City of Belmont

ORDINARY COUNCIL MEETING

MINUTES

TABLE OF CONTENTS

22 March 2011

ATTACHMENTS INDEX

Attachment 1 – Item 12.1 refers
Attachment 2 – Item 12.2 refers
Attachment 3 – Item 12.2 refers
Attachment 4 – Item 12.3 refers
Attachment 5 – Item 12.4 refers
Attachment 6 – Item 12.7 refers
Attachment 7 – Item 12.8 refers
Attachment 8 – Item 12.9 refers
Attachment 9 – Item 12.9 refers
Attachment 10 – Item 12.9 refers
Attachment 11 – Item 12.10 refers

CONFIDENTIAL ATTACHMENTS INDEX

Confidential Attachment 1 – Item 12.5 refers
Confidential Attachment 2 – Item 12.6 refers

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

MINUTES

PRESENT

Cr G Godfrey, Mayor	East Ward
Cr P Marks, Deputy Mayor	East Ward
Cr C Hanlon	East Ward
Cr R Rossi	West Ward
Cr P Hitt	West Ward
Cr B Martin	West Ward
Cr S Wolff	South Ward
Cr B Whiteley	South Ward
Cr J Powell	South Ward
Cr J Gee	Central Ward

IN ATTENDANCE

Mr S Cole	Chief Executive Officer
Mr N Deague	Director Community & Statutory Services
Mr R Lutey	Director Technical Services
Mr R Garrett	Director Corporate & Governance
Mr J Hardison	Manager Property & Economic Development
Mr T Stacey	Manager Works
Mrs L Linehan *(dep 7.19pm & did not return)*	Compliance Adviser
Ms P Flanagan	Senior Governance Officer
Ms S Johnson	Governance Officer

MEMBERS OF THE GALLERY

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

1. OFFICIAL OPENING

The Presiding Member opened the meeting at 7.03pm, 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

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

2. APOLOGIES & LEAVE OF ABSENCE

Cr G Dornford (Leave of Absence)	Central Ward
Mr J Olynyk, JP (Apologies)	Manager Governance
Mr R Ridgwell (Apologies)	Principal Governance & Compliance Advisor

3. DECLARATIONS OF INTEREST

3.1 FINANCIAL INTERESTS

Name	Item No. & Title	Nature of Interest (and extent, where appropriate)
Cr Hanlon	12.4 Request for Funding Support for 2011 Belmont Small Business Awards	Direct Financial Interest

3.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

Nil.

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

4.1 ANNOUNCEMENTS

Announcement 1

The Presiding Member announced that the City had received a reply from correspondence sent to the Mayor of Adachi City.

The reply was as follows:

> *"Thank you very much for your warm words of encouragement.*
>
> *In spite of the fact that we have some citizens injured and houses damaged, there is no fatal damage reported within our Adachi city.*
>
> *On the other hand, the northern part of Japan, Tsunamis' worst hit area, is in the devastating situation where we are still not able to have a true figure of the damage.*
>
> *Besides the unpredictable status of nuclear plants, makes things severe.*

Item 4.1 Continued

Also, we are facing power shortage problems in the Tokyo area, and we have started the rotating blackouts for about three hours per day since 16 March. It is said this scheduled blackout will last for a while and it has affected our daily lives.

Looking overall, we must say Japan is in extremely harsh conditions, however, we Japanese shall get over the tragic events by our all-out support and effort.

Please pass our best regards on to our friends in Belmont City.

Thank you again.

Kindest regards,
Yayoi Kondo
Mayor of Adachi City"

Announcement 2

The Presiding Member made the following announcement.

"It is my pleasure to inform Council of one of our Councillor's successful Achievement of Competency in the WALGA Elected Member training unit of 'Financial Reports and Budgets'.

This brings the Councillor one step closer to achieving the Diploma in Local Government.

The President Mayor Troy Pickard sends congratulations and commendation for this accomplishment to Cr Janet Gee.

Congratulations".

On finishing the announcement, the Presiding Member presented the certificate to Cr Gee.

4.2 DISCLAIMER

The Presiding Member advised the following:

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

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

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

Nil.

5. PUBLIC QUESTION TIME

5.1 RESPONSES TO QUESTIONS TAKEN ON NOTICE

Nil.

5.2 QUESTIONS FROM MEMBERS OF THE PUBLIC

7.08pm The Presiding Member drew the public gallery's attention to the rules of Public Question Time as written in the Agenda. In accordance with rule (l), the Presiding Member advised that she had registered one member of the public who had given prior notice to ask questions, this being Mrs Bass.

The Presiding Member invited the public gallery members, who had yet to register their interest to ask a question, to do so.

One further member of the public gallery stated their intention to ask a question, this being Mr Greenwood.

5.2.1 Mrs Bass, 77 Keymer Street, Belmont (On behalf of Belmont Residents/Ratepayers Action Group (BRRAG))

Mrs Bass requested the Presiding Member to read her questions out aloud.

1. Councillors, as you have relied on recommendations of Council Officers in your decision of 21 December 2010 to allow residential development on the Swan River floodplain and floodway in Development Areas 7 and 9 in Waterview Parade and Hay Road, Ascot, and having been advised by Belmont Residents/Ratepayers Action Group (BRRAG) on 22 February 2011 of how little rainfall is required (100-150mm) in the Avon catchment to cause a 1 in 100 or 4.5m above AHF (normal river height) or greater flood event in Redcliffe, Ascot, Belmont and Rivervale, that would inundate large areas of this City, Councillors will you now move to have Council Officers review their previous recommendation, with a view to reconsidering/rescinding your 21 December 2010 decision?

