



City of Belmont

ORDINARY COUNCIL MEETING

MINUTES

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25 June 2019

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CONFIDENTIAL ATTACHMENTS INDEX

Confidential Attachment 1 – Item 14.1 refers

MINUTES

PRESENT

Cr P Marks, Mayor	East Ward
Cr R Rossi, JP, Deputy Mayor	West Ward
Cr M Bass	East Ward
Cr B Ryan	East Ward
Cr J Davis	South Ward
Cr J Powell	South Ward
Cr S Wolff	South Ward
Cr L Cayoun	West Ward
Cr G Sekulla, JP	West Ward

IN ATTENDANCE

Mr J Christie	Chief Executive Officer
Mr R Garrett	Director Corporate and Governance
Mrs J Hammah	Director Community and Statutory Services
Mr A Sheridan	Director Infrastructure Services
Mr J Olynyk, JP	Manager Governance
Mr W Loh (<i>dep 8.44pm</i>)	Manager Planning Services
Mrs M Lymon	Principal Governance and Compliance Advisor
Ms A Biondi (<i>dep 8.44pm</i>)	Senior Planning Officer
Ms D Morton (<i>dep 8.56pm</i>)	Media and Communications Officer
Mrs J Barnes	Senior Governance Officer

MEMBERS OF THE GALLERY

There were 23 members of the public in the gallery and one press representative.

1. OFFICIAL OPENING

7.01pm **The Presiding Member welcomed all those in attendance and declared the meeting open.**

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

Nil.

3. DECLARATIONS OF INTEREST THAT MIGHT CAUSE A CONFLICT

3.1 FINANCIAL INTERESTS

Nil.

3.2 DISCLOSURE OF INTEREST THAT MAY AFFECT IMPARTIALITY

Nil.

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

4.1 ANNOUNCEMENTS

The Presiding Member made the following announcement:

'I am pleased to announce that The City of Belmont has won a national award for its unique Belmonsters project.

The City won the Arts Animates – Creating Vibrant and Cohesive Communities through the Arts category, as part of the 2019 National Awards for Local Government.

The Arts Animates Award recognises Local Governments who create vibrant, cohesive communities that use arts and culture to support community wellbeing, and is sponsored by the Department of Communications and the Arts.

The creation of the Belmonsters book by the City's Library and Heritage team, and Community Wellbeing team, along with members of our Community, shows the fantastic contribution local government plays in building happy, healthy and engaged communities.

The Belmonsters project has motivated young people to explore our wonderful City, and has inspired other projects at the City of Belmont.'

4.2 DISCLAIMER

7.04pm 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

5.1.1 MS L HOLLANDS, ON BEHALF OF BELMONT RESIDENTS AND RATEPAYERS ACTION GROUP, 2 MILLER AVENUE, REDCLIFFE

The following question was taken on notice at the 28 May 2019 Ordinary Council Meeting. Ms Hollands was provided with a response on 11 June 2019. The response from the City is recorded accordingly:

1. Does the City have an enforcement and prosecution policy to ensure there is a consistent and transparent approach in the undertaking of compliance enforcement and prosecution action which some other Councils already have. If not, why not, and do you intend to get one?

Response

The City does not have a Prosecution Policy in place. However, the City does have a number of supporting process maps and work instructions that provide the necessary guidance to its officers whilst undertaking this function. As required, legal advice and support is sought. There is no intention at this point to implement such a policy.

5.1.2 MS J GEE, 97 GABRIEL STREET, CLOVERDALE

The following question was taken on notice at the 28 May 2019 Ordinary Council Meeting. Ms Gee was provided with a response on 4 June 2019. The response from the City is recorded accordingly:

1. When is Council going to look at the tree in front of 18 Oakland Avenue? There is a branch hanging in the tree and it may fall. I know you don't want to chop the top of the tree. Can we look at trimming it underneath because there are lots of dead branches with no leaves or anything and it looks like an eyesore?

Response

The street tree has been trimmed and the dead branch removed.

5.2 QUESTIONS FROM MEMBERS OF THE PUBLIC

The Presiding Member advised that Public Question Time during Council meetings is audio recorded for minute verification purposes and requested the Senior Governance Officer to commence recording.

7.06pm 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 five 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. Three further registrations were forthcoming.

5.2.1 DR R JNEID, 411A ACTON AVENUE, KEWDALE

1. Is Council aware that I have worked with the Council Officers to ensure the land uses shown on the development plan accurately represent the aim and objective of the Youth Centre?

Response

The Director Community and Statutory Services advised that City Officers have worked very closely with the applicant to address the issues raised during the public consultation phase and there have been numerous additional reports required to ensure that the development is compliant and can be monitored for on-going compliance issues into the future.

2. Is Council aware that the Youth Centre does not have a café or prayer hall?

Response

The Director Community and Statutory Services advised there is no proposal for a café or prayer hall incorporated into the application.

3. Is Council aware that the Centre will not be available to host local competitions?

Response

The Director Community and Statutory Services advised that is included in the application.

4. Is Council aware that the Youth Centre will allow school groups during the day time and any small organisations in the area to use the building with prior arrangement with the management but in limited numbers?

Response

The Director Community and Statutory Services advised that this information has been provided to the City and that there is a condition recommended to be imposed on the application for a maximum number of 92 people which will limit the future use of the site.

5.2.2 MR P NEVILLE ON BEHALF OF COUNTRY COMFORT INTER CITY HOTEL, 47 HARDEY ROAD, BELMONT

1. The development has a setback of 1.75 metres from the adjoining fence of 12 Kimberley Street, with bedrooms 3.6m from the boundary at 47 Hardey Road and 3.1m for Lot 7/12 Kimberley Street. The combined distance from the basketball court to these bedrooms will be approximately 4.8 to 5.2 metres. With the centre in operation from 8am to 9pm at night, can Council elaborate on how the development is compatible with the Planning and Development (Local Planning Schemes) Regulations 2015, Clause 67 refers to '(m) the compatibility of the development with its setting including the relation of the development to the development on adjoining land or other land in the locality?'

Response

The Director Community and Statutory Services advised that the report deals with this in great depth. As a general overview with regard to bulk and scale, the facades on the north eastern and south eastern boundaries are articulated and they alleviate the impact of the building on surrounding properties.

With regard to the building height, the surrounding locality is characterised by a mixture of two and three storey developments. The proposed three storey building is compatible with the existing locality.

With regard to overshadowing, the impact on neighbouring residential properties has been minimised. The overshadowing does not exceed more than 35% of the site area as recommended by State Planning Policy 7.3, R-Codes Vol 2 - Apartments.

Noise – to ensure compliance with the Environmental Noise Regulations, Condition 21 has been recommended to ensure the attenuation of the building on the air conditioning units.

With regard to management, prior to the use of the development the applicant is to provide the City with an updated Centre Management Plan and there is a requirement that this Plan be reviewed within a six month period.

2. Can Council provide clarification as to why at the Agenda Briefing Forum, Planning advised the width of the driveway to be 5.95 metres, which is below the 6 metre requirement for 2 way traffic for access and egress from the site including why the traffic report provided indicates a driveway width of 5.5 metres and the report states that the width is less than the requirement 'combined driveway of two-way directional flow' AS 2890?

Response

The Director Community and Statutory Services acknowledged there were conflicting widths advised in various documents and therefore the City sought a copy of the Deposited Site Plan from Landgate which shows the access leg at six metres. Including the truncation onto Hardey Road it is eight metres at that point.

Item 5.2.2 Continued

3. Is there a requirement for the development to have a designated pedestrian and cycle access pathway from Hardey Road to the building entrance, noting that the development application relies very heavily on many users either using public transport, bicycles and scooters as well as noting that wheelchairs may be requesting access to that area from the buses on Hardey Road?

Response

The Director Community and Statutory Services advised there is no requirement and it should be noted that the shared area for cars, cyclists, pedestrians and disabled, given a six metre wide driveway into the development is provided, is likely to be a slow speed environment for traffic and is acceptable.

5.2.3 MS S MOTEN, 150 HARDEY ROAD, BELMONT

1. Will there be children under 17 attending during school hours, as one hour sessions do not constitute certified education/training under the current law and will those working and volunteering be obtaining a Working With Children's check as per State Government rules?

Response

The Director Community and Statutory Services advised the age of the children who may or may not attend the site is not a planning consideration and is something that the applicant, should they commence operation, would need to follow up on. This also applies to Working with Children checks, that is something individuals and organisations need to follow up, it is not a planning requirement.

2. Going forward, if this item is passed, can Council explain to local residents and ratepayers how these two items and other conditions operational or otherwise will be checked, monitored and addressed if not adhered to?

Response

The Director Community and Statutory Services advised they are the responsibility of different agencies and not the City of Belmont.

5.2.4 MR P HITT, 14 MCLACHLAN WAY, BELMONT

1. Can the Council please provide further understanding why disabled patrons will be clearly discriminated against by not having shower facilities provided as per plan where there are two showers available for able bodied male and female patrons?

Response

The Director Community and Statutory Services advised these issues are addressed under the Building Code of Australia and are not relevant to the planning application.

Item 5.2.4 Continued

2. Can the Council provide clarification how this discrimination against people with disabilities complies with the Council's Disability Access and Inclusion Plan? Under the Western Australian Disability Services Act 1993, local governments are required to develop and implement a Disability Access and Inclusion Plan to ensure people with disabilities have equal access to services and facilities. This Access and Inclusion Plan must fulfil the requirements of the Act.

Response

The Director Community and Statutory Services advised the City has a Disability Access and Inclusion Plan. The City ensures its own facilities provide equal access to services and facilities. In this regard, Building Code compliance is the standard that would be sought. Whether the applicant chooses to do more, we do encourage it, but that is up to them.

3. On site, from the car bike rack and car bays, can Council advise what is the width of the pedestrian footpath between the building and driveway to ensure that children, disabled and able bodied adults can access the only ground floor entrance safely? Is the width of this pedestrian footpath compliant for Disabled car bay?

Response

The Director Community and Statutory Services advised that this question would be taken on notice, but as previously stated this would be checked at the building permit stage and they would have to be compliant under the Building Code.

4. Does the disabled car bay comply with AS/NZS2890.6 – 2009 Parking Facilities Part 6: Off-street parking for people with disability?

Key Points: Bays to be located near the accessible entrance to the facility that they service. A flat surface must be provided. Dimensions of the bay must allow access to all doors of a car.

A clear continuous path of travel must be provided to the adjacent footpath
Location: Furthermore it states once again, under the AS/NZS2890.6 – 2009 Parking Facilities Part 6: Wheelchair Accessible bays are to be located as close as possible to the accessible entrance to the facility that they service. Safety If the position is considered unsafe, other locations should be considered. Any position may be considered unsafe if a driver or carer is required to transfer or unload a wheelchair into potentially dangerous traffic flows. Dimensions are to comply with Off-street parking for people with disability. Has this been done?

Response

The Director Community and Statutory Services advised that this question would be taken on notice. However, as previously stated everything would be checked against Building Code compliance.

5.2.5 Ms L HOLLANDS, 2 MILLER AVENUE, REDCLIFFE

1. Why has there been an omission of the objectives of the land when the Councillors have to give consideration to it?

Response

The Director Community and Statutory Services advised that there has been no omission, it is consistent with the purpose for which it is reserved.

2. What page can we find the definition of the purpose?

Response

The Director Community and Statutory Services advised that on page 15 the report refers to Land Use and Reservations and that is the discussion on the point. To expand a little, Reservations have quite a general broad range of things that can be considered on them and the issue is whether it is compatible with the purpose for which it is reserved and, yes, it is.

3. Did City officers receive legal advice on the interpretation of public purpose land and community purpose? If not, why not and did the Councillors seek legal advice?

Response

The Director Community and Statutory Services advised that the City did not receive legal advice in this particular application. There was no requirement as it is a well-established planning legal principal.

4. The applicant has explained that two service items have been removed. If that was to happen or any other conditions were breached, how much will it cost the rate payer if any conditions, such as café, or any of the other breaches happen, in time, staff, records, fines, court appearances etc?

Response

The Director Community and Statutory Services advised that if the statement 'if it was to happen' relates to the café or prayer hall, that would be a separate application which would be considered on its own merits. With regard to compliance, City Officers work with operators to ensure they can be compliant, but ultimately if there is a non-compliance that cannot be dealt with appropriately, there is the option to take legal action.

5. Do you, Mr Mayor, or any of the Councillors agree that this does comply with the Disability Access and Inclusion Plan and, if it becomes a building matter, where do we go from there?

Response

The Presiding Member stated it is a building matter and that the Council is voting on the planning application only this evening. Building permits are at a later stage and Council does not intervene with that process.

Item 5.2.5 Continued

6. Does that mean that the Council will then have to review plans again?

Response

The Director Community and Statutory Services advised that there are occasions when a development proposal gets to the building permit stage, they may have to amend their design in relation to disability access, fire rating, etc. In some instances, it results in a modification to the built form itself, in which case it would require an amendment to the planning approval.

7. Would that mean a change to the current scope could change the current design where the noise, which is already a factor, could be more of a factor?

Response

The Director Community and Statutory Services advised that any amendments would need to be considered on their merits. Any similar issues raised with this particular design and proposal, would need to be addressed in any amended application and a substantial change to the building design may require, for example, a new acoustic report to be completed and assessed against the merits of what has been proposed.

8. Would that come back to the residents at all for comment?

Response

The Director Community and Statutory Services advised it would depend on the extent of the modifications. Minor modifications may not, but Council would be advised.

7.35pm **ROSSI MOVED, POWELL SECONDED** that question time be extended.

CARRIED 9 VOTES TO 0

5.2.6 Ms J GEE, 97 GABRIEL STREET, CLOVERDALE

1. Can Officers please explain why this item has been put before Council with many pieces of information missing? I thought it would make more common sense to see a Geotechnical Report because if that came back stating you can't build on that land, you would need to change the building anyway?

Response

The Director Community and Statutory Services advised that, in her opinion, all information required is in place to make a decision on this proposal. With regard to the reference to a Geotechnical report, when looking to apply a particular condition to a planning application, it needs to be a reasonable condition and be satisfied that, subject to exploration, the condition can be complied with. When planning conditions request additional information be provided, the City are satisfied that the applicant will be able to do that.

Item 5.2.6 Continued

2. Is Council aware of inconsistencies in the information provided? There are several age differences in the Management Plan. The Acoustic Report states Scenario 1, 2 and 3 but in other areas 1, 1 and 3. It states full compliance between 8am and 9am on Sundays and public holidays. Does this mean the rest of time they are not compliant? In the Acoustic Report it states that if the air conditioning is running and basketball is being played, then the Centre will not be compliant? I find this information hard to take in and I wonder if Councillors have read and can make sense of that?

Response

The Director Community and Statutory Services advised that reference to inconsistencies might come from a level of technical knowledge. When Acoustic Reports are submitted, they are reviewed by Council staff who have expertise in that area. From that, Condition 21 has been recommended which is very specific about the noise attenuation measures that need to be put in place to ensure that the scenarios mentioned in the Acoustic Plan, when implemented, prove there is no problem with noise.

3. What does Council recognise as a relevant and adequate report? The Traffic Report is almost two years old and the heading says 'virtual' and accident report records that are from 2012 to 2016. Have Councillors read and understood the Acoustic Report or had it explained to them?

Response

The Presiding Member stated that he had read and understood the Acoustic Report.

The Director Community and Statutory Services advised that Traffic Reports are reviewed by Council staff from Infrastructure Services who are experts in this area and they must be satisfied that the report addresses all of the issues. These staff do query anything in the report they are not satisfied with, and in this instance, they have confirmed that the traffic report is appropriate.

4. A report that was from two years ago for traffic volume, as opposed to today, there is no difference?

Response

The Director Community and Statutory Services advised that all reports relating to this application have been reviewed by Officers with the relevant technical expertise and Officers are satisfied that the application, with the recommended conditions, is appropriate.

