City of Belmont

ORDINARY COUNCIL MEETING

MINUTES

TABLE OF CONTENTS

15 August 2005

ITEM SUBJECT HEADING PAGE

ATTACHMENTS INDEX

CONFIDENTIAL ATTACHMENTS INDEX – (Issued under separate cover)

**Councillors are reminded to
retain the OCM Attachments for discussion with the Minutes**

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS OF THE CITY OF BELMONT CIVIC CENTRE, 215 WRIGHT STREET, CLOVERDALE ON MONDAY, 15 AUGUST 2005 COMMENCING AT 7.00PM.

PRESENT

Cr G Godfrey, Mayor	East Ward
Cr P Marks, Deputy Mayor	East Ward
Cr R Rossi	West Ward
Cr B Martin	West Ward
Cr P Hitt	West Ward
Cr M Blair	Central Ward
Cr G Dornford	Central Ward
Cr J Powell	South Ward
Cr E Teasdale	South Ward
Cr B Whiteley	South Ward
Cr Bass[1]	East Ward

IN ATTENDANCE

Dr S Silcox	Chief Executive Officer
Mr N Deague	Director – Statutory & Community Services
Mr R Lutey	Director – Technical Services
Mr S Cole	Director – Corporate & Governance
Mr P Varris	Manager - Governance
Mr J Blanchard	Principal Legal & Compliance Adviser
Ms J Gillan	Manager – Planning Services
Ms S Johnson	Clerical Officer (Governance)

MEMBERS OF THE GALLERY

There were 11 attendees in the gallery.

1. OFFICIAL OPENING

The Mayor opened the meeting at 7.00pm, welcomed those in attendance and invited Cr Marks to read aloud the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers. Cr Marks read aloud the affirmation.

Affirmation of Civic Duty and Responsibility

As Councillors and Officers of the City of Belmont we collectively declare that we will duly, faithfully, honestly, and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgment and ability, and will observe the City's Code of Conduct and Standing Orders to ensure the efficient, effective and orderly decision making within this forum.

[1] Cr Bass was omitted from the Present List in error

2. APOLOGIES & LEAVE OF ABSENCE

2.1 APOLOGIES

Nil.

2.2 LEAVE OF ABSENCE

Nil.

3. DECLARATIONS OF INTEREST

Councillors / Staff are reminded of the requirements of s5.65 of the Local Government Act 1995, to disclose any interest during the meeting when the matter is discussed, and also of the requirement to disclose an interest affecting impartiality under the City's Code of Conduct.

3.1 FINANCIAL INTERESTS

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

Other members may allow participation of the declarant if the member further discloses the extent of the interest and the other members decide that the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

Name	Item No.	Nature of Interest (and extent, where appropriate)
Cr Dornford	Item 13.1	Is the owner of the Belmont Child Care Centre.
Cr Teasdale	Item 11.1.5	His wife has shares with a value in excess of $10,000.
Cr Powell	Item 11.4.1	Works for the Australian Red Cross.

3.2 DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY

Councillors and staff are required (Code of Conduct), in addition to declaring any financial interest, to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision making procedure. The member / employee is also encouraged to disclose the nature of the interest.

Name	Item No.	Details of Interest
Cr Marks	Item 11.1.3	He lives near the Ascot Inn site.
Cr Dornford	Item 11.1.5	He has used Greg Rowe and Associates as a planner.

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

4.1 ANNOUNCEMENTS

Report by Cr Glenys Godfrey - Local Government Week 2005

Local Government Week commenced with the Mayors & Presidents Cocktail Reception at the City of Perth on Friday evening, 5 August 2005. The program theme was CSI which addressed the three major issues of Community, Sustainability and Indicators.

On Saturday 6 August, a welcome was given by Ms Marie Taylor, an aboriginal elder which was well received. The Minister for Local Government and Regional Development, the Hon John Bowler MLA addressed the Mayors and Presidents Forum. He advised that after travelling around the State of Western Australia, he was supportive of the feedback of reducing the local government authorities and the number of Councillors. He also believed that compulsory voting would eventually be introduced. Mr Bowler announced that the next Local Government elections would be held on the third Saturday in October 2007 and the amount above which a local authority would be required to go to tender would be raised to $100,000.

During the afternoon there was a selection of elected member development concurrent sessions. The two I chose to attend were 'Financial Traps for Experienced Councillors' by John Gilfellon and 'How to Present Your Case' by Steve Smith; I felt that both were relevant and very good.

Sunday morning started at 7am with the Australian Local Government Women's Association (ALGWA) Inc WA Branch AGM.

Ms Anne McAllister, Director of Community Services at the City of Melville was elected unopposed as the new President. Guest speakers were the Minister for Local Government, Mr John Bowler and Ms Kaele Way JP, the National President of Australian Local Government Women's Association. Ms Way announced the welcome news that the Federal Minister for Local Government, the Hon Jim Lloyd had presented a cheque for $20,000 to the National body to assist with increasing participation and representation of women in Local Government.

Also announced was the life membership to the association given to Councillor Marion Blair for recognition of her tireless work to the association.

Sunday morning continued with elected members' development sessions given by Professor Tony Cooke and Mr Mark Bagshaw. Both were educational in the area of social reform and policy.

The Annual General Meeting commenced in the afternoon with the presentation of the Local Government Honours Awards. Receiving the 'Long and Loyal Service Award' for service to the City of Belmont were Glyn Doney and Mike Godsell.

Of the motions considered at the AGM the following were of relevance to the City of Belmont:

Item 4.1 Continued

- Developer contributions and planning fees.
- Local Government structural reform.
- Landfill Levy and Strategic Waste Fund.

The Banners in the Terrace competition was won by the Shire of Merredin.

The Local Government Insurance Services celebrated 10 years of Self Insurance.

Monday commenced with the International Council for Local Government Environmental Initiatives Awards. The City of Belmont received Milestone 2 for Corporate and Community in the Water Campaign Australia.

The morning keynote speakers were Dr Fiona Woods and Professor Robert Putnam who were both inspiring.

In the afternoon there was a choice of Local Government Sustainability concurrent sessions which I attended, 'Wet, Wild and Wasted - Can we Sustain the WA Environment'. This session contained an extremely interesting presentation on Acid Sulfate soils.

Tuesday commenced with a presentation by the Minister for Local Government followed by workshops. I attended the 'Sustaining a Media Presence'. Presenters were Peter Fairclough from Telstra, Dixie Marshall Channel 9, Howard Sattler 6PR and Mike Southwell, journalist and 2002 Walkley Award Winner.

In conclusion it was a very well organised conference. I thank all Councillors for their support by attending some or all of the development sessions.

4.2 DISCLAIMER

No responsibility whatsoever is implied or accepted by the City of Belmont for any act, omission or statement or intimation occurring during Council or Committee meetings.

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Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

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The City of Belmont warns that anyone who has any application lodged with the City of Belmont must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the City of Belmont in respect of that application.

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***** 7.06 pm The Manager Governance read aloud the Disclaimer.**

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

Nil.

4.4 DECLARATIONS BY MEMBERS WHO HAVE RECEIVED AND NOT READ THE 'COUNCILLORS INFORMATION BULLETINS' AS DETAILED IN ITEM 12.1

Councillors who have received and not read the 'Councillor Information Bulletins' as detailed in Item 12.1 of this agenda, to make declarations at this point.

Nil.

5. PUBLIC QUESTION TIME

*****7.08 pm** The Mayor drew the public gallery's attention to the rules of Public Question Time as written in the agenda. In accordance with rule (l), the Mayor advised that she had registered 1 member of the public who had given prior notice to ask questions, this being –Mr Michael Ryan.

The Mayor invited the public gallery members, who had yet to register their interest to ask a question, to do so. Two further registrations were forthcoming, these being Mr Rob Greenwood and Mrs Winifred Mitchell.

5.1 RESPONSES TO QUESTIONS TAKEN ON NOTICE

Nil.

5.2 QUESTIONS FROM MEMBERS OF THE PUBLIC

5.2.1 Mr Mick Ryan, 60 Riversdale Road, Rivervale

1) Mr Ryan referred to the Information Matrix for the Agenda Briefing Session held on 9 August 2005 at Item 5, Public Submission time on Page 3 and asked the following:

Given my belief that Councillors have a conflict of interest in their dual roles as Trustees of the Grove Farm Trust (Belmont Trust) and Councillors, a belief that I accept may well be mistaken, can Council please clearly state on the record whether there is or is not a conflict of interest in their dual roles. Furthermore can this answer be supported by proper independent legal advice rather than the unsupported opinions that have met this question in the past?

The Chief Executive Officer replied that he believed that there was no conflict of interest between the Trustees and Councillors. He stated that legal opinion had been sought reflecting this understanding.

The Principal Legal and Compliance Adviser reiterated that there was no conflict of interest between Councillors role in relation to the Council and their role in relation to the Trust, however it was possible that there could be a conflict of duties.

2) Should there indeed be a conflict of interest, can Council please state on the record how it proposes to ameliorate this conflict?

The Mayor noted that this question was answered in the previous response by the Chief Executive Officer.

5.2.2 Mr Rob Greenwood, 151 Coolgardie Avenue, Redcliffe

1) Mr Greenwood asked that from the point of view of the health of Belmont residents and those living and working in the City of Belmont, does Council have regular air quality test results for the City and in particular for aircraft emissions over the City? If not, can Council please obtain air quality test results in relation to aircraft emissions in particular and make them available to the Belmont Residents/Ratepayers Action Group and to the wider Belmont community?

Councillor Marks advised that there were test readings for noise pollution. The Chief Executive Officer advised that apart from noise readings, no other form of readings were carried out.

2) Mr Greenwood asked what steps can the City of Belmont take to find out and publicise the likely harmful effects of acid rain and dioxin emissions on the health of people living and working in Belmont from a 110 million Standard Brick Equivalent brickworks proposed for Perth Airport Precinct 3A less than four kilometres from this City?

The Chief Executive Officer advised that as there had been no planning application received by the City for proposed brick works, no testing or advertising for public comment had been necessary.

5.2.3 Ms Winifred Mitchell, 316 Epsom Avenue, Cloverdale

1) Ms Mitchell advised she had written to Council on 21 July 2005 and had not received a reply. She asked why she had not received an acknowledgement from Council?

2) In reference to not receiving an acknowledgement, Ms Mitchell asked if Councillors had received a copy of her letter?

The Mayor replied that she would investigate why Ms Mitchell's letter was not acknowledged and would inform Ms Mitchell of her findings.

5.2.4 Mr Rob Greenwood, 151 Coolgardie Avenue, Redcliffe

3) What are the likely effects of acid rain and dioxin emissions (of a proposed major brickworks) on the natural environment and conservation areas of Belmont, including the birds, animals, plants and insects of the bushlands, wetlands and rivers of this City?

The Chief Executive Officer referred to his earlier response.

4) Does Council consider it satisfactory for almost a third of the land area of this City and all that it contains to appear to be beyond the effective jurisdiction of the laws and bylaws of the City of Belmont and of the State of Western Australia while what takes place on that land may adversely affect the lives of all who live and work in the areas surrounding?

The Chief Executive Officer stated that he believed that it was appropriate for the Commonwealth Government to operate under the same processes as did the City of Belmont and therefore, the current situation was indeed unsatisfactory.

***** 7.21 pm There being no further questions from members of the public, the Mayor declared Public Question Time closed.**

6. CONFIRMATION OF MINUTES / RECEIPT OF INFORMATION MATRIX

6.1 ORDINARY COUNCIL MEETING HELD 26 JULY 2005

MARKS MOVED, WHITELEY SECONDED, that the minutes of the Ordinary Council Meeting held on 26 July 2005 as printed and circulated to all Councillors, be confirmed as a true and accurate record.

CARRIED 11 VOTES TO 0

6.2 INFORMATION MATRIX FOR THE AGENDA BRIEFING FORUM HELD 9 AUGUST 2005**

****Council Attachment 1 – Item 6.2 refers**

POWELL MOVED, HITT SECONDED, that the Information Matrix for the Agenda Briefing Forum held on 9 August 2005 as circulated in the attachment, be received and noted.

CARRIED 11 VOTES TO 0

***** 7.25 pm Cr Whiteley left the Chambers.**

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

DISCLAIMER: Where the City's Administration has provided any assistance to a Councillor, with the framing and / or wording of any motion / amendment / question to the Council, who has advised their intention to move it, the assistance has been provided on an impartial basis. The principle and intention expressed in any motion / amendment is solely that of the intended mover and not that of the officer / officers providing the assistance. Under no circumstances is it to be expressed to any party that administration or any Council officer holds a view on this motion other than that expressed in an official written or verbal report by the City's administration to the Council meeting considering the motion.

Nil.

***** 7.26 pm Cr Whiteley returned to the Chambers.**

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

Nil.

9. BUSINESS ADJOURNED FROM A PREVIOUS MEETING

Nil.

10. REPORTS OF COMMITTEES

NOTE: Regulation 11(da) of the Local Government (Administration) Regulations 1996 requires written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in the Local Government Act 1995 s5.70 (but not a decision to only note the matter or to return the recommendation for further consideration).

NOTE: Council in receiving and noting the Minutes of Standing Committee are not adopting or in anyway endorsing the recommendations or comments contained therein. Committee Recommendations will be the subject of separate reports to Council at this or a future Council Meeting, at which time Council will consider the matter.

10.1 STANDING COMMITTEE (ENVIRONMENTAL) MEETING HELD 18 JULY 2005**

****Council Attachment 2 – Item 10.1 refers**

TEASDALE MOVED, BLAIR SECONDED, that the minutes of the Standing Committee (Environmental) Meeting held on 18 July 2005 as printed and circulated to all Councillors, be confirmed as a true and accurate record.

CARRIED 11 VOTES TO 0

11. REPORTS OF DIVISIONS

NOTE: Regulation 11(da) of the Local Government (Administration) Regulations 1996 requires written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70 (but not a decision to only note the matter or to return the recommendation for further consideration).

11.1 PLANNING AND DEVELOPMENT DIVISION

WITHDRAWN ITEMS

Item 11.1.2 was withdrawn at the request of Cr Blair.
Item 11.1.3 was withdrawn at the request of Cr Marks.
Item 11.1.5 was withdrawn at the request of Cr Godfrey.

BASS MOVED, ROSSI SECONDED, that with the exception of Item 11.1.2, 11.1.3, and 11.1.5, which are to be considered separately, Officer Recommendations in the Planning and Development Division, specifically Item 11.1.1 and 11.1.4. be adopted en bloc.

CARRIED 11 VOTES TO 0

11.1.1 City of Belmont Town Planning Scheme No. 14 – Amendment No. 12

Report by Planning and Development Division

DATE

20 July 2005

PURPOSE OF REPORT

To consider final adoption of Amendment No. 12 to the City of Belmont Town Planning Scheme No. 14, with modifications requested by the Honourable Minister for Planning and Infrastructure.

SUMMARY AND KEY ISSUES

Summary and Key Issues

- Council initiated Amendment No. 12 in March 2001.
- Following advertising, the Amendment was adopted by Council for final approval in May 2004 (refer Item 10.4.2 – PDC Minutes 17 May 2004).
- The Amendment was referred to the Western Australian Planning Commission and Honourable Minister for Planning and Infrastructure seeking final approval.
- The Minister has requested two modifications to the Amendment including deletion of any changes to Clause 10.15 (general discretionary clause) and deletion of changes to Schedule 11.

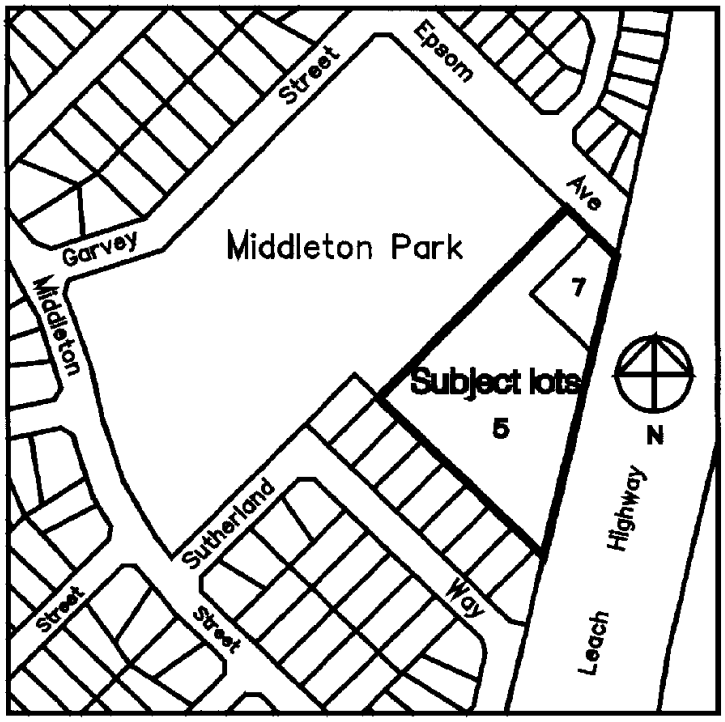
Officer Recommendation Summation

It is recommended that the Amendment be modified in accordance with the Minister's request.