Response

The Presiding Member took the Question on Notice.

Item 5.2.1 Continued

2. What steps has the City of Belmont taken, since receiving the 22 February this year advice by BRRAG of the flood danger to many residents of large areas of this City, (in the event of 100 – 150mm of cyclonic rainfall occurring within a 24-48 hour period in the Avon Catchment), to raise Residents' awareness of those dangers as other towns and cities along the Swan River have already begun to do? For example flood height markers on light poles, writing to homeowners/residents advising them of the risk, drawing their attention to computer modelling showing flood prone areas of this City?

Response

The Presiding Member took the Question on Notice.

5.2.2 Mr R Greenwood, 151 Coolgardie Avenue, Redcliffe

1. Mr Greenwood noted Avon catchment area was 140,000 km^2 in total and that Toodyay had experienced floods recently. He stated that Avon Catchment area was subject to climate extremes.

Response

The Chief Executive Officer advised that the rise in recent water levels was due to high tides being experienced and not a change in climate extremes.

5.2.3 Mrs Bass, 77 Keymer Street, Belmont (On behalf of Belmont Residents/Ratepayers Action Group (BRRAG))

1. How many security cars are on duty in the Belmont area over the weekends?

Response

The Presiding Member replied that two security cars are on duty on the weekends.

2. After referring to being broken into on several occasions and other burglaries which had occurred in the Belmont area, Mrs Bass asked how much the security cars were costing and were they cost efficient?

Response

The Presiding Member took the Question on Notice.

Item 5.2.3 Continued

3. Following moves by the City of Melville who are changing their planning policies in regard to brothels, will the City of Belmont follow this move?

Response

The Presiding Member took the Question on Notice.

7.15pm As there were no further questions, the Presiding Member declared Public Question Time closed.

6. CONFIRMATION OF MINUTES / RECEIPT OF INFORMATION MATRIX

6.1 SPECIAL COUNCIL MEETING HELD ON 14 FEBRUARY 2011

(Circulated under separate cover)

OFFICER RECOMMENDATION

WHITELEY MOVED, POWELL SECONDED, That the minutes of the Special Council Meeting held, 14 February 2011 as printed and circulated to all Councillors, be confirmed as a true and accurate record.

CARRIED 10 VOTES TO 0

6.2 ORDINARY COUNCIL MEETING HELD ON 22 FEBRUARY 2011

(Circulated under separate cover)

OFFICER RECOMMENDATION

GEE MOVED, WOLFF SECONDED, That the minutes of the Ordinary Council Meeting held, 22 February 2011 as printed and circulated to all Councillors, be confirmed as a true and accurate record.

CARRIED 10 VOTES TO 0

6.3 INFORMATION MATRIX FOR THE AGENDA BRIEFING FORUM HELD ON 15 MARCH 2011

(Circulated under separate cover)

OFFICER RECOMMENDATION

HANLON MOVED, MARKS SECONDED, That the Information Matrix for the Agenda Briefing Forum held, 15 March 2011 as printed and circulated to all Councillors, be received and noted.

CARRIED 10 VOTES TO 0

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

The Presiding Member stated that Cr Hitt was provided with a response on 10 March 2011 to a question asked at the Ordinary Council Meeting of 22 February 2011.

She stated that the response to the question could be found in the current Agenda.

There were no other questions raised.

8. QUESTIONS BY MEMBERS WITHOUT NOTICE

The Presiding Member stated that Cr Hitt was provided with a response on 10 March 2011 to a question asked at the Ordinary Council Meeting of 22 February 2011.

She stated that the response to the question could be found in the current Agenda.

There were no other questions raised.

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

Nil.

10. BUSINESS ADJOURNED FROM A PREVIOUS MEETING

Nil.

11. REPORTS OF COMMITTEES

11.1 STANDING COMMITTEE (AUDIT & RISK) HELD ON 21 FEBRUARY 2011
(Circulated under separate cover)

POWELL MOVED, MARTIN SECONDED, That the Minutes for the Standing Committee (Audit & Risk) meeting held, 21 February 2011 as previously circulated to all Councillors, be received and noted.

CARRIED 10 VOTES TO 0

11.2 STANDING COMMITTEE (ENVIRONMENTAL) HELD ON 28 FEBRUARY 2011
(Circulated under separate cover)

HITT MOVED, WOLFF SECONDED, That the Minutes for the Standing Committee (Environmental) meeting held, 28 February 2011 as previously circulated to all Councillors, be received and noted.

CARRIED 10 VOTES TO 0

11.3 STANDING COMMITTEE (COMMUNITY CAPACITY) HELD ON 14 MARCH 2011
(Circulated under separate cover)

WHITELEY MOVED, GEE SECONDED, That the Minutes for the Standing Committee (Community Capacity) meeting held, 14 March 2011 as previously circulated to all Councillors, be received and noted.

CARRIED 10 VOTES TO 0

12. REPORTS OF ADMINISTRATION

WITHDRAWN ITEMS

Item 12.1 was withdrawn at the request of Cr Hanlon.
Item 12.2 was withdrawn at the request of Cr Wolff.
Item 12.3 was withdrawn at the request of Cr Hitt.
Item 12.4 was withdrawn at the request of Cr Marks.
Item 12.5 was withdrawn at the request of Cr Marks.
Item 12.6 was withdrawn at the request of Cr Marks.
Item 12.9 was withdrawn at the request of Cr Rossi.

