies	269,499	210,604	Variance mainly relates to employee costs.
Community Services	1,068,996	939,161	Variance mainly relates to employee costs.
Community Place Making	605,833	546,720	Employee costs and ABC's are below budget.
Belmont HACC Services	2,618,418	2,224,562	Variance mainly relates to employee costs and In Home services.
Faulkner Park Retirement Village	40,500	92,600	Variance relates to the commission paid for unit sales.
Town Planning	2,760,852	2,508,869	Variance mainly relates to employee and consulting costs.

Item 12.13 Continued

<b>Report Section</b>	<b>Budget YTD</b>	<b>Actual YTD</b>	<b>Comment</b>
Sanitation Charges	5,349,969	4,714,346	Some outstanding invoices have yet to be processed and the number of bin services is less than expected.
Marketing and Communications	792,474	650,463	Variance mainly relates to cancelled Autumn River Festival.
Donations and Grants	348,532	283,504	Payment for Community programs were delayed partly due to COVID-19.
Ruth Faulkner Library	2,494,078	2,096,767	Variance mainly relates to employee costs and the Belmont Hub.
Community Place Making	278,154	190,699	Variance mainly relates to public art in relation to the Belmont Hub.
Building - Active Reserves	690,980	603,981	Building maintenance costs will be impacted by the reduction in use of Council facilities.
Grounds Operations	5,222,165	4,834,476	Employee costs, ABC's and Peachey Park remediation costs are currently below budget.
Grounds - Active Reserves	1,182,654	1,125,410	Gerry Archer Park Turf Maintenance was delayed.
Grounds Overheads	1,434,535	1,360,855	ABC's are below budget.
Road Works	1,045,914	892,298	Current underspend is due to a good standard of road condition with the crack sealing program delayed and limited street lighting relocations and issues.
Drainage Works	305,477	202,100	Staff priorities to date have been capital projects although it's anticipated the full budget will be utilised this financial year.
Building Control Customer Service	549,866	469,817	Variance mainly relates to employee costs.
Building Operations	1,094,391	930,054	Building maintenance costs will be impacted by the reduction in use of City facilities.
Public Works Overheads	1,487,823	1,306,984	Employee and related costs and ABC's are below budget.
Technical Services	2,351,582	2,154,579	Employee and consulting costs and ABC's are below budget.
Other Public Works	741,204	669,619	Variance relates to Street Lighting invoices have not yet been received.
<b>Revenue - Capital</b>			
Finance Department	(28,720)	(81,364)	Sale of Plant / Fleet occurred earlier than anticipated.
Crime Prevention and Community Safety	(639,000)	(88,531)	Grant Funding not yet received for the CCTV at the Belmont Hub.
Belmont HACC Services	(319,267)	(16,364)	Sale of Plant / Fleet and reserve transfers are behind budget due to fleet/bus purchases still on order.
Grounds Operations	(97,000)	(13,000)	Timing issue regarding receipt of grant income with some grant funding likely to be carried forward.
Road Works	(3,536,977)	(2,883,849)	Timing issue regarding receipt of grant income with some grant funding likely to be carried forward.

Item 12.13 Continued

<b>Report Section</b>	<b>Budget YTD</b>	<b>Actual YTD</b>	<b>Comment</b>
Building Operations	(7,308,930)	(6,286,636)	Timing issue regarding receipt of grant income with some grant funding likely to be carried forward.
<b>Revenue - Operating</b>			
Finance Department	(1,946,591)	(1,894,071)	ABC recoveries currently below budget.
Computing	(2,340,548)	(2,033,254)	ABC recoveries currently below budget.
Reimbursements	(239,822)	(337,862)	Relates to the reimbursement of paid parental leave and Workers Compensation.
Insurance	(753,684)	(830,076)	Relates to a surplus distribution from our insurer.
Human Resources	(1,561,306)	(1,042,521)	ABC recoveries currently below budget.
Rates	(50,305,143)	(50,446,881)	Although slightly better than budget rates are expected to be below budget for 2019-2020.
General Purpose Income	(426,560)	(876,372)	Financial Assistance Grants 50% prepaid.
Financing Activities	(1,622,739)	(989,594)	Monthly variances are expected due to the timing of term deposits maturing.
Belmont HACC Services	(2,718,982)	(2,658,310)	Internal recovery allocations are below budget.
Faulkner Park Retirement Village	(150,000)	(202,707)	Income from unit sales is higher than expected.
Town Planning	(1,116,699)	(999,828)	ABC recoveries currently below budget.
Public Facilities Operations	(284,819)	(205,029)	Facility hire fees are expected to be below budget.
Road Works	(269,769)	(580,710)	Financial Assistance Grants 50% prepaid.
Building Control	(337,416)	(279,481)	Application fees are below budget.
Public Works Overheads	(1,513,136)	(795,928)	Overheads currently under recovered and will be reviewed as part of the year-end process.
Plant Operating Costs	(1,531,668)	(1,134,457)	Overheads currently under recovered and will be reviewed as part of the year-end process.
Technical Services	(439,932)	(343,066)	ABC recoveries currently below budget.