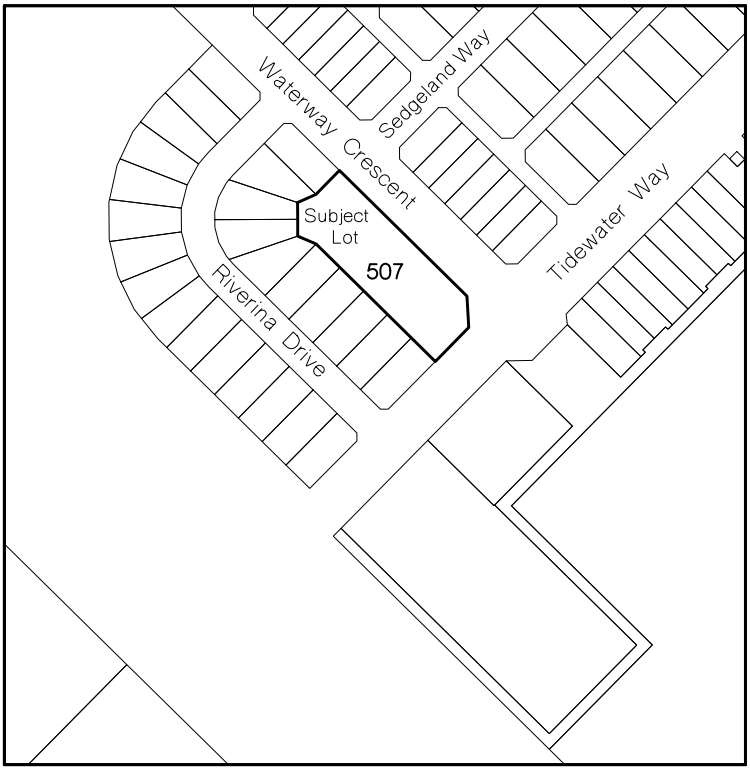
LOCATION

Original Lots 5 and 7 Epsom Avenue are currently included in Schedule 11 of the Scheme as 'R20/40'. The properties have since been subdivided at an R20 density.

Item 11.1.1 Continued



Lot 507 (corner Waterway Crescent and Tidewater Way)



APPLICANT

City of Belmont

FILE REFERENCE

116/031 Town Planning Scheme No. 14 – Amendment No. 12

Item 11.1.1 Continued

DISCLOSURE OF INTEREST

Name	Position	Type of Interest	Nature / Extent of Interest

VOTING REQUIREMENT

Simple Majority required.

CONSULTATION

Consultation was carried out prior to the commencement of Council's policy on Community Information and Consultation. The statutory process as required under Town Planning Scheme No. 14 was carried out.

Amendment No. 12 was advertised from the 27 January 2004 to the 12 March 2004. At the conclusion of the advertising period, six submissions were received.

The submissions were considered by Council in May 2004 and were dismissed.

STRATEGIC PLAN IMPLICATIONS

No Strategic Plan impacts are evident.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

There are no significant statutory requirements in respect to this application.

BACKGROUND

Summary of Amendment

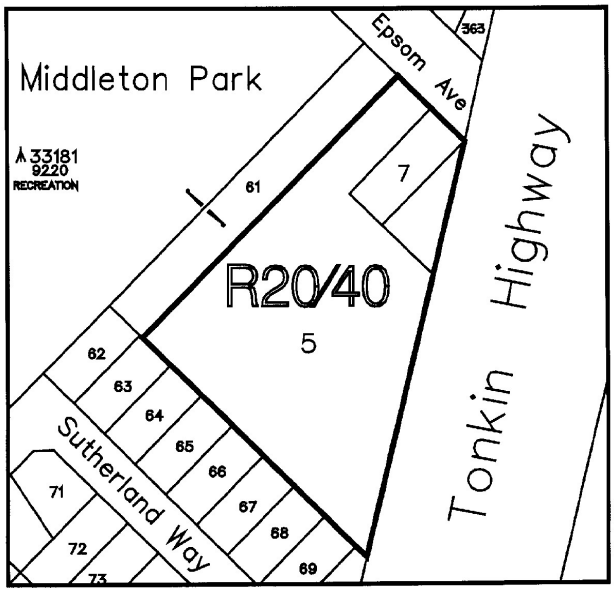
The Amendment proposed the following text changes:

- Correct typographical errors in the Scheme text;
- Fix incorrect cross referencing of clauses;
- Currently grouped dwellings cannot have an outbuilding or shed other than a 4m2 storeroom. The amendment proposes to allow lots greater than 900m2 with no more than two grouped dwellings to have outbuildings in addition to the 4m2 storeroom.
- Changes to Clause 10.15.

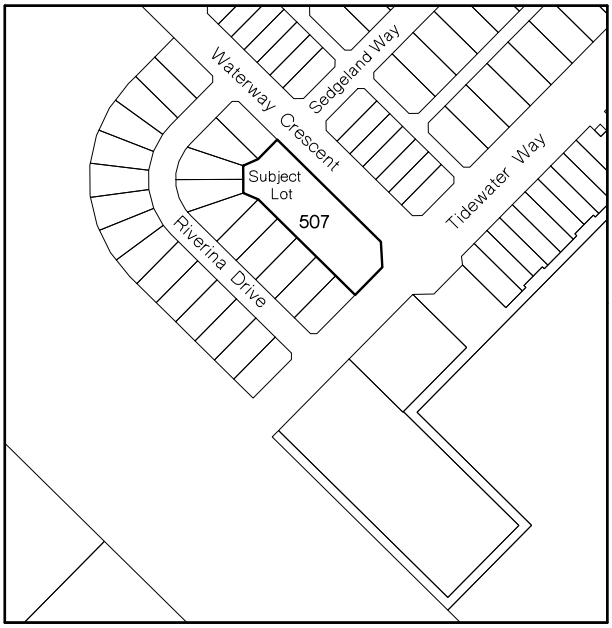
The Amendment proposed the following map changes:

Item 11.1.1 Continued

- Delete Lot 5 and 7 from Schedule 11 of the Scheme where they are shown as 'R20/40' and show the lots as 'R20' on the Scheme map, to reflect the density at which the lots have been subdivided.



- Correct the scheme map to show Lot 507 (corner Waterway Crescent and Tidewater Way) as 'Parks and Recreation' instead of 'Residential'.



The Council adopted the Amendment for final approval in May 2004. The Honourable Minister for Planning and Infrastructure has requested modifications to the Amendment.

This report is referred to Council to consider the Minister's request.

Item 11.1.1 Continued

OFFICER COMMENT

Requested Changes by the Minister and Officers Comment

Affected Clause	Proposed changes under Amendment 12	Ministers request	Comment
Clause 10.15 The Scheme has a very broad discretionary clause (Clause 10.15). There was concern that the general discretion clause could be used to override any provision of the Scheme.	The Amendment proposed to limit the power of this clause to site requirements such as setbacks, lot coverage and the like.	The Minister has advised that since the inception of revised procedures for planning appeals, the current Model Scheme text provisions applicable to Clause 10.15, make it clear that variations cannot apply to a use permissibility in the Zoning Table.	It is still unclear as to whether the discretionary clause can be used to override expressed prohibitions under the Scheme (outside of the zoning table). This issue can be re-examined as part of the Scheme review.
Schedule 11 Lot 5 and 7 are shown as 'R20-40' in Schedule 11. The lots have actually been subdivided and developed at an R20 density.	The Amendment proposed to delete Lot 5 and 7 from Scheme 11, and show them as R20. This change was simply to reflect the density of the subdivision that has occurred.	The Minister did not provide an explanation as to why this part of the Amendment was not approved.	It is unclear whether the Minister understood that the subdivision has all been developed at an R20 density, and therefore the amended coding simply reflected the existing situation. It appears with many recent amendments that the Minister will not support any down coding of areas, even though the proposed coding was simply reflecting what has been developed. Notwithstanding that, as the deletion will have no physical impact, it is considered that the modification should be made and the issue addressed as part of the Scheme review.

Conclusion

This amendment has been outstanding for an extended time period. The main thrust of the amendment is to correct typographical errors and anomalies in the existing Scheme.

It is recommended that the modifications requested by the Minister be supported.

Item 11.1.1 Continued

FINANCIAL IMPLICATIONS

There are no significant financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no significant environment evident at this time.

ATTACHMENT DETAILS

Nil.

OFFICER RECOMMENDATION

That Council amend Amendment 12 to the City of Belmont Town Planning Scheme No 14 by deleting changes to Clause 10.15 and Schedule 11 as requested by the Honourable Minister for Planning and Infrastructure.

***OFFICER RECOMMENDATION ADOPTED EN BLOC –
REFER TO RESOLUTION APPEARING AT ITEM 11.1***

11.1.2 Review of Local Planning Policy No. 6 – Ascot Waters Special Development Precinct**

****PD Attachment 3 – Item 11.1.2 refers**
****PD Attachment 4 – Item 11.1.2 refers**

Report by Planning and Development Division

DATE

25 July 2005

PURPOSE OF REPORT

To adopt modified Local Planning Policy No. 6 - Ascot Waters Special Development Precinct Policy for final approval.

SUMMARY AND KEY ISSUES

Summary and Key Issues

Council at its 22 March 2005 meeting (Item 11.1.14) considered a review of the Ascot Waters Special Development Precinct Policy. The Policy review included changes relating to:

- Fencing Abutting Streets and Mews;
- Air conditioning units; and
- Lots 360 – 364 Waterway Crescent.

The Policy has been advertised in accordance with Council's resolution. Four submissions have been received.

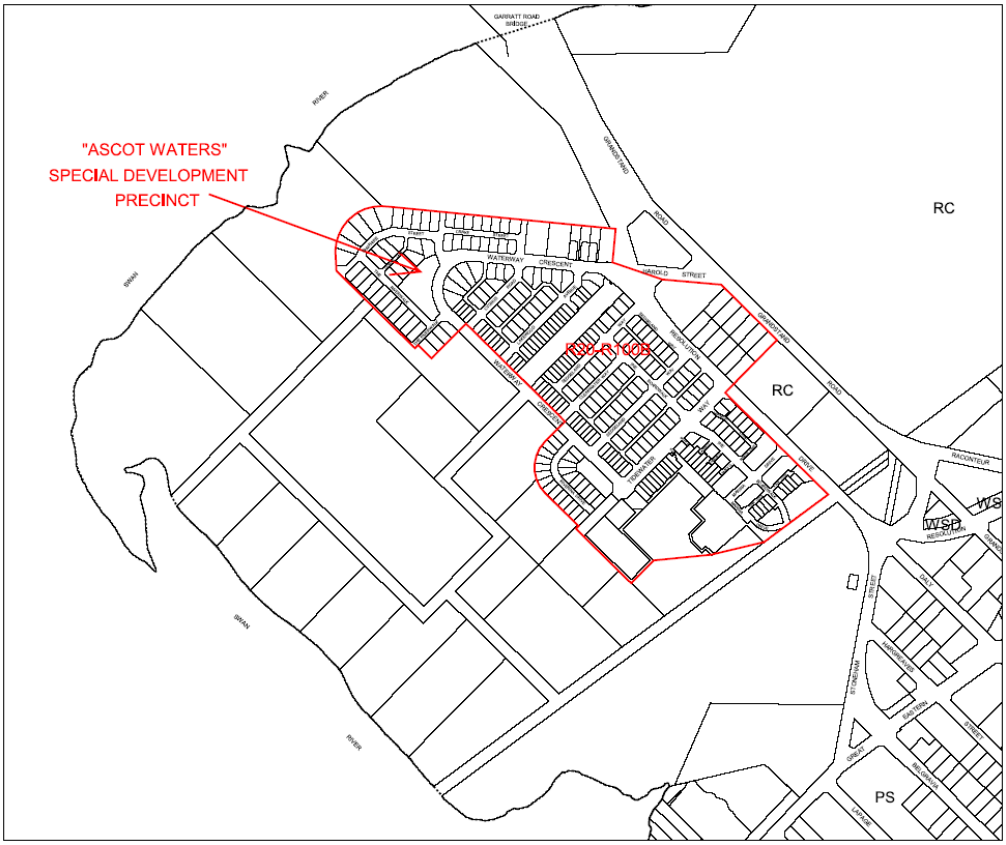
Officer Recommendation Summation

That Council adopt modified Local Planning Policy No. 6 - Ascot Waters Special Development Precinct Policy for final approval in accordance with Town Planning Scheme No. 14.

Item 11.1.2 Continued

LOCATION

Ascot Waters Special Development Precinct



APPLICANT

Not applicable.

FILE REFERENCE

116/007 Ascot Waters
116/068 Local Planning Policy No. 6

DISCLOSURE OF INTEREST

Name	Position	Type of Interest	Nature / Extent of Interest

VOTING REQUIREMENT

Simple Majority required.

Item 11.1.2 Continued

CONSULTATION

Consultation was carried out prior to the commencement of Council's policy on Community Information and Consultation. The statutory process as required under Town Planning Scheme No. 14 was carried out.

The modified Policy was advertised from 2 April 2005 to 20 May 2005 in accordance with Town Planning Scheme No. 14. Four submissions were received in respect of the Policy review. The submission table is provided in the first attachment to this report.

The Project Manager from Estates Development Company, who oversees the Estate, has verbally advised that they have no objections to the modified Policy.

STRATEGIC PLAN IMPLICATIONS

BUILT BELMONT - *"Encourage the upgrading and compatible redevelopment of the City "*

POLICY IMPLICATIONS

This report proposes adoption of revised Local Planning Policy No. 6 – Ascot Waters Special Development Precinct.

STATUTORY ENVIRONMENT

Special Development Precincts

Clause 10.2.4 of Town Planning Scheme No. 14 contains provision for development within the Special Development Precincts.

Local Planning Policies

Clause 2.5 of Town Planning Scheme No. 14 contains provision for making and amending a Local Planning Policy.

Residential Design Codes

Clause 2.6 of the Residential Design Codes contains provision for local government to make local planning policies.

BACKGROUND

Under Town Planning Scheme No. 14 (gazetted 10 December 1999), the Ascot Waters residential estate is delineated as the 'Ascot Waters Special Development Precinct' on the Scheme Map. Development within the Ascot Waters Precinct is guided by Local Planning Policy No. 6 – Ascot Waters Special Development Precinct.

The Policy was modelled on the previous Ascot Waters Design Guidelines and contains provisions relating to dwelling form, setbacks, access, open space, materials, colours, fencing, servicing and landscaping.

Item 11.1.2 Continued

The Council at 22 March 2005 meeting (Item 11.1.4) considered:

- Issues of non-compliance with Local Planning Policy No. 6 – Ascot Waters Special Development Precinct relating to several properties; and
- A review of Local Planning Policy No. 6 – Ascot Waters Special Development Precinct.

A separate report included in this agenda (Item 11.1.3 of this agenda refers) discusses issues of non-compliance at several properties within the Policy area.

In respect of the Policy Review, Council resolved:

> *"…2. That the modified Local Planning Policy No. 6 – Ascot Waters Special Development Precinct (included as Attachment No. 2) be advertised for public comment pursuant to Clause 2.5 of the City of Belmont Town Planning Scheme No. 14, with notification being:*
>
> (a) *To all landowners within the Ascot Waters Special Development Precinct.*
>
> (b) *To the Friends of Ascot Waters.*
>
> (c) *To relevant consultants of the Ascot Waters Consortium.*
>
> (d) *Published within the Southern Gazette."*

The review of Local Planning Policy No. 6 includes the following modifications:

- **Fencing Abutting Streets and Mews:** Provision to allow fencing to streets and mews to be constructed of masonry materials that match the dwelling.
- **Fencing Abutting Streets and Mews:** Provision to permit small portions of Colorbond sheeting visible from the street or public place where it is located behind the street setback and is coloured to match the existing dwelling.
- **Air conditioning units:** Provision to permit air conditioning units to be roof mounted where they are located below the ridgeline and contoured against the roof slope.
- **Lots 360 – 364 Waterway Crescent:** Provisions incorporated to regulate development on lots created by a recent subdivision. Incorporation of the lots into the Policy is a requirement of the conditional subdivision approval granted by the Western Australian Planning Commission for the 5 lots.

A copy of the Draft Ascot Waters Precinct Policy is provided in the second attachment to this report.