WHITELEY MOVED, GEE SECONDED, That with the exception of Items 12.1, 12.2, 12.3, 12.4, 12.5, 12.6 and 12.9, which are to be considered separately, that the Officer Recommendations specifically for Items 12.7, 12.8 and 12.10, be adopted enbloc by an Absolute Majority decision.

CARRIED BY ABSOLUTE MAJORITY 10 VOTES TO 0

7.19pm The Compliance Adviser departed the meeting and did not return.

12.1 PERTH AIRPORT MAJOR DEVELOPMENT PLAN – REMOTE OPERATIONS CENTRE AND OFFICE – WHITHAM ROAD (CORNER OF HORRIE MILLER DRIVE AND HUGH EDWARDS DRIVE)

Built Belmont

ATTACHMENT DETAILS

Attachment No	Details
Attachment 1– Item 12.1 refers	**Major Development Plan Report**

Voting Requirement	:	Simple Majority
Subject Index	:	117/001
Location / Property Index	:	Horrie Miller Drive, Perth Airport
Application Index		N/A
Disclosure of any Interest	:	Nil
Previous Items	:	Nil
Applicant	:	Coxon Group of Companies
Owner	:	Coxon Group of Companies
Responsible Division	:	Community and Statutory Services

COUNCIL ROLE

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

PURPOSE OF REPORT

For Council to provide formal advice to Westralia Airports Corporation on a Major Development Plan within the Perth Airport Precinct for a Remote Operations Centre (ROC) and office development (refer to Attachment 1).

Item 12.1 Continued

SUMMARY AND KEY ISSUES

- A major development plan at Perth Airport for a ROC and office has been referred to the City for comment.
- The development comprises 8200m^2 of floor space, including a single level ROC, a three level office and single level staff amenities building. 330 car parking bays are provided on site.
- It is recommended that the City provide a letter of support for the proposal to Westralia Airports Corporation.

LOCATION

The subject site is located on Whitham Road between Horrie Miller Drive and Hugh Edwards Drive within the Perth Airport Precinct 2A, as shown below.

CONSULTATION

A major development plan relating to Perth Airport is required by legislation to be advertised for a period of 60 days. The advertising is being undertaken by Westralia Airports Corporation.

The applicant met with the City of Belmont officers prior to commencement of the advertising period to provide a brief and overview of the major development plan.

Item 12.1 Continued

STRATEGIC PLAN IMPLICATIONS

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

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

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

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

Objective: Maximise Business Development Opportunities.

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

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

Airports Act 1996

The *Airports Act 1996* is the principal statute regulating the ownership, management and conduct of major Australian airports. Part 5 of the *Airports Act 1996* prescribes a number of controls over land use, planning and building at airports. Complementary legislation includes the *Airports (Environmental Protection) Regulations 1997*, the objects of which are to establish a system of regulation and accountability for activities at airports that generate, or have potential to generate, pollution or excessive noise, and to promote improving environmental management practices for activities carried out at airport sites.

Section 89 of the *Airports Act 1996* identifies the types of development that is considered to be a major development plan. Generally this relates to works that impact airport operations.

In December 2009, the Australian Government released a National Aviation Policy White Paper, titled Flight Path to the Future, which discussed opportunities to further address the impacts on local and regional communities within close proximity of, or affected by, airports. Prior to the release of the White Paper, a Government Green Paper expressed a view that there are a range of activities that are likely to be incompatible with the long-term operation of an airport as an airport. The types of activities identified, included long-term residential development, residential aged or community care facilities, nursing homes, hospitals, schools, or any land use that has the potential to be contrary to airports activities.

Item 12.1 Continued

In response to the above, the *Airports Legislation Amendment Regulations 2009* came into effect and provided that any developments considered incompatible with the operation of the airport as an airport would constitute 'major airport developments', and these developments could only by carried out where they have been subject to a public consultation process (60 days) and approved by the Minister.

Section 91 of the Act identifies the required content for a Major Development Plan.

Perth Airport Master Plan 2009

Under Section 69 of the *Airports Act 1996*, each airport is required to produce a master plan. Section 70 of the Act requires that the master plan specify:

- Development objectives for the airport;
- Assessment of the future needs of civil aviation users of the airport, and other users of the airport, for services and facilities relating to the airport;
- Proposals for land use and related development of the airport site, where the proposals embrace airside, landside, surface access and land planning/zoning aspects; and
- Assessment of environmental issues that might reasonably be expected to be associated with the implementation of the plan.

Under Section 94(5) of the Act, a draft major development plan cannot be approved unless it is consistent with the relevant final master plan (where one exists).

Under the Perth Airport Master Plan, the subject development site is located in Precinct 2C, which is identified as a 'Commercial' precinct.

Environment Strategy 2009-2014

An Environment Strategy for Perth Airport for the period 2009-2014 is in place. The Strategy was approved by the Minister for Infrastructure, Transport, Regional Development and Local Government on 15 September 2009.

BACKGROUND

Lodgement Date:	18 February 2011	**Use Class:**	Office
Lot Area:	2.6379ha	**TPS Zoning:**	Public Purpose Reserve (Commonwealth Government)
Estimated Value:	$20 million	**MRS:**	Public Purpose Reserve (Commonwealth Government)

Lease Arrangements

Lots 2 and 3 Horrie Miller Drive, Perth Airport (corner Whitham Road) is sub-leased by Westralia Airports Corporation (WAC) and Coxon Developments Pty Ltd, Coxon Group of Companies Pty Ltd, Saihtam Pty Ltd and Carcharodon Pty Ltd.

