
MEETING OF BELMONT TRUST

MINUTES

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17 June 2008

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ATTACHMENTS INDEX

****Attachment 1- Item 5.1 refers**

BELMONT TRUST

MINUTES

17 June 2008

PRESENT

Ms G Godfrey, Presiding Member
Mr S Wolff
Mr P Hitt
Ms B Whiteley
Ms B Brennan
Ms B Martin
Ms C Hanlon
Mr R Rossi
Mr P Marks
Ms J Powell
Mr N Deague
Mr R Lutey
Mr S Cole
Ms J Gillan
Mr J Olynyk JP
Mr M Ridgwell
Ms G Carlucci

A/Chief Executive Officer
Director Technical Services
Director Corporate & Governance
A/Director Community & Statutory Services
Manager Governance
Principal Governance & Compliance Advisor
Governance Officer

MEMBERS OF THE GALLERY

There was five members of the public in the gallery and one press representative.

1. OFFICIAL OPENING

Ms Godfrey opened the meeting at 6.38pm and welcomed those in attendance.

2. APOLOGIES

2.1 APOLOGIES

Mr Dornford

3. DECLARATIONS OF INTEREST

3.1 FINANCIAL INTERESTS

Name	Item No. & Title	Nature of Interest (and extent, where appropriate)
Nil.		

3.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

Name	Item No. & Title
Nil.	

4. CONFIRMATION OF MINUTES

WHITELEY MOVED, POWELL SECONDED, That the Minutes of the Belmont Trust Meeting Held 4 March 2008 (as previously circulated) be noted as a true and accurate record.

CARRIED 10 VOTES TO 0

5. PUBLIC QUESTION TIME

6.39pm Ms Godfrey opened public question time for those in the gallery.

**5.1 MR R GREENWOOD, 151 COOLGARDIE AVENUE, REDCLIFFE
(On behalf of the Belmont Residents/Ratepayers Action Group (BRRAG) Inc.)**

“Why isn’t Ascot Waters paying for the use of the sign?”

Ms Godfrey informed Mr Greenwood that his question will form part of the consideration at tonight’s Trust meeting.

5.2 MR R FRASER, 24/152 GREAT EASTERN HIGHWAY, ASCOT

“Would it be reasonable to accept remuneration for the sign on Great Eastern Highway?”

Ms Godfrey informed Mr Fraser that his question will form part of the consideration at tonight’s Trust meeting.

6. GENERAL BUSINESS

6.1 SIGN - LOT 49 (154) GREAT EASTERN HIGHWAY, ASCOT

ATTACHMENT DETAILS

<u>Attachment No.</u>	<u>Details</u>
Attach 1	Photo of sign

Report by Community & Statutory Services

DATE

22 May 2008

PURPOSE OF REPORT

To advise the Belmont Trust of modifications to existing sign at Lot 49 (154) Great Eastern Highway, Ascot.