OFFICER COMMENT

As noted in 'Consultation' four submissions were received in respect of the Policy review. The three submissions from servicing authorities advised that they have no objections to the modified Policy. The submission from the Friends of Ascot Waters objected to the proposed changes to the fencing requirements. The submission table is provided in the first attachment to this report.

Item 11.1.2 Continued

Boundary Fencing
The submission from the Friends of Ascot Waters requests that the fencing provisions not be modified.

The original intention of the Design Guidelines was only for fencing abutting Public Open Space to be constructed of limestone. All other fencing was to be constructed with piers and dwarf walls, but could incorporate brick and/or render. All fencing in the first stages of the Ascot Waters development was constructed to this standard.

The requirement for all fencing to be constructed of limestone was introduced by the Estates Development Company in the 1999 review of the Guidelines. It should be noted that the Estates Development Company have not objected to the proposed change to revert back to the original requirements.

It is considered that rather than materials, it is the form of fencing, with dwarf walls, piers and infill panels, that is the essential unifying element throughout the Precinct. As demonstrated by a number of fences within the estate built to match existing dwellings (eg, 26 The Riverwalk, item 10.6.1, 18/10/2004 PDC minutes refers) the appearance of the fencing does not detract from the streetscape and in fact contributes to the overall quality of the design of the development. It is considered that the proposed modification to the Policy will not impact on the overall quality of development within the Estate.

Fencing to Open Space will still be required to be constructed of limestone blocks with red brick capping.

Colorbond Fencing
The submission from the Friends of Ascot Waters requests that colorbond not be permitted for use in any fencing.

It is considered that colorbond is a versatile fencing material which will not impact on the streetscape where it is used unobtrusively. Inclusion of this provision will allow small sections of colorbond sheeting to be used in locations where it is inappropriate to construct a masonry wall, such as in side fence returns.

It is considered that the use of a small amount of colorbond behind the street setback, coloured to match the dwelling, will not have an adverse impact on the Ascot Waters' streetscape. The new provision will not impact on the overall quality of development within the Precinct and will not undermine the integrity of the Policy. As such, it is recommended that the fencing provisions in relation to front fencing and colorbond be modified as proposed in the advertised Policy.

FINANCIAL IMPLICATIONS

Policy Review
There are costs to the City in the advertising required to be undertaken as part of a Local Planning Policy review.

Item 11.1.2 Continued

ENVIRONMENTAL IMPLICATIONS

It should be noted that Lots 361, 362 and 363 Waterway Crescent abut the MRS 'Parks and Recreation' reservation and the Swan River Trust Management Area. The 'Parks and Recreation' reserve is identified as a System 6 wetland. Environmental impact will be assessed at time of development application.

ATTACHMENT DETAILS

Attach. No.	Details
3	Submission Table
4	Revised Ascot Waters Special Development Precinct Policy

OFFICER RECOMMENDATION

That:

1. Council adopt 'Local Planning Policy No. 6 – Ascot Waters Special Development Precinct' without modification in accordance with Clause 2.5 of the City of Belmont Town Planning Scheme No. 14.

2. The persons who lodged submissions during the consultation be advised of Council's decision.

BLAIR MOVED, TEASDALE SECONDED, that due to the majority of landowners in the estate complying with the policy, the Officer Recommendation not be adopted and

That:

1. Council adopt 'Local Planning Policy No. 6 – Ascot Waters Special Development Precinct' with modification to the following in accordance with Clause 2.5 of the City of Belmont Town Planning Scheme No. 14:

Clause 8 Fencing and Retaining Walls

Delete the words "Council may permit small portions of colorbond sheeting visible from the street or public place where it is located behind the street setback and is coloured to match the existing dwelling".

2. The persons who lodged submissions during the consultation be advised of Council's decision.

CARRIED 10 VOTES TO 1

For: Whiteley, Dornford, Blair, Martin, Hitt, Teasdale, Marks, Godfrey, Powell, Bass

Against: Rossi

11.1.3 Lot 120 (1-13) Epsom Avenue and Lot 111 (4) Nisbet Street, Ascot – Density Coding for the Ascot Inn Site

Report by Planning and Development Division

DATE

19 July 2005

PURPOSE OF REPORT

To consider density coding for the Ascot Inn site as required by Part 7 of the 5 July 2005 Council Minutes.

SUMMARY AND KEY ISSUES

Summary and Key Issues

The Residential Design Codes specify a number of development control mechanisms inclusive of density and plot ratio. Whilst Plot Ratio and Density are generally good blanket controls for built form, they are still only basic control mechanisms.

Note:
Plot Ratio - The ratio of the gross total of the areas of all floors of buildings on a site to the area of land within the site boundaries. For this purpose, such areas shall include the area of any walls but not include the areas of lift shafts, stairs or stair landings common to two or more dwellings, machinery, air conditioning and equipment rooms, non-habitable space that is wholly below natural ground level, areas used exclusively for the parking of wheeled vehicles at or below natural ground level, lobbies or amenities areas common to more than one dwelling, or balconies or verandahs open on at least two sides.

The Council at its meeting of the 27 October 2003 (Item 10.6.4 PDC Minutes 20/10/2003 refers) resolved to adopt a number of guidelines determining the height, bulk and residential density on the site.

It is considered that a density of R40/R60 would be appropriate for the site, but the requirements of Council's resolution of 27 October 2003 are still considered to be relevant and the principles of design within that resolution are still valid for the site.

Officer Recommendation Summation

Reaffirm its decision of 27 October 2003 that it would be prepared to consider development on the Ascot Inn site that addresses the following issues:

1. A maximum of two storey development to be provided along the periphery of the site that interfaces with existing streets and residential properties including Epsom Avenue and Lot 15 (11) Thompson Street to ensure that the development is compatible with the existing streetscape.
2. The portion of the development fronting the river should have two storey development on the outer boundaries and then peak to a maximum height of three and four storeys, to reduce the impact of the development on the river and be consistent with the previous planning approvals and heights supported for the site.

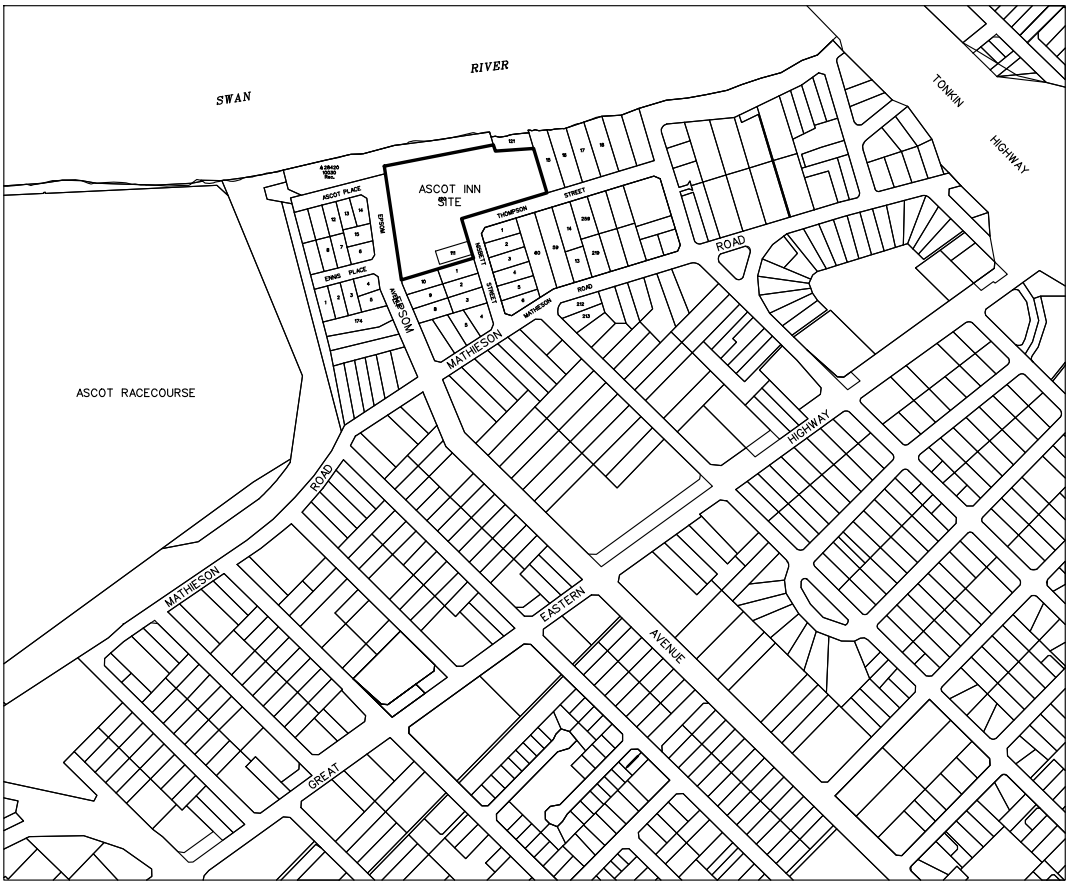
Item 11.1.3 Continued

3. Any commercial development (restaurant / kiosk / delicatessen) should be situated in a central position within the site so that it has an adequate buffer to Epsom Avenue and minimise potential noise/social conflict with the existing residential area. Any commercial component must be provided with sufficient on-site parking and loading / service areas.
4. No access to the development site is to be permitted from Nisbet Street and Thompson Street, except for the existing southern Right of Way (ROW) access, which links Epsom Avenue to Nisbet Street.
5. A 12 metre wide two-way public road shall be provided linking Thompson Street to Epsom Avenue with a minimum of 6 metres wide road pavement. The design for this road shall make allowance for a dual use path, and shall be constructed in coloured asphalt, with special entry statement treatment at either end.
6. Any proposal for the site shall have regard for the cultural and social values and representativeness of the site by examining opportunities to recycle the original 1896 hotel building.

Confirm that a density coding of R40/R60 is considered to be appropriate for the site.

LOCATION

Lot 120 (1-13) Epsom Avenue and Lot 111 (4) Nisbet Street, Ascot



Item 11.1.3 Continued

APPLICANT

Not applicable.

FILE REFERENCE

128/002 Ascot Inn Development

DISCLOSURE OF INTEREST

Name	Position	Type of Interest	Nature / Extent of Interest

VOTING REQUIREMENT

Simple Majority required.

CONSULTATION

Consultation was carried out prior to the commencement of Council's policy on Community Information and Consultation.

Extensive public consultation was carried out regarding the original 122 multiple dwellings and 16 grouped dwellings. Specialist advice was also sought.

The same catchment area was also advised of the Swan River Trust's comment period on the revised development proposal for the site.

STRATEGIC PLAN/OPERATIONAL PLAN IMPLICATIONS

BUILT BELMONT – *"Encourage the upgrading and compatible redevelopment of the City."*

BUILT BELMONT – *"Encourage a wide choice of residential development (housing choice) to suit the needs of a balanced demographic profile and to satisfy the social economic and environmental needs of the community."*

BUILT BELMONT - *"Control the increase in residential housing densities to the advantage of the broader community."*

POLICY IMPLICATIONS

Local Planning Policy No. 1 'Performance Criteria for Medium Density Residential Development' requires certain design standards to be met where density is above R20 and there is a split coding.

Item 11.1.3 Continued

STATUTORY ENVIRONMENT

The subject lot is zoned 'Mixed Use' and there is no designated R-Code for any proposed residential development. The Residential Design Codes of Western Australia provide for Mixed Use developments under Section 4.2. Clause 4.2.1 A1 (ii) of the Design Codes limits development to a maximum of R60 for Mixed Use buildings where multiple dwellings are permissible under the Scheme but no R-Code is designated for the site.

The revised development proposal considered by the Council at its meeting of 5 July 2005 equates to an R60 density and has been assessed in accordance with the R60 requirements of the Design Codes.

BACKGROUND

Owner:	Sin-Aus-Bel Pty Ltd	**Ward:**	East
Lot Area:	2.2959 ha (Lot 120 – 2.2123ha) (Lot 111 – 836m2)	**Use Class:**	Multiple Dwellings – D Group Dwellings – D Take Away (Kiosk) – D Restaurant (Café) – D Shop (Deli) – X1 (Discretionary where the use is incidental)
MRS:	Urban Parks and Recreation	**TPS Zoning:**	Mixed Use

History of Recent Development Proposal for the Ascot Inn Site

The Council at its 5 July 2005 meeting considered the matter of 122 Multiple and 16 Grouped Dwelling Development with Restaurant and Delicatessen for the site (Item 11.1.7) and resolved as follows:

> *"That the Western Australian Planning Commission, Swan River Trust and the Honourable Minister for the Environment be advised that the City recommends the refusal of the revised application for the following reasons:-*
>
> 1. *The revised proposal is considered to be a substantial modification to the original proposal considered by the Council and therefore, the Council is of the opinion that it is justified in requesting a fresh development application to enable formal assessment and consultation.*
>
> 2. *The commercial aspects of the proposed development rely on a parking area in the foreshore / public open space reserve. This parking requirement should be provided on-site in accordance with Clause 10.9 'Vehicle Parking and Loading' of the City's Town Planning Scheme No. 14 and therefore may affect the layout of buildings.*
>
> 3. *Lack of consideration has been given to the social and heritage values of the Ascot Inn in the revised proposal.*

Item 11.1.3 Continued

4. *There has been no revised Traffic Impact Assessment provided for the development proposal which will allow the Council to assess likely traffic impacts on the street network in the locality.*

5. *There has been insufficient detailed information provided within the Acidic Sulphate Soils (ASS) Investigation. Due to the presence of ASS on site the City requires full compliance with the Department of Environments protocol for ASS testing/investigating and reporting*

6. *Council write to the proponent requesting that a Council representative (or its nominee) be present when additional ASS sampling is undertaken on-site and that duplicate samples are taken as a quality control measure.*

7. *The Town Planning Department prepare a report on what it considers to be the appropriate density coding for the Ascot Inn site and report outcomes to Council."*

(Item 11.1.7 5 July 2005 Council Minutes refers).

Integrated Development Plan Layout

On 22 September 2003 (Refer Item 10.6.3 – PDC Minutes 15.9.2003) Council resolved to engage the services of an external consultant to compile a Structure Plan for the site. A report by Koltasz Smith Development Consultants on the Ascot Inn site was subsequently commissioned to address the site issues. The matters considered were as follows:

- Opportunities and constraints for the site having regard to the special characteristics and needs of the surrounding "Residential and Stables" zone;
- Detailed site analysis plans;
- Appropriate landuses;
- Opportunities of the development site including views, public gathering places, and the foreshore;
- Provide a broad development layout, mix, character and density of land use(s);
- Provide guidance for appropriate scale and height of development;
- Minimise traffic conflict and recognise the special needs of the horse industry; and
- Ensure appropriate interfaces with existing residential properties and social harmony within the area.

The consultant's report was carried out independently of the staff assessment and recommendation to Council in October 2003, and, due to the request for deferral by the applicant, was not discussed by Council in regard to the application. The Koltasz Smith Report produced an Integrated Development Plan for the site. An extract from that Report is included below:

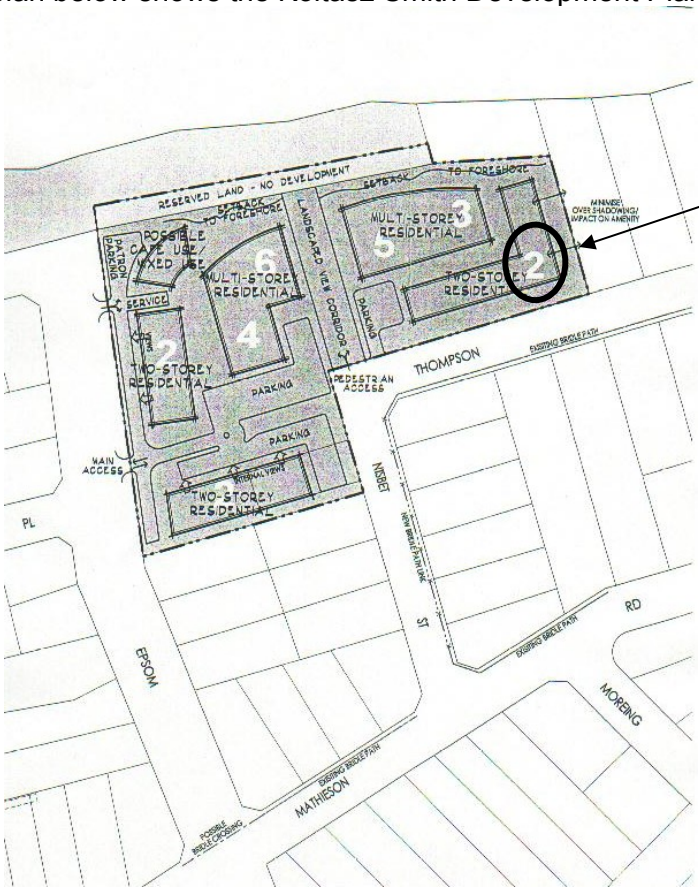
Item 11.1.3 Continued

"*The Integrated Development Plan (Figure 7) seeks to reflect the best outcome for the land, having regard to the many points raised in 4.2 above. In addition the plan seeks to recognise:*

- *The logical development of the site given its location and zoning;*
- *The importance of the surrounding residential stables area and the desire to ensure this is in no way compromised or eroded as a result of redevelopment.*

In order to coordinate development on the land, the plan shows visually the various issues raised. It should be recognised that the plan does not seek to impose an R-Code density on the site, but rather deal in terms of scale, height and access as these are considered to present the greater impact."