5. Can Council confirm that all documents are proof read?

Response

The Director Community and Statutory Services advised that all documents produced by Council staff are proof read.

Item 5.2.6 Continued

6. Can Council confirm in writing the cost of pruning the tree at 18 Oakland Avenue please?

Response

The Director Infrastructure Services confirmed that he will advise Ms Gee of the cost of pruning the tree in writing.

5.2.7 MR L HAINES, 15 KIMBERLEY STREET, BELMONT

1. Can the Council confirm how many parking bays will be allocated to that property?

Response

The Director Community and Statutory Services advised that on page 13 of the report it states that there is an undercroft parking area with 23 car parking bays (including one disabled bay) plus one minivan parking bay.

2. So 23 car parking bays is sufficient for a Community Centre?

Response

The Director Community and Statutory Services advised as stated in the report, and justified to a great extent, the number of bays on site is considered appropriate for the development due to the limitation on the maximum number of people who can be on-site at any one time.

3. With only 23 car parking bays for a three storey building, where is all the other traffic going to park?

Response

The Director Community and Statutory Services advised this is detailed in the report under car parking, bicycle parking and end of trip facilities, and also, to a certain extent, within the activities and operation of the development. When assessing an application against relevant standards, it cannot necessarily take into account peak issues, which are experienced in any number of instances. The issue of car parking has been looked at extremely closely and Council staff are satisfied that the provision of parking on site is appropriate with relevant conditions imposed.

- 7.46pm As there were no further questions, the Presiding Member declared Public Question Time closed and requested that the Senior Governance Officer cease audio recording.**

6. CONFIRMATION OF MINUTES/RECEIPT OF MATRIX

**6.1 ORDINARY COUNCIL MEETING HELD 28 MAY 2019
(Circulated under separate cover)**

OFFICER RECOMMENDATION

SEKULLA MOVED, WOLFF SECONDED,

That the Minutes of the Ordinary Council Meeting held on 28 May 2019 as printed and circulated to all Councillors, be confirmed as a true and accurate record.

CARRIED 9 VOTES TO 0

**6.2 MATRIX FOR THE AGENDA BRIEFING FORUM HELD 18 JUNE 2019
(Circulated under separate cover)**

OFFICER RECOMMENDATION

POWELL MOVED, BASS SECONDED,

That the Matrix for the Agenda Briefing Forum held on 18 June 2019 as printed and circulated to all Councillors, be received and noted.

CARRIED 9 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

11.1 STANDING COMMITTEE (COMMUNITY VISION) HELD 10 JUNE 2019
(Circulated under separate cover)

OFFICER RECOMMENDATION

CAYOUN MOVED, DAVIS SECONDED,

That the Minutes for the Standing Committee (Community Vision) meeting held on 10 June 2019 as previously circulated to all Councillors, be received and noted.

CARRIED 9 VOTES TO 0

11.2 STANDING COMMITTEE (ENVIRONMENTAL) HELD 10 JUNE 2019
(Circulated under separate cover)

OFFICER RECOMMENDATION

WOLFF MOVED, RYAN SECONDED,

That the Minutes for the Standing Committee (Environmental) meeting held on 10 June 2019 as previously circulated to all Councillors, be received and noted.

CARRIED 9 VOTES TO 0

12. REPORTS OF ADMINISTRATION

WITHDRAWN ITEMS

Item 12.1 was withdrawn at the request of Cr Wolff

Item 12.3 was withdrawn at the request of Cr Cayoun

Item 12.5 was withdrawn at the request of Cr Rossi

POWELL MOVED, BASS SECONDED,

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

CARRIED BY ABSOLUTE MAJORITY 9 VOTES TO 0

**12.1 PROPOSED COMMUNITY PURPOSE BUILDING – LOT 801 (49) HARDEY ROAD,
BELMONT**

BUILT BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1 – Item 12.1 refers	<u>Schedule of Submissions</u>
Attachment 2 – Item 12.1 refers	<u>Water Corporation Comments</u>
Attachment 3 – Item 12.1 refers	<u>Development Plans</u>
Attachment 4 – Item 12.1 refers	<u>Acoustic Report</u>
Attachment 5 – Item 12.1 refers	<u>Traffic Impact Assessment Report</u>
Attachment 6 – Item 12.1 refers	<u>Centre Management Plan</u>
Attachment 7 – Item 12.1 refers	<u>Waste Management Plan</u>

Voting Requirement : Simple Majority
Subject Index : 115/001–Development/Subdivision/Strata-Applications
and Application Correspondence
Location / Property Index : Lot 801 (49) Hardey Road, Belmont
Application Index : 113/2018/DA
Disclosure of any Interest : Nil.
Previous Items : 12 December 2017 Ordinary Council Meeting -
Item 12.4 (Item Withdrawn)
Applicant : Muslim Youth Support Centre Western Australia Inc
Owner : Muslim Youth Support Centre Western Australia Inc
Responsible Division : Community and Statutory 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.*

Item 12.1 Continued

PURPOSE OF REPORT

For Council to determine a development application for a Community Purpose building at Lot 801 (49) Hardey Road, Belmont.

SUMMARY AND KEY ISSUES

- The subject site is predominantly reserved as a 'Local Scheme Reserve–Public Purposes (Telstra)', with a portion zoned 'Mixed Use' under Local Planning Scheme No. 15 (LPS 15).
- The applicant seeks approval for a two-storey 'Community Purpose' building which includes office and administration areas, a gymnasium, meeting hall and 23 car parking bays plus one minibus parking bay.
- The proposed land use of 'Community Purpose' is a use not listed in Table 1 of LPS 15, however is defined in Schedule 1–Land Use Definitions of LPS 15. The community purpose land use is consistent with the Public Purpose reservation of the site and may be approved by Council subject to the proposed building meeting the relevant development standards.
- The application was referred to surrounding property owners and occupiers for comment. Six submissions were received, all objecting to the proposal. The objections relate to the hours of operation and staffing arrangements, noise, overshadowing, privacy and overlooking, building height, security, antisocial behaviour, traffic, and parking concerns.
- Having regard for the submissions, it is considered appropriate to approve the development on the basis that the applicant has addressed potential amenity impacts through suitable design responses and management measures. In the event of an approval, the applicant will be required to comply with a range of conditions of development approval.
- It is recommended that Council approve the development application, subject to conditions.

Item 12.1 Continued

LOCATION

The subject site is a battle-axe lot located on Lot 801 (49) Hardey Road, Belmont near the intersection of Great Eastern Highway, as shown in Figure 1. Lot 801 has a total area of 1,417 square metres.

The Country Comfort Hotel is located along the north western boundary along with the hotel's serviced apartments along the north eastern boundary of the site. Residential development is located adjacent to the south eastern boundary.

The subject lot previously formed part of the Telstra site but was subdivided and sold to the current owner, the Muslim Youth Support Centre Western Australia Inc. Telstra telecommunications infrastructure is located in front of Lot 801.



Figure 1: Location of Subject Property

CONSULTATION

Category B applications are those that need advertising, additional information, documentation or revisions, approvals from other bodies such as Committees or Council, or are building licences that required a development application. Category B applications may need statutory advertising, referral to neighbours or consideration by Council.

Item 12.1 Continued

Submissions Received

The application was advertised for public comment to surrounding landowners and occupiers for 14 days from 2 May 2018 to 16 May 2018. Figure 2 depicts the advertising area of the subject application.

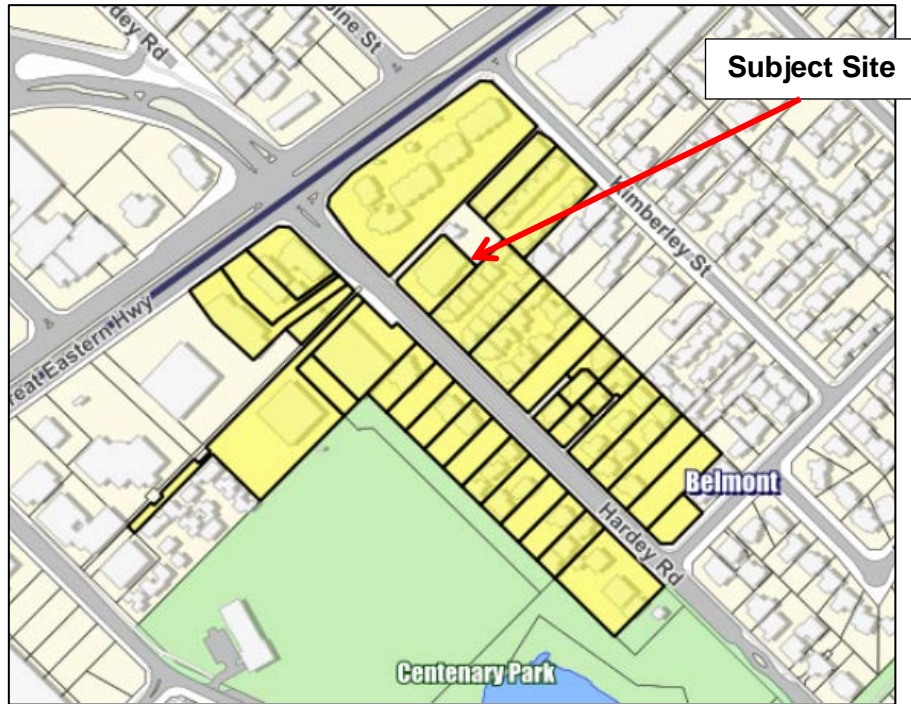


Figure 2: Advertising area – shaded yellow

At the conclusion of the advertising period, a total of six submissions were received including a petition with 69 signatories. All six submissions objected to the proposal. The main issues raised in the submissions include:

- An excessive number of vehicles proposed to park at the development.
- Low number of staff and volunteers and excessive youth numbers.
- Hours of operation until 9:00pm and seven days a week is inappropriate and could create traffic issues.
- Overshadowing blocking direct sunlight.
- Noise associated with air conditioners and vehicles.
- Privacy from overlooking.
- Security and antisocial behaviour concerns.
- Traffic related concerns and overflow of parking onto Hardey Road.
- Building height concerns.

A schedule of submissions and associated officer comments is attached (refer [Attachment 1](#)). The relevant planning issues are discussed in the 'Officer Comment' section of this report.

Item 12.1 Continued

Water Corporation

The application was also referred to the Water Corporation for comment, as several easements are located within the property boundary for 'water supply purposes' and 'sewerage purposes' (refer [Attachment 2](#)). The Water Corporation provided the following comments:

- Reticulated water and sewerage are available to the subject lot.
- The footprint of the building does not appear to be within the easements and is acceptable for the purposes of the application.
- Sections of buildings close to the sewer may require piling to achieve the required protection of the sewer.
- The protection of the water main within the access leg of the lot prevents the applicant from installing soakwells in the driveway associated with the development.
- The proposal will require approval by the Water Corporation's Building Services section prior to commencement of works.

The proposed development does not conflict with the requirements of the Water Corporation. The above comments will be included as advice notes in the event of a development approval.

Having regard for the Water Corporation's comments, the City's Infrastructure Services have advised that a condition requiring a geotechnical report to be prepared by the applicant is required. This is needed to help determine if the ground is capable of supporting the proposed building, whilst also taking into consideration the drainage requirements for the site.

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.

Key Corporate Action: Implement LPS 15.

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.

Item 12.1 Continued

POLICY IMPLICATIONS

State Planning Policy 7.3—Residential Design Codes Volumes 1 and 2

The Residential Design Codes (R-Codes) provide a comprehensive basis for the control of residential development in Western Australia. Given the proposed interface with existing residential development, guidance has been taken from the standards contained within the R-Codes to help determine an acceptable outcome for the proposed development.

Each relevant planning consideration is detailed below in the 'Officer Comment' section of this report, where reference is made to the relevant standard or outcome applicable to the development proposal.

STATUTORY ENVIRONMENT

Local Planning Scheme No. 15

The majority of the subject property is reserved as a 'Local Scheme Reserve—Public Purposes (Telstra)'. Approximately 215 square metres along the north western boundary is zoned 'Mixed Use' under LPS 15 as shown in Figure 3.

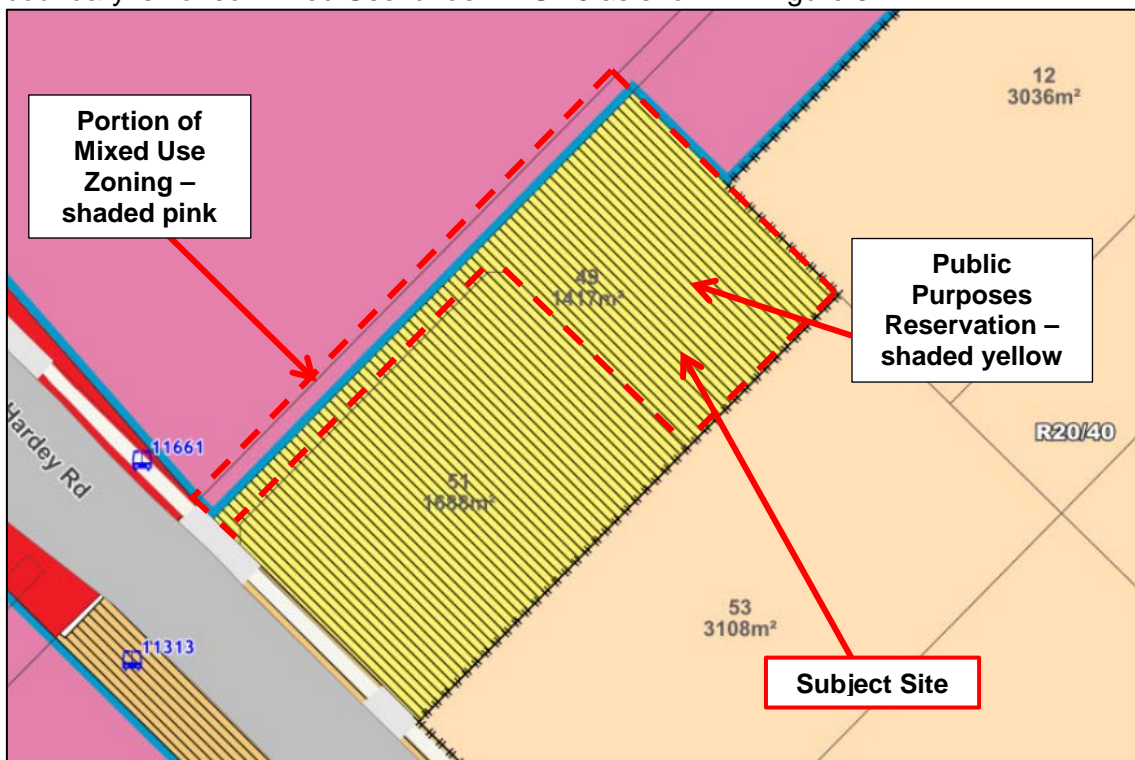


Figure 3: Property Zoning and Reservation

Clause 3.4 of LPS 15 requires development on a Local Reserve to first obtain a development approval. In determining the application, the Council must have due regard for the ultimate purpose of the reserve.

Schedule 1 of LPS 15 defines a 'Community Purpose' land use as:

"means the use of any land or building primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit".

Item 12.1 Continued

A 'Public Purpose' reserve as defined in the *Planning and Development Act 2005* is defined as a purpose which serves or is intended to serve the interests of the public or a section of the public and includes a public work.

The proposed 'Community Purpose' land use is consistent with the intent of the 'Public Purpose' reservation and Council may determine to approve the development subject to consideration for the matters listed under Clause 67 of the Deemed Provisions in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Planning and Development (Local Planning Schemes) Regulations 2015

Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)* states the matters to be considered by local government in determining a development application. The following matters are of particular relevance to this application:

- “(j) in the case of land reserved under the Scheme... the objectives for the reserve...”*
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality...*
- (n) the amenity of the locality...*
- (o) the likely effect of the development on the natural environment...*
- (s) the adequacy of:*
 - (i) the proposed means of access to and egress from the site; and*
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles”*
- (t) the amount of traffic likely to be generated by the development particularly in relation to the capacity of the road system...*
- (u) the availability and adequacy for the development of the following –*
 - (i) public transport services;*
 - (ii) public utility services;*
 - (iii) storage, management and collection of waste;*
 - (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);*
 - (v) access by older people and people with disability;*
 - (y) any submissions received on the application”.*

Item 12.1 Continued

Deemed Refusal

Under Clause 75 of the Deemed Provisions of the *Regulations*, 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 further time between the applicant and the City of Belmont.