In accordance with *Local Government (Financial Management) Regulations 1996*, Regulation 34 (2)(a) the following table explains the composition of the net current assets amount which appears at the end of the attached report.

Item 12.13 Continued

<b>Reconciliation of Nett Current Assets to Statement of Financial Activity</b>		
<b>Current Assets as at 31 May, 2020</b>	<b>\$</b>	<b>Comment</b>
Cash and investments	62,403,602	Includes municipal and reserves
- less non rate setting cash	(58,574,632)	Reserves
Receivables	6,615,618	Rates levied yet to be received and Sundry Debtors
ESL Receivable	(329,060)	ESL Receivable
Stock on hand	207,253	
<b>Total Current Assets</b>	<b>10,322,781</b>	
<b>Current Liabilities</b>		
Creditors and provisions	(8,020,937)	Includes ESL and deposits
- less non rate setting creditors & provisions	2,860,148	Cash Backed LSL, current loans & ESL
<b>Total Current Liabilities</b>	<b>(5,160,789)</b>	
<b>Nett Current Assets 31 May 2020</b>	<b>5,161,992</b>	
<b>Nett Current Assets as Per Financial Activity Report</b>		
Nett Current Assets as Per Financial Activity Report	5,161,992	
Less Restricted Assets	(312,392)	Unspent grants held for specific purposes
Less Committed Assets	<b>(4,349,600)</b>	All other budgeted expenditure
<b>Estimated Closing Balance</b>	<b>500,000</b>	

### **FINANCIAL IMPLICATIONS**

The presentation of these reports to Council ensures compliance with the *Local Government Act 1995* and associated Regulations, and also ensures that Council is regularly informed as to the status of its financial position.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

### **SOCIAL IMPLICATIONS**

There are no social implications associated with this report.

### **OFFICER RECOMMENDATION**

That the Monthly Financial Reports as at 31 May 2020 as included in [Attachment 26](#) be received.

**OFFICER RECOMMENDATION ADOPTED EN BLOC BY ABSOLUTE MAJORITY –  
REFER TO RESOLUTION APPEARING AT ITEM 12**

### 13. REPORTS BY THE CHIEF EXECUTIVE OFFICER

#### 13.1 REQUESTS FOR LEAVE OF ABSENCE

Nil.

#### 13.2 NOTICE OF MOTION (CR SEKULLA) – REQUEST THE CHIEF EXECUTIVE OFFICER TO CORRESPOND WITH RELEVANT STATE MINISTERS AND THE MEMBER FOR BELMONT TO EXTEND THE OPERATING HOURS OF BELMONT POLICE STATION

## SOCIAL BELMONT

### ATTACHMENT DETAILS

Nil.

Voting Requirement	:	Simple Majority
Subject Index	:	35/002–Notices of Motions
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	27 October 2015 Ordinary Council Meeting Item 11.3
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Development and Communities Division

### COUNCIL ROLE

- |                                     |                       |   |
|-------------------------------------|-----------------------|---|
| <input checked="" type="checkbox"/> | <b>Advocacy</b>       | <i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input type="checkbox"/>            | <b>Executive</b>      | <i>The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | <b>Legislative</b>    | <i>Includes adopting local laws, local planning schemes and policies.</i>   |
| <input type="checkbox"/>            | <b>Review</b>         | <i>When Council reviews decisions made by Officers.</i>   |
| <input type="checkbox"/>            | <b>Quasi-Judicial</b> | <i>When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |

### PURPOSE OF REPORT

To consider the Notice of Motion received from Councillor (Cr) Sekulla requesting that the Chief Executive Officer (CEO) write to the relevant State Ministers and the Member for Belmont to extend the operating hours of the Belmont Police Station from the current 7.00pm closure.