The plan below shows the Koltasz Smith Development Plan developed for the site.



Indicates number of storeys

The Council at its meeting of the 27 October 2003 (Item 10.6.4 PDC Minutes 20/10/2003 refers) resolved as follows:

Particular note should be made of Part 3(i) to (v) of Council's resolution which indirectly determines the height, bulk and residential density of the site.

Item 11.1.3 Continued

"THAT:

1. COUNCIL DEFER CONSIDERATION OF THE APPLICATION FOR 128 MULTIPLE DWELLINGS, 12 GROUPED DWELLINGS AND A RESTAURANT/CAFÉ', DELICATESSEN AND KIOSK IN ACCORDANCE WITH THE APPLICANTS REQUEST.

2. THE APPLICANT BE ADVISED THAT THERE IS A HIGH LEVEL OF CONCERN REGARDING THE CURRENT PROPOSAL DUE TO THE FOLLOWING ISSUES;

(I) THE HEIGHT OF THE PROPOSED DEVELOPMENT IS NOT APPROPRIATE AND DOES NOT PROVIDE FOR AN ACCEPTABLE INTERFACE WITH THE SURROUNDING LOW SCALE AND LOW DENSITY RESIDENTIAL AND STABLES AREA.

(II) THE PROPOSED RESTAURANT HAS POTENTIAL TO DETRIMENTALLY IMPACT ON THE NEARBY RESIDENTIAL AREA THROUGH STREET PARKING AND SOCIAL NOISE DUE TO ITS CLOSE PROXIMITY TO EPSOM AVENUE.

(III) THE DEVELOPMENT WILL HAVE AN ADVERSE TRAFFIC IMPACT ON THE SURROUNDING RESIDENTIAL AND STABLES AREA DUE TO THE INCLUSION OF MAIN ACCESS POINTS FROM THOMPSON AND NISBET STREET.

3. THE APPLICANT ALSO BE ADVISED THAT COUNCIL WOULD BE PREPARED TO CONSIDER A MODIFIED DEVELOPMENT PLAN (REFER ATTACHMENT 7) THAT ADDRESSES THE FOLLOWING ISSUES:

(i) *A MAXIMUM OF TWO STOREY DEVELOPMENT TO BE PROVIDED ALONG THE PERIPHERY OF THE SITE THAT INTERFACES WITH EXISTING STREETS AND RESIDENTIAL PROPERTIES INCLUDING EPSOM AVENUE AND LOT 15 (11) THOMPSON STREET TO ENSURE THAT THE DEVELOPMENT IS COMPATIBLE WITH THE EXISTING STREETSCAPE.*

(ii) *THE PORTION OF THE DEVELOPMENT FRONTING THE RIVER SHOULD HAVE TWO STOREY DEVELOPMENT ON THE OUTER BOUNDARIES AND THEN PEAK TO A MAXIMUM HEIGHT OF THREE AND FOUR STOREYS, TO REDUCE THE IMPACT OF THE DEVELOPMENT ON THE RIVER AND BE CONSISTENT WITH THE PREVIOUS PLANNING APPROVALS AND HEIGHTS SUPPORTED FOR THE SITE.*

Item 11.1.3 Continued

(iii) *THE RESTAURANT / KIOSK / DELICATESSEN TO BE RELOCATED TO A CENTRAL POSITION WITHIN THE SITE, SO THAT IT HAS AN ADEQUATE BUFFER TO EPSOM AVENUE AND MINIMISE POTENTIAL NOISE/SOCIAL CONFLICT WITH THE EXISTING RESIDENTIAL AREA. THE COMMERCIAL COMPONENT TO BE PROVIDED WITH SUFFICIENT ON-SITE PARKING AND LOADING / SERVICE AREAS.*

(iv) *ALL ACCESS TO THE DEVELOPMENT SITE FROM NISBET STREET AND THOMPSON STREET SHOULD BE DELETED, EXCEPT FOR THE SOUTHERN ROW ACCESS, WHICH LINKS EPSOM AVENUE TO NISBET STREET.*

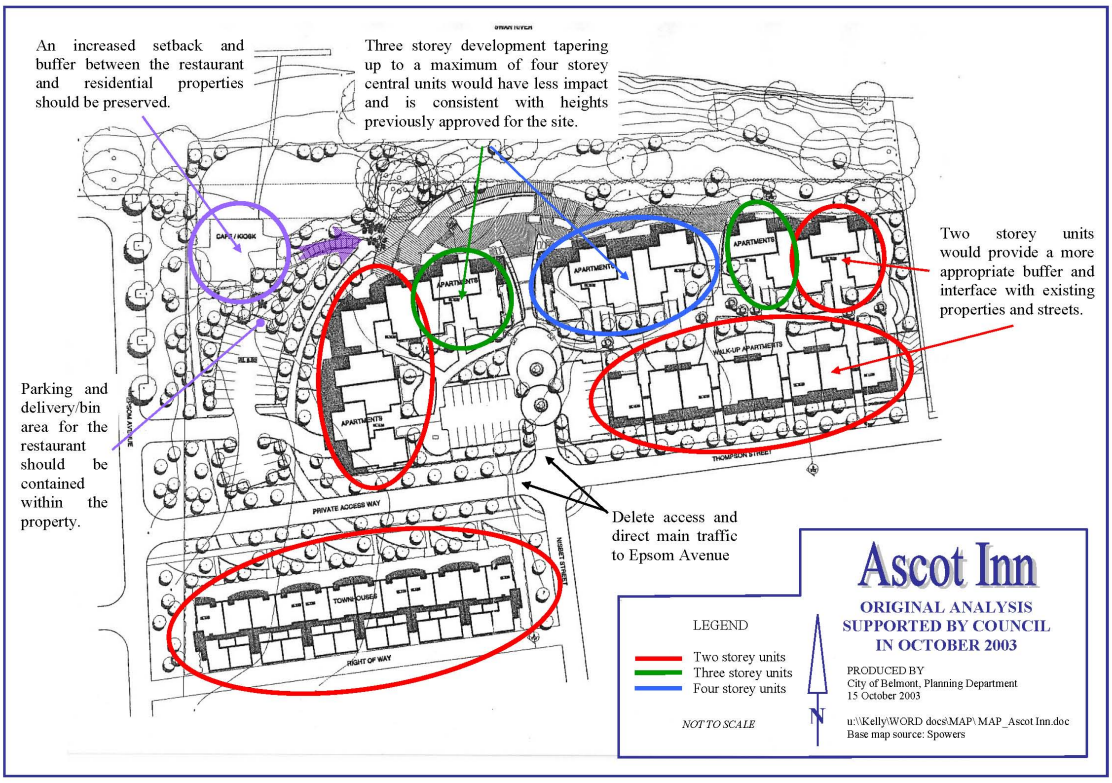
(v) *THE ROW ACCESS TO BE UPGRADED TO A 12 METRES WIDE TWO-WAY PUBLIC ROAD WITH A MINIMUM OF 6 METRES WIDE ROAD PAVEMENT. THE DESIGN FOR THIS ROAD SHALL MAKE ALLOWANCE FOR A DUAL USE PATH, AND SHALL BE CONSTRUCTED IN COLOURED ASPHALT, WITH SPECIAL ENTRY STATEMENT TREATMENT AT EITHER END.*

4. *THE WESTERN AUSTRALIAN PLANNING COMMISSION, SWAN RIVER TRUST, HERITAGE COUNCIL AND ALL PEOPLE WHO LODGED SUBMISSIONS BE ADVISED OF THE COUNCIL DECISION.*

5. *THE APPLICANT AND OWNER BE REQUESTED TO CONSIDER IN ANY MODIFIED DEVELOPMENT PROPOSAL, THE CULTURAL AND SOCIAL VALUES AND REPRESENTATIVENESS OF THE SITE BY EXAMINING OPPORTUNITIES TO RECYCLE THE ORIGINAL 1896 HOTEL BUILDING."*

Item 11.1.3 Continued

As referred to in point 3 above, a copy of the plan from Attachment 7 is shown below.



OFFICER COMMENT

Residential Design Codes of Western Australia

The background of Element 1 'Housing Density' of the Residential Design Codes of Western Australia provides an overview of density control as follows:

> "*Density Control*
>
> *The R-Code number provides a guide to the permissible maximum density of development. For example, R20 generally indicates a density of 20 dwelling units per hectare. It should be noted, however, that these are nett development site densities, and should not be used, for example, to calculate the number of lots or dwellings that a large, unsubdivided parcel of land might yield. The RCoding is not a reliable guide to neighbourhood or district density, in particular. It also cannot be assumed that all types of dwelling may be built according to the standards of each Code, for instance Single Houses in R100 areas are subject to R60 standards.*
>
> *A guide to the minimum site area required per dwelling unit is obtained by inversion of the R-Code density. For example R20 - 20 dwellings per hectare - indicates a site area of 500sqm per dwelling. This is a guide only, for reasons that are set out below.*

Item 11.1.3 Continued

> *A secondary control of density or intensity of development occurs in higher density codes in the form of a plot ratio, or floor area, control. Plot ratio is an indirect form of density control, although it is a relatively effective means of controlling building bulk, which is its main purpose in the Codes. As a primary means of controlling the density of Multiple Dwelling developments, it has a tendency to distort housing provision, in that in some cases it encourages development of a larger number of smaller dwellings, in the interests of optimising yield at the expense of dwelling size."*

Whilst "Plot Ratio" and "Density" are generally good blanket control for built form, they are still only basic control mechanisms. At higher densities other issues such as setbacks, height, design, open space and other intangibles less easily quantified and often site specific (such as whether view corridors are afforded, public access, heritage buildings, environmental considerations etc) are often of vital importance. At that time it becomes questionable as to the benefits of 'blanket' provisions.

It should be appreciated that under the Residential Design Codes of WA, for each R Code there are other general site requirements which affect the final built form. Building height is not prescribed, but the measures are as follows:

- Minimum site area per dwelling (m2)
- Minimum Lot Area / Rear Battleaxe
- Maximum Plot Ratio
- Minimum Frontage
- Open Space (minimum total, minimum communal and minimum outdoor living)
- Minimum setbacks (Primary street, secondary street, other/rear)

In terms of the Ascot Inn site, other than R60, the range of possible densities that could be reasonably considered for comparative purposes are R30, R40 and R50. However, as outlined, designating a blanket density has limited application.

Development Options According to Density
There are three different types of residential developments.

- **Single Houses**
  If the land were to be subdivided into individual 'green title' or survey strata lots, then each lot could be developed with a single house. This approach was taken by the developer of Belgravia Estate on Belgravia Street (former Western Power site).

- **Grouped Dwellings**
  The land could be developed with Grouped Dwellings which is simply a group of dwellings on the original lot title. Grouped Dwellings can be joined or individual units with shared access ways. For Grouped Dwellings, no portion of each unit is contained above another unit.

  This approach was taken by Pindan for the Morton Bay development on Hardey Road, and the Alexander Place development.

- **Multiple Dwellings**
  The final option is development of the site with Multiple Dwellings. Multiple dwellings occur where any portion of a unit is vertically above any portion of another unit.

Item 11.1.3 Continued

The old Sandringham site has been developed with Stage 1 as "Multiple Dwellings". The current development application for the Ascot Inn site includes units located vertically above each other adjacent to the river foreshore. These are also classified as Multiple dwellings.

Development Potential

The development potential of the site varies according to the type of development proposed. As outlined in this report, there are different types of residential unit developments including:

- Single Houses;
- Grouped Dwellings; and
- Multiple Dwellings.

The table below illustrates potential lot yield based on the type of development:

Density	Dwelling type	Average required by the Design Codes		Plot ratio	Estimated potential development yield
R30	Grouped Dwelling or single house	300m2	2.29 hectares	N/A	76 units
R40	Grouped dwelling	220m2	2.29 hectares	N/A	104 units
R40	Grouped Dwellings	220m2	2.29 hectares	N/A	104 units
R40	Multiple Dwellings	250m2	2.29 hectares	0.60	91 units
R50	Grouped Dwellings	180m2	2.29 hectares	N/A	127 units
R50	Multiple Dwellings	200m2	2.29 hectares	0.60	114 units

Note: The minimum site area is the area for the exclusive use of each unit. The average site area is calculated over the whole site and includes communal open space/ access ways etc.

Factors Impacting on Development Potential

The table provides a broad indication of maximum development potential under densities. The maximum potential may be reduced as it is also dependent on specific design factors including:

- Ability to meet minimum site areas required by the Design Codes. This can only be assessed if a detailed design is provided.
- Portion of the site needed to provide parking and internal access ways.
- Portion of the site needed to provide landscaping and communal open space areas.
- Setbacks required by the Design Codes and setbacks from the foreshore as recommended by the Swan River Trust.
- Setbacks for privacy and overlooking as required by the Residential Design Codes.
- Location of access points into the site.
- View corridors and levels.
- Land required for Parks and Recreation and/or road widening under the Metropolitan Region Scheme or the local Town Planning Scheme.

Item 11.1.3 Continued

Outcome and Impact of Different Densities

The development design and outcome will be very different, depending on which type of dwelling unit is proposed and in what configuration they are deployed.

Due to the range of options available for the types and floor area of the various dwelling types, compilation of a comprehensive range of options showing the physical outcome for development potential for this site is not possible without detailed design input. Notwithstanding that, there have been a number of approvals for large scale residential developments in the City which provide an insight into development options for the Ascot Inn site. These are outlined in the following table.

Address	Lot Area	Dwelling type	Height	Density
'Morton Bay' 112 Hardey Road / 115 Frederick Street	2.2384ha	65 Grouped Dwellings	The dwellings are a mix of single storey, single storey with lofts and two storey dwellings.	R30 (Coded R50)
'Alexander Place' 275 Alexander Road	1.6187 ha	54 Grouped Dwellings	The dwellings are a mix of single storey, single storey with lofts and two storey dwellings.	R50[2]
'Ascot Cove' 152 Great Eastern Highway	8,603m2	Four storey mixed use building including 14 residential units. 24 Grouped Dwellings to the rear. There is a total of 38 units.	The rear units are two storey.	R45
'Hill 60' 11, 12, 15, 16 & 18 Tanunda Drive	Original area (pre roads) 2.8398ha	282 multiple units	Maximum height ten storeys	R100 (over the complete developme nt site)
'Belgravia Estate' 29 Belgravia Street	9.8500ha	151 single dwelling lots (ranging from 350m2 to 799m2) 3 Grouped Dwelling lots 1 Mixed Use slot	Maximum two storeys	Range R25-R40

[2] Under the Residential Design Codes, there are minimum and average lot size requirements for different densities. The development for 275 Alexander Road proposed a minimum site area ranging from 169.59m2 to 268.97m2, which equates to that normally required for an R50 density. The minimum site area is the area for the exclusive use of each unit (ie house, carport, courtyard, storeroom).

The average site area proposed for the development was 299.75m2 which is comparable to an R30 density. The average site area is calculated over the whole site, and includes all internal communal space and access way areas. The application was assessed in accordance with the R50 requirements due to the minimum site areas proposed.

Item 11.1.3 Continued

Copies of plans and elevations (as appropriate) for the developments identified in the table above will be included in a powerpoint presentation to the Agenda Briefing Session.

As can be seen from the range of approaches to development utilised elsewhere within the City of Belmont, the number of design options for the Ascot Inn site are numerous and depend to a certain extent on the skill of the architect/designer and the market place for a particular type of dwelling at any given time. Some architects can use clever design techniques to reduce the visual impacts of buildings.

By way of a general comment, an R30 density code often results in single storey development that can tend to appear cluttered. Development at R40 with Council's Local Planning Policy No.1 results in two storey development with open space areas around buildings that provide generous courtyard areas and landscaping.

It is considered that a density of R40/R60 would be appropriate for the site, but the requirement of Council's resolution of 27 October 2003 are still considered to be relevant and the principles of design within that resolution are still valid for the site.