The deemed refusal date for this application passed on 20 June 2018 and the applicant already has deemed refusal rights.

In this case, there is no written agreement for the statutory time period to be extended. It is noted that since receiving the subject application, the City has met with the applicant on numerous occasions to request further information and clarification on the operation and design of the proposed development. In several instances, further detail was required to be provided on the proposed development plans to allow for a complete assessment to be carried out. A considerable delay has occurred as a result.

Right of Review

Is there a right of review? ☒ Yes ☐ No

The applicant/owner may make an application for review of a development approval/refusal to the State Administrative Tribunal (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.

BACKGROUND

Lodgement Date:	22 March 2018	Use Class:	Use Not Listed (Community Purpose)
Lot Area:	1,417m ²	LPS Zoning and Reservation:	Local Scheme Reserve - Public Purposes (Telstra) and portion Mixed Use on the north western boundary
Estimated Value:	\$650,000	MRS:	Urban

Proposal

The development application is for a three-storey building; 11 metres in height (refer [Attachment 3](#)). The building includes:

Ground Floor

- An undercroft parking area with 23 car parking bays (including one disabled bay) plus one minivan parking bay to facilitate the transportation of youth to and from the site.
- Ten (10) bicycle racks.
- An entrance and lobby, one meeting room, two offices and a utility area with a combined floor area of 158 square metres.

Item 12.1 Continued

First Floor

- A lobby and foyer, toilets and change room facilities with a combined floor area of 185 square metres.
- A 467 square metre gymnasium.
- An outdoor storage deck.

Mezzanine

- A meeting hall area with an approximate floor area of 82 square metres.

Operation and Function

The applicant has stated that the proposed community purpose building is *“to provide support services to vulnerable young people, who are at risk, disengaged, unemployed, marginalised and who suffer from low self-esteem, and in need of strengthening their relationships with their families and peers. We hope to reach out to young people aged 14 to 25 years of age who are at risk of disconnecting from their family/community or support network and those who are disengaging from school, training and/or employment, as well as those who have low self-esteem and confidence”*.

The proposed activities associated with the development’s operation are as follows:

- Hours of operation are from 8:00am to 9:00pm, seven days a week.
- Programs to be offered include youth clubs, junior club, educational workshops including English competency programs, one on one mentoring, a young women’s club for 11 to 16 year olds; outreach; public speaking; recreational activities (table tennis, pool, and basketball), photography and poetry classes, drama classes and professional development.
- The majority of patrons to the site are expected to be dropped off and picked up from the Centre either by parents or be transported to and from the site via a 12 seater minivan.
- Two employees or volunteers are to be present at site at any given time.
- The meeting hall will not be used at the same time as the gymnasium.
- The ground floor meeting room is intended to hold 12 meetings a year (one a month) with between seven to nine members of the management committee present.
- There is no intention to host local competitions within the gymnasium and the Centre is not available for hire by other groups.
- School groups and organisations within the local area would be able to use the building under approval from the Centre’s Management Committee and only in limited numbers.

Item 12.1 Continued

OFFICER COMMENT

Land Use and Reservation

Local Planning Scheme No. 15 does not specify development standards for local reserves, except that the use and development should be consistent with the ultimate purpose of the reserve and that Council should consider planning matters as detailed in Schedule 2, Clause 67 of the Deemed Provisions.

These planning matters include:

- The compatibility of the development with its setting, including the likely effect of the proposed development on adjoining land in terms of building height, orientation, bulk and scale.
- Car parking, traffic and access.
- The provision of bicycle parking and end of trip facilities.
- Waste collection.

A number of the submissions received during public advertising of the proposal raise concerns that are aligned with these planning matters. The details of each matter are further discussed below.

Building Height

The locality comprises a mix of two and three-storey development (see Figure 4 below). The existing residential development along the south eastern boundary comprises of two-storey grouped dwellings, with the Country Comfort Hotel and serviced apartments to the north west/north east consisting of two and three-storey development.

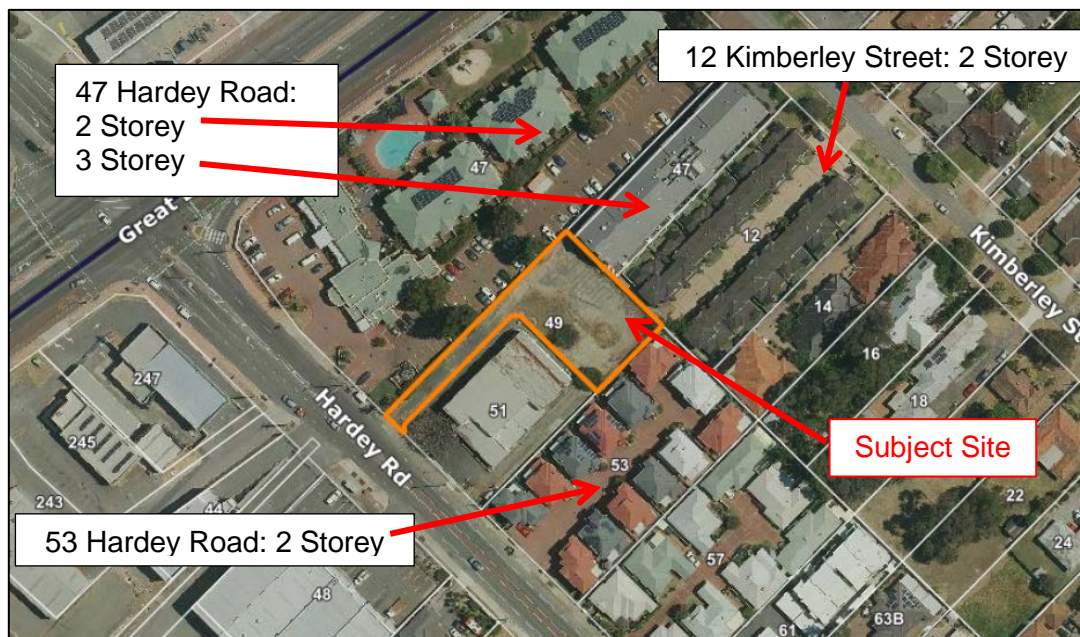


Figure 4: Height of Surrounding Development

Item 12.1 Continued

There is no height limit specified within the 'Mixed Use' zone of LPS 15. Accordingly, developments of three-storeys and above need to be considered on the merits of the respective development proposal.

In light of the surrounding development context, and as the proposed community purpose building abuts the 'Mixed Use' zone along Great Eastern Highway, the proposed height of the development (11 metres/three-storeys) would be acceptable, subject to compliance with building bulk, visual privacy and overshadowing standards.

Building Bulk and Scale

There is no impact of bulk and scale to the hotel along the north western boundary and the Telstra infrastructure to the south. This is due to the non-habitable nature of the Telstra site and that the development abuts the hotel's car park along the north western boundary.

In the absence of development standards for reserved land within LPS 15, guidance on building bulk and scale can be taken from the requirements of State Planning Policy 7.3–R-Codes.

North Eastern Boundary

In accordance with the 'deemed to comply' requirements of the R-Codes, the proposed building would require a setback of 3.3 metres from the north eastern boundary. The development proposes a setback of 3.1 metres for the mezzanine level and 1.5 metres for the first floor (see Figure 5).

Meeting the 'deemed to comply' requirements is one way of addressing the design principles. However, where a proposal does not meet the 'deemed to comply' requirements, the decision maker must consider whether the application has addressed the overarching design principles and determine the application on its merits.

The relevant design principles have been considered and the proposed setbacks can be supported as the varying setbacks between the ground floor, first floor and mezzanine provide a degree of articulation, minimising the impact of the building's bulk on adjoining properties. It is also noted that the major openings and outdoor living areas of the adjacent properties are not located along this boundary.

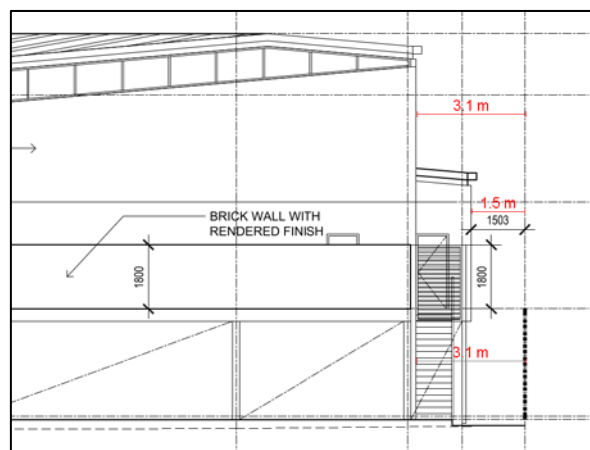


Figure 5: Setbacks of the development to the north eastern boundary

Item 12.1 Continued

South Eastern Boundary

Figure 6 below depicts the extent of the development's setbacks along the south eastern boundary.

A 1.8 metre high screen wall to the outdoor storage deck is proposed on the first floor. This wall is proposed to be set back 2.5 metres from the south eastern boundary, which is in excess of the 2 metre 'deemed to comply' requirement.

The walls above the deck level are set back 4.6 metres and 7.7 metres respectively, which are well in excess of the 'deemed to comply' requirements and are acceptable.

The varying setbacks across the façade of the building provides for articulation and variety. This reduces the impact of bulk and scale on adjoining residential properties.

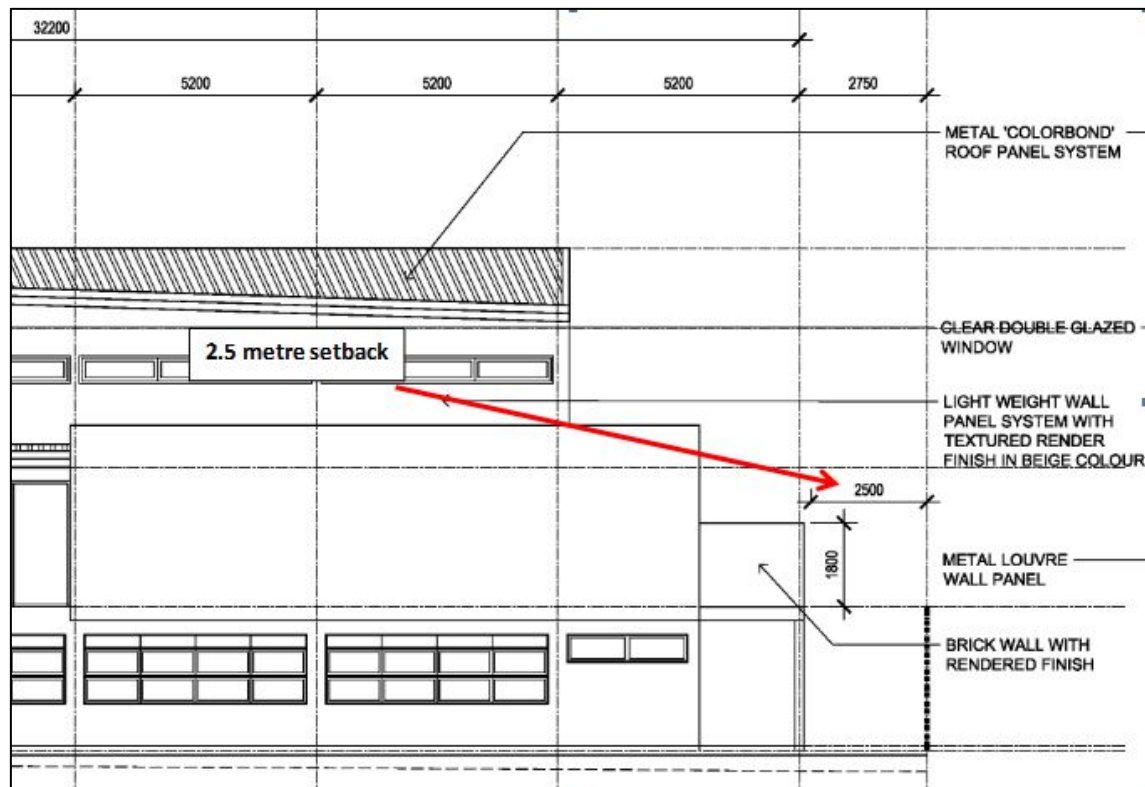


Figure 6: Setbacks of the development to south eastern boundary

Should Council determine to approve the development, a condition requiring the provision of a schedule of external colours and materials is recommended. This will ensure that a suitable range of materials are used in order to provide interest to the building façades.

Item 12.1 Continued

Visual Privacy

All windows facing adjoining properties along the north eastern and south eastern boundaries have a minimum sill height of 1.8 metres from the floor, ensuring that the visual privacy of these properties is protected.

There are two outdoor stair cases located on the north east side that may allow overlooking onto the neighbouring residential properties (see Figure 7). To ensure visual privacy is maintained, a condition has been recommended which requires screening to be provided.

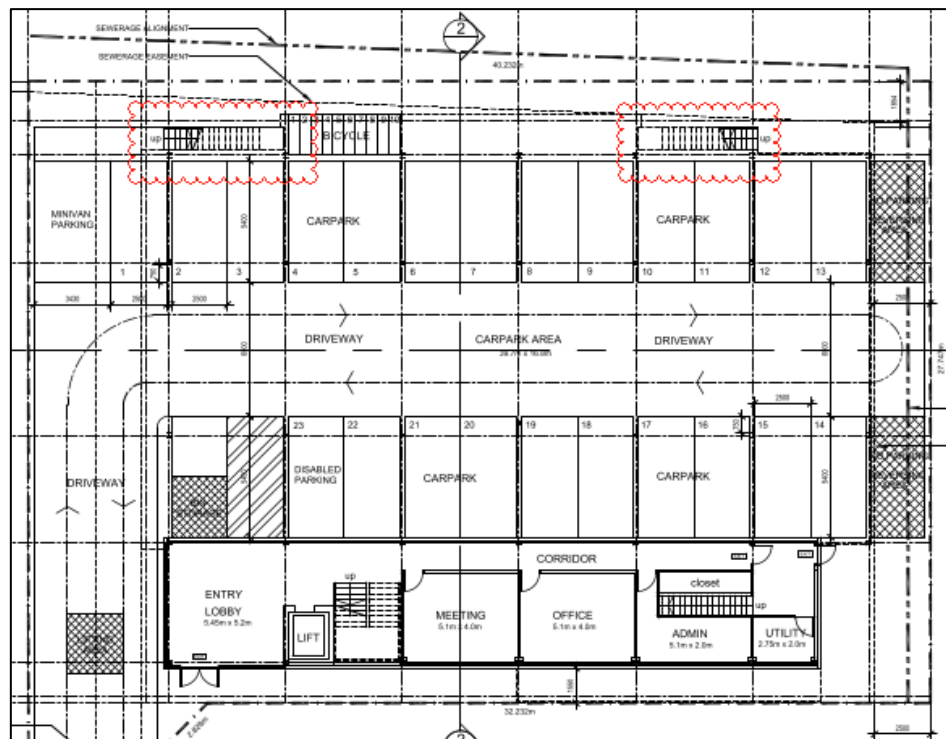


Figure 7: Location of Outdoor Stairs

Item 12.1 Continued

Overshadowing

A number of submissions have raised concern that the development will overshadow their property. The planning assessment affirms that the development will certainly have the effect of changing the urban environment of the neighbouring properties. When assessed against established planning principles, the height and scale of the building in the context of Great Eastern Highway and the adjacent hotel and service apartment buildings is considered to be more clearly acceptable. This leaves the effect of overshadowing on neighbouring properties as the crucial element in determining whether the proposed development is compatible with its setting.