COUNCIL ROLE

Trustee

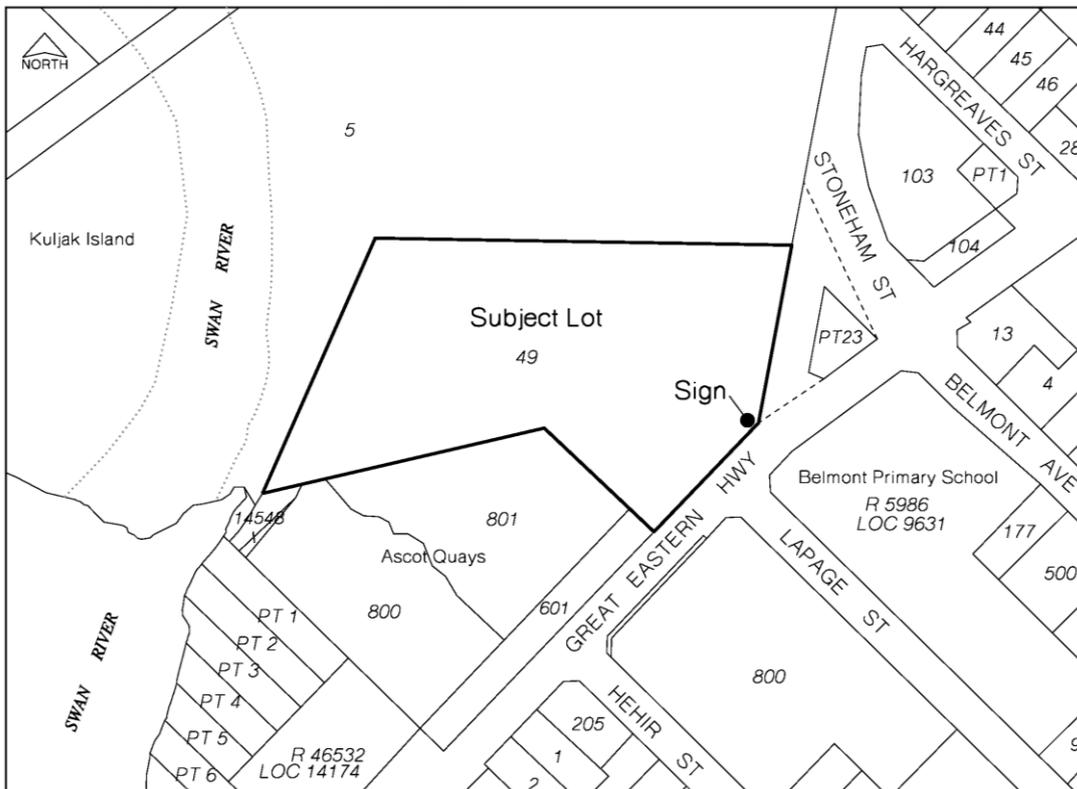
In addition to its role as local government, the City has duties to act as trustee of the Trust property in relation to the Belmont Trust. When making decisions in relation to the Trust property the City must be mindful of its duties as Trustee of the Belmont Trust.

SUMMARY AND KEY ISSUES

- Existing advertising sign for Ascot Waters development approved in 1996.
 - To advise Belmont Trust of modifications to existing sign to include advertising for Ascot Vale development.
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LOCATION

Lot 49 (154) Great Eastern Highway, Ascot.



FILE REFERENCE

116/007, 132/001, 132/003, 154 GEH

STATUTORY ENVIRONMENT

Town Planning Scheme No. 11 was gazetted in 17 June 1988.

City's Local Law – Signs, Hoardings and Bill posting published in Government Gazette 8 April 1988.

Town Planning Scheme No. 14 (TPS14) was gazetted on 10 December 1999.

City's Local Law - Activities on Thoroughfares and Trading in Public Places published in Government Gazette 13 September 2001. (This local law repealed the Local Laws Relating to Signs, Hoarding & Bill Posting published in the Government Gazette of 8 April 1988.)

Local Planning Policy No. 12 - Sign Applications adopted by Council 27 May 2002.

Ascot Waters Design Guidelines adopted February 1999 and superseded by Local Planning Policy No. 6 – Ascot Waters Special Development Precinct adopted by Council 17 April 2000.