In brief, a development plan for the site should address the following issues:

- A maximum of two storey development to be provided along the periphery of the site that interfaces with existing streets and residential properties including Epsom Avenue and Lot 15 (11) Thompson Street to ensure that the development is compatible with the existing streetscape.
- The portion of the development fronting the river should have two storey development on the outer boundaries and then peak to a maximum height of three and four storeys, to reduce the impact of the development on the river and be consistent with the previous planning approvals and heights supported for the site.
- Any commercial development (restaurant / kiosk / delicatessen) should be situated in a central position within the site so that it has an adequate buffer to Epsom Avenue and minimise potential noise/social conflict with the existing residential area. Any commercial component must be provided with sufficient on-site parking and loading / service areas.
- No access to the development site is to be permitted from Nisbet Street and Thompson Street, except for the existing southern Right of Way (ROW) access, which links Epsom Avenue to Nisbet Street.
- A 12 metre wide two-way public road shall be provided linking Thompson Street to Epsom Avenue with a minimum of 6 metres wide road pavement. The design for this road shall make allowance for a dual use path, and shall be constructed in coloured asphalt, with special entry statement treatment at either end.
- Any proposal for the site shall have regard for the cultural and social values and representativeness of the site by examining opportunities to recycle the original 1896 hotel building.

Item 11.1.3 Continued

FINANCIAL IMPLICATIONS

There are no financial implications to Council relating to this item.

ENVIRONMENTAL IMPLICATIONS

Stormwater
Stormwater disposal would be examined as part of the building licence assessment process. Any stormwater management strategy and/or plans will require a separate approval from the City's Engineering Department. The Swan River Trust consultant engineer is satisfied that the development proposal can comply with the requirements of the Trust's policy for Stormwater Disposal by imposing a condition requiring the preparation and implementation of a Stormwater Drainage Management Plan for the site.

Sewerage
A condition of any approval would require the development to be connected to reticulated sewerage, and the developer will need to organise this with the Water Corporation of Western Australia.

Proposed Pools
The proposed swimming pools are semi public pools and therefore they would require separate approval from the City's Health Department.

Acid Sulphate Soils (ASS) and Site Dewatering
Due to the presence of ASS the SRT has requested further investigation and reporting on this matter. Due to the proposed excavation and dewatering it is crucial that this matter is addressed and resolved to the satisfaction of the Department of Environment and Swan River Trust prior to any approvals being issued for the site.

ATTACHMENT DETAILS

Nil.

OFFICER RECOMMENDATION

That Council:

1. Reaffirm its decision of 27 October 2003 that it would be prepared to consider development on the Ascot Inn site that addresses the following issues:

   (a) A maximum of two storey development to be provided along the periphery of the site that interfaces with existing streets and residential properties including Epsom Avenue and Lot 15 (11) Thompson Street to ensure that the development is compatible with the existing streetscape.

   (b) The portion of the development fronting the river should have two storey development on the outer boundaries and then peak to a maximum height of three and four storeys, to reduce the impact of the development on the river and be consistent with the previous planning approvals and heights supported for the site.

Item 11.1.3 Continued

(c) Any commercial development (restaurant / kiosk / delicatessen) should be situated in a central position within the site so that it has an adequate buffer to Epsom Avenue and minimise potential noise/social conflict with the existing residential area. Any commercial component must be provided with sufficient on-site parking and loading / service areas.

(d) No access to the development site is to be permitted from Nisbet Street and Thompson Street, except for the existing southern Right of Way (ROW) access, which links Epsom Avenue to Nisbet Street.

(e) A 12 metre wide two-way public road shall be provided linking Thompson Street to Epsom Avenue with a minimum of 6 metres wide road pavement. The design for this road shall make allowance for a dual use path, and shall be constructed in coloured asphalt, with special entry statement treatment at either end.

(f) Any proposal for the site shall have regard for the cultural and social values and representativeness of the site by examining opportunities to recycle the original 1896 hotel building.

2. Confirm that a density coding of R40/R60 is considered to be appropriate for the site.

MARKS MOVED, POWELL SECONDED that Council suspend Standing Orders, Clause 9.5.

CARRIED 11 VOTES TO 0

The Manager Planning Services clarified that the report had been prepared in response to Council's resolution of 5 July 2005 that "*The Town Planning Department prepare a report on what it considers to be the appropriate density coding for the Ascot Inn site and report outcomes to Council.*" The report had been prepared on the basis of knowledge of past approvals and elements of current proposals on the site and continued to take a consistent approach to development as per previous Departmental assessment and Council's previous resolutions. The recommendation was not to be taken as relating to a specific development proposal and dealt only with the matter of design and recommended density for the site.

MARKS MOVED, POWELL SECONDED, that due to concerns regarding the density, size and bulk of the development, traffic management, and the proposed destruction of the 1896 Ascot Inn, the Officer Recommendation not be adopted, and –

That Council:

1. Reaffirm its decision of 27 October 2003 that it would be prepared to consider development on the Ascot Inn site that addresses the following issues:

(a) ***A maximum of two storey development to be provided along the periphery of the site that interfaces with existing streets and residential properties including Epsom Avenue and Lot 15 (11) Thompson Street to ensure that the development is compatible with the existing streetscape.***

Item 11.1.3 Continued

(b) ***The portion of the development fronting the river should have two storey development on the outer boundaries and then peak to a maximum height of three and four storeys, to reduce the impact of the development on the river and be consistent with the previous planning approvals and heights supported for the site.***

(c) ***Any commercial development (restaurant / kiosk / delicatessen) should be situated in a central position within the site so that it has an adequate buffer to Epsom Avenue and minimise potential noise/social conflict with the existing residential area. Any commercial component must be provided with sufficient on-site parking and loading / service areas.***

(d) ***No access to the development site is to be permitted from Nisbet Street and Thompson Street, except for the existing southern Right of Way (ROW) access, which links Epsom Avenue to Nisbet Street.***

(e) ***A 12 metre wide two-way public road shall be provided linking Thompson Street to Epsom Avenue with a minimum of 6 metres wide road pavement. The design for this road shall make allowance for a dual use path, and shall be constructed in coloured asphalt, with special entry statement treatment at either end.***

(f) ***Any proposal for the site shall have regard for the cultural and social values and representativeness of the site by examining opportunities to recycle the original 1896 hotel building.***

2. (a) Confirm that a flexible residential density coding R20/40 is considered appropriate for the site.

(b) Confirm that where any residential development of the site exceeds the R20 base coding the Performance Criteria for the higher density development to a maximum of R40 is to include the original 1896 hotel building.

POWELL MOVED, BLAIR SECONDED that Standing Orders be resumed.

CARRIED 11 VOTES TO 0

The substantive motion was put and

CARRIED 9 VOTES TO 2

For: Godfrey, Marks, Rossi, Martin, Hitt, Powell, Whiteley, Blair, Dornford

Against: Bass, Teasdale

11.1.4 Belgravia Residential Estate – Proposed Subdivision Advertising Monolith Sign

Report by Planning and Development Division

DATE

20 June 2005

PURPOSE OF REPORT

To consider an application for a temporary advertising sign for the Belgravia Residential Estate subdivision proposed to be erected on the corner of Belgravia and Barker Street.

The proposed sign will be removed by Avon Estates approximately two years from the date of any approval.

SUMMARY AND KEY ISSUES

Summary and Key Issues

A development application has been received for the erection of a "subdivision advertising monolith sign" on the corner of Belgravia and Barker Streets. The proposed sign does not comply with the requirements for monolith signs under Local Planning Policy No. 12. The proposed sign exceeds the maximum size requirements by approximately 6m^2. Council can vary the requirements of the signage policy where it is considered that the sign is of a high standard and will not result in an undesirable precedent.

The proposed sign is approximately 10m^2 in surface area. From a planning view point the proposed variation can be supported.

Officer Recommendation Summation

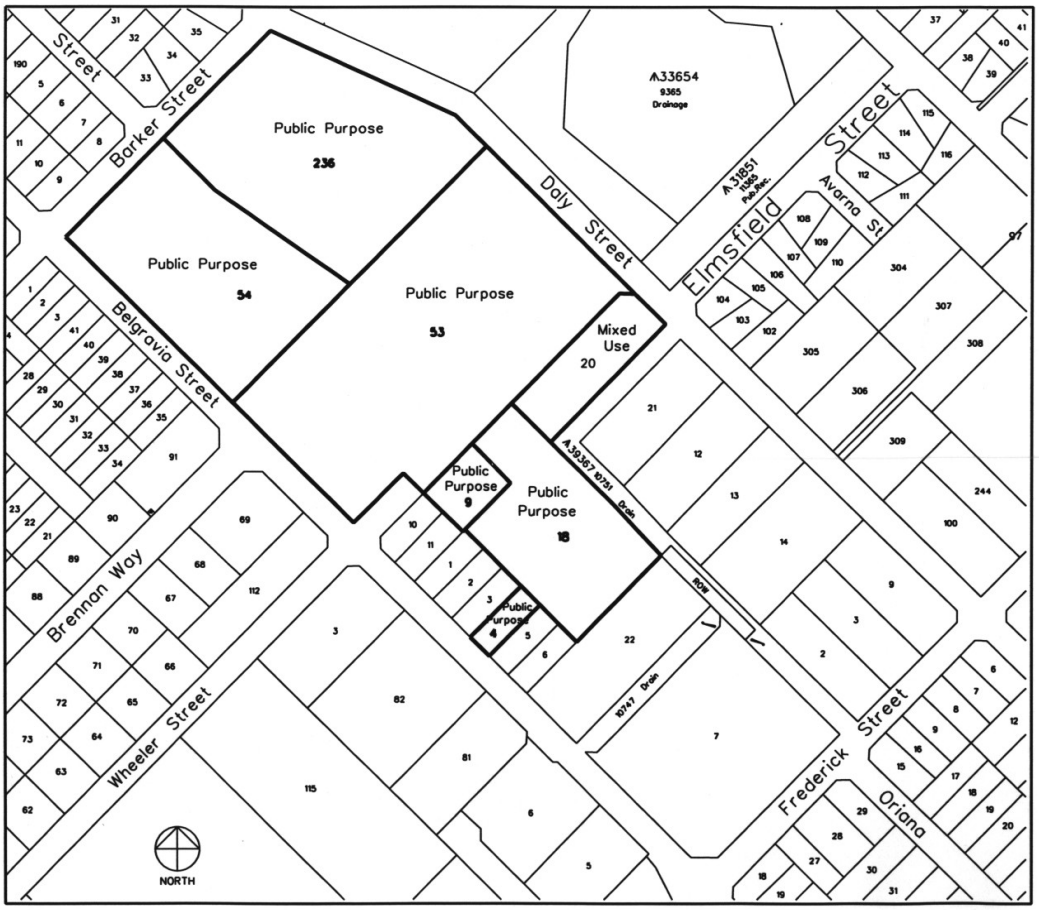
That the application for a temporary subdivision advertising monolith sign for the Belgravia Residential Estate subdivision at the corner of Barker and Belgravia Streets be approved subject to relevant conditions including a time restriction of two (2) years on the interchangeable signage panel.

LOCATION

The site (Belgravia Residential Estate Policy Area) lies approximately 300m to the south east of Great Eastern Highway on Belgravia Street, Belmont and is generally bounded by Belgravia Street, Barker Street, Daly Street and a number of "Mixed Use" zone lots fronting Daly Street and Belgravia Streets. The site is comprised of existing lots 4, 9, 18, 20, 53, 54 and 236, which together total approximately 9.85ha in area.

Item 11.1.4 Continued

The proposed sign is to be located at the corner of Belgravia and Barker Streets in the future road widening/corner truncation area.



APPLICANT

Urban Endeavour (formally Acalinovich & Company)

FILE REFERENCE

202/2005/DA	Development application folder
25/2004/SUB	WAPC Reference: 124738
116/069	Local Planning Policy No. 22
Property	29-65 Belgravia Street

DISCLOSURE OF INTEREST

Name	Position	Type of Interest	Nature / Extent of Interest

Item 11.1.4 Continued

VOTING REQUIREMENT

Simple Majority Required.

CONSULTATION

No consultation was undertaken as part of the assessment of this application.

Consultation is a statutory process required under Town Planning Scheme No. 14. No consultation is proposed in this instance as the proposed sign will not have an adverse impact on the surrounding community.

STRATEGIC PLAN/OPERATIONAL PLAN IMPLICATIONS

BUILT BELMONT – *"Encourage the upgrading and compatible redevelopment of the City."*

POLICY IMPLICATIONS

The proposed sign exceeds the requirements of the City of Belmont Local Planning Policy No. 12. Clause 3.8.1 of the Policy states that Monolith Signs shall:

(a) not be more than 6.0 metres above ground level;
(b) not be greater than 4.0m^2 in area;
(c) be limited to a maximum of one sign per lot;
(d) be restricted to a maximum of one per property;
(e) not be permitted in the case where a pylon sign has been approved or erected on a property, except under specific circumstances as provided under Clause 3.8.2.

STATUTORY ENVIRONMENT

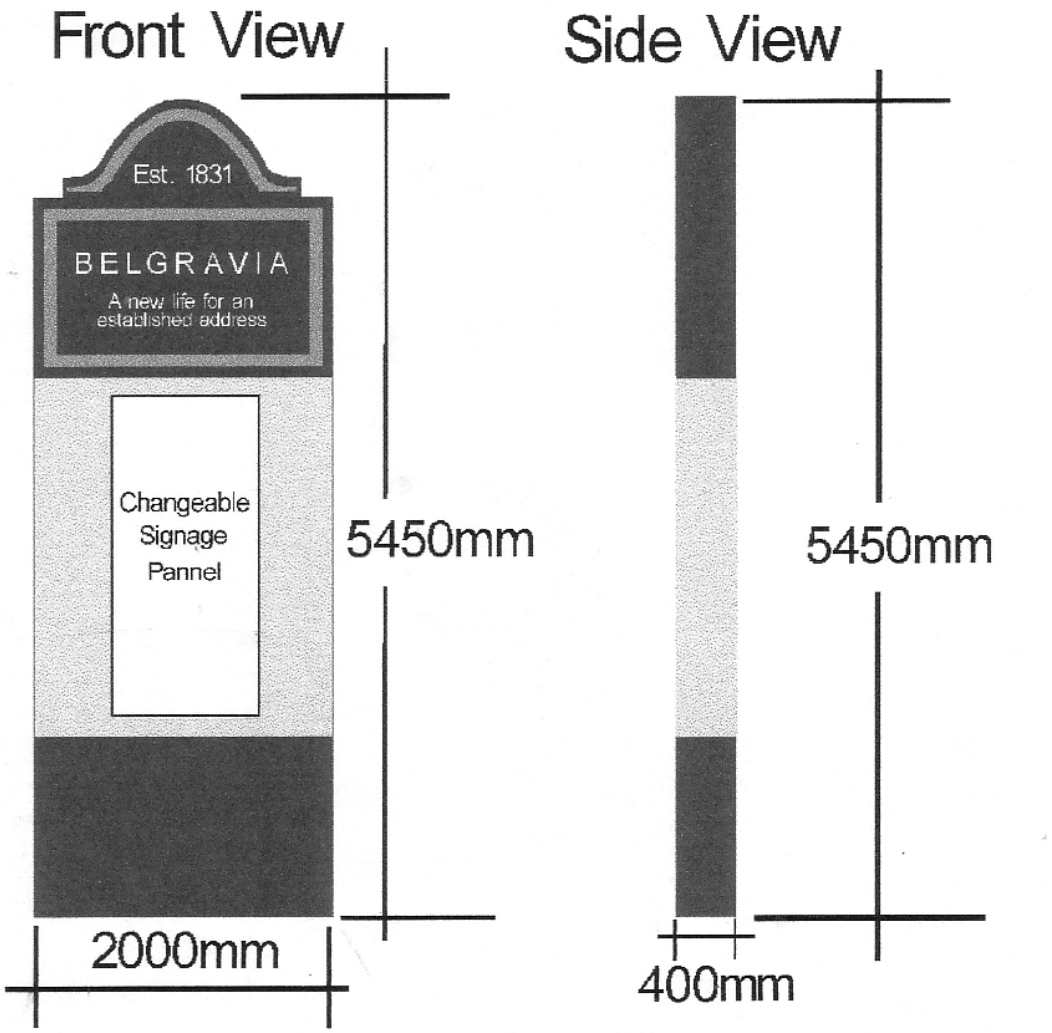
Part 8 of the City's Town Planning Scheme No. 14 sets out the provisions in relation to the Control of Advertisements. These provisions are reinforced by Local Planning Policy No. 12.