*Item 13.2 Continued*

### **SUMMARY AND KEY ISSUES**

A request has been received from Cr Sekulla for Council to direct that the CEO write to the relevant State Ministers and the Member for Belmont to extend the operating hours of the Belmont Police Station from the current 7.00pm closure.

### **LOCATION**

City of Belmont.

### **CONSULTATION**

Feedback was sought from the current Belmont Police Station Officer in Charge (OIC), Senior Sergeant Steve Martyn.

### **STRATEGIC COMMUNITY PLAN IMPLICATIONS\***

In accordance with the Strategic Community Plan Key Result Area: Social Belmont.

**Objective:** Create a city that leads to feelings of wellbeing, security and safety.

**Strategy:** The City will continue to design and implement programs which enhance safety, security and wellbeing in the community.

**Corporate Key Action:** Implement Community Safety and Crime Prevention Plan 2018-2021.

\*Note: The Strategic Community Plan Implications outlined are reflective of the City of Belmont Strategic Community Plan 2016 – 2036. Council recently endorsed the City of Belmont 2020 – 2040 Strategic Community Plan which, as a result of COVID-19 administrative implications, is yet to be implemented across the City.

### **POLICY IMPLICATIONS**

There are no policy implications associated with this report.

### **STATUTORY ENVIRONMENT**

There are no specific statutory requirements in respect to this matter.

### **BACKGROUND**

A Notice of Motion by Cr Sekulla for the June 2020 Ordinary Council Meeting (OCM) reads as follows:

*“That Council:*

1. *Directs the Chief Executive Officer to write to the relevant State Ministers and the Member for Belmont to extend the operating hours of the Belmont Police Station from the current 7.00 pm closure.*

*Item 13.2 Continued*

Reason:

1. *The restrictions relating to the Coronavirus pandemic has caused an increase in domestic violence.*
2. *Parents and children at risk require immediate assistance from their local Police Station.*
3. *Crime and anti-social behaviour remain a major concern for residents/ratepayers in the City of Belmont and extended hours for the Belmont Police Station will provide an important service and support in the community.*
4. *Crime occurs beyond the 8.00am to 7.00pm operating hours.”*

**History**

At the OCM held on 27 October 2015 (Item 11.3), a Notice of Motion submitted by Cr Cayoun was for:

*“Council to consider writing to the Minister for Police, Liza Harvey MLA requesting that the State Government commit to staffing the Belmont Police Station 24 hours a day, seven days a week and that the Minister meet with the Chief Executive Officer (CEO) and Mayor to discuss ongoing crime and safety issues in the area.”*

Council resolved:

*“That Council support the community’s call for a 24 hour Police Station in Belmont and refers the motion as indicated below to an Information Forum to discuss a strategy to present to the Minister for Police Liza Harvey MLA, followed by a further report to Council;*

- “(a) The State Government commit to staffing the Belmont Police Station 24 hours a day, seven days a week; and*
- (b) The Mayor and CEO of the City of Belmont meet with the Minister to hold discussions around ongoing crime and safety issues in the area and the community’s call for a 24 hour Police Station.”*

At the Information Forum held on 1 December 2015 (Item 6.1) the Acting Commander of Police, Brad Sorrell provided Council with information to assist in gaining a better understanding of the issues involved with the proposal for a 24 hour Police Station in Belmont. The aim was to assist in formulating a strategy when broaching the issue with the Minister as outlined in the resolution of Council at its OCM meeting on 27 October 2015.

*Item 13.2 Continued*

A series of questions were asked and Acting Commander Sorrell provided the following relevant responses:

*“Face to face interaction with the public does not necessarily have to be in a Police Station, which is not designed for privacy”.*

*“24 hour Police Stations are perceived to provide a sense of security to the community, but what the community actually want is a 24 hour Police Service. In order to have a 24 hour Police Station, it would require 10 to 12 staff available for that purpose. It is a far greater benefit to the public for those Police Officers being out in the community and in areas at different times so that it is not predictable. This is a better, cost effective service to the public.”*

On 8 April 2016 the Mayor, Councillor Marks wrote to the Commissioner of Police, Karl O’Callaghan APM on behalf of Councillors concerning crime within the City of Belmont.