Having regard for the adjoining residential properties, it is appropriate to take guidance from the 'Element Objectives' for 'Orientation' contained within State Planning Policy 7.3 Residential Design Codes Volume 2–Apartments.

State Planning Policy 7.3 (SPP 7.3) states that building form and orientation should minimise overshadowing on habitable rooms and open space of neighbouring properties during mid-winter. Additionally, development shall be designed such that the shadow cast at midday on 21 June onto any adjoining property does not exceed 35% of the site area for adjoining properties coded R40. 'Site area' is considered to be the strata lot area of each grouped dwelling and is not the parent lot area.

An overshadowing diagram has been prepared, illustrating the shadow cast throughout 21 June, including midday as required by the R-Codes (refer Figure 8). Some overshadowing will occur over the property to the south east.



Figure 8: Overshadowing at midday on 21 June onto Neighbouring Lots

Item 12.1 Continued

It is noted that one adjoining dwelling (as marked in Figure 9 below) will be particularly affected by the shadow cast by the proposed development. Overshadowing will occur over the outdoor living area and habitable rooms of this dwelling.

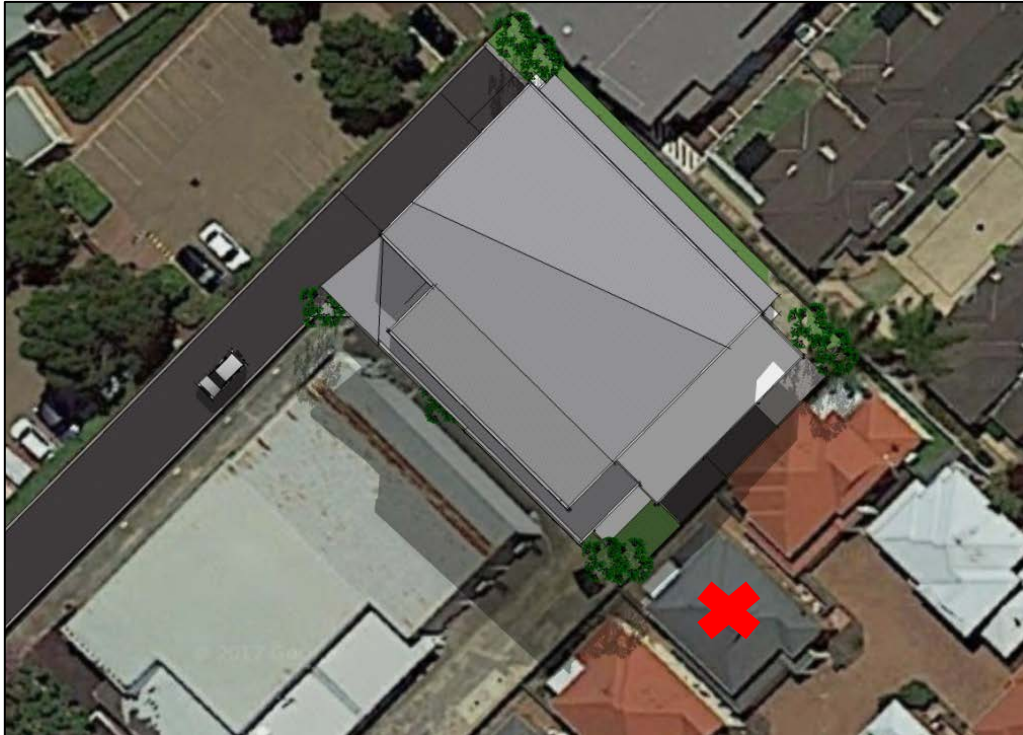


Figure 9: Impact of overshadowing at midday, 21 June

As depicted in Figure 8, the adjoining properties along the south eastern boundary will still obtain sunlight during the morning hours of 21 June. The Element Objectives for 'Solar and Daylight Access' under SPP 7.3 specify at least 2 hours of direct sunlight between 9:00am and 3:00pm on 21 June. Overshadowing calculations have determined that at 11:00am, the overshadowing from the boundary fence is greater than the shadow from the proposed building. The neighbouring property therefore has at least two hours of access to direct sunlight between 9:00am and 11:00am in mid-winter. With the higher sun angle during other times of the year, overshadowing will diminish or be non-existent.

The overshadowing impact on the marked property affects approximately 25 square metres, being only 13% of the site area for that strata lot, well under the 35% as prescribed by SPP 7.3. Whilst some overshadowing will occur, taking guidance from the R-Codes, the amount and duration of overshadowing is considered acceptable.

Furthermore, as demonstrated in Figures 10–11 below, due to the orientation of existing lots and scale of existing development, many properties within the surrounding locality experience overshadowing from lots to the north.

Item 12.1 Continued

Aerial imagery from 24 June 2018 (Figure 10 below) demonstrates the overshadowing impact occurring from the development at 47 Hardey Road onto 12 Kimberley Street. The overshadowing impact in this instance covers entire outdoor living areas and a portion of the habitable rooms.



Figure 10: Aerial image of overshadowing impact onto 12 Kimberley Street, 24 June 2018

Item 12.1 Continued

Noise

The potential noise sources generated from the operation of the development include noise from patrons arriving to and leaving the building, mechanical plant equipment noise sources (including air conditioners, exhaust systems, ventilation and refrigeration systems) and noise generated from activities occurring on the site such as indoor basketball training on the basketball court.

As the property abuts noise sensitive land uses (hotel and residential), the applicant has prepared an acoustic report (refer [Attachment 4](#)) for the proposed building. In considering the proposed building's operation hours, the acoustic report has modelled the following three scenarios:

1. Basketball training activities occurring in the basketball court.
2. Nine evaporative air conditioning units operating simultaneously at maximum capacity; and
3. A combination of scenarios 1 and 2.

Based on the modelling associated with the above three scenarios, the key findings of the report are:

- Scenarios 1 and 2 demonstrate compliance with the assigned noise levels contained within the *Environmental Protection (Noise) Regulations 1997*.
- Scenario 3 does not demonstrate compliance with the assigned noise levels contained within the *Environmental Protection (Noise) Regulations 1997* during night time and Sunday periods.

Although noise is quantified in terms of decibels (the loudness of the noise), its content (i.e. the frequency of the noise, the variation and tone) can have an additional effect on the subjective loudness and the degree of nuisance.

For this reason, a condition has been recommended, detailing additional attenuation measures for the nine air-conditioning units and the construction of the building in order to address noise. A further condition, to limit the hours of operation to between 8:00am and 9:00pm, seven days a week is also recommended.

It is noted that the use of the outdoor deck for activities other than storage is likely to cause a breach of the noise regulations and impact on the amenity of neighbouring properties. On this basis, a condition of development approval that prohibits the use of the outdoor deck other than for storage is recommended.

With the additional attenuation, restrictions on hours of operation and a condition prohibiting the use of the outdoor deck for activities other than storage, the development is expected to be compliant with the requirements of the *Environmental Protection (Noise) Regulations 1997*.

Item 12.1 Continued

Traffic and Access

A Traffic Impact Assessment Report (refer [Attachment 5](#)) has been prepared by the applicant to demonstrate the provision of safe and efficient access and egress for all transport modes; the impact of additional traffic generated by the proposed development; and to demonstrate that the car parking proposed is adequate to accommodate the proposed development.

The following rationale has been provided in support of the proposal:

- In order to assist with the flow of traffic movements to and from the site, the applicant has agreed to provide 30 minute gaps between programs in the community purpose building. This will allow for an adequate transition time between the pick-up of patrons after one session/activity, and the drop-off of patrons for the following session/activity.
- The impact of any vehicular movements is reduced on the basis that the patronage of the site is characterised by youth who are under the driving age and will be dropped off/picked up.
- The proposed layout of the undercroft car park can accommodate the required number of parking bays and associated vehicular movements.
- The site is well serviced by public transport with bus stops being located on Great Eastern Highway (70 metres north of the subject site) and a bus stop located approximately seven metres away from the entry of the site, for patrons who did not wish to drive.
- The inclusion of a 12 seater minivan bus bay will allow for the transport of patrons/youth, to and from the site.
- An eight metre long waste collection truck can make the required on site movements to enter and exit the site in forward gear.

For the above reasons, the traffic and access implications of the proposal are considered conditionally acceptable and should Council determine to approve the application, several conditions have been recommended in relation to traffic and access.

Car Parking

In accordance with Table 2–Car Parking Requirements of LPS 15, the minimum parking provision for a Community Purpose land use is “to be negotiated with the City”.

In determining the appropriate car parking requirement for the proposed development, guidance can be taken from similar land uses designated within Table 2. The ‘Community Purpose’ land use is most similar to ‘Civic Use/Club Premises/Public Worship/Reception Centre’ which designates *one space for every four persons whom the building is designed to accommodate*.

Twenty-three (23) car parking bays (plus one minivan parking bay) are proposed to be provided on site as part of this application. Should Council determine to approve the application, it is appropriate to include a condition that limits the maximum number of patrons (92) that are allowed on site at any one time. This will help ensure that sufficient car parking is provided on site at all times.

Item 12.1 Continued

Bicycle Parking and End of Trip Facilities

Based on the gross floor area of the proposed development, a minimum of three visitor bicycle parking bays are required to be provided. Local Planning Scheme No. 15 specifies that the requirement for employee bicycle parking spaces is to be determined “at the discretion of the City”.

The applicant has provided a total of 10 bicycle bays in the proposed development to cater for both employees and visitors (see Figure 12).

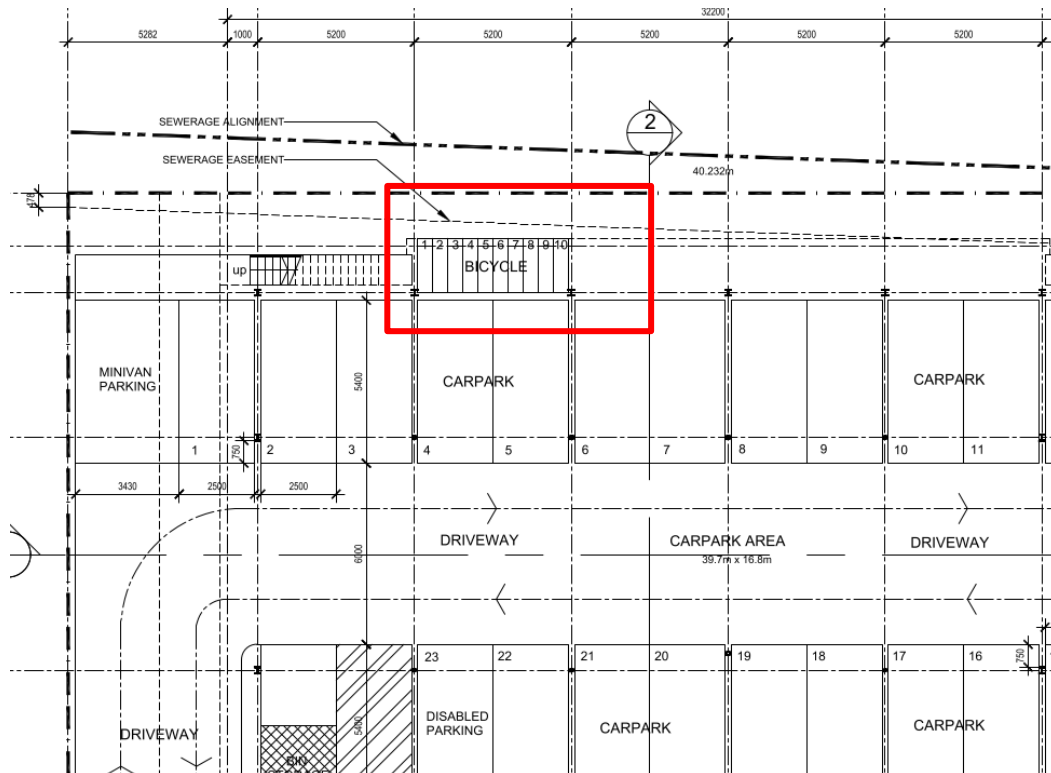


Figure 12: Bicycle Parking Location

In determining an appropriate number of bicycle parking bays for the subject development, it is appropriate to consider the nature of the proposed use.

The application states that two employees or volunteers are to be present on the site at any one time. Therefore two bicycle bays are considered appropriate for employees. Whilst not every employee may ride a bicycle to work, by providing two bays, the option of parking a bicycle is available.

Given the nature of the proposed development (a Youth Centre) there will likely be a high proportion of attendees who will not be able to drive to the premises.

Research released by the Australian Bicycle Council, who is responsible for overseeing, coordinating and implementing the Australian National Cycling Strategy, demonstrates that young people undertake more than half of the total number of daily cycling trips in Australia.

In addition, discussions with the management of The Base @ Belmont Youth Centre located at 275 Abernethy Road, indicates that approximately 30% of youth ride a bicycle or scooter to the premises when events are occurring.

Item 12.1 Continued

It is therefore considered that more than the minimum of three bicycle parking bays should be provided on site for visitors. Youth have the highest levels of cycling participation in Australia, and provision of additional facilities will help encourage cycling to and from the site as an alternative method of travel.

On this basis, the provision of 10 bicycle bays would only accommodate 11% of patrons to the site. To meet the 30% indicator, a total of 29 bicycle bays would be required. This is based on the following user groups expected to be on site:

- Staff
- Visitors – attending meetings
- Visitors – youth engaging in activities.

Thirty percent (30%) of visitors equates to a requirement for 27 bicycle bays, in addition to the two bays for staff resulting in the total requirement for 29 bicycle bays. A condition has therefore been recommended, to provide 29 bicycle bays on site for staff and visitors.

Clause 5.17.3 of LPS 15 requires the provision of end-of-trip facilities when bicycle parking spaces are required to be provided for the use of staff. One male and one female shower in separate change rooms is required to be provided per 10 staff cycle parking spaces as well as one equipment locker per bicycle parking space.

Associated with the gymnasium component of the proposed development are two male and two female showers in separate change rooms and 18 equipment lockers. This is considered appropriate to also provide for commuter end-of-trip needs, and it is not considered necessary to provide separate dedicated shower and locker facilities for end-of-trip purposes.

Activities and Operation of the Development

The applicant has prepared a Centre Management Plan for the building (refer [Attachment 6](#)). The Management Plan provides an overview of how the Centre will operate. In order to ensure that the operation of the Centre does not cause an adverse impact on traffic movements and parking in the area, a condition is recommended, requiring the applicant to provide an updated Management Plan detailing the following:

- Provision for 30 minute gaps between programs to ensure there is no conflict between activities or programs and meetings occurring on site.
- A log book to register the activities and programs on site. This will help ensure that the 30 minute gap between programs has been adhered to. The log book shall be made available for inspection by the City upon request.
- A register of complaints/issues is to be maintained. The register shall record details of the time taken to respond to issues and any associated measures undertaken to address them.
- Information on car parking management measures, including details regarding the allocation of car parking bays for employees, visitors, management and maintenance measures, and the promotion of non-car based travel modes, which encourages the use of such as bicycles and public transport.

Item 12.1 Continued

The landowner will also be required to submit to a review of the Centre Management Plan within the first six months of operation, to address any of the issues that may have arisen during that time.

Waste Collection

The applicant has prepared a Waste Management Plan (WMP) (refer [Attachment 7](#)) for the development site. The WMP details that the waste truck will be able to enter and exit the site in forward gear and undertake the required turning movements on the site. Waste collection will need to occur prior to the Centre opening, between 7:00am and 8:00am, to ensure there is no conflict with parked vehicles in the car park. The applicant has advised they have secured a private waste collector to be able to undertake collection between these hours. On this basis, the WMP is supported and conditions have been recommended should the Council determine to approve the application.

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 proposed development will provide a place where young people within the community can be engaged and supported. This is consistent with the Social Belmont objective to “develop community capacity and self-reliance”.