BACKGROUND

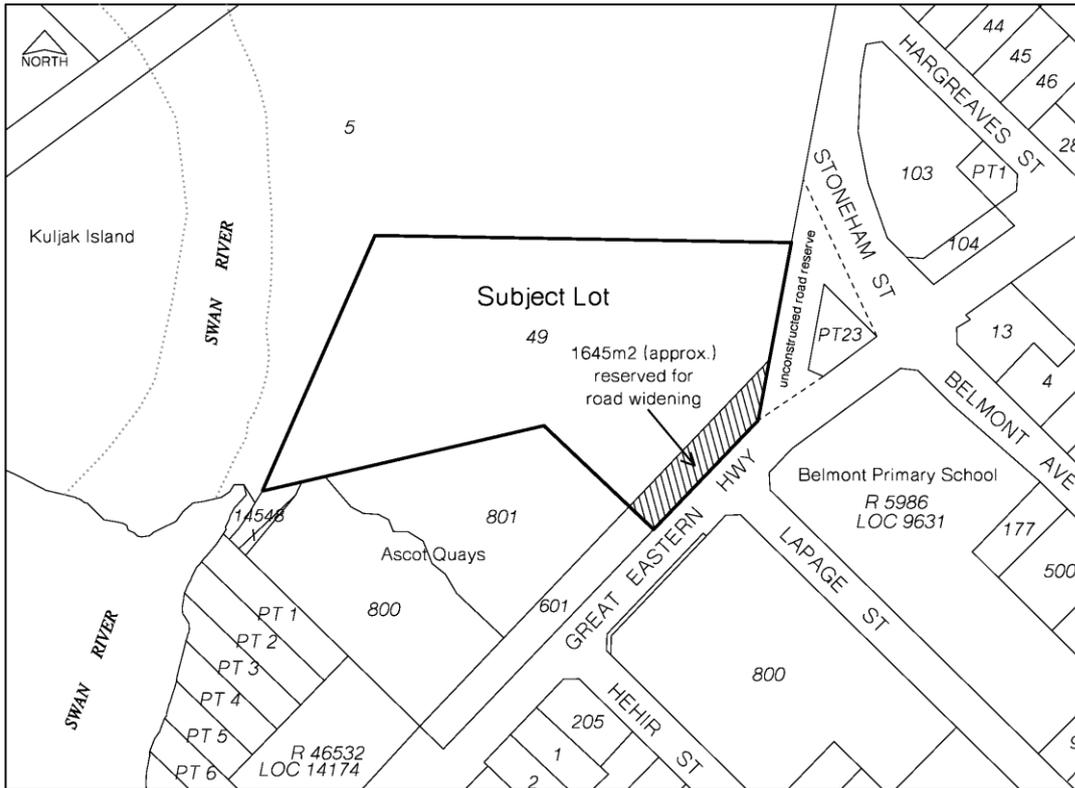
Lodgement Date:	NA	Use Class:	NA
Lot Area:	2.8252ha	TPS Zoning:	Mixed Use
Estimated Value:	NA	MRS:	Urban

The existing Ascot Waters sign located on Lot 49 (154) Great Eastern Highway, Ascot was approved in 1996 in accordance with the City's Local Law – Signs, Hoardings and Bill Posting. No development application was required for signage under Town Planning Scheme No.11 which was valid at that time. It was also believed at that time that the land was owned by the City of Belmont.

Approval for the subject sign remained valid when TPS14 was gazetted as Clause 8.3 states that existing advertisements erected or displayed in accordance with Council licence or approval prior to the gazettal of the scheme may continue to be displayed.

Upgrade of the subject sign occurred recently. The Project Manager - Ascot Fields Nominees, Grant de Longville, advised that the sign was amended to promote both Ascot Waters and Ascot Vale developments which now comprise Ascot Waters Special Development Precinct. The Project Manager also confirmed that costs associated with the modified sign were paid for by Ascot Vale with no on-going fees being charged.

The land on which the sign is located is reserved for Primary Regional Road under the Metropolitan Region Scheme. The portion of land will be required for the widening of Great Eastern Highway (refer plan below)



OFFICER COMMENT

'Ascot Vale' is the name given to the proposed subdivision of Lots 7, 21, 66-71 and 91-96 Waterway Parade (known as 70 Grandstand Road), Ascot. Approval for this subdivision was granted by the Western Australian Planning Commission on 23 May 2007. As Council would be aware this subdivision occurred as the subject land located between Ascot Waters and the Ascot Race Course is zoned Residential under TPS14. This subdivision also included the closure and realignment of a portion of Resolution Drive which has been completed. Subsequently, Local Planning Policy No. 6 – Ascot Waters Special Development Policy was amended by Council on 19 February 2008 to incorporate this new subdivision area off Grandstand Road known as Ascot Vale. The modified sign advertises both Ascot Waters and Ascot Vale which accords with the approved precinct area.