The Mayor reiterated:

- 1. The public are in favour of a 24 hour Police Station*
- 2. The public does not realise that the police work 24 hours at present.*
- 3. There is a lack of confidence in the 131 444 number.*
- 4. The media does not appear to be portraying Police statistics in the correct manner.*
- 5. Belmont is the worst council in the eastern region of Perth for stealing and burglaries.*
- 6. Belmont is surprisingly lower for attack on the person.*
- 7. Confidence in the Police is high.*
- 8. The general policing, and especially the Senior Sergeants serve Belmont well.*
- 9. We feel there is a strong public relations case for the stations to remain open to 6.30pm at night, for the public to attend if they feel inclined.*

On 18 April 2016, District Superintendent, Brad Sorrell emailed the Mayor requesting a meeting to discuss his concerns. District Superintendent Sorrell also provided the following information in his email correspondence.

*“On the 1<sup>st</sup> of December 2016 (should be 2015), I addressed the City of Belmont Councillors on the expectation of a 24 hour police station. Our Agency position on this matter has not altered and I can assure you that the City of Belmont is receiving a quality 24 hour policing service. According to our records the ‘Grades of Service’ in the City of Belmont are significantly better than the metropolitan average.*

*At the meeting I asked that should any issues arise please direct those queries to me and I would respond appropriately and in a timely manner, to date I have had no such queries other than ministerial files generated on this same topic.*

*I look forward to meeting with you personally for further discussions.”*

*Item 13.2 Continued*

On 4 May 2017, following the State election, State Government Media announced that:

- *Belmont Police Station will be open to 7.00pm on weekdays from 8 May 2017, meeting a key election commitment by the McGowan Labour Government.*
- *Expanded service will ensure improved community access to police.*
- *The increased level of service will ensure the community has greater in-person access to police assistance.*
- *We understand that for some people it is difficult to visit a police station between 8am and 4pm and by expanding the opening hours at Belmont Police Station, local residents will have more access to the police they require (Comments attributed to Police Minister Michelle Roberts).*

At the Information Forum held on 6 August 2019 (Item 6.1), Senior Sergeant, Daniel Greive discussed his role at Belmont Police Station and provided an update on current crime statistics for the City of Belmont.

Senior Sergeant Greive also provided the following relevant comments on a 24 hour Belmont Police Station:

- *“Assaults, threats to person, domestic violence and mental health offences are classed as Priority One and Police will attend such incidents; however their attendance at lesser priority offences cannot be guaranteed”.*
- *“Police share information with and refer clients to the Domestic Violence Advocate at Belmont Police Station, who is funded by the City”.*
- *“The Belmont Police Station is a 24 hour Police Station with the front counter open from 8.00am to 7.00pm every day. If an urgent task arises, the station can be locked and left vacant so that available officers can attend. The vast majority of enquiries coming into the station are not urgent and the Administrative Officers are capable of managing these.”*

On 21 May 2020, the City’s Coordinator Community Safety received the following feedback from the Belmont Police Station OIC Senior Sergeant, Steve Martyn. The highlighted comments below were additional comments provided by Senior Sergeant Martyn to those comments sent to him by the Coordinator Community Safety Graeme Todd:

- *“Belmont Police Station is a 24 hour operational police station. The doors may only be open from 8.00am until 7.00pm however police still operate out of the station even when it is closed to the public. They have a permanent nightshift and with the overlap of afternoon and day shifts are able to provide a 24/7 response to reported incidents.*

*When an incident is reported within the City to 000, Police Assistance Centre (131 444) or direct to Belmont Police Station during normal or outside of opening hours, officers are still despatched from Belmont Police Station. If Belmont officers are dealing with incidents, then other resources are called upon to attend the incident and these could be from Cannington Police Station, Kensington Police Station or other specialist teams who are either travelling through or operating within the City. For example, dog handlers, Detectives and Regional Operations Group.*

*Item 13.2 Continued*

- *Belmont Police Station is currently fully manned and there is limited space for future staff in the confines of the current building. Extensive planning and study needs to be done on the expansion of staff numbers and works around a new building before the station could operate as a 24 hour station, this may be some years away.”*

### **OFFICER COMMENT**

Up until May 2017, Belmont Police Station was open to the public during the week from 8.00am to 4.00pm.