The sub-lease is for 50 years (expires 28 June 2047). Conditions are attached to the use of the premises, including environmental requirements.

Item 12.1 Continued

Development Proposal

The subject development proposal is for the establishment of a ROC and office to service the Roy Hill Iron Ore (RHIO) Project in the Pilbara. The ROC is fundamentally a large control room occupied by specialised staff members that remotely control the RHIO mine, rail and port facilities in the Pilbara. The applicant considers that the establishment of remote operation of plant and equipment will:

- Increase safety by removing people from risk areas of the operation;
- Reduce cycle time for load and haul, and reduce grade variability; and
- Decrease operating costs by reducing the number of people required for the on-site workforce, thereby reducing fly-in fly-out travel and accommodation costs.

The RHIO Operations Centre will comprise the follow elements:

- The ROC – a single level building with a floor area of 1600m^2. It is proposed to be comprised of concrete walls with a cladding material, concrete floor and metal deck roof. The ceiling is proposed to be elevated to provide the necessary clearance and sight lines for operators to view a large screen on one side of the ROC. This component of the development will operate on a 24 hour 7 day basis and include specialised plant and equipment to support its functions.
- Office – a three level building with a total floor area of 6100m^2. The offices are proposed to be a concrete structure, with concrete slab and column construction. Externally, the building will be finished with glazing and cladding in aluminium or a similar panel material. Internally, the building will have carpeted floors, a suspended grid ceiling and a combination of open areas for workstations and a number of partitioned offices. The office will operate during standard business hours.
- Staff amenities and facilities – a single level building with a floor area of 500m^2. The amenities area will provide a break out space and facilities for the staff and management for tea and coffee making and the preparation of light snacks.
- Car parking for 330 vehicles (110 bays undercroft and 220 outside the building ground level).

Approximately 225 staff members will be present during standard working hours (8.00am to 6.00pm) and approximately 35 staff after normal working hours (6.00pm to 8.00am).

It is expected that the facility will be required for the full life of the RHIO mine, which is anticipated to be 18 years.

Development Standards

As the subject land is reserved under the Metropolitan Region Scheme for Public Purposes, the provisions of the City's Town Planning Scheme No. 14 do not apply to the subject development.

However, to assess the appropriateness of the use and provide comments to WAC, regard shall be given to the Mixed Business development standards of the Scheme.

Item 12.1 Continued

Land Use

The subject site has been identified in the Perth Airport Master Plan as being within Precinct 2, which is identified for 'Commercial'.

The Perth Airport Master Plan identifies the objectives for Precinct 2 which are to:

- Enable an integrated mix of commercial, aviation commercial, general warehouse, short stay accommodation, recreational and industrial land use objectives;
- Maximise exposure to major road networks;
- Ensure level of risk is appropriate for light industry area;
- Create a sense of balance of built form and landscape;
- Provide employment generating development opportunities;
- Minimise overall environmental impact, including to adjacent Conservation Precinct;
- Provide a safe and pleasant working environment;
- Encourage sustainable development using latest planning principles;
- Support economic development of the region; and
- Promote a range of day to day support uses.

Amongst the list of intended uses for Precinct 2 are aviation related uses, retail (bulky goods, showroom and shop), industry (light, general and service), hospitality related uses (serviced apartments, hotel, motel, tavern, restaurant), warehouse, transport depot, and office. ROC is not specifically listed, but is considered to fall under the general definition of 'Office'.

Car Parking and Traffic

The relevant land use category for assessing car parking provision for the subject development is 'Office'. Under Town Planning Scheme No. 14, 'Office' requires one car parking bay per 30m^2 of net lettable area, or one bay per staff member (whichever is less).

The subject development has a net lettable area of approximately 7700m^2 (ROC and office). Based on net lettable area, this would require 257 car parking bays. Based on staff members, 225 car parking bays would be required. The subject development provides 330 car parking bays.

The applicant has advised that a transport assessment has been undertaken for the proposed development by Aecom. Information provided by the applicant suggests that the greatest increase in traffic flow would be on Whitham Road where the traffic volume would effectively double. However, total future traffic flow is expected to remain at a low level for a local access road and that this change should have little effect on its capacity.

The applicant has also identified that the main intersection within the study area is Horrie Miller Drive / Tonkin Highway / Kewdale Road, where the overall traffic increase generated by the development is predicted to be less than 10% of the total traffic volume.

Item 12.1 Continued

With regard to the Horrie Miller Drive and Whitham Road intersection, the applicant considers that there should be no material impact on traffic volumes having regard to the degree of saturation, delay time, queue lengths and overall level of service for each approach to the intersection.

Site Cover / Open Space

The ground floor building envelope of the development covers approximately 20% of the total site. As a comparison, the Mixed Business development standards of Town Planning Scheme No. 14 allows for maximum site coverage of 60%.

The development plans show large areas of landscaping around the site and along street boundaries. The largest areas of landscaping are positioned towards Horrie Miller Drive.

Design

The proposed development has been designed with environmental sustainability and energy efficiency in mind, aiming to achieve a 4½ Star NABERS (National Australian Built Environment Rating System) rating for energy efficiency.

Security

Both physical and electronic security will service the proposed ROC building. It is expected that a single and secure point of entry to the complex which will be manned at all times. Fixed, pan, tilt and zoom surveillance cameras and a security system will provide security coverage and this will be fed back to a monitoring facility.

Services

The site has water, sewer, power, gas and telecommunications infrastructure available.

Environment

The subject site does not contain any native flora or vegetation and appears to have been cleared between 2000 and 2005.