OFFICER RECOMMENDATION

That Council:

- A. Approve planning application 113/2018 as detailed in plans dated 25 January 2019, 8 April 2019, 12 April 2019 and 16 April 2019 submitted by Dr R Jneid on behalf of the owner Muslim Youth Support Centre Western Australia Inc. for a Community Purpose building at Lot 801 (49) Hardey Road subject to the following conditions/reasons:
 - 1. Development/land use shall be in accordance with the attached approved plan(s) dated 25 January 2019, 8 April 2019, 12 April 2019 and 16 April 2019 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the City’s Manager Planning Services.
 - 2. A detailed schedule of external materials, finishes and colours to be used in the construction of the development shall be submitted to the City prior to lodgement of an application for a building permit to the satisfaction of the City’s Director Community and Statutory Services, Manager Planning Services, Coordinator Planning or Coordinator Design Projects.

Item 12.1 Continued

3. A landscaping and irrigation plan for the subject development site is to be prepared and submitted to the City for approval prior to lodgement of a Building Permit application.
4. Prior to occupation or use of the development, landscaping, plants, verge treatment and/or irrigation are to be installed and thereafter maintained in accordance with the approved landscaping and irrigation plan to the satisfaction of the City's Manager Parks and Environment.
5. Prior to occupation or use of the development, vehicle parking, manoeuvring and circulation areas shall be designed, constructed, sealed, drained, line marked and kerbed in accordance with:
 - (a) The approved plan;
 - (b) Schedule 11 of City of Belmont Local Planning Scheme No. 15; and
 - (c) Council's engineering requirements and design guidelines.

The areas must be sealed in bitumen or concrete in accordance with the City of Belmont specifications, unless otherwise approved by the City's Director Infrastructure Services. All parking bays must be clearly line marked.

6. Prior to occupation of the development, a minimum of 29 bicycle bays, 18 ventilated equipment lockers, and two male and two female showers are to be installed and maintained for the course of the development to the specifications contained within the City's Supplementary Planning Guidelines for End of Trip Facilities, to the satisfaction of the City's TravelSmart Officer.
7. There shall be no more than 92 persons on the site at any given time.
8. The operating times for the Community Purpose Building shall be limited to the hours of 8:00am to 9:00pm, seven days a week.
9. The applicant shall arrange for the preparation and implementation of a construction and traffic management plan in accordance with the requirements of AS 1742 Pt 3 prior to the commencement of site works within the insert road reserve. The Construction and Traffic Management Plan shall be submitted for the approval of the City's Infrastructure Services no later than 14 days prior to the commencement of site works.
10. Provision to be made so that all vehicles (including trucks and commercial vehicles) shall ingress and egress the site in forward gear. No reversing of vehicles to or from the site via a public road is permitted.
11. All access ways, parking areas and hard stand areas shall be maintained in accordance with the City's engineering requirements and design guidelines.
12. Prior to occupation or use of the development, the owner/applicant shall, after having obtained written approval from the City's Infrastructure Services (Infrastructure Services Approval Notice), construct a vehicle crossover in accordance with the approved plans and the City's engineering specifications to the satisfaction of the City's Manager Infrastructure Development.
13. All stormwater from roofed and paved areas shall be collected and disposed of on site in accordance with the City of Belmont's engineering requirements and design guidelines.

Item 12.1 Continued

14. The owner/applicant shall submit a detailed stormwater plan for approval of the Manager Infrastructure Development prior to application for a building permit, showing the proposed drainage system to the standards of the City of Belmont's engineering requirements and design guidelines.
15. The development shall be connected to the reticulated sewerage system.
16. A geotechnical report prepared by an appropriately qualified consultant certifying that the ground is capable of accommodating the proposed development, shall be lodged with the City prior to the commencement of construction on the site, at the cost of the owner/applicant, to the satisfaction of the City's Manager Infrastructure Development.
17. The bin storage area must be paved with an impervious material and must not drain to a stormwater drainage system or to the environment.
18. The outdoor storage deck on the upper floor shall only be used for storage. No other use or activities are permitted on the outdoor storage deck.
19. The staircase located along the north-eastern boundary and the staircase along the south-eastern boundary of the development site as marked in 'RED' on the approved plans, shall be modified to provide screening so to maintain visual privacy to abutting residential properties to the satisfaction of the City's Director Community and Statutory Services, Manager Planning Services, Coordinator Planning or Coordinator Design Projects.
20. Any lighting installed on the building or car parking areas shall be located and designed in a manner that ensures:
 - (a) All illumination is confined within the boundaries of the property; and
 - (b) There will not be any nuisance caused to an adjoining residents or the local area

To the satisfaction of the City's Manager Health and Community Safety.

21. The following noise attenuation measures shall be put in place:
 - (a) The external walls are to be constructed to a standard of $R_w + C_{tr} > 45$. All holes and gaps in external walls are required to be acoustically sealed.
 - (b) A 140 millimetre insulation layer under the colorbond sheets are to be provided.
 - (c) All gaps between ceilings and external walls are to be acoustically sealed.
 - (d) All windows are to be glazed to a standard of $R_w + C_{tr} > 36$. All windows shall be fixed.
 - (e) Gaps between window frames and external walls are to be acoustically sealed.
 - (f) All external doors are to be constructed to standard of $R_w + C_{tr} > 30$ and acoustically sealed around the head, jamb and foot.
 - (g) External doors shall be designed to automatically close.

Item 12.1 Continued

- (h) Engineered noise control measures are to be provided to reduce the noise emissions of the air-conditioning units by 5 dB and are to be installed at the same time as the air-conditioning units.

So as not to exceed the assigned levels under the *Environmental Protection (Noise) Regulations 1997*. As-constructed drawings documenting the above measures are to be submitted to the satisfaction of the City prior to use of the development.

- 22. The landowner shall implement the approved Waste Management Plan (as well as any subsequently updated and approved versions of the Waste Management Plan) to the satisfaction of the City's Manager Works.
 - 23. Prior to use of the development, an updated Centre Management Plan for the site shall be submitted to the satisfaction of the City's Manager Planning Services. The updated Centre Management Plan is to include the following:
 - (a) Provision for 30 minute gaps between programs to ensure there is no conflict between activities or programs and meetings occurring on site.
 - (b) A log book to register the activities and programs on site. The log book shall be made available for inspection by the City upon request.
 - (c) Maintenance of a register of any complaints and issues received. The register shall record details of the time taken to respond to issues and any associated measures undertaken to address them.
 - (d) Information on car parking management measures, including details regarding the allocation of car parking bays for employees, visitors, management and maintenance measures, and the promotion of non-car based travel modes, which encourages the use of such as bicycles and public transport.
 - 24. The landowner shall implement the approved Centre Management Plan (as well as any subsequent updates and approved versions of the Centre Management Plan) to the satisfaction of the City's Manager Planning Services.
 - 25. The Centre Management Plan shall be reviewed within the first six months of operation, to address any relevant issues raised, to the satisfaction of the City's Director Community and Statutory Services, Manager Planning Services, Coordinator Planning or Coordinator Design Projects.
- B. Write to those who made a submission advising them of Council's decision.

Item 12.1 Continued

Note:

Cr Wolff put forward an Alternative Councillor Motion.

ALTERNATIVE COUNCILLOR MOTION

WOLFF MOVED, POWELL SECONDED,

That Council:

- A Approve planning application 113/2018 as detailed in plans dated 25 January 2019, 8 April 2019, 12 April 2019 and 16 April 2019 submitted by Dr R Jneid on behalf of the owner Muslim Youth Support Centre Western Australia Inc. for a Community Purpose building at Lot 801 (49) Hardey Road subject to the following conditions/reasons:

1. Development/land use shall be in accordance with the attached approved plan(s) dated 25 January 2019, 8 April 2019, 12 April 2019 and 16 April 2019 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the City's Manager Planning Services.
2. A detailed schedule of external materials, finishes and colours to be used in the construction of the development shall be submitted to the City prior to lodgement of an application for a building permit to the satisfaction of the City's Director Community and Statutory Services, Manager Planning Services, Coordinator Planning or Coordinator Design Projects.
3. A landscaping and irrigation plan for the subject development site is to be prepared and submitted to the City for approval prior to lodgement of a Building Permit application.
4. Prior to occupation or use of the development, landscaping, plants, verge treatment and/or irrigation are to be installed and thereafter maintained in accordance with the approved landscaping and irrigation plan to the satisfaction of the City's Manager Parks and Environment.
5. Prior to occupation or use of the development, vehicle parking, manoeuvring and circulation areas shall be designed, constructed, sealed, drained, line marked and kerbed in accordance with:
 - (a) The approved plan;
 - (b) Schedule 11 of City of Belmont Local Planning Scheme No. 15; and
 - (c) Council's engineering requirements and design guidelines.

The areas must be sealed in bitumen or concrete in accordance with the City of Belmont specifications, unless otherwise approved by the City's Director Infrastructure Services. All parking bays must be clearly line marked.

6. Prior to occupation of the development, a minimum of 29 bicycle bays, 18 ventilated equipment lockers, and two male and two female showers are to be installed and maintained for the course of the development to the specifications contained within the City's Supplementary Planning Guidelines for End of Trip Facilities, to the satisfaction of the City's TravelSmart Officer.

Item 12.1 Continued

7. There shall be no more than 92 persons on the site at any given time.
8. The operating times for the Community Purpose Building shall be limited to the hours of 8:00am to ~~9.00pm~~ 8.00pm, seven days a week.
9. The applicant shall arrange for the preparation and implementation of a construction and traffic management plan in accordance with the requirements of AS 1742 Pt 3 prior to the commencement of site works within the insert road reserve. The Construction and Traffic Management Plan shall be submitted for the approval of the City's Infrastructure Services no later than 14 days prior to the commencement of site works.
10. Provision to be made so that all vehicles (including trucks and commercial vehicles) shall ingress and egress the site in forward gear. No reversing of vehicles to or from the site via a public road is permitted.
11. All access ways, parking areas and hard stand areas shall be maintained in accordance with the City's engineering requirements and design guidelines.
12. Prior to occupation or use of the development, the owner/applicant shall, after having obtained written approval from the City's Infrastructure Services (Infrastructure Services Approval Notice), construct a vehicle crossover in accordance with the approved plans and the City's engineering specifications to the satisfaction of the City's Manager Infrastructure Development.
13. All stormwater from roofed and paved areas shall be collected and disposed of on site in accordance with the City of Belmont's engineering requirements and design guidelines.
14. The owner/applicant shall submit a detailed stormwater plan for approval of the Manager Infrastructure Development prior to application for a building permit, showing the proposed drainage system to the standards of the City of Belmont's engineering requirements and design guidelines.
15. The development shall be connected to the reticulated sewerage system.
16. A geotechnical report prepared by an appropriately qualified consultant certifying that the ground is capable of accommodating the proposed development, shall be lodged with the City prior to the commencement of construction on the site, at the cost of the owner/applicant, to the satisfaction of the City's Manager Infrastructure Development.
17. The bin storage area must be paved with an impervious material and must not drain to a stormwater drainage system or to the environment.
18. The outdoor storage deck on the upper floor shall only be used for storage. No other use or activities are permitted on the outdoor storage deck.
19. The staircase located along the north-eastern boundary and the staircase along the south-eastern boundary of the development site as marked in 'RED' on the approved plans, shall be modified to provide screening so to maintain visual privacy to abutting residential properties to the satisfaction of the City's Director Community and Statutory Services, Manager Planning Services, Coordinator Planning or Coordinator Design Projects.

Item 12.1 Continued

20. Any lighting installed on the building or car parking areas shall be located and designed in a manner that ensures:

- (a) All illumination is confined within the boundaries of the property; and
- (b) There will not be any nuisance caused to an adjoining residents or the local area

To the satisfaction of the City's Manager Health and Community Safety.

21. The following noise attenuation measures shall be put in place:

- (a) The external walls are to be constructed to a standard of $R_w + C_{tr} > 45$. All holes and gaps in external walls are required to be acoustically sealed.
- (b) A 140 millimetre insulation layer under the colorbond sheets are to be provided.
- (c) All gaps between ceilings and external walls are to be acoustically sealed.
- (d) All windows are to be glazed to a standard of $R_w + C_{tr} > 36$. All windows shall be fixed.
- (e) Gaps between window frames and external walls are to be acoustically sealed.
- (f) All external doors are to be constructed to standard of $R_w + C_{tr} > 30$ and acoustically sealed around the head, jamb and foot.
- (g) External doors shall be designed to automatically close.
- (h) Engineered noise control measures are to be provided to reduce the noise emissions of the air-conditioning units by 5 dB and are to be installed at the same time as the air-conditioning units.
- (i) Construct a 2.4 metre high masonry wall along the south-east boundary that abuts the residential properties of 53 Hardey Road, and the north-east boundary that abuts the Serviced Apartments of 47 Hardey Road and 12 Kimberley Street.

So as not to exceed the assigned levels under the *Environmental Protection (Noise) Regulations 1997*. As-constructed drawings documenting the above measures are to be submitted to the satisfaction of the City prior to use of the development.

22. The landowner shall implement the approved Waste Management Plan (as well as any subsequently updated and approved versions of the Waste Management Plan) to the satisfaction of the City's Manager Works.
23. Prior to use of the development, an updated Centre Management Plan for the site shall be submitted to the satisfaction of the City's Manager Planning Services. The updated Centre Management Plan is to include the following:
- (a) Provision for 30 minute gaps between programs to ensure there is no conflict between activities or programs and meetings occurring on site.
 - (b) A log book to register the activities and programs on site. The log book shall be made available for inspection by the City upon request.
 - (c) Maintenance of a register of any complaints and issues received. The register shall record details of the time taken to respond to issues and any associated measures undertaken to address them.

Item 12.1 Continued

- (d) Information on car parking management measures, including details regarding the allocation of car parking bays for employees, visitors, management and maintenance measures, and the promotion of non-car based travel modes, which encourages the use of such as bicycles and public transport.
- 24. The landowner shall implement the approved Centre Management Plan (as well as any subsequent updates and approved versions of the Centre Management Plan) to the satisfaction of the City's Manager Planning Services.
- 25. The Centre Management Plan shall be reviewed within the first six months of operation, to address any relevant issues raised, to the satisfaction of the City's Director Community and Statutory Services, Manager Planning Services, Coordinator Planning or Coordinator Design Projects.

B Write to those who made a submission advising them of Council's decision.

Reason:

Both changes are aimed at further reducing the potential impact of noise on neighbouring properties. The change in Condition 8 is to reduce noise after the more reasonable time of 8:00pm. The change to Condition 21 is to reduce the impact of noise to the residents of 53 Hardey Road and occupiers of the serviced apartments, especially from car movements and subjective noise in the car park.

LOST 3 VOTES TO 6

For: Marks, Powell, Wolff

Against: Bass, Cayoun, Davis, Rossi, Ryan, Sekulla

Note:

Cr Cayoun put forward the following Foreshadowed Councillor Motion.

FORESHADOWED COUNCILLOR MOTION

CAYOUN MOVED, SEKULLA SECONDED,

That Council:

- 1. Expresses its concern with the impact of the building proposed in Item 12.1 on nearby residents, specifically in relation to setbacks, access and hours of operation and defers the item until the August OCM to allow time to negotiate further with the applicant on the issues herein***
- 2. Note its strong support for improving the provision of youth services in Belmont to a diverse range of young people.***

Reason

To allow more time to negotiate the terms of the application to minimise potential negative impacts on surrounding residents.

CARRIED 9 VOTES TO 0

12.2 ADOPTION OF FEES AND CHARGES FOR 2019-2020

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 8 – Item 12.2 refers	<u>Fees and Charges for 2019-2020</u>

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"/> Advocacy | <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"/> Executive | <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"/> Legislative | <i>Includes adopting local laws, local planning schemes and policies.</i> |
| <input type="checkbox"/> Review | <i>When Council reviews decisions made by Officers.</i> |
| <input type="checkbox"/> Quasi-Judicial | <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 2019-2020 financial year.