In May 2017 the incoming McGowan Labour Government implemented an election pledge and extended the opening hours until 7.00pm on weekdays. This was done to provide increased in-person contact with police and allowed members of the public to attend the station out of normal office hours, until 7.00pm.

Over the last five years however Western Australian Police have not supported extended opening hours for a number of reasons. During past presentations to Councillors they have confirmed that Belmont Police Station operates 24 hours a day. When the station is closed to the public there are always police officers in attendance who are able to respond as required. The perception that when the station closes at 7.00pm officers are not available is incorrect.

Western Australian Police have also been of the opinion that the low number of attendees to the station does not warrant extended opening hours. Those attending the station do so to complete documentation and provide statements as opposed to requesting police attendance in the event of an emergency. Many of these services can be conducted online or by phone. Should a member of the public need to attend in person the current opening hours until 7.00pm are considered reasonable. It is important to note that when officers are providing front counter administration services they are not providing the “on the street” policing that the community desires.

The City has been recently informed that the Belmont Police Station is currently fully manned and there is limited space for additional officers. Before additional staff can be accommodated as a result of any extended opening hours or for other police duties the station would require a full assessment that may also necessitate additional building works.

### **FINANCIAL IMPLICATIONS**

There are no financial implications evident at this time.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

### **SOCIAL IMPLICATIONS**

The City has a role in advocating and engaging with the community to contribute to an environment where residents are safe and feel safe.

*Item 13.2 Continued*

**11.03pm** The Media and Communications Adviser departed the meeting and did not return.

**11.08pm** Cr Wolff departed the meeting and did not return.

**COUNCILLOR RECOMMENDATION**

**SEKULLA MOVED, DAVIS SECONDED**

**That Council requests that the Chief Executive Officer write to the relevant State Ministers and the Member for Belmont to extend the operating hours of the Belmont Police Station from the current 7.00pm closure.**

**Reason:**

1. The restrictions relating to the Coronavirus pandemic has caused an increase in domestic violence.
2. Parents and children at risk require immediate assistance from their local Police Station.
3. Crime and anti-social behaviour remain a major concern for residents/ratepayers in the City of Belmont and extended hours for the Belmont Police Station will provide an important service and support in the community.
4. Crime occurs beyond the 8.00am to 7.00pm operating hours.

**CARRIED 5 VOTES TO 2**

*For: Cayoun, Davis, Marks, Ryan, Sekulla  
Against: Powell, Rossi*

**11.11pm** Cr Powell departed the meeting.

**13.3 NOTICE OF MOTION (COUNCILLOR SEKULLA) - SUPPORT FOR THE BELMONT NETBALL ASSOCIATION TO UPGRADE THE NETBALL COURTS AT WILSON PARK COURTS**

**SOCIAL BELMONT**

**ATTACHMENT DETAILS**

Nil

Voting Requirement	:	Simple Majority
Subject Index	:	35/002 – Notices of Motion
Location/Property Index	:	100 Gerring Court & 128 Kooyong Road, Rivervale
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	Crown vested in the City of Belmont
Responsible Division	:	Infrastructure Services

**COUNCIL ROLE**

- |                                     |                       |   |
|-------------------------------------|-----------------------|---|
| <input checked="" type="checkbox"/> | <b>Advocacy</b>       | <i>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>   |
| <input type="checkbox"/>            | <b>Executive</b>      | <i>The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>  |
| <input type="checkbox"/>            | <b>Legislative</b>    | <i>Includes adopting local laws, local planning schemes and policies.</i>   |
| <input type="checkbox"/>            | <b>Review</b>         | <i>When Council reviews decisions made by Officers.</i>   |
| <input type="checkbox"/>            | <b>Quasi-Judicial</b> | <i>When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |

**PURPOSE OF REPORT**

To consider the Notice of Motion received from Councillor (Cr) Sekulla for Council to request that the City of Belmont support the Belmont Netball Association in its endeavours to upgrade the netball courts at Wilson Park in Rivervale.

**SUMMARY AND KEY ISSUES**

A request has been received from Cr Sekulla for Council to consider providing support to the Belmont Netball Association to have the netball courts at Wilson Park upgraded.