BACKGROUND

Owner:	Avon Capital Estates (Australia) Limited	**Ward:**	Central
Lodgement Date:	12 May 2005	**Use Class:**	N/A
Lot Area:	N/A	**TPS Zoning:**	Special Development Precinct
Estimated Value:	$15,000	**MRS:**	Urban

Item 11.1.4 Continued

The Proposal
The proposed sign is to be constructed in metal and is approximately 5.450 metres in height and 2 metres wide. The side profile of the proposed sign is 400 millimetres. The proposed colour scheme of the sign will follow the marketing theme of the proposed residential estate. The sign will eventually be complemented by the proposed feature estate wall and landscaping.



Elevations of proposed sign

Applicants Comments

- The location of the proposed sign is within private property. The subject area will ultimately be vested as road widening as a condition of the subdivision approval of the land.

- The subject 18m^2 road widening/truncation area will be vested during the last stage of the subdivision when the sign will be no longer required. The proposed sign is the only advertising sign for the residential estate and it will be removed by Avon Estates in approximately two years.

Item 11.1.4 Continued

- The location of the sign is proposed to be positioned so that the rear of the sign is approximately 750 mm outside the future boundary of the group housing site at the corner of Belgravia and Barker Streets which will allow for the construction of the estate masonry wall.

  The applicant's justification for the variation to normal policy requirements is as follows:

  - The proposed sign is temporary only;
  - The overall subdivision is a significant proposal in the City of Belmont which will result in the creation of approximately 154 residential lots.
  - The proposed sign is the only large advertising sign for the proposed residential estate.
  - The total area of the sign is approximately 10m^2, however the advertising component of the sign (interchangeable panel) is only approximately 2m^2 in area.
  - The balance of the sign, in term of its size, colour scheme and layout is intended to demonstrate that the estate will be a high quality development

OFFICER COMMENT

The proposed sign is a monolith sign which is defined as a freestanding advertisement sign which:

- is affixed to a structure having one or more supports; and
- portions of the sign face is within, or partially within, 1.2 metres above natural ground level.

The proposed sign generally meets the objectives of Part 8 of the Town Planning Scheme in relation to advertisements. However it does not comply with the specific requirements of the City's monolith signage provisions. The actual interchangeable advertising panel within the proposed monolith sign is approximately 2m^2 in surface area. It is intended that this panel will be modified with the staging of the release of residential lots. As this advertising panel can be modified it is considered appropriate to condition any approval to restrict the advertising to that of the residential estate only.

The City's Planning Department supports the proposed variation as it is the only advertising sign being proposed for the whole residential estate and the sign is considered to be of a high standard in keeping with the proposed residential subdivision. The sign will reinforce the high standard of development associated with the Belgravia Residential Estate.

FINANCIAL IMPLICATIONS

There are no extraordinary financial implications to Council relating to this item.

ENVIRONMENTAL IMPLICATIONS

There are no major environmental implications associated with this development proposal.

Item 11.1.4 Continued

ATTACHMENT DETAILS

Nil.

OFFICER RECOMMENDATION

That the application for a temporary subdivision advertising monolith sign for the Belgravia Residential Estate subdivision at the corner of Barker and Belgravia Streets be approved subject to relevant conditions.

1. ***The sign shall be removed when 90% of the newly created lots have been sold or no later than two (2) years from the date of planning approval.***

2. ***The stamped and dated plan/plans, as amended by the City and together with any requirements detailed thereon by the City, shall form part of the planning approval issued in respect to the application referred to in this approval.***

3. ***The interchangeable signage panel to be restricted to advertising of the associated subdivision of land.***

OFFICER RECOMMENDATION ADOPTED EN BLOC – REFER TO RESOLUTION APPEARING AT ITEM 11.1

*****8.12pm Having earlier declared a financial interest, Cr Teasdale departed the meeting.**

11.1.5 Lot 200 (52-58) Redcliffe Road; Lot 1 (515) Great Eastern Highway; Lot 100 (517) Great Eastern Highway; Lot 82 (519) Great Eastern Highway; Lot 83 (521) Great Eastern Highway; Lots 84-86 (523-527) Great Eastern Highway; Lot 7 (531-533) Great Eastern Highway, Redcliffe - Proposed Office/Warehouse Distribution Centre

Report by Planning and Development Division

DATE

21 July 2005

PURPOSE OF REPORT

To consider a revised application for the warehouse distribution centre for the Coventry Group Ltd (CGL) with an estimated construction cost of $10 million which was considered by the Council on the 14 June 2005.

SUMMARY AND KEY ISSUES

Summary and Key Issues

Council considered a similar proposal on the 14 June 2005 and issued an approval to commence development for a warehouse and associated offices. The revised development application proposes a modified staging plan and car parking/access configuration.

The revised plans still exhibit two stages, however, it is intended that the Stage 1 development incorporate the retention of an existing five year old warehouse/office 'works infrastructure' building on-site. The building will be demolished on commencement of Stage 2 of the development. The revised proposal in both stages independently complies with the City's Town Planning Scheme No. 14 Industrial provisions.

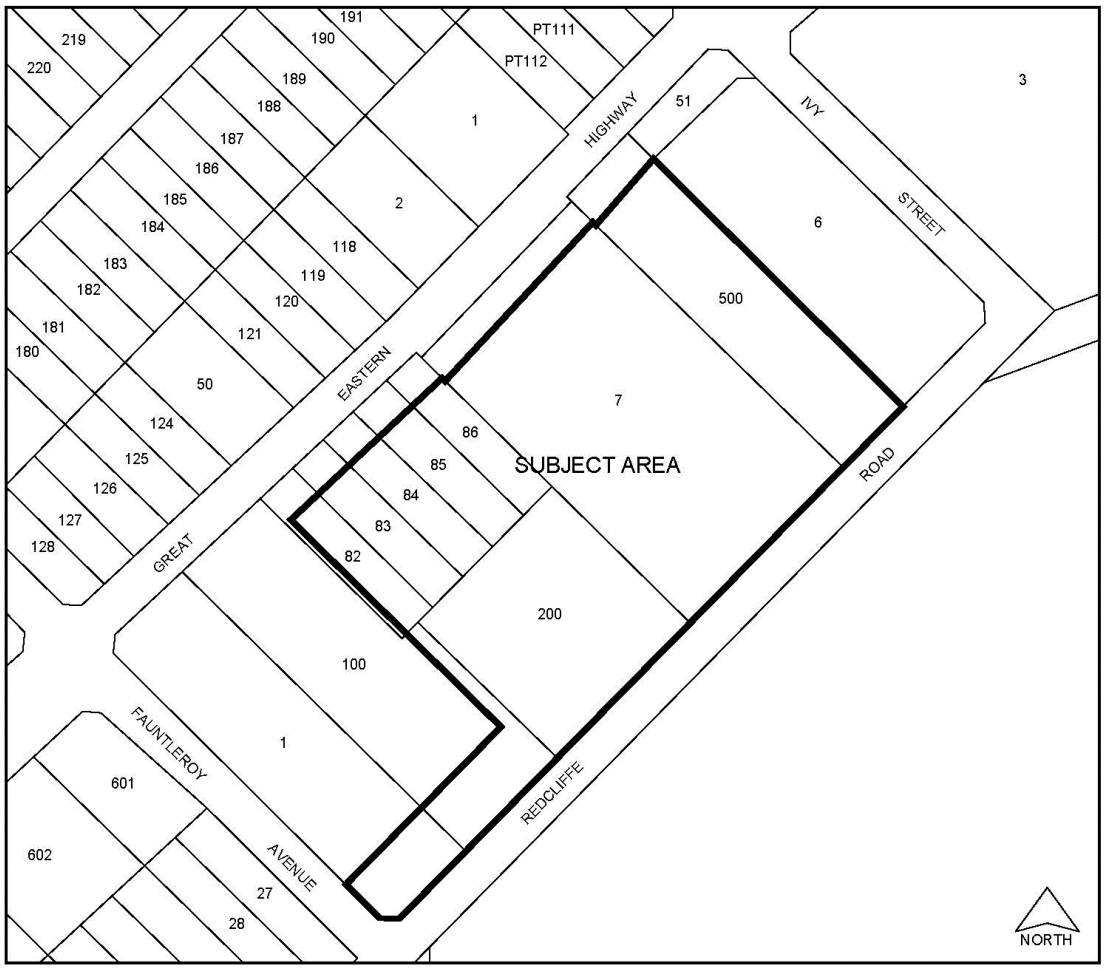
A State registered heritage building is located on a portion of one of the existing lots. The Heritage Council of Western Australia raises no objections to the revised parking layout in front of the heritage building subject to an appropriately designed landscaped interface.

Officer Recommendation Summation

That the revised application for a warehouse distribution centre and associated offices at Lot 200 (52-58) Redcliffe Road; Lot 1 (515) Great Eastern Highway; Lot 100 (517) Great Eastern Highway; Lot 82 (519) Great Eastern Highway; Lot 83 (521) Great Eastern Highway; Lots 84-86 (523-527) Great Eastern Highway; Lot 7 (531-533) Great Eastern Highway, Redcliffe submitted 7 July 2005 be approved subject to relevant conditions.

LOCATION

The proposal relates to Lot 200 (52-58) Redcliffe Road; Lot 1 (515) Great Eastern Highway; Lot 100 (517) Great Eastern Highway; Lot 82 (519) Great Eastern Highway; Lot 83 (521) Great Eastern Highway; Lots 84-86 (523-527) Great Eastern Highway; Lot 7 (531-533) Great Eastern Highway, Redcliffe. The total site area for the proposed development is 4.236 ha.



The site provides excellent exposure to Great Eastern Highway and Redcliffe Avenue at the rear of the site provides access for articulated vehicles/small rigid distribution vehicles. The land to the south of the site abutting Redcliffe Road is Perth Airport and contains light industrial uses.

APPLICANT

Meyer Shircore & Associates and Koltasz Smith Town Planners.

FILE REFERENCE

115/001	Development / Subdivision / Strata – Applications and Application Correspondence
277/2005/DA	
176/2005/DA	Development application folders

Item 11.1.5 Continued

Property Lot 200 (52-58) Redcliffe Road; Lot 1 (515) Great Eastern Highway; Lot 100 (517) Great Eastern Highway; Lot 82 (519) Great Eastern Highway; Lot 83 (521) Great Eastern Highway; Lots 84-86 (523-527) Great Eastern Highway; Lot 7 (531-533) Great Eastern Highway, Redcliffe

DISCLOSURE OF INTEREST

Name	Position	Type of Interest	Nature / Extent of Interest

VOTING REQUIREMENT

Simple Majority required.

CONSULTATION

The application was referred to Main Roads Western Australia and the Heritage Council of Western Australia for comment.

Main Roads Western Australia Comment
Main Roads Western Australia considers the revised development to be acceptable subject to standard conditions.

Heritage Council of Western Australia Comment
The Heritage Council of Western Australia considers the revised development application to be acceptable subject to a landscape plan being prepared. The landscape plan is to address the interface between Tampina and the new parking areas.

STRATEGIC PLAN/OPERATIONAL PLAN IMPLICATIONS

BUSINESS BELMONT – *"Maximise business development opportunities within the City – Attract and support high quality high employment business to the City of Belmont."*

BUILT BELMONT – *"Accomplish urban renewal of designated areas to meet the changing needs of the community."*

POLICY IMPLICATIONS

- The subject lots fall within Section 4 of City of Belmont Local Planning Policy No. 10 – Draft Great Eastern Highway Strategic Access Policy. The Draft Policy indicates an easement-in-gross to be granted over the lots at time of redevelopment.
- Local Planning Policy No. 9 – Building Height and Bulk Along Great Eastern Highway

Item 11.1.5 Continued

STATUTORY ENVIRONMENT

Town Planning Scheme No. 14

- The subject lots are zoned Industrial under the City's Town Planning Scheme No. 14. Section 10.6 of the Town Planning Scheme states the Industrial Zone provisions.

- Clause 7.2 of the Town Planning Scheme No. 14 states the Heritage Conservation and Preservation provisions.

Heritage

The State registered heritage building is also listed on the City's Municipal Heritage Inventory. Under Section 78 of the Heritage of Western Australia Act 1990, a decision can not be issued on a development application until Heritage Council of WA advice is received.

BACKGROUND

Owner:	Caratti Holding co Pty Ltd	**Ward:**	East
Lodgement Date:	7th July 2005	**Use Class:**	Permitted
Lot Area:	4.236ha	**TPS Zoning:**	Industrial
Estimated Value:	$10,000,000	**MRS:**	Urban

The site is flat and is generally at a height of 10m AHD. The current land uses of the site relate to industrial and warehouse purposes. With the exception of the heritage building and the existing 'works infrastructure' warehouse/office building, all existing buildings/structures are proposed to be removed from the site. As part of this development proposal the subject landholdings are proposed to be rationalised from ten (10) lots into a total of three (3) lots, with the proposed Coventry's development being situated on one lot.

OFFICER COMMENT

The assessment of the revised proposal has revealed that both stages of the development generally comply with the Town Planning Scheme No. 14 requirements. The setbacks, landscaping, fencing, facade details and parking provided on-site are all compliant with the Scheme.

Heritage Building

It is proposed to retain the Heritage Listed residence on Lot 100 (517) Great Eastern Highway and construct car parking at the front of the heritage affected lot. The application has been referred to the Heritage Council and they have no concerns subject to a satisfactory landscaped interface between the proposed car parking and the heritage building.

Building Design

- The proposed building is to be constructed in pre-fabricated concrete, incorporating a high standard front elevation/facade. The proposed office fronting Great Eastern Highway has been reduced from three (3) to two (2) stories.

Item 11.1.5 Continued

- The underlying design theme of this proposal is to provide a clear public front of the building with all commercial activity at the rear of the building.
- The façade design still places emphasis on the high quality streetscape presentation.
- The office component of the building faces Great Eastern Highway and this allows for some form of landmark building on the Highway.
- The facade of the building will incorporate large expanses of green tinted glass, white painted concrete panels and custom orb wall panels.
- The existing industrial building on site that is proposed to be retained as part of the Stage 1 development is a modern warehouse/office building (approximately five years old). It is currently occupied by Works Infrastructure and Coventry's intend to utilise the building until such time as Stage 2 commences.
- Signage is displayed on the elevations however this is indicative only and a separate application will be lodged for the signage strategy for the site.
- In conclusion it is considered that the design of the building complies with the City's Local Planning Policy No. 9 - Building Height and Bulk Along Great Eastern Highway.

Great Eastern Highway and Traffic Related Issues

- **Draft Great Eastern Highway Strategic Access**
  The Draft Great Eastern Highway Strategic Access Policy outlines a requirement for an easement in gross along the frontage which would eventually provide access though sites following the Great Eastern Highway upgrade. This proposed form of access was to provide access in cross easement configuration over the front portion of the lots between Ivy Street and Fauntleroy Avenue.

  In light of the proposed subdivision and amalgamation of the subject land holdings, the site will enjoy direct access to Great Eastern Highway and Redcliffe Avenue, thereby allowing members of the public to travel through the site. Main Roads Western Australia has therefore not imposed the requirement for the provision of cross easements.

- **Road Widening**
  The subject lots are affected by land reserved in the Metropolitan Region Scheme and will be required for road purposes at some time in the future. The proposed development application reflects the road widening requirements and is shown as landscaped areas in the plans. Following the resumption of road widening the total site area of the development will be approximately 3.85ha (subject to detailed survey calculations).

- **Truck Movement Plan**
  A truck movement plan had displayed how articulated vehicles will access the site and how they would circulate to the rear of the development. The Truck Movement Plan is considered acceptable and the revised Traffic Impact Statement is acceptable in light of the minor revisions to access, car parking and traffic volumes.

Item 11.1.5 Continued

- **Infrastructure/Services**
  There are currently no Water Corporation sewer reticulation mains servicing the subject land. Water Corporation planning indicates that the subject land falls under a sewer planning catchment to the north-west of the site. A 225 mm diameter sewer main is situated at the corner of Fauntleroy Avenue and Hay Road. It is proposed to connect this development to this sewer system.

FINANCIAL IMPLICATIONS

There are no significant financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

A Geotechnical Report for the land will be required during the building licence assessment stage.

ATTACHMENT DETAILS

Nil.