It is noted, however, that the original approval for the sign was not granted by the Belmont Trust who are the owners of the land. Accordingly, the following options are provided for consideration:

- The Belmont Trust request that the sign be removed; or
- The Belmont Trust acknowledge the modified sign.

It is noted that Hoarding signs are not permitted under LPP12. However as stated above, the sign was approved prior to LPP12 being adopted. The sign is consistent with the original approval with respect to size and content. In addition, it is considered that the subject sign provides a community service in promoting development within the City. Given the history of the sign and that there is no financial gain by Ascot Fields Nominees, it is recommended that the Belmont Trust accept the modified sign located on Belmont Trust land.

It is also noted that the land containing the sign will eventually be acquired by Main Roads for the purpose of widening Great Eastern Highway. The process by which Main Roads WA would purchase land held in Trust requires clarification, however, it is logical that Main Roads WA would have to pay the Trust for the land acquired. Given the potential influx of funds from such a sale it is recommended that the Trust, following the comments of the Advisory Trustee, commences negotiation with Main Roads WA for their acquisition of the subject portion of land.

It is suggested that once the Ascot Vale subdivision has reached a stage where 85% of the lots have been sold or the land is acquired by Main Roads WA for the purpose of road widening, the sign be removed. Any new sign would require a separate application.

FINANCIAL IMPLICATIONS

No fees or charges have been paid in regard to the signage by Ascot Vale to Ascot Fields Nominees – Project Managers for Ascot Waters.

If a commercial charge was applied to the signage (similar to that charged on Stirling Highway) it would be expected that a rate \$1650 +GST per month would be applied.

Approximately 1645m² is required for road widening purposes by Main Roads WA. If the land was to be acquired by Main Roads WA and a conservative estimate of \$1500 per m² applied, a return of \$2 467 500 could be anticipated.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

OFFICER RECOMMENDATION

That:

1. The Belmont Trust support the modifications to the sign located at Lot 49 (154) Great Eastern Highway, Ascot.
2. The Belmont Trust advise Ascot Fields Nominees and the Western Australian Turf Club that:
 - Once 85% of the subdivided lots have been sold, or
 - The land is acquired by Main Roads WA for the purpose of road widening, - the Belmont Trust requires the removal of the sign.
3. The Belmont Trust, following an approach to the Advisory Trustee, commences negotiation with Main Roads WA for the acquisition of that portion of land required under the Metropolitan Region Scheme for the widening of Great Eastern Highway.

Notation

Mr Wolff proposed an alternative motion for the Trust Land signage. He suggested that it was the Trustees responsibility to ensure the Trust does not accumulated unmanageable debts and that the Trust should charge a fee in order to earn an income for maintenance of the Trust land.

ALTERNATIVE MOTION

1. That the Belmont Trust charge a fee for any commercial sign placed on the Trust Land.
2. That the fee be at the going commercial rate for signage along Great Eastern Highway.
3. That the fee be back-dated to the date of installation of the current sign.
4. That the money obtained from the fee be deposited in the Belmont Trust account.
5. That should Ascot Nominees decline to enter into such an arrangement, that the Turf Club be approached to place a sign on the Trust Land.

LOST 1 VOTE TO 9

***Against: Ms Godfrey,
Ms Hanlon,
Mr Marks,
Mr Rossi,
Ms Martin,
Mr Hitt,
Ms Brennan,
Ms Whiteley,
Ms Powell***

Notation

Mr Marks suggested the Trustees defer the item pending more investigation into the costs of the sign and a formal valuation on the proposed land acquisition.

MARKS MOVED, BRENNAN SECONDED,

1. That the item be deferred pending further investigation into the commercial rate for signage at Lot 49 (54) Great Eastern Highway Ascot and reported back to the Trust within one month of this decision.
2. That a valuation be sought on the land that is proposed to be acquired for road widening and the matter be referred to the Advisory Trustee and reported back to the Trust for further consideration.

CARRIED 10 VOTES TO 0

7. URGENT BUSINESS APPROVED BY THE CHAIR OR BY DECISION

Nil.

8. CLOSURE

There being no further business to conduct, Ms Godfrey closed the meeting at 6.57pm.