*Item 13.3 Continued*

A summary of elements considered as part of this report are outlined below:

- The City has prepared a masterplan for the Wilson Park Precinct which, due to the cost to implement the overall masterplan, has identified the potential for the project to be implemented in three stages.
- The renewal of the netball courts and upgrade of existing lighting to the netball courts has been identified for stage two of the masterplan.
- An opportunity to seek funding for the works associated with upgrading the netball courts has been identified for an upcoming grant round for the Community Sporting and Recreation Facilities Fund (CSRFF) and a condition assessment of the courts has indicated the need for renewal. On this basis the staging of the overall project may be reviewed.
- City officers are currently preparing an application for CSRFF funding to support the progression of netball courts and lighting upgrade as a distinct project and an item will be presented to the 25 August 2020 Ordinary Council Meeting (OCM) in relation to this matter.

**LOCATION**

The netball courts are located within the Wilson Park Precinct at the corner of Surrey Road and Campbell Street, as shown in the aerial image below.



*Item 13.3 Continued*

## **CONSULTATION**

While there has been no consultation with the community in relation to this specific matter, the City has been engaging with the Belmont Netball Association (the Club) in relation to the submission of a grant application for an upcoming round of the CSRFF. The City has also engaged the Club and the wider community as part of the development of the Wilson Park Precinct masterplan. Further details in relation to the grant application are provided under Background and Officer Comments within this report.

## **STRATEGIC COMMUNITY PLAN IMPLICATIONS\***

In accordance with the Strategic Community Plan Key Result Area: Social Belmont.

**Objective:** Develop community capacity and self-reliance.

**Strategy:** Assist clubs and community groups to be viable and active.

**Corporate Key Action:** Assist new and existing local sporting clubs to be sustainable.

\*Note: The Strategic Community Plan Implications outlined are reflective of the City of Belmont Strategic Community Plan 2016 – 2036. Council recently endorsed the City of Belmont 2020 – 2040 Strategic Community Plan which, as a result of COVID-19 administrative implications, is yet to be implemented across the City.

## **POLICY IMPLICATIONS**

SB1.1- Council Authority to Apply for Grants

### **POLICY OBJECTIVE**

Ensure that a responsible process is in place to accommodate the application and acceptance of grants and subsidies.

SB1.5 Applications for Council Assistance

### **POLICY OBJECTIVE**

To establish the way in which Council will consider requests made by sporting clubs and community groups for facility upgrades for the benefit of the respective club(s), community group(s) and the City.

## **STATUTORY ENVIRONMENT**

There are no specific statutory requirements in respect to this matter.

## **BACKGROUND**

The City commenced work on developing a masterplan for the Wilson Park Precinct in 2018. Since that time, extensive consultation has been undertaken, resulting in the development of a three-stage masterplan proposal. Through this process, the Club has been involved in ongoing discussions and have provided input into the requirements for the netball courts.

*Item 13.3 Continued*

The masterplan consisted of four key components, the creation of a 'community heart' and playground; renewal and upgrade of the netball court area; enhancements associated with the community garden and Rivervale Community Centre; and upgrade to the Kooyong Road Activity Centre streetscape.

In 2016 minor remedial works were undertaken to the netball court surface to resolve issues relating to condition for some courts and this has extended the life of the court surface. During consultation, the Club has raised concerns in relation to the condition of the existing court surfaces and the need to improve lighting. Based on this feedback and a site inspection undertaken, City officers identified the need for further investigation in relation to the condition of the courts as a specialised sports surface.

Based on initial feedback from the consultant engaged to undertake a condition assessment, the current condition of the courts indicates the need for renewal work to be undertaken in the next two to three years. While the final report is pending from the consultant, based on the initial advice received an extensive renewal of the netball courts will be required and it would not be possible to enhance lighting without impacting the existing surface. While the City has further site investigations planned for the 2020-2021 financial year to assist with finalising the Business Case for the Wilson Park Precinct masterplan, it is expected the condition of the courts will likely trigger the need to review the phasing of the implementation of the masterplan. The likely outcome will be that a recommendation will be made to prioritise the netball courts, thus moving this element from stage two to stage one.

The CSRFF opened an "annual and forward planning" grant funding round for the 2021-2022 financial year on 25 May 2020 and the deadline for submissions is 11 September 2020. City officers are preparing a grant application for the renewal of the netball court surface and lighting upgrade. The City has engaged with the Club to discuss the grant funding opportunity and has utilised the extensive engagement, previously undertaken with the Club during the development of the masterplan, to refine the scope of work to assist with preparing the grant funding application. It is intended to present a report to the 25 August 2020 OCM seeking Council support for the City to submit a CSRFF grant funding application for the Wilson Park Precinct netball courts.