Contextually, a narrow vegetated buffer on the western side of the site exists adjacent to the Southern Main Drain and Horrie Miller Drive. Similarly, a significant area of native vegetation exists east of the Commercial Precinct. There is also a significant area of native vegetation in a Conservation Precinct – Precinct 5.

A baseline site contamination assessment was conducted in 1997 by Douglas Partners. After sampling and testing of groundwater and soil, Douglas Partners concluded that there were no signs of gross contamination or contaminating activity being undertaken on the site. The report did however note that there are a number of liquid waste disposal sites as close as 650 metres from the site, which could constitute a possible future source of groundwater contamination.

Item 12.1 Continued

OFFICER COMMENT

The development of a ROC located in Perth is a significant component of the RHIO Project and a development that has the ability to provide many social and economic benefits at national, state and local level. Primarily, these positive impacts will include:

- Creation of local jobs and employment within the City of Belmont;
- Reduction in the need for workers to fly-in fly-out of the Pilbara;
- Enhancement of the Perth Airport precinct with a high standard development;
- Fulfill the objectives of the Perth Airport Master Plan for the relevant Precinct.

The proposed development has been assessed relative to the City's standard development assessment requirements and it is considered that the subject development is not expected to have any significant detrimental impacts on the amenity, in particular appropriate land use, car parking provision, traffic generation and development aesthetics. Similarly, there are no anticipated environmental impacts that would warrant the City to be concerned about the proposed development.

Having regard to the above, it is recommended that Council advise WAC of its support for the subject major development plan for the following reasons:

- The proposal is consistent with the objectives of the Perth Airport Master Plan;
- The proposal is consistent with City's expectations for development within the Perth Airport Precinct and surrounding local area;
- The development is of a high architectural standard and is not likely to have any adverse amenity impacts on the local area; and
- The development has the potential to have many positive social and economic benefits for the local and regional area.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

The applicant has advised that the development will have a 4½ green star rating under the NABERS. As detailed in the Background and Officer's Comment sections, there are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are not considered to be any negative social implications associated with the development proposal. Positive social benefits are anticipated through job creation.

Item 12.1 Continued

OFFICER RECOMMENDATION

HANLON MOVED, ROSSI SECONDED, ***That Council advise Westralia Airports Corporation that the proposed Major Development Plan for a Remote Operations Centre and Office Development on Lot 2 and 3 Whitham Road (corner Horrie Miller Drive and Hugh Edwards Drive), Perth Airport is supported for the following reasons:***

1. ***The proposal is consistent with the objectives of the Perth Airport Master Plan.***

2. ***The proposal is consistent with City's expectations for development within the Perth Airport Precinct and surrounding local area.***

3. ***The development is of a high architectural standard and is not likely to have any adverse amenity impacts on the local area.***

4. ***The development has the potential to have many positive social and economic benefits for the local and regional area.***

CARRIED 10 VOTES TO 0

12.2 WATER EFFICIENCY AUDIT - CIVIC CENTRE

NATURAL BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 2 – Item 12.2 refers	**Water Efficiency Audit Report - Civic Centre**
Attachment 3 - Item 12.2 refers	**Summary of Water Efficiency Audit Recommendations**

Voting Requirement	:	Simple Majority
Subject Index	:	30/ 017 – Water Campaign
Location / Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Technical Services

COUNCIL ROLE

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

PURPOSE OF REPORT

To present the recommendations of the 'Water Efficiency Audit: Civic Centre' to Council for endorsement.

Item 12.2 Continued

SUMMARY AND KEY ISSUES

The City has been working towards the status of a Waterwise Council since 2009. The Waterwise Council program, run by the Water Corporation helps Councils in Western Australia adhere to the State Government's water efficiency measures and further encourages improved water use management at a corporate and community level.

The City has recently implemented the final outstanding criteria, with a Water Efficiency Audit of the Civic Centre, Library and Senior Citizens Centre completed in December 2010.

In order to achieve Waterwise Council status, Council is required to endorse the implementation of at least 50% of the recommendations of the Water Efficiency Audit.

The Parks and Environment Department, in consultation with Building Operations has recommended the implementation of 80% of the recommendations of the Water Efficiency Audit.

LOCATION

The Water Efficiency Audit included the Civic Centre, Library and Senior Citizens Centre, which operate from the same Water Corporation scheme water main.

CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

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

Objective 1: Protect and enhance our natural environment.

Strategy: Ensure the City has policies and practices that safeguard and enhance the natural environment.

POLICY IMPLICATIONS

The implementation of the Environment Plan relates directly to the City of Belmont's Environmental Enhancement Policy (Policy NB3), which is to *"develop a strategy to protect and enhance the natural environment"*.

STATUTORY ENVIRONMENT

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

Item 12.2 Continued

BACKGROUND

The Waterwise Council program helps Councils in Western Australia adhere to the State Government's water efficiency measures and further encourages improved water use management at a corporate and community level.

The City has been working towards the status of a Waterwise Council since 2009, through implementation of the following criteria:

Criteria 1. Achieve milestones 1 to 3 of the ICLEI Water Campaign™

1.1 Nominate an employee/position as a point of contact for water related issues; this may be the Council's Water Campaign™ primary contact.

1.2 Council water consumption - Identify the top water using buildings and grounds owned by the authority (as identified in the Water Campaign™ Milestone 1 inventory) and;

- Conduct a water audit on at least one of the top water using sites (to the standard provided in the Internal Audit Training course);
- Include the water auditing of other identified sites in the Council's action plan as appropriate;
- Commit to implement 50% of recommendations from the water audit plan.