SUMMARY AND KEY ISSUES

Each Division has reviewed its fees and charges for the 2019-2020 Budget process and Council needs to endorse each Division's review. This report brings all the fees and charges together for inclusion in the 2019-2020 Budget.

Item 12.2 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

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.”*

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.

Item 12.2 Continued

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 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 also includes those fees and charges applicable in 2018-2019 to enable a comparison. Those that have changed are 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.

It should be noted that due to changes in contractual arrangements the schedule now includes fees and charges in relation to the Belmont Oasis.

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.

OFFICER RECOMMENDATION

1. *That the review of the Fees and Charges 2019-2020 shown in [Attachment 8](#) be endorsed by Council for the 2019-2020 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 2019 where required.*

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

12.3 2019-2020 RATE SETTING BUDGET

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 9 – Item 12.3 refers	<u>Annual Budget 2019-2020</u>
Attachment 10 – Item 12.3 refers	<u>Construction Summary 2019-2020</u>
Attachment 11 - Item 12.3 refers	<u>Reserve Accounts</u>

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 2019-2020 Rate Setting Budget for consideration.

SUMMARY AND KEY ISSUES

To consider the 2019-2020 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 23 July 2019.

Item 12.3 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.

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 23 July 2019.

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:

- 2018-2019 Adopted Budget
- 2018-2019 Revised Budget (as reviewed in March 2019)
- 2018-2019 Actual's to 28 May 2019
- 2019-2020 Budget estimates
- Percentage Increase
- Comments providing further explanation where applicable.

Item 12.3 Continued

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 9 – Annual Budget 2019-2020](#)

The format of the working papers is in fact the City of Belmont Rate Setting Budget as it is the City's Cash Budget and shows the projected incomes and expenditures for 2019-2020. 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/fees to increase in line with CPI (i.e. 1.75% increase) in 2019-2020 resulting in the (base) rubbish charge increasing from \$313.32 to \$318.81. Rubbish charges are a fee for service and aim to cover costs although there is a small surplus expected in 2019-2020 that is to be transferred to the Waste Management Reserve that will be available for future waste Food Organics, Garden Organics (FOGO) implementation purposes.

As reported in the Rate Calculations report, the Consumer Price Index (CPI) and WALGA Local Government Cost Index (LGCI) for Perth are forecast to be 1.75% and 1.80% respectively during 2019-2020.

It is important for Council to adopt a budget that takes account of any inflationary factors. The draft budget has been prepared adopting a responsible approach to rate increases and operating expenditures, but still delivering some major projects. This Budget is based on an average growth factor of approximately 2% depending on the nature of the income or expense. Salary related costs have allowed for a budget increase of 2.6% based on third party advice.

A balanced budget has been achieved with a 1.76% increase in the rate yield. This continues the strategy of increasing rates in line with relative forecasted price indices and sufficiently to offset the budget deficit. This strategy is 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.

Item 12.3 Continued

OFFICER COMMENT

Each Division has provided a report on its 2019-2020 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 2019-2020 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
- To increase communications with the community and community development
- Maintaining service delivery
- Maintaining infrastructure based on Asset Management Plans
- Delivery of the New Community Centre and the additional associated operational costs.

This report is designed to address some of the major items or projects contained within the budget and not each individual line item.

Chief Executive Officer's Division

Chief Executive Officer (CEO)

The majority of accounts in this section are very much in line with the previous year's budget although the Perth Airports Municipalities Group and Perth Airport Community Forum have now been transferred into the CEO section.

Human Resources

The Human Resources budget for next financial year reflects changes associated with the organisational re-structure, the transfer of the uniforms account from Governance and a replacement photocopier.

Corporate and Governance Division

Executive Services

Executive Services covers those areas related to Governance support services. This includes Governance, Strategic Planning, Business Improvement, Legal, Compliance and Tenders and Contract management. The majority of accounts are in line with last year with the slight increase across these sections relating to salaries, superannuation, insurance and additional staff training as identified through the Staff Development Review process.

Records Management

The majority of accounts are in line with last year with the slight increase across these sections relating to salaries, superannuation and insurance.

Item 12.3 Continued

Governance – Elected Members Support

The majority of accounts are in line with last year. Elected Members' fees and allowances have been budgeted in line with Salaries and Allowances Tribunal decisions. Additional costs have been included in Election Expenses to cover the 2019 election process as well as additional mandatory training associated with newly elected members.

It is worth noting that the Catering and Functions budgets are now reported within Marketing and Communications Budget from 2019-2020.

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.

Finance Department

No notable changes although the Audit Services budget has increased to allow for audits now being undertaken directly by the Office of the Auditor General (OAG).

Financing Activities

As a result of current market conditions, a net return of 2.80% has been identified for investments. The rate is based on forecasts from the City's financial advisor in combination with returns on current investments. The decrease in bank interest is due to the reduction of surplus cash as the City has now used all of the borrowings for the new Community Centre. Returns on reserve investments are transferred to reserve and have no impact on the municipal budget.

The City's rates and other operational income are currently being invested in term deposits, and therefore returns are entirely dependent on the currently available investment rates from the major institutions.

Insurance

Insurance premiums are expected to increase for 2019-2020 based on estimates provided by the Local Government Insurance Service. The Workers Compensation budget includes an allowance for a claim/adjustment in 2019-2020.

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. There remains a strong commitment to placing monies in Reserve Accounts for specific purposes and each Reserve Account earns and retains investment income to ensure it retains its value. The Land Acquisition Reserve is directly impacted by the net value of land transactions during the year.

The budgeted investment income in relation to the Reserve Accounts for 2019-2020 is \$1.4M.

The budgeted 2019-2020 Reserve Balances are provided in [Attachment 11](#).

Item 12.3 Continued

Rates

A full rates report is presented as part of this agenda. In summary the budget is based on a 1.76% increase in rate yield and an allowance for natural growth in the rates base of 1% for Residential, Commercial and the Industrial sectors respectively. Ex Gratia rates have allowed 3% for natural growth given the expected growth in retail.

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 2019-2020 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 salary budget is resulting from an additional temporary staff to support the new community centre as per approved business case.

Business Applications (capital) predominantly comprises items that have been re-budgeted and are funded by the Information Technology Reserve. The other capital expenditure relates to renewal of the two existing Multi-function printers / photocopiers, Sure Sailing Platinum Services Packages at the library and a provision for upgrades of IT backup and recovery infrastructure.

The IT budget also allows \$1.4M for new equipment, hardware and other IT related purchases to fit-out the new Community Centre. This is largely funded from reserve.

Communications and Marketing

The Marketing and Communications budget funds the areas of marketing, promotions, media and communications as well as community events and civic functions. The 2019-2020 Budget continues to focus on providing high quality and engaging communications both in print and increasingly in the digital landscape.

Our large community events will continue to provide a broad range of themes to ensure there is something for everyone during the season. Our main events objective relates directly to the City's Vision - to create a sense of belonging and ownership in our community.

Due to the immense success of the Let's Celebrate Belmont Festival in 2018 additional funds have been requested to ensure events are able to manage the large audiences that want to attend. The new movie series will help local neighbourhoods to meet and enjoy a film in a park not far from where they live, assisting to create belonging and neighbourhood connections.

In addition, there continues to be a focus on communicating and consulting with our community to ensure that they are kept up to date and informed of Council activities.

Property and Economic Development

The majority of accounts in this section are very much in line with the previous year's authorised budget with the proposed sale of three properties again included in the 2019-2020 budget.

Item 12.3 Continued

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 12 March 2019 with programmes based on respective Asset Management Plans.

Roads Program

The following provides a brief account of the major areas of expenditure in each program.

Major works programmed in the coming financial year include:

- \$2,024,074 towards the Belmont Avenue road rehabilitation between Alexander Road and Great Eastern Highway
- \$698,751 landscaping in Belmont Avenue
- \$900,000 Faulkner Civic Precinct interface upgrades
- \$910,097 Abernethy Road rehabilitation from Aitken Street to Daddow Road
- \$1,104,971 Belgravia Street rehabilitation from Hubert Street to Great Eastern Highway
- \$580,000 new roundabout at Alexander Road intersection of Belmont Avenue
- Twenty two other individual roads projects ranging in values.

Funding Sources through operational and capital grants total \$3.36M, this includes:

- \$56,667 allocation from the State Black Spot program
- \$348,000 from the Federal Black Spot program
- \$887,831 from the Metropolitan Regional Road Group Direct Grant administered by Main Roads
- \$1,962,110 from the National Stronger Regions Fund (NSRF)
- \$277,547 from the Roads to Recovery Program.

The schedule of all capital works can be found in [Attachment 10](#) - Construction Summary 2019-2020.

Drainage

The drainage works program 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.

The list consists of nine cost items which includes programs for the replacement of the ageing aluminium pipe network and sub soil drainage that has been penetrated by tree roots. As a requirement of the Drainage Asset Management Plan, funding to undertake a condition survey of drainage pipes using Closed Circuit Television (CCTV) survey has also been included.

Item 12.3 Continued

Other cost items include the replacement of old and inefficient chute-type gullies and the upgrade of pollutant control measures to improve stormwater quality. As for drainage maintenance, funding is separately allocated for gully pit educting, cleaning of gross pollutant traps, root cutting and pipe cleaning to improve and extend the life of the drainage asset.

The total funding of the drainage construction 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 20 paths throughout the City and two programs accounts to improve connectivity and path rehabilitation. A further seven new footpaths will be installed in locations requested by the community and as required due to changes to the boundary at the northern end of the City.

The total funding of the path construction programme amounts to \$0.63M.

Asset Management

The City's Asset Management software; 'Assetfinda', was upgraded to Version 4 last financial year with our databases continuing to be hosted internally by our IT Department. The major benefit from this upgrade has been that all asset classes are available to the City to review and compare against other service providers.

The New Zealand based software developer of RAMM (Road Assessment Maintenance Management) continues to support the City and most other Western Australian local governments. Recent discussions have been held with a civil consultancy interested in moving into the WA RAMM sector as a provider of much needed technical and professional assistance filling the void of not having a RAMM office in Perth.

The focus for the Asset Section in 2019-2020 is to:

- Continue refining the City's Asset Management Plans and processes in line with the State Government's Integrated Planning requirements
- Review requirements of the new Australian Standard Suite ISO 55000
- Continue the detailed collection of drainage asset data to determine network age
- Completion of street infrastructure and furniture data collection
- Complete a network wide path fault survey which 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 knowledge and assist in the formation of accurate financial data for long term financial planning.

Item 12.3 Continued

TravelSmart

This Section was moved last year from the Environment Department to the Design and Assets Department within Infrastructure Services Division.

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.

Consistent with previous years, funding has been allocated to the Belmont Bike to Work Breakfast, bike user monitoring, community learn to ride courses and bike education for local primary schools.

Funds have also been allocated for bike valet and bike servicing at major City events. Staff programmes such as Active Travel Be Rewarded, Smartriders for work trips and maintenance of the Staff bike fleet will all continue.

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.

Council should be aware that whilst the standard of parkland and public open space development continues to increase, as do the expectations of the residents for the City to continue to deliver a value for money, quality service.

The significant construction projects (including funding sources) can be summarised as follows:

- A municipal program valued at approximately \$2.8M which includes projects funded from income from state agencies of \$249,000
- \$725,000 for the ongoing replacement of playground equipment and softfall installation program plus facility renewal to the Volcano Playground
- \$485,000 for irrigation system and infrastructure renewal projects
- \$165,000 for irrigation infrastructure upgrades including the second iron filter at Faulkner Civic Precinct
- \$300,000 to progress the Wilson Park Master Plan
- \$261,360 for Activity Centre landscape works at Epsom Avenue

Item 12.3 Continued

- \$325,000 for Brearley Avenue POS and irrigation works with \$249,000 of this funded by external sources
- \$75,000 for Sporting Facilities renewal program
- \$560,000 for Forster Park upgrade – progressing the Master Plan
- \$185,000 for Park infrastructure renewal.

Environment

The focus of the Environment budget in 2019-2020 is concentrated on design development of future foreshore stabilisation projects at Garvey Park Section 2, The Esplanade foreshore and Bilya Kard Boodja Lookout foreshore plus the implementation of the Environment and Sustainability Strategy 2016-2021. The operating budget for Environmental Services has decreased whilst the budget for capital projects has seen a small increase in comparison to last year's budget. There are no significant capital improvements in 2019-2020.

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 2019-2020. The work involves consultant's fees as follows:

- Progress planning and implementation framework for Development Area 6 - \$180,000
- Scheme Review community engagement activities - \$20,000
- Activity Centres Planning Strategy - \$34,000
- Finalising Great Eastern Highway Corridor Strategy - \$2,500
- Progress Golden Gateway Local Structure Plan - \$5,000
- Specialist technical advice / peer review (acoustic, environmental consultants) for development applications - \$15,000.

Design Review Panel:

- The City is in the process of establishing a specialist Design Review Panel in-line with the focus on good design outcomes for planning and development. It is anticipated that a Design Review Panel will be in place by January 2020.

Building Services Department

Building Control Section

The budget allocations in Building Control are generally in line with previous years although there is an additional budget allowance to support an organisation wide approach to facility bookings.

The proposed budget allocation for Building Applications income is \$290,000 which is less than the previous year. This budget reflects the reduction in building activity in the district, including the Springs Precinct, as construction has been completed or commenced on the majority of the lots and little new major work expected.

Item 12.3 Continued

Building Construction Section

The budget allocations in Building Operations are generally in line with previous years with the exception of the transfer of one staff position from another location.

The Building Capital Works Program for 2019-2020 is made up of Renewal projects and Capital Upgrade projects.

The renewal budget totals \$2,179,000 (gross) which is partially offset by funding from reserves (\$300,000). This results in \$1,879,000 being funded from Municipal funds.

Capital Upgrades total \$16,350,000 (gross) which is largely funded by capital grants and reserves (\$15,620,000). After taking into account capital grants being carried forward (\$400,000) this results in \$330,000 being funded from Municipal funds.

Details of funding items include:

- \$8,311,070 from Property Development reserve to carry out the construction of the Faulkner Civic Precinct Community Centre
- \$7,208,930 capital grants contribution to carry out the construction of the Faulkner Civic Precinct Community Centre
- \$100,000 final capital grants contribution to carry out the upgrade works to the Middleton Park Community Centre. A \$400,000 capital grant contribution was received for this project in the 2018-2019 financial year and will be carried forward and included in the 2019-2020 project budget
- \$300,000 from reserve to carryout Oasis Leisure Centre renewal works.

Building renewal and capital upgrade projects have been compiled from long-term asset management programs enabling Council to spread the impact on its financial resources. As noted last year, 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 program reviews.

As part of ongoing asset management planning, all Council facilities have been assessed. This will allow the most appropriate maintenance (routine and special), renewal and / or capital upgrades and construction programs to be developed. This will also give rise to a well-developed prioritised works program that may differ from previous priorities.

Major capital projects listed for consideration for 2019-2020 include:

Rehabilitation / Renewal Projects

- BB1709 – Oasis Leisure Centre (\$1,700,000) – Renewal works
- BB1804 – Administration Centre Mechanical Services (\$120,000) – Replace the air conditioning Building Management System (BMS)
- BB1902 – Architectural Services (\$100,000) on renewal projects
- BB2002 – Tomato Lake, President Street toilets (\$70,000) to refurbish the toilet facility.

Item 12.3 Continued

Capital Upgrade Projects

- BB1410 - Civic Centre Revitalisation Project (\$200,000) - Professional fees associated with the Faulkner Civic Precinct Community Centre project
- BB1801 – Faulkner Civic Precinct Community Centre (\$15,520,000) - allocation for the construction of the new building
- BB1905 – Middleton Park Community Centre Extensions (\$500,000) – New unisex umpires change rooms, additional storage, change room modification to accommodate female participants and upgrade to kitchen area
- BB2004 – Cracknell Park car park (\$40,000) to install new lighting.