### **OFFICER COMMENT**

The City is currently providing support to the Club through the development of the City's CSRFF grant funding application for the renewal of the netball court surface and lighting upgrade, which will be included in the 25 August 2020 OCM Agenda and submitted to the CSRFF if supported by Council. Therefore the proposed Councillor Recommendation in this motion reinforces work currently underway between the City and Club at this time.

### **FINANCIAL IMPLICATIONS**

Financial implications will be outlined in the upcoming 25 August 2020 OCM item, which will provide Council with an outline of anticipated expenditure associated with a successful application for a CSRFF grant, including the contribution to be made by the Club and the City.

In the event the submission of a grant funding application to the CSRFF is not supported or if the application is not successful, the project could be considered as part of the 2021-2022 capital works budget. The City will also consider this project for appropriate funding opportunities that may arise through the State or Federal Government.

*Item 13.3 Continued*

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report as it relates to supporting the Club with its endeavours, however the City is currently undertaking geotechnical investigations to assess site conditions and potential Environmental Implications will be considered as part of the 25 August 2020 OCM item relating to the CSRFF grant funding application.

### **SOCIAL IMPLICATIONS**

The renewal and upgrade of the netball courts will support the Club by assisting the organisation with developing community capacity and attracting new members through the provision of improved infrastructure.

**11.13 pm Cr Powell returned to the meeting and the Director Development and Communities departed the meeting.**

**11.15pm The Director Development and Communities returned to the meeting.**

### **COUNCILLOR RECOMMENDATION**

**SEKULLA MOVED, ROSSI SECONDED,**

That Council requests that the City of Belmont support the Belmont Netball Association in its endeavours to upgrade the netball courts at Wilson Park in Rivervale.

#### **Reason**

1. Netball has a long history at Wilson Park in Rivervale and has been an integral part of the local sporting community.
2. Netball is played by six teams in competition at the courts in Wilson Park.
3. The courts at Wilson Park are well patronised and in need of an upgrade.

#### **Note:**

**Cr Powell put forward the following Procedural Motion.**

### **PROCEDURAL MOTION**

**POWELL MOVED, CAYOUN SECONDED,**

That the item be referred back to an Information Forum for further discussion.

**CARRIED 7 VOTES TO 0**

**14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

**Note:**

The Presiding Member advised that in accordance with Section 5.23(2) of the *Local Government Act 1995* if there were any questions on Confidential Item 14.1, then Council will need to go behind closed doors.

As there were no questions or debate on this item, the meeting did not proceed behind closed doors.

- 14.1 OFFER TO CLAIMANTS FOR COMPULSORY ACQUISITION OF LAND: LOT 66 (3) BELMONT AVENUE, BELMONT - (CONFIDENTIAL MATTER IN ACCORDANCE WITH LOCAL GOVERNMENT ACT 1995 SECTION 5.23(2)(C))**

**BUSINESS BELMONT**

<b>Attachment No.</b>	<b>Details</b>
Confidential Attachment 5 - Item 14.1 refers	<a href="#"><u>Report Item – Offer to Claimants for Compulsory Acquisition of Land - Confidential Matter in Accordance with Local Government Act 1995 Section 5.23(2)(c)</u></a>

**OFFICER RECOMMENDATION**

**CAYOUN MOVED, DAVIS SECONDED,**

*That Council authorise the Chief Executive Officer to undertake the recommendations outlined within the confidential report.*

**CARRIED BY ABSOLUTE MAJORITY 7 VOTES TO 0**

**15. CLOSURE**

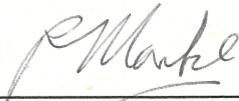
There being no further business, the Presiding Member thanked everyone for their attendance and closed the meeting at 11.19pm.

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**MINUTES CONFIRMATION CERTIFICATION**

The undersigned certifies that these Minutes of the Ordinary Council Meeting held on 23 June 2020 were confirmed as a true and accurate record at the Ordinary Council Meeting held 28 July 2020:

Signed by the Person Presiding:  \_\_\_\_\_

PRINT name of the Person Presiding: **PHILIP MARKS**

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