1.3 If Council is working on the Community module, the Milestone 2 goal for Community must link to the goal stated by the State Water Plan to reduce per capita scheme water use (where appropriate) or improve overall water use efficiency within the community.

Criteria 2. Ensure that appropriate staff members attend a FREE Waterwise training course

Criteria 3. Review the irrigation practices on Council grounds and public open space including:

3.1 Demonstrate that irrigation systems using scheme water are operating effectively and efficiently.

3.2 Submit a water conservation plan to the Department of Water where required.

Criteria 4. No breaches of water licence terms or conditions, including the 9am-6pm daytime sprinkler ban, set by the Department of Water in the past 12 months.

Criteria 5. No breach notices for scheme water usage issued by the Water Corporation to Council in the past six months.

The City has recently implemented the final outstanding criteria, with a Water Efficiency Audit of the Civic Centre, Library and Senior Citizens Centre completed in December 2010 (refer to Attachment 2).

In order to achieve Waterwise Council status, Council is required to endorse the implementation of at least 50% of the recommendations of the Water Efficiency Audit.

Item 12.2 Continued

The Water Efficiency Audit was discussed at the Standing Committee (Environmental) meeting of the 28 February 2011, with the following resolution made:

GODFREY MOVED, GEE SECONDED, That Council endorse the implementation of Recommendations 1.1b, 1.2, 1.3, 3.1, 3.2, 4.1, 4.2, 4.3 and 6.1 of the Water Efficiency Audit of the Civic Centre, Library and Senior Citizens Centre, as presented in Attachment 4.

CARRIED 5 VOTES TO 0

OFFICER COMMENT

The Parks and Environment Department, in consultation with Building Operations has determined that 80% of the recommendations of the Water Efficiency Audit can be implemented.

Attachment 3 provides a summary of all audit recommendations, corresponding to actions within the Executive Summary of the Water Efficiency Audit Report (refer to Attachment 2). Attachment 2 also specifies:

- Recommendations that have already been implemented or will be implemented prior to 30 June 2011.
- Recommendations that will be implemented from July 2011, and have been included as new or ongoing actions in the 2011 revision of the Environment Plan.
- Recommendations that have not been proposed for implementation, but may be considered in future or at alternative sites.

FINANCIAL IMPLICATIONS

The majority of actions can be implemented at minimal cost, involving only Officer time.

The total cost of implementing the recommendations has been estimated as $ 3,300, with a payback period of approximately 1.9 years. After this it is expected that water savings will result in a financial savings of $1,785 per annum excluding maintenance costs.

ENVIRONMENTAL IMPLICATIONS

Implementation of 80% of the recommendations of the Water Efficiency Audit will result in savings of approximately 1,000 kL of scheme water per annum.

SOCIAL IMPLICATIONS

There are no social implications at this time.

Item 12.2 Continued

OFFICER AND COMMITTEE RECOMMENDATION

WOLFF MOVED, HITT SECONDED, ***That Council endorse the implementation of Recommendations 1.1b, 1.2, 1.3, 3.1, 3.2, 4.1, 4.2, 4.3 and 6.1 of the Water Efficiency Audit of the Civic Centre, Library and Senior Citizens Centre, as presented in Attachment 2.***

CARRIED 10 VOTES TO 0

12.3 ANNUAL REVIEW OF CITY OF BELMONT ENVIRONMENT PLAN 2010-15

NATURAL BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 4 – Item 12.3 refers	**Proposed changes to City of Belmont Environment Plan 2010-2015**

Voting Requirement	:	Simple Majority
Subject Index	:	30/003 – Environment Plan
Location / Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	Item 12.13 OCM 22 June 2010
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Technical Services

COUNCIL ROLE

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

PURPOSE OF REPORT

To present the revised City of Belmont Environment Plan 2010-2015 to Council for endorsement.

Item 12.3 Continued

SUMMARY AND KEY ISSUES

The City of Belmont Environment Plan 2010-2015 was endorsed by Council on 22 June 2010 and provides strategic direction for environmental activities throughout the City.

As per the City's 'Environmental Enhancement Policy', Council is committed to the development, implementation and continual review of the Environment Plan. Annual review of the Environment Plan is to be undertaken prior to preparation of the budget each year.

Recommended changes to the Environment Plan have been identified, relating to:

- Deletion of actions that have been completed.
- Moving actions that have become ongoing to the relevant section.
- Addition of new actions.
- Alteration to timeframes, priority and/ or responsible officer.

LOCATION

N/A

CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

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

Objective 1: Protect and enhance our natural environment.

Strategy: Ensure the City has policies and practices that safeguard and enhance the natural environment.

POLICY IMPLICATIONS

The implementation of the Environment Plan relates directly to the City of Belmont's Environmental Enhancement Policy (Policy NB3), which is to *"develop a strategy to protect and enhance the natural environment"*.

STATUTORY ENVIRONMENT

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

Item 12.3 Continued

BACKGROUND

The City of Belmont Environment Plan 2010-2015 was endorsed by Council in June 2010 and provides strategic direction for environmental activities throughout the City.

As per the City's 'Environmental Enhancement Policy', Council is committed to the development, implementation and continual review of the Environment Plan. Annual review of the Environment Plan is to be undertaken prior to preparation of the budget each year.

Changes to the draft Plan discussed at the Standing Committee (Environmental) meeting of the 30 March 2010 are summarised in Attachment. The following resolution was subsequently made:

MARKS MOVED, WOLFF SECONDED, That Council adopt the proposed changes to the City of Belmont Environment Plan 2010-15, as presented in Attachment 2.