A summary of all Building Construction projects can be found in [Attachment 10](#) - Construction Summary 2019-2020.

Building Maintenance

The operating budget includes allowances for costs such as cleaning, public building compliance, various utility charges and building insurance. The Operating budget for 2019-2020 is \$1,700,474 with an increase of 10.67%. This increase can largely be attributed to the inclusion of additional operational costs incurred at the new Faulkner Civic Precinct Community Centre, the Oasis Leisure Centre and the Belmont Sport and Recreational Centre. Some of these additional costs incurred will be recoverable from lease fees and outgoings received from lessees and centre managers at these facilities.

Maintenance costs are based on work determined as being required, requests received during the year, contingencies for un-programmed maintenance and programmed maintenance activities. The allocation for 2019-2020 is \$1,174,052, a budget increase of 9.45% from the previous year. Similarly, the increase in the budget this year is due to the inclusion of the additional facilities previously mentioned and the ongoing painting programme to ensure the facilities are kept presentable. The City's facilities are generally in very good condition and do get used extensively by the community. With extensive use comes the need to ensure adequate maintenance is carried out to meet the community's expectations.

Vandalism costs are based on trends from previous years. The allocation for 2019-2020 is \$45,128 which is a budget decrease of 35.75%. There were a number of incidences in the 2018-2019 financial year that caused an increase in the vandalism budget. This is not expected to reoccur in the 2019-2020 financial year.

The overall Building Maintenance budget has increased next year by 8.97% to \$2,919,654 however if the additional new Faulkner Civic Precinct Community Centre costs were excluded the overall increase is 1.97%.

Councillors will note that the Building Operations budget includes all Council owned buildings. These budgets appear in various sections of the municipal budget.

Item 12.3 Continued

Health and Community Safety Department

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 2019-2020 the City will continue to expand and improve its CCTV network with additional cameras being installed, in partnership with the Belmont Forum Shopping Centre, on the front of the Centre facing Abernethy Road. The existing systems at Redcliffe Hall, Rivervale Community Centre and Forster Park Hall will be upgraded and expanded as will the system at Epsom Avenue Shops, in conjunction with the upgrading of the streetscape and car parking works. Milestone software licences for the majority of the existing CCTV cameras will also be renewed.

Substantial grant funding through the Safer Communities program (second instalment of \$97,000 totalling \$196,736) and the Federal government (\$540,000) will be used to install a new CCTV system with state of the art analytical software in the new Community Building and Faulkner Park precinct.

The budget also allows for the continuing of Constable Care and the Theatrical Response Group which works with high school students on current issues will this year be highlighting "Disengaged kids".

The Community Safety Taskforce was formed in late 2018 and 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 will be an ongoing process with short and longer term goals implemented and funded through the budget process.

Recorded Criminal Damage (Graffiti) has continued to decrease every year since the beginning of 2013 and this trend has continued which can be contributed in part to the City's ongoing prompt removal of graffiti and ongoing police operations that targeted specific offenders. In addition the City will continue to hold two Community Action Days a year to revitalise the fencing in many of the City's parks.

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. These complaint types have doubled in the last two years and the security patrols after hours presence has greatly assisted.

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.

Environmental Health work continues to increase with changing community needs, such as noise related complaints, taking up officer time. Redevelopment continues at the airport and is a location where there will be increasing demands on officer time.

Item 12.3 Continued

The number of public events and festivals, run by the City and by external agencies, has continued to increase placing additional demands on officer time through the approval, setting up and monitoring stages of the events.

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

The demand on Rangers Services continues to increase particularly in relation to dog and parking issues.

Community Development Department

Community Services

Community Services remains committed to supporting eligible older residents and younger people with a disability through the provision of in home support and access to group social activities assisting them to continue living independently in their own home and remain connected to their community. This section has a total budget allocation of \$2,123,155 and includes:

- Grant income for delivery of WA Home and Community Care Programme of \$126,294
- Grant income for delivery of the Commonwealth Home Support Programme of \$1,750,910
- Expenditure is expected to be fully met by State and Commonwealth Grant Agreements and therefore have no impact on the City's overall budget.

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 \$748,176 and includes:

- Youth Services Tender Contract – Young Men's Christian Association WA (YMCA) Increase due Award rate rise and CPI
- Grant income from the Department of Communities for case management support provided by YMCA of \$61,500.

Seniors and Disability Programs

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 \$187,701 and includes:

- Review of the City's new website, Auslan Interpreters, services of access consultants and training videos for staff have been budgeted for during this financial year

Item 12.3 Continued

- In addition to regular events and staff training, intergenerational project, dementia awareness sessions with key speakers and seniors skills workshops have been budgeted for during this 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 the increased value of the Family and Domestic Violence Service contract. This section has a total budget allocation of \$394,000.

Aboriginal and CaLD Programs

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 Engagement 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 \$365,946 and includes:

- Outreach services provided by the Nyoongar Outreach Services have been moved into this budget from Donations
- Increases in functions where Welcome to Country and other cultural services are engaged have been budgeted for
- 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 Program, however this financial year two citizen exchanges are scheduled. This section has a total budget allocation of \$99,900 and includes:

- Sister City Association – Slight increase due to 35th year milestone celebrations.

Volunteer Program

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 \$78,219 and includes:

- Regular Volunteers outings, training, education and promotion of volunteering
- Regular recognition and reward program, including two formal Volunteer functions per year.

Item 12.3 Continued

Community Place Making Department

Ruth Faulkner Library

Notable expenditure for Ruth Faulkner Library relates to the following:

- \$230,982 for salaries associated with resourcing expanded services in the new Library and Museum
- \$33,260 for the purchase of materials to support the promotion of programs and services including the supply of themed merchandise for the new building such as stock for the Library's retail space to complement the City's award winning children's book 'The Adventures of the Belmonsters' and Belmont heritage themed merchandise. Also costs associated with producing new marketing artwork relating to new spaces and services in the new building
- \$28,000 for continuation of existing and expanded online resources offered to Library and Museum customers including Britannica online, Studiosity and Choice reviews online
- \$10,700 for printing of new library membership cards and printing of promotional materials for expanded services and facilities in new building including:
 - Launch of an introductory booklet promoting the new Library and Museum's expanded services and spaces eg: recording studio, additional meeting and event rooms, local history research room.
 - Continuation of the popular 'Adventures of the Belmonsters' storyline with a range of materials available for purchase including a colouring book and storytime books.
 - Promotion of a widely accepted 'sale by commission' model to encourage/ support local artists to display and sell their works within the Library's retail space.

Local History Project

The majority of accounts the Local History Project are in line with the previous year's budget. Notable expenditure relates to the progress of the following project:

- \$20,000 for the engagement of a consultant to redesign existing historical signage in City parks (identified in the Capital Works Program as per the Belmont Museum Advisory Group recommendation to ensure relevant historical information is readily accessible).

Community Centre – Library and Museum

Notable expenditure for (961003) the Community Centre – Library and Museum relate to the progress of the following Business Case projects:

- \$54,000 for the packing and relocation of the Library and Museum collections and specialist library equipment as per the Relocation Project Business Case
- \$7,104 to convert existing library building into a mini-library space to ensure continuity of service whilst transition to new building occurs as per Relocation Project Business Case
- \$134,023 for remaining costs associated with the procurement of the library automated returns systems after initial deposit paid in the 2018-2019 financial year, as adopted at the 26 February 2019 Ordinary Council Meeting - Item 12.6
- \$141,195 for shelving fitout as per the Shelving Fitout Business Case

Item 12.3 Continued

- \$35,784 for shelving accessories including bookends, collection signage and book trolleys
- \$950,000 for loose furniture fitout as per the Loose Furniture Business Case
- \$743,059 for Museum fit-out as per Museum Fitout Business Case
- \$77,535 additional RFID infrastructure including security gates and self-service kiosks as per the ICT Business Case.

Community Wellbeing

The majority of accounts in this section are in line with the previous year's budget. During 2019-2020 financial year, the Community Wellbeing Section will focus on:

- Working in partnership with BlueFit Pty Ltd in transitioning across to the new management model of the Belmont Oasis Leisure Centre
- Commencing the development of operational and strategic plans in relation to the delivery of recreation and leisure services.

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 includes:

- Place activation and infrastructure, creating connections between people and place, such as neighbourhood gatherings and installing parklets in main streets
- Undertaking place planning with community groups, residents and businesses, which involves hosting workshops and preparing place plans
- Delivering place based art and lifestyle programs in the community
- Commissioning public artworks on Council projects such as the new community centre and projects on private property such as installing mural artwork
- Maintaining and adding to the City's unique collection of artworks.

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 2019 of \$4.1M which is mainly derived from additional income \$0.6M (includes prepaid Financial Assistance Grants), \$1.2M carry forward of infrastructure projects, \$0.5M budgeted closing balance, \$0.7M of other capital including fleet with the balance attributable to operating costs being collectively 2% under budget.

The preparation of the City's Annual Budget continues to be a challenging process as the economy continues to labour, community's expectations rise, the cost of legislative compliance grows 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 including those actions identified through the Corporate Business Plan is a key driver of the City's Annual Budget process. The preparation of the 2019-2020 Annual Budget has been no exception.

Item 12.3 Continued

The following summary represents the 2019-2020 Rate Setting Budget as it stands now:

Estimated Opening Balance	(4,125,000)
Chief Executive Officer/Human Resources	856,510
Corporate and Governance	(38,476,132)
Technical Services	21,109,638
Statutory and Community Services	20,134,984
Closing Balance	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 9
2. The Construction Summary 2018-2019 in Attachment 10.
3. The Reserve Accounts Budget as shown in Attachment 11

8.44pm The Manager Planning Services and the Senior Planning Officer departed the meeting and did not return.

Item 12.3 Continued

Note:

Cr Cayoun put forward an Alternative Councillor Motion.

ALTERNATIVE COUNCILLOR MOTION

CAYOUN MOVED, BASS SECONDED,

That Council:

- A. Not endorse Account 921503-00-1386-000 Catering – Meals amount \$60,000, and Councillors instead endorse an amount of \$14,753 to enable the purchase of sandwich platters or similarly priced meals for staff and/or Councillors to consume prior to meetings.

Reason:

So that the \$60,000 budgeted for meals at Council meetings can be debated among Councillors with a view to reducing the cost to \$14,753.

LOST 2 VOTES TO 7

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

B. That Council endorse:

- 1. The Rate Setting Budget (Annual Budget) as shown in [Attachment 9](#).**
- 2. The Construction Summary 2019-2020 in [Attachment 10](#).**
- 3. The Reserve Accounts Budget as shown in [Attachment 11](#).**

CARRIED 9 VOTES TO 0

12.4 2019-2020 RATE CALCULATIONS

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 12 – Item 12.4 refers	2019-2020 Rate Model
Attachment 13 – Item 12.4 refers	Statement of Objectives and Reasons for Each Differential and Minimum Payment

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

- | | |
|--|---|
| <input type="checkbox"/> Advocacy | <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"/> Executive | <i>The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i> |
| <input type="checkbox"/> Legislative | <i>Includes adopting local laws, local planning schemes and policies.</i> |
| <input type="checkbox"/> Review | <i>When Council reviews decisions made by Officers.</i> |
| <input type="checkbox"/> Quasi-Judicial | <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 (e.g. 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 set the rates in the dollar, minimum payments, rubbish charges and associated charges for 2019-2020.

SUMMARY AND KEY ISSUES

This report covers the new rates in the dollar that are calculated for the forthcoming 2019-2020 rating period. The minimum payments together with the separate rubbish charge and all payment arrangements are also resolved via this report.

Item 12.4 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 (refer [Attachment 13](#)) 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.

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 23 July 2019.

Item 12.4 Continued

BACKGROUND

A final and significant step in the preparation of the Budget is the process of setting the rates to be charged for the 2019-2020 Rate Levy.

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) for Perth is forecasted to be 1.75% during 2019-2020. The WALGA Local Government Cost Index (LGCI) is forecasted to be 1.80% during 2019-2020. The setting of Council's rates must take account of economic factors to ensure the real value of funds does not decrease and reduce the funds available to continue Council services and complete the capital works programme.

OFFICER COMMENT

The first exercise is to analyse the movement in valuations for each rate category. The following table compares the values applicable to 2018-2019 after annual growth has been included and the new values as supplied by Landgate that are applicable for the 2019-2020 financial year through the revaluation process.

There has been a relatively minor movement collectively as a result of the revaluation process.

Rate Category	Values 2018-2019	Values 2019-2020	% Change
Residential	363,688,804	367,964,876	1.18%
Commercial	149,973,182	149,771,154	-0.13%
Industrial	134,412,963	137,196,447	2.07%
	648,074,949	654,932,477	1.06%

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 12](#))

This Model is the final outcome that was adopted for the 2018-2019 rating year.

Rate Model No 2 (Refer [Attachment 12](#))

This model shows the current GRV's that would apply for the 2019-2020 rating year and no rate increase. By applying the same rates in the dollar, differentials and minimum payments that applied in the 2018-2019 rating year to the updated GRV's, an amount of \$37,461,840 is generated.

Item 12.4 Continued

Rate Model No 3 (Refer [Attachment 12](#))

This Model shows the outcome of applying the current GRV's, as well as an adjusted rate in the dollar and minimum payment for each differential. The data in the table is consistent with the final suggested scenario presented at the 4 June 2019 Information Forum. An increase in total rates revenue of 1.76% is incorporated into this model. This model produces rate income of \$38,119,916 and results in a balanced 2019-2020 Budget.

The final process in Rate Model No 3 is to review the minimum payments. The following table shows the impact of the suggested minimum payments, compared to the existing minimum payments.

Rate Category	Existing Minimums	No. of Properties	%	Proposed Minimums	No. of Properties	%
Residential	825	4618	25.16%	840	4635	24.98%
Commercial	975	181	16.47%	990	181	16.38%
Industrial	995	8	1.75%	1,010	8	1.68%

The Residential minimum payment has increased to \$840.00 (1.8% increase rounded to the nearest \$5.00). The Commercial minimum has increased to \$990.00 (1.5% increase rounded to the nearest \$5.00). The Industrial minimum has increased to \$1,010.00 (1.5% increase rounded to the nearest \$5.00).

The proposed increase in both the rate in the dollar and minimum payments for each differential is consistent with past rating practices and strategies in that the increase is considered in light of forecasted price increases and to ensure a balanced budget is achieved.

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 / fees to increase in line with CPI (i.e. 1.75% increase) in 2019-2020 resulting in the (base) rubbish charge increasing from \$313.32 to \$318.81.

Rubbish charges are a fee for service and aim to cover costs although there is a small surplus expected in 2019-2020 that is to be transferred to the Waste Management Reserve that will be used for the 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 that will be adopted in the prescribed manner at the 23 July 2019 Ordinary Council Meeting.

Item 12.4 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

1. *That the following general rates be endorsed for rate setting purposes that equate to a 1.75% increase in the total rate levy.*

Rate	Cents in the Dollar
Residential	5.3341
Commercial	6.2718
Industrial	6.2889

2. *That the following minimum payments that result in a 1.8%, 1.5% and 1.5% increase for Residential, Commercial and Industrial respectively be endorsed.*

Rate	\$
Residential	840
Commercial	990
Industrial	1,010

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).*
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.*
7. *That in accordance with Section 6.51 of the Local Government Act 1995, Council imposes the maximum penalty interest rate allowable. This is 11% and is applicable to overdue rates (including alternate arrangements).*

Item 12.4 Continued

- 8. That Council continue to offer arrangements to Ratepayers suffering hardship in accordance with Council's Policy relating to 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 1.75% increase:**
 - a) \$318.81 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 = \$318.81;**
 - additional service rubbish = \$223.16;**
 - additional service recycling = \$111.58;**
 - b) \$430.39 per annum for non-rateable properties 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 (\$318.81 for additional services);**
 - c) Exempted Commercial and Industrial properties = \$111.58;**
 - d) Apartments – shared service = \$223.16 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.**

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

12.5 DELEGATED AUTHORITY REGISTER REVIEW 2019-2020

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 14 – Item 12.4 refers	Proposed Delegated Authority Register 2019-2020

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	: 26 June 2018 OCM – Item 12.8
Applicant	: N/A
Owner	: N/A
Responsible Division	: Corporate and Governance

COUNCIL ROLE

- | | |
|--|---|
| <input type="checkbox"/> Advocacy | <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"/> Executive | <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"/> Legislative | <i>Includes adopting local laws, local planning schemes and policies.</i> |
| <input type="checkbox"/> Review | <i>When Council reviews decisions made by Officers.</i> |
| <input type="checkbox"/> Quasi-Judicial | <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 seek Council endorsement of the proposed 2019-2020 Delegated Authority Register as detailed in [Attachment 14](#).