BLAIR MOVED, ROSSI SECONDED, that the Officer Recommendation be adopted without amendment or modification as follows –

That the application for a Warehouse Distribution Centre and Office at Lot 200 (52-58) Redcliffe Road; Lot 1 (515) Great Eastern Highway; Lot 100 (517) Great Eastern Highway; Lot 82 (519) Great Eastern Highway; Lot 83 (521) Great Eastern Highway; Lots 84-86 (523-527) Great Eastern Highway; Lot 7 (531-533) Great Eastern Highway, Redcliffe be approved subject to the following conditions:-

1. ***Lot 200 (52-58) Redcliffe Road; Lot 1 (515), Lot 100 (517), Lot 82 (519), Lot 83 (521), Lot 17, 18, 19, 84, 85 & 86 (523-527) & Lot 7 (531-533) Great Eastern Highway shall be amalgamated and:***

   (a) a new Certificate of Title obtained for the amalgamated lot prior to the issue of a building licence; or

   (b) the owner shall enter into a legal agreement with the City prepared by the City's solicitors by which the owner covenants to the required amalgamation of the land within a specified period and agrees to the registration of an absolute caveat against the Certificate/s of Title to the land. The owner is to bear all costs associated with the preparation and stamping of the agreement and the registration of the caveat.

2. ***A landscaping and reticulation plan acceptable to the City shall be prepared by a professional horticulturist or a qualified landscape contractor and submitted to the City prior to the issue of a building licence. The plan shall show by numerical code, the species, quantity and anticipated mature dimensions of all plant types to be planted and shall include:***

Item 11.1.5 Continued

(a) ***minimum of 25% of the setback area to all roads;***

(b) ***the street verge.***

3. Landscaping, plants and reticulation shall be installed in accordance with a landscaping and reticulation plan to be submitted to the City and approved by the Manager-Planning Services, the Senior Planning Officer or the Planning Officer and the landscaping and reticulation shall be maintained and the plants shall be nurtured and maintained until they reach their mature dimensions and shall thereafter be maintained at those mature dimensions unless Council approves otherwise in writing.

4. The applicant is to provide suitable landscaping to address the interface between the Tampina Site and the proposed car parking area to the satisfaction of the Director of the Heritage Council of Western Australia. The details and specifications are to be included in the overall landscaping plan.

5. Any relocation or removal of street trees is to be undertaken by the owner, at the owner's cost, with the prior approval of the Manager-Parks and Gardens or Horticultural Technical Officer and in accordance with any direction contained in or given with that approval.

6. The existing trees located in the road verge abutting or adjacent to the subject land ("street trees") are not to be damaged or removed in the course of the development.

7. Prior to commencing the development the owner / applicant must demonstrate to the satisfaction of the Manager-Parks and Gardens that precautions adequate to protect the street trees during the development will be taken.

8. The owner / applicant is to ensure that the precautions referred to in the preceding condition are taken.

9. If during the course of the development a street tree is damaged or destroyed the owner / applicant shall:

(a) replace the street tree with a tree of a similar type and maturity, in accordance with the written direction of the Manager-Parks and Gardens; and

(b) maintain the replacement tree for a period of 12 months, to the satisfaction of the Manager-Parks and Gardens.

10. Existing turf and reticulation located in the road verge abutting or adjacent to the subject land are not to be damaged or removed in the course of the development.

Item 11.1.5 Continued

11. (i) Vehicle parking, manoeuvring and circulation areas shall be designed, constructed, sealed, line marked and kerbed in accordance with:

(a) ***The approved plan (Overall Total - 468 spaces measuring 2.5 metres x 5.5 metres), (Stage 1 Total – 348 spaces measuring 2.5 metres x 5.5 metres), (Stage 2 Total – 120 spaces measuring 2.5 metres x 5.5 metres);***

(b) ***Schedule 3 of the City of Belmont Town Planning Scheme No. 14; and***

(c) ***Council's engineering requirements and design guidelines, with respect to drainage requirements.***

(ii) The areas must be paved in bitumen or concrete, unless otherwise approved by the Director-Engineering or Manager-Technical Services and clearly line marked to the satisfaction of the Director-Engineering or Manager-Technical Services.

The requirements of this condition must be completed within two years from the date of this approval.

12. All access ways, parking areas and hard stand areas shall be maintained to the satisfaction of the Director-Engineering or Manager-Technical Services. If not so maintained, the Director-Engineering or Manager-Technical Services may require by notice, in writing that the area be brought up to a satisfactory standard within a specified period of time and the notice shall be complied with within that period. Without limitation, the notice may require that car bays be re-line marked, pot holes be repaired, damaged kerbs be replaced and degraded access or parking areas be resurfaced generally in accordance with Council's engineering requirements and design guidelines.

13. Vehicle crossovers shall be constructed in coloured concrete/brick paving/hot mix in accordance with the City's specifications for the construction of concrete/brick paved crossovers for industrial and commercial properties. A separate application for the construction of any new crossover must be lodged with the city's engineering department for the approval of the Engineering Administration Officer or Project Engineer.

14. Provision to be made so that all commercial vehicles and trucks can ingress and egress the site in forward gear. Trucks include any motor vehicle with a gross vehicle mass over 4.5 tonnes, except a bus or tractor as defined in the Road Traffic Code 2000.

15. No loading or unloading of vehicles is to occur that interferes with the parking of vehicles in the car park by visitors and employees. All car parking bays in the car park are to be made available at all times for the parking of vehicles by visitors and employees.

Item 11.1.5 Continued

16. All stormwater from roofed and paved areas shall be collected and disposed of off-site in accordance with Council's engineering requirements and design guidelines.

17. All external walls (including boundary walls) that are visible from a street or public place must be constructed and finished to the satisfaction of the City's Director-Development or Manager-Planning Services.

18. No fencing and walls forward of the building line up to and including a front lot boundary, are permitted unless a separate planning approval is granted by Council.

19. For industrial lots, no storage or carrying out of industrial activities is permitted in open yard areas visible from any street adjoining such an area. "Industrial activities" has the meaning given to "Industry" in Schedule No. 1 of the City of Belmont Town Planning Scheme No. 14.

20. If lighting is installed in the carparking area, all illumination shall be confined within the property boundaries and shall not impact on the amenity of adjoining properties.

21. The development shall be connected to the reticulated sewerage system.

22. The applicant providing a Geotechnical Report on the soil conditions of the property to the satisfaction of Council, prior to the issue of a building licence.

23. The applicant to provide an Environmental Site Contamination Report on soil and groundwater to the satisfaction of the City's Environmental Officer prior to the issue of a building licence. In the event of any contamination, a management plan must be prepared and lodged for approval prior to the issue of a building licence.

24. The stamped and dated plan/plans, as amended by the City and together with any requirements detailed thereon by the City, shall form part of the planning approval issued in respect to the application referred to in this approval.

25. All redundant hardstand and drainage structures shall be removed and disposed of to an approved landfill site.

26. All redundant crossovers to the site shall be removed and the verge, kerb reinstated to the satisfaction of Council.

27. No earthworks shall encroach onto the Great Eastern Highway reserve.

28. No stormwater drainage shall be discharged onto the Great Eastern Highway reserve.

29. All vehicle access shall be restricted to the two access points shown on the Great Eastern Highway Strategy Access Policy.

Item 11.1.5 Continued

30. No development, other than landscaping or car parking shall be permitted on the land shown required for future road purposes on the enclosed extract of Main Roads drawing 9731-0689-3 and 9731-0690-3.

31. The applicant shall make good any damage to the existing verge vegetation within the Great Eastern Highway reservation.

32. Redundant driveways shall be removed and the verge and its vegetation made good at the applicant's cost.

33. The applicant to prepare a dust management plan prior to the commencement of development to the satisfaction of the Director-Development or Manager-Health Services, and during the construction phase shall comply at all times with the approved plan.

34. In the event of any ground disturbance to Lot 100 to create the new car parking area, the applicant is required to provide the Heritage Council of Western Australia with an outline of the process to be followed to ensure the appropriate reporting of any archaeological findings.

35. No servicing of any vehicle is permitted on-site. All servicing of vehicles is to occur off-site. The washing down of vehicles is only permitted from within the building. Any wash down facilities are to be approved by the City' Environmental Officer prior to use.

36. All existing buildings and structures shall be removed prior to the issue of a building licence. The applicant is requested to liaise with the City of Belmont Building Department with regard to obtaining the necessary Demolition Licence.

CARRIED 11 VOTES TO 0

*****8.12pm Cr Teasdale rejoined the meeting.**

11.2 WORKS AND TECHNICAL SERVICES DIVISION

WITHDRAWN ITEMS

Nil.

11.2.1 Great Eastern Highway Upgrade

Report by Engineering Division

DATE

28 July 2005

PURPOSE OF REPORT

To seek Council's approval to seek support for the upgrading of Great Eastern Highway from stakeholders including Westralia Airport Corporation, Council's of the Eastern Metropolitan Region and Great Eastern Highway Businesses.

SUMMARY AND KEY ISSUES

Summary and Key Issues

The upgrading of Great Eastern Highway was promised following the completion of the Graham Farmer Freeway in 2000. The back to back kerb constructed in the centre of Great Eastern Highway was a stop-gap measure to prevent accidents resulting from vehicles stopping or making right turns across on-coming highway traffic. The lack of accesses preventing Great Eastern Highway businesses from redeveloping and is impacting those that currently operate on the highway.

The upgrading of Great Eastern Highway within the City of Belmont is not on the current Main Roads WA programme and therefore the works are not likely to be undertaken in the foreseeable future.

Officer Recommendation Summation

That the Council seek the support of and assistance from the Councils of the Eastern Metropolitan Region, Westralia Airport Corporation and businesses along Great Eastern Highway to lobby the State and Federal Governments to commit the funds necessary to upgrade Great Eastern Highway to a 6-lane divided road from Brighton Road to the Great Eastern Highway Bypass.

Item 11.2.1 Continued

LOCATION

Not Applicable.

APPLICANT

Not Applicable

FILE REFERENCE

102/015 : Great Eastern Highway Upgrade

DISCLOSURE OF INTEREST

Name	Position	Type of Interest	Nature / Extent of Interest

VOTING REQUIREMENT

Simple Majority Required

CONSULTATION

No public consultation was considered to be required in respect to this matter.

STRATEGIC PLAN IMPLICATIONS

Secure a commitment and timetable from the State Government for the funding provision of major regional road projects within the City including Great Eastern Highway upgrade.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

There are no specific legislative requirements evident in respect to this matter.

BACKGROUND

The upgrading of Great Eastern Highway from Brighton Road to the Great Eastern Highway Bypass was proposed to commence following the completion of the Graham Farmer Freeway in 2000. The works, to be undertaken by Main Roads WA, were delayed as a result of other road and rail projects receiving priority funding and are now, some 5-years later, still no closer to being undertaken. In fact the project is not on the Main Roads WA forward programmes and as such is unlikely to be completed within the foreseeable future.

It is also noted that Council's support for the deletion of the reservation for Swan River Drive was on the basis that Great Eastern Highway would be upgraded to cope with the additional traffic.

Item 11.2.1 Continued

The City has had discussions with officers from Main Roads WA and with the Local Member and State Treasurer, Eric Ripper and it is apparent that the only way of progressing the works in Great Eastern Highway is to engender sufficient political support for their early completion.

OFFICER COMMENT

Over the majority of its length through the City of Belmont, Great Eastern Highway carries some 40,000 vehicles per day. This rises to approaching to 55,000 vehicles per day in the section immediately to the east of the Graham Farmer Freeway intersection.

The back to back kerb that was placed down the centre of Great Eastern Highway some 7-8 years ago, has served its purpose in reducing the number of accidents resulting from vehicles either waiting to or undertaking right hand turns across on-coming traffic. What was recognised at the time that the kerbing was installed and has been stressed to the State Government on numerous occasions since, is the adverse impact this kerb has had on access to businesses on Great Eastern Highway. This is evidenced by the general lack of significant business upgrades that have been undertaken along Great Eastern Highway in recent years. Major redevelopment works in Belmont Avenue, Abernethy Road and other areas of the City have far out stripped business related developments on Great Eastern Highway. Some residential development has occurred (150 East, Balnium Apartments, Hill 60), however this has been at locations where access could be funded by the developer because of the high value of residential accommodation that has been provided in these particular developments.

It is also recognised that the congested nature of Great Eastern Highway through Belmont inhibits the major traffic flow to and from the eastern[3] and has, at a local level, generated rat-runs through residential streets, the most notable being Francisco Street which is being used in preference to Great Eastern Highway to access the Belmont Mixed-Use area.

Further, in recent weeks the section of Great Eastern Highway through Belmont was named as one of the ten worst eyesores in the greater metropolitan area. This is unacceptable for the primary transport route into the Perth Central Business District from the Domestic and Commercial Airports and all areas to the east.

In order to gather support for the upgrading of Great Eastern Highway it is proposed to seek endorsement by the Councils of the Eastern Metropolitan Region for the inclusion of Great Eastern Highway as a priority for funding by the State Government either directly (it is a State highway) or through funds from the Commonwealth.

It is also proposed to seek the support of Westralia Airport Corporation for the upgrading of the Highway which through its blighted nature and generally unattractive streetscapes, adversely reflects on both the airport and the City. It is expected that Westralia Airport Corporation would wish to see the premier access to their terminals looking much more attractive than at presently does.

[3] It was noted at the meeting that this sentence should have the word ‘suburbs’ inserted after the word ‘eastern’ to read as follows: ‘Belmont inhibits the major traffic flow to and from the eastern suburbs and has, at a local level, …..’.

Item 11.2.1 Continued

Last but by no means of least importance, the businesses along Great Eastern Highway should be lobbying for the upgrading of the highway. The City could provide information to assist businesses in their efforts. The first action proposed is a mail-out to all businesses advising them of the actions to be taken to press for the works.

At the most recent meeting of the Eastern Metropolitan Regional Council, the Mayor was instrumental in having that Council adopt the resolution:

"That the EMRC supports the need for the upgrading of Great Eastern Highway from South Guildford to Rivervale as a priority for State Funding in future Capital Works Programmes and that a letter of support be sent to the Deputy Premier Eric Ripper."

FINANCIAL IMPLICATIONS

There are no significant financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no significant environmental implications evident at this time.

ATTACHMENT DETAILS

Nil.

BLAIR MOVED, ROSSI SECONDED, that the Officer Recommendation be adopted without amendment or modification as follows –

That the Council seek the support of and assistance from the Councils of the Eastern Metropolitan Region, Westralia Airport Corporation and businesses along Great Eastern Highway to lobby the State and Federal Governments to commit the funds necessary to upgrade Great Eastern Highway to a 6-lane divided road from Brighton Road to the Great Eastern Highway Bypass.

CARRIED 11 VOTES TO 0

11.3 COMMUNITY AND EXECUTIVE SERVICES DIVISION

Nil.

11.4 CORPORATE SERVICES DIVISION

WITHDRAWN ITEMS

Item 11.4.1 was withdrawn at the request of Cr Blair.

DORNFORD MOVED, BLAIR SECONDED, that with the exception of Item 11.4.1, which is to be considered separately, Officer Recommendations in the Corporate Services Division, specifically Items 11.4.2, and 11.4.3 be adopted en bloc.

CARRIED 11 VOTES TO 0

*****8.15pm Having earlier declared a financial interest, Cr Powell departed the meeting.**

11.4.1 Accounts for Payment

****CS Attachment 5 – Item 11.4.1 refers**

Report by Corporate Services Division

DATE

28 July 2005

PURPOSE OF REPORT

Confirmation of accounts paid and authority to pay unpaid accounts.

SUMMARYAND KEY ISSUES

Summary and Key Issues

A list of cheque payments is presented to Council each month for confirmation and endorsement in accordance with the Local Government Finance regulations.

Item 11.4.1 Continued

Officer Recommendation Summation

That the Authorised Cheque Listing as included in the Attachment to this item be confirmed and endorsed.

LOCATION

Not applicable

APPLICANT

Not applicable

FILE REFERENCE

54/007 – Creditors – Payment Authorisations

DISCLOSURE OF INTEREST

Name	Position	Type of Interest	Nature / Extent of Interest

VOTING REQUIREMENT

Simple majority required

CONSULTATION

No public consultation was considered to be required in respect to this matter.

STRATEGIC PLAN IMPLICATIONS

No Strategic Plan implications are evident.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 states:

Item 11.4.1 Continued

"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 Cheque Listing are recommended for confirmation and endorsement.

Municipal Fund Cheques	758634-759177	$3,259,073.96
Trust Fund Cheques	905158-905164	$85,727.38
Property Development Fund Cheques	-	$-
	Total of Cheques for June 2005	$3,344,801.34

A copy of the Authorised Cheque Listing is included as an Attachment to this item.

FINANCIAL IMPLICATIONS

Provides for the effective and timely payment of Council's contractors and other creditors.

ENVIRONMENTAL IMPLICATIONS

There are no significant environmental implications evident at this time.

ATTACHMENT DETAILS

Attach. No.	Details
5	Accounts for payment listing

WHITELEY MOVED, ROSSI SECONDED, that the Officer Recommendation be adopted without amendment or modification as follows –

That the Authorised Cheque Listing as included in the Attachment to this item be confirmed and endorsed.