CARRIED 5 VOTES TO 0

OFFICER COMMENT

Recommended changes to the Environment Plan have been identified, relating to:

- Deletion of actions that have been completed
- Moving actions that have become ongoing to the relevant section
- Addition of new actions
- Alterations to timeframes, priority and/or responsible officer.

The proposed changes are presented to the Standing Committee (Environmental) for comment, prior to referral to Council for adoption.

The attached document outlines the proposed changes to the Environment Plan (Attachment 4). Red, underlined text indicates additions to the Environment Plan, while blue highlighted text is proposed for deletion. Comments provide an explanation justifying the requirement for changes.

A significant number of new actions have been included in the Water Management chapter, as a result of the City's increased focus on groundwater management.

At the Standing Committee (Environmental) meeting of the 28 February 2011, Councillors requested inclusion of 'average green vehicle guide rating' as an indicator in the 'Climate Change' chapter.

Item 12.3 Continued

FINANCIAL IMPLICATIONS

A summary of the estimated costs for each financial year is presented in the table below. This does not include 'ongoing actions' which are included in existing budgets.

A significant but unquantified cost is related to officer time, which involves not only the activities of Environment Section staff, but also those identified as responsible officers.

Year	Estimated cost
2010/11	$31,342
2011/12	$72,632
2012/13	$17,731
2013/14	$15,337
2014/15	$82,510
TOTAL	**$219,552**

ENVIRONMENTAL IMPLICATIONS

Review of the Environment Plan will directly improve the City's ability to protect and enhance the natural environment.

SOCIAL IMPLICATIONS

The Environment Plan is anticipated to result in a beneficial social impact, particularly via the 'Community Awareness' chapter, which aims to:

- Support the work of 'Friends Of' groups and environmental volunteers;
- Enhance the sense of appreciation and ownership of natural areas;
- Affect behaviour change in residents and businesses in terms of water / energy efficiency, waste, transport;
- Increase community involvement in biodiversity initiatives in their own garden or within the City's natural areas.

OFFICER AND COMMITTEE RECOMMENDATION

HITT MOVED, MARKS SECONDED, That Council adopt the proposed changes to the City of Belmont Environment Plan 2010-15, as presented in Attachment 4.

CARRIED 10 VOTES TO 0

7.27pm Having previously declared a Financial Interest in Item 12.4, Cr Hanlon departed the meeting.

12.4 REQUEST FOR FUNDING SUPPORT FOR 2011 BELMONT SMALL BUSINESS AWARDS

BUSINESS EXCELLENCE

ATTACHMENT DETAILS

Attachment No	Details
Attachment 5 – Item 12.4 refers	**Belmont Small Business Awards Partnership Opportunities 2011**

Voting Requirement	:	Absolute Majority
Subject Index	:	22/003 – Funding – Donations and Sponsorship
Location / Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	Item 12.11 OCM 28 April 2009 Item 9.1 OCM 23 March 2010 Item 12.12 OCM 21 December 2010 Item 12.14 OCM 22 February 2011
Applicant	:	Tim Hammond, Belmont Business Enterprise Centre
Owner	:	N/A
Responsible Division	:	Corporate and Governance

COUNCIL ROLE

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

Item 12.4 Continued

PURPOSE OF REPORT

The report seeks the approval of Council for an allocation of funds in the 2011/2012 budget for the purpose of supporting the Belmont Business Enterprise Centre in delivering the 2011 Belmont Small Business Awards.

SUMMARY AND KEY ISSUES

The Belmont Business Enterprise Centre is seeking funding support to run the Belmont Small Business Awards 2011. If approved, this activity would be included in the draft 2011/2012 Annual Budget.

The Belmont Business Enterprise Centre (BBEC) is seeking $12,500 for the Belmont Small Business Awards 2011.

BBEC has run the Belmont Small Business Awards since 1994.

LOCATION

N/A

CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

In accordance with Strategic Plan Key Result Area: Business Belmont

Objective: Achieve and maintain an image of Belmont as an ideal location for business growth and opportunities

Strategy: Promote the City of Belmont through various promotional and informative materials, facilitated networks and media targeting the business community that will make it clear that the City is a great place to do business

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

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

Item 12.4 Continued

BACKGROUND

The Belmont Business Enterprise Centre (BBEC) is a community based organisation operating from 7 Fairbrother Street, Belmont. The BBEC receives Federal funding to provide low cost advisory services in the areas of business planning advice, advice on loans and banking products including preparing for and seeking access to credit through financial service providers, development of simple marketing plans, assistance accessing legal and accounting services, leasing guidance, advice on government regulation or mentoring for business.

Like all of the Business Enterprise Centres, the BBEC seeks additional funding from a range of sources to enhance and supplement its activities.

The BBEC has run the annual Belmont Small Business Awards since 1994. The Awards attract a wide coverage of media interest and corporate support and seek to recognise businesses that strive for business excellence. The 2010 Awards Presentation night was held at the Burswood Entertainment Complex. Further information on the 2010 Awards winners, as well as the request for 2011 funding support is provided in Attachment 5. In summary, the BBEC is seeking $12,500 direct financial support and the use of the Belmont Civic Centre for the official launch of the Awards.

The City of Belmont has traditionally provided some level of funding support for the Small Business Awards and has usually sponsored an award.