SUMMARY AND KEY ISSUES

In accordance with section 5.46 of the *Local Government Act 1995*, 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.

Item 12.5 Continued

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 presented at the 14 May 2019 Information Forum for consideration and input from Elected Members.

STRATEGIC COMMUNITY PLAN IMPLICATIONS

In accordance with the Strategic Community 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.

POLICY IMPLICATIONS

Policy BEXB32 – Decision Making is applicable as it sets out the City ensures that decisions are made at an appropriate level within the organisation. The principles of this policy have been applied in developing the delegations proposed for Council's consideration.

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
- 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.

Item 12.5 Continued

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 reviewed at the Ordinary Council Meeting of 26 June 2018 – Item 12.8.

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 which 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.

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.

Certain safeguards are incorporated into delegations such as limiting the use of when a delegation can be exercised as well as granting appeal rights to the Council when an impacted individual is aggrieved with an Officer's decision.

Item 12.5 Continued

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.

Delegation Number	Name	Recommendation	Comment
DA01	Appointment of Authorised Officers	Minor Amendment	Inclusion of wording to provide further detail in relation to conditions of the delegation.
DA02	Powers of Entry in an Emergency	No Change	
DA03	Road Closures – Temporary	No Change	
DA04	Tenders	Amendment	Inclusion of wording to Conditions of delegation to state that tenders may only be called with approved budget in current year.
DA05	Acquisition or Disposal of Land	No Change	
DA06	Disposal of Assets	No Change	
DA07	Appoint Acting Chief Executive Officer	No Change	
DA08	Municipal and Trust Fund/Procedures and Payments	No Change	
DA09	Waiver or Concessions - Granting	No Change	
DA10	Investments	No Change	
DA11	Recovery of Unpaid Rates	No Change	
DA12	Bank Accounts	No Change	
DA13	Extension for Rate Exemption Application	No Change	
DA14	Authorised Officers – Variation of Meeting Date – Annual Electors Meeting	No Change	
DA15	DOGS – Keeping of Three Dogs	No Change	
DA16	Gratuity Payments	No Change	

Item 12.5 Continued

DA17	Determination of Applications for Legal Representation for Council Members and Employees	No Change	
DA18	Common Seal	No Change	
DA19	Donations – Disaster Relief	No Change	
DA20	Community Contribution Funds	No Change	
DA21	Authentication of Documents not Requiring the Common Seal	No Change	
DA22	Receiving of Legal Documents to be Served on the City	No Change	
DA23	<i>Building Act 2011</i>	No Change	
DA24	Verge Permits	No Change	
DA25	Development Applications	Amendment	Change to: <ul style="list-style-type: none"> • amalgamate delegations for Development Applications – City Applications on Reserved Land (DA26) as this delegation is rarely used, and • reflect changes to Residential Design Codes
DA26	Development Applications – City Applications on Reserved Land	Deletion	Delegation incorporated into DA25
DA2627	Preliminary and Final Built Strata Approval	No Change	Renumbered (From 27)
DA2728	Bush Fires Act – Powers and Functions	No Change	Renumbered (From 28)
DA2829	Main Roads – Control of Advertisements	No Change	Renumbered (From 29)
DA2930	Prohibition Orders	No Change	Renumbered (From 30)
DA3031	Registration of a Food Business	No Change	Renumbered (From 31)
DA3132	<i>Food Act 2008</i> – Prosecutions	No Change	Renumbered (From 32)

Item 12.5 Continued

DA33	Liquor Licensing – Section 39 Certificates	Delete	Legislation does not contain power to delegate.
DA34	Liquor Licensing – Section 40 Certificates	Delete	Legislation does not contain power to delegate.

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 the 2019-2020 Delegated Authority Register as detailed in [Attachment 14](#).

AMENDED OFFICER RECOMMENDATION

ROSSI MOVED, POWELL SECONDED,

That Council endorse the 2019-2020 Delegated Authority Register as detailed in [amended Attachment 14](#).

Reason:

To ensure that Delegations from Council are to the appropriate positions, following changes to Officer Titles due to the organisational restructure.

CARRIED 9 VOTES TO 0

12.6 ACCOUNTS FOR PAYMENT – MAY 2019

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 15 – Item 12.6 refers	<u>Accounts for Payment – May 2019</u>

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"/> Advocacy | <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"/> Executive | <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"/> Legislative | <i>Includes adopting local laws, local planning schemes and policies.</i> |
| <input type="checkbox"/> Review | <i>When Council reviews decisions made by Officers.</i> |
| <input type="checkbox"/> Quasi-Judicial | <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 12.6 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.

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.

OFFICER COMMENT

The following payments as detailed in the Authorised Payment Listing are recommended for confirmation and endorsement.

Municipal Fund Cheques	788116 to 788159	\$180,302.33
Municipal Fund EFTs	EF061628 to EF062169	\$6,685,566.58
Municipal Fund Payroll	May 2019	\$2,213,844.87
Trust Fund EFT	EF061709 to EF061711	<u>\$56,958.72</u>
Total Payments for May 2019		\$9,136,672.50

A copy of the Authorised Payment Listing is included as [Attachment 15](#) to this report.

Item 12.6 Continued

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 2019 as provided under [Attachment 15](#) be received.

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

12.7 MONTHLY ACTIVITY STATEMENT AS AT 31 MAY 2019

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 16 – Item 12.7 refers	<u>Monthly Activity Statement as at 31 May 2019</u>

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

- | | |
|--|---|
| <input type="checkbox"/> Advocacy | <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"/> Executive | <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"/> Legislative | <i>Includes adopting local laws, local planning schemes and policies.</i> |
| <input type="checkbox"/> Review | <i>When Council reviews decisions made by Officers.</i> |
| <input type="checkbox"/> Quasi-Judicial | <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 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.

Item 12.7 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.

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 12.7 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 of the July authorised budgeted closing balance as previously adopted by Council.*

In order to provide more details regarding significant variations as included in [Attachment 16](#) the following summary is provided.

Report Section	Budget YTD	Actual YTD	Comment
Expenditure - Capital			
Computing	177,250	89,813	Business applications and fleet are currently on order.
Marketing and Communications	204,625	71,678	Variance largely relates to deferring the purchase of banner poles.
Human Resources	144,125	40,963	Purchase of fleet has been delayed due to usage/mileage.
Crime Prevention and Community Safety	73,875	9,420	Equipment is currently on order although it is expected expenditure will be slightly under budget.
Community Services	161,308	52,582	Purchase of fleet has been delayed due to usage/mileage.
Town Planning	42,801	312,576	Receipt and payment of development contribution (Springs) budgeted in June.
Ruth Faulkner Library	199,153	32,694	Relates to both the library automated returns sorter which is expected to be less than budget and the purchase of fleet that has been delayed.
Grounds Operations	2,232,185	1,358,904	Expected to be under budget due to the carry forward of certain projects including Peachey Park and Forster Park upgrades and Brearley Ave irrigation.
Road Works	8,802,386	7,815,760	Variance expected to be \$0.4M less than budget mainly due to the carry forward of Belgravia St renewal works.
Streetscapes	526,993	89,417	Variance relates to Belmont Business Park signage design project with \$0.4M to be carried forward.
Footpath Works	585,157	503,940	Variance relates both to contractor costs yet to be invoiced and some projects have been delayed as they require third party approval.

Item 12.7 Continued

Drainage Works	785,947	732,114	Drainage construction program is almost complete and is expected to be slightly less than budget.
Operations Centre	644,554	344,342	Purchase of Plant has been delayed.
Building Operations	15,786,071	15,491,788	Variance relates to the New Community Centre.
Technical Services	224,375	147,748	Purchase of fleet has been delayed due to usage/mileage.
Expenditure – Operating			
Computing	2,204,139	1,939,607	It is anticipated that IT expenditure will be approx. \$170K under budget mainly due to Business Applications and Communication expenses.
Marketing and Communications	1,072,816	994,257	Marketing have a number of minor variances which are expected to reduce by the end of the financial year.
Human Resources	1,197,102	1,267,181	Variance predominantly relates to an unbudgeted Eligible Termination Payment which will be funded by reserve funds.
Governance	3,401,677	3,122,551	Activity Based Cost (ABC's) allocations are the primary reason for the variance.
Accommodation Costs	507,659	457,410	Utility costs, particularly power, are under budget.
Belmont Community Watch	1,092,727	985,516	Timing issue regarding the receipt and payment of invoices.
Crime Prevention and Community Safety	585,421	497,489	Primary reason for the variance relates to the Community Safety Taskforce.
Community Lifestyle and Learning	566,798	514,928	Some costs including consulting, project management and legal are expected to be less than budget.
Belmont HACC Services	2,178,613	2,127,458	Variance predominantly relates to employee costs.
Youth Services General	590,315	647,527	Timing issue regarding the payment of the May invoice.
Town Planning	2,512,848	2,413,448	Some costs including employee related, consulting and legal are expected to be less than budget.
Sanitation Charges	5,501,032	5,063,321	Variance relates to both the timing of invoices being received and the volumes of bin services are less than expected.
Donations and Grants	348,225	281,339	Community Contribution Fund donations are expected to be \$33K less than budget.
Ruth Faulkner Library	2,128,476	2,032,899	The library has a number of minor variances with the most significant relating to consulting costs that will reduce by the end of the financial year.
Building - Active Reserves	808,521	722,308	Mainly relates to contractor costs that are paid one month in arrears.
Grounds Operations	5,079,495	4,853,055	It is expected that employee and consulting costs will be under budget.

Item 12.7 Continued

Grounds Overheads	1,371,147	1,256,974	It is expected total costs will be approx. \$120K under budget mainly due to employee and consulting costs.
Building Operations	925,197	870,398	Variance is expected to reduce over the remainder of the financial year.
Building Overheads	84,439	151,993	Variance predominantly relates to an unbudgeted Eligible Termination Payment which will be funded by reserve funds.
Plant Operating Costs	992,544	886,954	Employee and agency costs are below budget.
Technical Services	2,288,442	2,156,231	Variance relates to employee costs and ABC allocations.
Revenue - Capital			
Road Works	(4,231,122)	(3,190,516)	Relates to outstanding road grants particularly those in relation to Surrey Rd that are expected to be received in June.
Operations Centre	(330,485)	(121,500)	Replacement of Plant has been delayed.
Revenue - Operating			
Finance Department	(1,870,013)	(1,810,141)	ABC recoveries currently below budget.
Computing	(2,220,718)	(1,939,607)	ABC recoveries currently below budget.
Reimbursements	(245,058)	(188,508)	Reimbursement income is offset by expenditure and will balance at the conclusion of the financial year.
Accommodation Costs	(549,618)	(457,410)	ABC recoveries currently below budget.
Rates	(49,900,890)	(48,995,498)	Interim rates are below budget and the variance will reduce significantly once interim rates for the DFO are levied.
Financing Activities	(1,969,196)	(1,732,937)	Monthly variances are expected due to the timing of term deposits maturing.
Belmont HACC Services	(2,396,996)	(2,461,032)	Fee and grant income are slightly better than budget.
Faulkner Park Retirement Village.	(150,000)	(94,211)	Unit sales less than expected.
Town Planning	(1,226,709)	(1,096,381)	ABC recoveries currently below budget.
Sanitation Charges	(6,465,592)	(6,344,825)	Additional bin services were slightly less than anticipated.
Public Works Overheads	(1,381,190)	(900,936)	Overhead recoveries are below budget and will be updated as part of the year-end process.
Plant Operating Costs	(1,560,237)	(1,296,975)	Overhead recoveries are below budget and will be updated as part of the year-end process.
Technical Services	(439,738)	(344,962)	ABC recoveries and application fees are currently below budget.
Other Public Works	(46,917)	(178,226)	More Private Works jobs than anticipated.

Item 12.7 Continued

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.

Reconciliation of Nett Current Assets to Statement of Financial Activity		
Current Assets as at 31 May 2019	\$	Comment
Cash and investments	73,468,601	Includes municipal and reserves
- less non rate setting cash	(54,016,811)	Reserves
Receivables	2,457,019	Rates levied yet to be received and Sundry Debtors
ESL Receivable	(218,560)	ESL Receivable
Stock on hand	208,478	
Total Current Assets	21,898,727	
Current Liabilities		
Creditors and provisions	(7,217,953)	Includes ESL and deposits
- less non rate setting creditors and provisions	2,461,000	Cash Backed LSL, current loans and ESL
Total Current Liabilities	(4,756,953)	
Nett Current Assets 31 May 2019	17,141,774	
Nett Current Assets as Per Financial Activity Report	17,141,774	
Less Restricted Assets	(333,574)	Unspent grants held for specific purposes
Less Committed Assets	(16,308,200)	All other budgeted expenditure
Estimated Closing Balance	500,000	

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 2019 as included in [Attachment 16](#) 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.

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* that in order to discuss Confidential Item 14.3, then Council will need to go behind closed doors.

8.56pm ***CAYOUN MOVED, POWELL SECONDED, that in accordance with Section 5.23(2) of the Local Government Act 1995, the meeting proceed behind closed doors to discuss Confidential Item 14.1 – Nomination for Honorary Freeman of the City.***

CARRIED 9 VOTES TO 0

8.56pm The members of the public gallery and one member of the press departed the meeting.

8.56pm The Media and Communications Officer departed the meeting and did not return.

14.1 NOMINATION FOR HONORARY FREEMAN OF THE CITY – CONFIDENTIAL MATTER IN ACCORDANCE WITH *LOCAL GOVERNMENT ACT 1995* SECTION 5.23(2)(B)

BUSINESS EXCELLENCE BELMONT

<u>Attachment No.</u>	<u>Details</u>
Confidential Attachment 1 - Item 14.1 refers	<u>Report Item - Nomination for Honorary Freeman of the City</u>

OFFICER RECOMMENDATION

SEKULLA MOVED, RYAN SECONDED,

That Council:

1. Bestow the title of 'Honorary Freeman of the City' upon the Nominee for services to the City of Belmont.
2. Request that the Officer Recommendation remain Confidential until after the Bestowal Ceremony.

Item 14.1 Continued

Note:

Cr Rossi put forward the following Procedural Motion.

PROCEDURAL MOTION

ROSSI MOVED, CAYOUN SECONDED,

That the item be referred back to an Information Forum.

Reason:

To reconsider the criteria for the award of Honorary Freeman of the City.

CARRIED 9 VOTES TO 0

8.57pm **POWELL MOVED, RYAN SECONDED, that the meeting again be open to the public.**

CARRIED 9 VOTES TO 0

8.57pm **The meeting came out from behind closed doors. One member of the public returned to the meeting.**

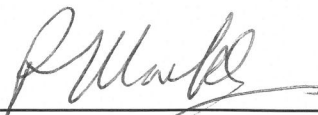
15. CLOSURE

There being no further business, the Presiding Member thanked everyone for their attendance and closed the meeting at 8.58pm.

MINUTES CONFIRMATION CERTIFICATION

The undersigned certifies that these minutes of the Ordinary Council Meeting held 25 June 2019 were confirmed as a true and accurate record at the Ordinary Council Meeting held 23 July 2019:

Signed by the Person Presiding: _____



PRINT name of the Person Presiding: **PHILIP MARKS**

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