CARRIED 10 VOTES TO 0

*****8.16pm Cr Powell rejoined the meeting.**

11.4.2 Civic Centre Refurbishment Project – Cash Flow Report
****CS Attachment 6 – Item 11.4.2 refers**

Report by Corporate Services Division

DATE

27 July 2005

PURPOSE OF REPORT

To report to Council on the budgeted cash flow and actual expenditure for the life of the project up to the period ended 30 June 2005 for the Civic Centre Refurbishment Project.

SUMMARY AND KEY ISSUES

Summary and Key Issues

Whilst not a Major Land Transaction, the Civic Centre Refurbishment is a significant project and is reported quarterly via a cash flow report to keep Councillors abreast of the total costs for the life of the project.

Officer Recommendation Summation

1. That the final Budget v Actual Cash-flow report for the Civic Centre Refurbishment Project be noted.

2. That the appropriate budget adjustments be made as part of the October Budget Review.

LOCATION

City of Belmont Civic Centre, 215 Wright Street, Cloverdale

APPLICANT

Not applicable

FILE REFERENCE

125/003 – Civic Centre Refurbishment

DISCLOSURE OF INTEREST

Name	Position	Type of Interest	Nature / Extent of Interest

Item 11.4.2 Continued

VOTING REQUIREMENT

Simple majority required.

CONSULTATION

The project was displayed in the foyer of the Civic Centre and at the Belmont Forum seeking comment from the community.

STRATEGIC PLAN IMPLICATIONS

No Strategic Plan implications are evident.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

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

BACKGROUND

With the Civic Centre Project essentially complete, it is practice to give a summary of the second stage of the project comprising the renovation of the original building and the new furniture that has complemented the major additions and structural work undertaken as Stage 1 of the project.

OFFICER COMMENT

The Civic Centre renovation and consolidation project has enabled the City to set the standard for commercial buildings within the City. The new renovated building with the state-of-the-art facade and modern entry and office areas has provided a bench mark by which future developments can be judged. In the newly landscaped surrounds in Faulkner Park, the new Civic Centre complex bring the library and outlying City services into a one stop community shop and provides a base from which the City can go forward into the next 30 or more years.

The opening of the building coincides with the relaunch of the City of Opportunity strategy and a new direction of Business Excellence for the City.

The following summary of the project finances from the pre-tender estimate by consultant Quantity Surveyors done in 2002 to the final (2005) project cost demonstrates the changed scope of works of the project over its three separate tenders and nearly three year life.

Pre-tender Estimate (2002)	:	$6,650,000
Tendered Price (2003)	:	$6,867,613
Final price of tendered works	:	$6,867,613
- Approved additional scope of works	:	$1,411,537
- Professional fees (Consultants)	:	$ 522,501
- Temporary Works, removals, carpark	:	$ 321,349
Total Project Cost	**:**	**$9,123,000**

Item 11.4.2 Continued

Between the pre-tender estimate and the acceptance of tenders the building industry was relatively stable, with signs of increasing activity about the times tenders were let. The correlation between the pre-tender estimate and the tendered prices received reflect this. The industry began to overheat at about the time the works commenced and has continued to do so over the life of the contracts. The cost of works additional to the original scope of the project confirms this. The rates charged for these additional works are higher than rates charged for the tendered works.

Stage 1 of the project was completed for a final cost (contract plus additional scope of works) of $4,010,000 early 2004 with progress on Stage 2 having being reported to Council in June 2004, October 2004 and most recently as part of the March 2005 Budget Review. The changes to the scope of works of stage 1 cost $477,000 with the major items being new fire exit stair, relocation of lift, alterations to the mezzanine area over the information counter for security and lift access, balustrade to carpark wall, CCTV facilities, temporary partitions as have been noted by Council in previous reports.

The original Stage 2 contract (Link Projects & Burgtec) together with contingencies totalled $3,570,000. Since awarding the tender, several factors had altered the scope of works of the project and resulted in a final contract cost (verified by Council architects and quality surveyors) of $4,157,000. The majority of these necessary increases to the scope of works has been undertaken now to save money. If they were left, until after the project they would cost significantly more to address. The major change to the scope of works is as follows:-

1. Civic Area

While undertaking work in the function area, drinks and wet services/storage areas, it was discovered that the cool room was rust affected and the front wall and the associated doors and racks needed replacing. The back of the storage areas were also renovated to more centrally locate the wet area sink, ice machine and glass washer. Upgrading the function's kitchen required upgraded and more energy efficient, lighting and retiling; the latter because of the changes to the kitchen layout not originally planned, but initiated to provide a more functional and efficient kitchen for Civic functions. The gallery in the Council Chambers was also raised at Council's request.

Total cost - $43,900

2. Fire Safety Requirements

As has been reported previously and noted by Council, while initial test indicated that the fire hydrants serving the building were adequate, later tests revealed the need for tanks pumps, main and additional hydrants to meet FESA's requirements. In addition to these major works, modifications were required to some fire hose reels and in-ceiling smoke detection devices had to be installed.

Total Cost - $349,000

Item 11.4.2 Continued

3. Library

As it has been previously reported to Council, carpeting in the Library was inadvertently omitted of the tender and had to be reinstated. The recent introduction of a book tags system also necessitated changes to the entry of the Library while diversified library services such as the provision of craft activities at the rear of the Library required modifications to floor coverings, cabinet work, plumbing, etc. Further, the Library work room, which had some modifications included as part of stage 1 of the works was painted and re-carpeted during the project because it would have been required in the near future and because space was available in the then unoccupied Home Care Services Building to temporarily house work room staff. Undertaking the work at a future date would have caused a major disruption and would have required temporary accommodation be bought in to house the staff. With the exception of the book tag system, these works were agreed by Council for inclusion in the project but, along with the replacement carpet were omitted from the tender in error.

Total Cost - $83,000

4. Security

More substantial balustrading has been provided to the Council Chamber and Gallery and as previously reported to Council, additional automatic glass doors were installed to the rear of the foyer to improve staff and Councillor security.

Total Cost - $37,000

5. Electrical and IT

During the course of the project, the requirements for IT and electrical services were expanded to meet the identified future needs of the organisation and current safety standards. Undertaking of this work at a later date would have been more expensive and been a considerable disruption through the whole of the organisation.

Total Cost - $76,400

6. Additional Architectural Elements

As the works progressed, changes were made to cabinet work, office layouts, etc. In addition, while many areas of the building have ducted skirting for electrical and IT purposes, passageways and meeting rooms generally do not. The uneven nature of the old floor of the building required the addition of skirting boards to these areas to enable a proper interface between the walls and the floor coverings. Further, the drawings did not include some blinds and floor coverings that were needed.

Total Cost - $34,000

Item 11.4.2 Continued

7. Required Additional Contract Supervision

This was required as a result of the changes to the scope of works of the project.

Total Cost - $95,000

In additional to these works, there were some minor variations, the works undertaken by the City on temporary accommodation (works stations, electrical and IT provision, container storage hire, temporary toilets, removalist costs, and temporary petitioning) as well as carpark modifications and some path works generally as previously reported.

FINANCIAL IMPLICATIONS

The funding for the remainder of the project for 2004-2005 as adjusted in the March budget review is as follows:

Administration Building Reserve	0
Municipal Fund	$ 140,000
Land Acquisition Reserve	$3,402,227
Total Project Funding	**$3,532,727**

The 2004/2005 project cost is some $163,000 in excess of the current budget allocation. A further $145,000 of works will not be completed until the first part of the 2005/2006 financial year. These funds may not be available from the land acquisition reserve which has been used throughout to provide significant funding for the project; however the source of funds for 2005/2006 will be clearly addressed as part of the October budget review with the most likely outcome being the Municipal Fund.

ENVIRONMENTAL IMPLICATIONS

There are no significant environmental implications evident at this time.

ATTACHMENT DETAILS

Attach. No.	Details
6	Civic Centre Refurbishment Project – Cash Flow Report

OFFICER RECOMMENDATION

1. That the final Budget v Actual Cash-flow report for the Civic Centre Refurbishment Project be noted.

3. That the appropriate budget adjustments be made as part of the October Budget Review.

OFFICER RECOMMENDATION ADOPTED EN BLOC – REFER TO RESOLUTION APPEARING AT ITEM 11.4

11.4.3 Orrong Road Superblock Land Sale – Cash Flow Report
****CS Attachment 7 – Item 11.4.3 refers**

Report by Corporate Services Division

DATE

28 July 2005

PURPOSE OF REPORT

To report to Council on the budgeted cash flow and actual income and expenditure for the life of the project up to the period ended 30 June 2005 for the Orrong Road Superblock Land Sale Project.

SUMMARY AND KEY ISSUES

Summary and Key Issues

In order for Council to comply with its policy on Major Land Transactions which is designed to keep Council abreast of the financial implications of such transactions, a quarterly cash flow statement is prepared.

Officer Recommendation Summation

That Council note the monthly cash-flow report for the period ended 30 June 2005 for the sale of Council land in the Orrong Road Super Block.

LOCATION

Orrong Road and Surrey Road, Rivervale

APPLICANT

Not applicable

FILE REFERENCE

116/002 – Orrong Road Superblock Development

DISCLOSURE OF INTEREST

Name	Position	Type of Interest	Nature / Extent of Interest

Item 11.4.3 Continued

VOTING REQUIREMENT

Simple majority required.

CONSULTATION

There is no consultation requirements as this report deals with reporting the monthly cash-flow for income and expenditure associated with the project.

STRATEGIC PLAN IMPLICATIONS

Business Belmont – operate Council's land and facilities portfolio as a capital efficient investment.

POLICY IMPLICATIONS

A policy – "Financial Management – Major Land Transactions" has been adopted by Council.

STATUTORY ENVIRONMENT

Section 3.59 of the Local Government Act 1995 relates to Commercial Enterprises by Local Governments, including major land transactions acquiring or disposing of an interest in land or developing land.

BACKGROUND

Council adopted a business plan for the disposal of its land holdings in the Orrong Road Super. The Orrong Road (Surrey Road) Superblock business plan was prepared in May 2004 and detailed Council's land holdings in the Superblock. The lots were originally acquired in 1991 with the express purpose of amalgamation, re-subdivision, rezoning and sale. Since acquiring these lots, substantial negotiations between the City and adjacent landowners has been undertaken in an effort to undertake a coordinated redevelopment of lands within this Superblock precinct.

OFFICER COMMENT

Successful negotiations has resulted in Lot 1291 Surrey Road being sold and settled in March 2005 with the remaining blocks, subject to various conditions and external processes being completed, nearing settlement or signing a contract of sale.

The remaining lots are now proceeding according to the cash flow estimates with recent Council decisions ensuring that settlements should take place in August 2005.

FINANCIAL IMPLICATIONS

The financial implications of the sale of land in the Orrong Road Superblock are that the net proceeds will be placed in the Land Acquisition Reserve as per Council Policy.

ENVIRONMENTAL IMPLICATIONS

There are no significant environmental implications evident at this time.

Item 11.4.3 Continued

ATTACHMENT DETAILS

Attach. No.	Details
7	Orrong Road Superblock Project – Cash Flow Report

OFFICER RECOMMENDATION

1. That the Budget v Actual Cash-flow report for the Orrong Road Superblock Land Sale Project for the period ended 30 June 2005 be noted.

2. That quarterly cash-flow reports be provided until the completion of the project.

OFFICER RECOMMENDATION ADOPTED EN BLOC – REFER TO RESOLUTION APPEARING AT ITEM 11.4

12. REPORTS BY THE CHIEF EXECUTIVE OFFICER

12.1 INFORMATION BULLETINS

The following Elected Members Bulletin was distributed to Councillors:

Elected Members Bulletin 29 July 2005.

HITT MOVED, ROSSI SECONDED, that the information provided to all Councillors and listed in the following Elected Members Bulletin be noted and received:

Elected Members Bulletin 29 July 2005.

CARRIED 11 VOTES TO 0

12.2 REQUESTS FOR LEAVE OF ABSENCE

Cr Blair – 02/09/05 – 09/09/05 inclusive.

TEASDALE MOVED, WHITELEY SECONDED, that Cr Blair be granted leave of absence from 02/09/05 – 09/09/05 inclusive.

CARRIED 11 VOTES TO 0

13. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

The Mayor referred to the two Confidential Items for consideration and requested the meeting go behind closed doors.

POWELL MOVED, WHITELEY SECONDED that in accordance with Section 5.23(2) of the Local Government Act 1995, Council proceed behind closed doors (including the presence of Council Officers).

CARRIED 11 VOTES TO 0

***** 8.17 pm Having earlier declared a Financial Interest, Cr Dornford left the meeting.**

13.1 CONFIDENTIAL ITEM: SUNDRY DEBTORS OUTSTANDING OVER 90 DAYS – FOR THE PERIOD ENDED 30 JUNE 2005 (CIRCULATED UNDER SEPARATE COVER).

***** 8.22 pm Cr Dornford returned to the meeting.**

13.2 CONFIDENTIAL ITEM: NON-COMPLIANCE WITH LOCAL PLANNING POLICY NO. 6 – ASCOT WATERS SPECIAL DEVELOPMENT PRECINCT (Circulated Under Separate Cover).**

BLAIR MOVED, HITT SECONDED that the public be invited to return to the meeting and that the resolutions passed behind closed doors be read.

CARRIED 11 VOTES TO 0

****** 8.25 pm The Acting Director Community and Executive Services did not read aloud the resolutions as no members of the Gallery returned to the meeting.***

Section 5.95(4)(a) of the Local Government Act 1995 notes that notwithstanding that a member of the publics' right to inspect agendas, reports, minutes and other documents is not extended to that which relates to matters discussed whilst a meeting is closed to the public, it does encompass a right to view a record of the decisions made at a meeting. In order to provide a suitable medium to accommodate this, the resolutions for Items 13.1 and 13.2 are reproduced hereunder.

WHITELEY MOVED, HITT SECONDED, that the Officer Recommendation be adopted without amendment or modification as follows –

That

1. The Sundry Debtors report for the period ended 30 June 2005 be endorsed.

2. Sundry Debtor 27285 – SGIO Insurance for $2,871.30 be written off.

CARRIED 10 VOTES TO 0

BLAIR MOVED, POWELL SECONDED, that the Officer Recommendation be adopted without amendment or modification as follows –

That:

1. Council's solicitors be instructed to write to the landowners of:

   (a) Lot 155 (14) Sedgeland Way advising that their rear fence does not comply with Local Planning Policy No. 6, and provide them with 14 days in which to install open infill panels to 25% of the length of the fence;

(b) Lot 30 (8) The Riverwalk advising that their landscaping does not comply with Local Planning Policy No. 6, and provide them with 14 days in which to install additional landscaping within the front setback; and

(c) Lot 157 (18) Sedgeland Way advising that their boundary fence does not comply with Local Planning Policy No. 6, and provide them with 14 days in which to remove the brushwood infill panels;

2. In the event the non-compliance with Local Planning Policy No. 6 as outlined in 1 above is not rectified within 14 days of the solicitor's advice, authorise the Chief Executive Officer to give a Written Direction to the owners of:

(a) Lot 155 (14) Sedgeland Way; and / or

(b) Lot 30 (8) The Riverwalk; and / or

(c) Lot 157 (18) Sedgeland Way;

under Section 10 (3) of the Town Planning and Development Act to rectify the non-compliant development and bring the properties into conformance with the provisions of Local Planning Policy No. 6

3. Council advise the owners that as part of the Written Direction that if the owners are aggrieved by the City's written direction, they have the right to lodge an appeal to the State Administrative Tribunal within 60 days from receipt of the written direction.

4. Council, pursuant to Clause 9.10 of the City of Belmont District Planning Scheme No. 14, authorise the Director-Development, to take any further action necessary to deal with these matters, including without limitation, to take all steps necessary to enforce the written direction issued under Section 10(3) whether by prosecution or entering the land to rectify the non-compliance and if necessary to oppose any appeal against the direction.

CARRIED 10 VOTES TO 1

For: Whiteley, Hitt, Powell, Dornford, Marks, Blair, Bass, Godfrey, Teasdale, Martin

Against: Rossi

****** 8.26 pm*** Report by Manager – Governance – Agenda Structure

The Manager – Governance referred to his memorandum to Councillors, dated 9 August 2005 proposing to modify the agenda reporting structure from that based on Organisational Divisions to that of the Strategic Plan Key Areas, these being:

- Social Belmont
- Built Belmont
- Business (Economic) Belmont
- Natural Belmont and
- Business Excellence.

Upon being asked for feedback on this proposal Council indicated general consent for the reporting modification to proceed.

14. CLOSURE

There being no further business to discuss, the Mayor thanked all those in attendance and closed the meeting at 8.31pm.