The 21 December 2010 Ordinary Council Meeting considered a request from the Belmont Business Enterprise Centre (BBEC) for funding support to run the Belmont Small Business Awards 2011. The 21 December 2010 report recommended:

> *"That Council approve the inclusion of $12,500 for the Belmont Small Business Awards 2011 within the draft 2011/2012 Annual Budget for the purpose of sponsoring the Best New Business Award."*

However, the following Alternative Motion was proposed and carried:

> *"That Council defer Item 12.12 - Request for Funding Support for 2011 Belmont Small Business Awards to the first Information Forum in February 2011 for further consideration."*

This discussion has taken place, and the report was included in the 22 February 2011 Ordinary Council Meeting Agenda. However, Council was seeking additional information as described by the Business Enterprise Centre Management Committee Chair at the 8 February 2011 Information Forum. As this information had not been provided prior to the meeting it was agreed:

> That Council defer Item 12.14 – Request for Funding Support for 2011 Belmont Small Business Awards.

Item 12.4 Continued

Officers contacted the Business Enterprise Centre Management Committee and requested the information as described at the Information Forum. The following information has now been provided by the Chairperson of the Business Enterprise Centre (BEC) Management Committee:

"1. Criteria for judging awards. ie, how are the winners selected?

The BEC is conscious of the fact that the impartiality of the Judges is crucial if the integrity of the decision making process is to be upheld.

Each year, a Belmont Small Business Awards panel is convened. The panel consists of five independent judges. Each Judge reviews each submission received by the BBEC in relation to the small business awards. As with any judging panel, they discuss and debate their preferred category nomination, and they usually come to an agreed consensus as to who best represents the particular category. Currently the composition of the judging panel is made up from 2 practising accountants, 1 business consultant, 1 Judge with a marketing background, and one Judge specifically with a small business background.

The relevant criteria from which an application is assessed is clearly set out on the entry guidelines on the Belmont Small Business Awards brochure. There are ten specific criteria from which the Judges are required to assess an application against, including:

- *Whether the business has a business plan;*
- *Whether the business has experienced financial growth;*
- *How is customer satisfaction determined;*
- *How staff are involved in improving the business;*
- *What environmental, energy saving measures are in place.*

In each case the success of an application is determined by a majority of Judges (ie: not less than 3 out of five) agreeing on a particular nominee as the successful entrant, however, as mentioned above, the usual case is that there is agreement by consensus.

The Judges have the discretion to reject an application if the application does not contain sufficient information to confirm the credibility and current status of the business. The Judges can also request more information from a particular business if the case requires it.

I am informed that it has also been our experience that in some cases, a business may make an application for a particular category, only to find that they are actually a worthy entrant in another category. If that is the case, it is appropriate Judges have the discretion to consider the business for eligibility for other award categories.

Item 12.4 Continued

2. *Process for establishing and dealing with conflicts of interest between award nominees/winners and the judging process.*

   It is of utmost importance that any perceived conflicts of interest between award nominees are immediately addressed by the BBEC. In every case, if an applicant is related to a Judge or is a business associate of a Judge, the relevant Judge withdraws from the decision making process and that Judge has no input whatsoever in the decision making process.

   If, for whatever reason, the recusal of a Judge results in the remaining judges unable to form a majority in the decision making process, the BBEC will seek out a 'reserve' judge who is also impartial to be inducted onto the judging panel. To my understanding, this course of action has never been required.

   In addition to the above, it ought also be stated that in the 17 year history of the awards, sponsors have never been allowed to have any input whatsoever into the judging process. Judges select their preferred winner based on the merits of the submission presented and then they debate the selection until there is an agreed decision by a majority of the judges.

3. *Accountability measures. Ie, What process or procedure is used to determine if the information provided by an award applicant is true. (ie: does the applicant have the necessary clearances and/or approvals to operate the business?).*

   All entrants have to submit a signed and dated entry form stating they have read and understood the guidelines. They have to state what year they started their business, staff numbers and the like and answer the 10 questions asked in their submission.

   The 10 questions reflect the focus of the awards and various category themes eg environment, indigenous, migrant.

   Answers to the questions on the Application form can provide enough information to the Judges; however if the business-owner applicant answers too briefly or does not address the questions adequately, then the application is likely to be marked with a very low score or even rejected.

   Other than requiring the business to declare they are telling the truth in relation to their application form, it is simply impractical for a not for profit agency like the BBEC to undertake additional investigations into the efficacy of a business application. If the Judges request clarification or wish to receive further information then that is requested, this is stated on the entry form. If a third party brings to the attention of the BBEC or the Judges information that casts doubt on the efficacy of a particular business, then such an allegation will of course be investigated. Historically there is no incident of which I am aware, that a winning business was found to be operating unlawfully or was otherwise unworthy of the business award.

   If anyone is in possession of information to the contrary, then I would invite them to submit that information to me in writing where it will be given the highest of priority."

Item 12.4 Continued

OFFICER COMMENT

The annual Belmont Small Business Awards are a well organised and well attended celebration of business achievement. The Awards attract sponsorships from a diverse and extensive range of organisations, including Belmont Forum, Curtin Business School and Perth Airport. Through sponsorship the City continues to publicly demonstrate its support for business.

This proposal is considered to be in line with the City's sponsorship guidelines.

In previous years, the City has sponsored the Best New Business Award. If it is agreed to provide sponsorship, it is felt that this is the most appropriate award to sponsor.

FINANCIAL IMPLICATIONS

The proposal from BBEC seeks $12,500 for the Belmont Small Business Awards 2011. This funding would be provided from the 2011/2012 Property and Economic Development budget.

There are further costs associated with hosting the launch of the awards at the Civic Centre. The elements of these additional costs include the provision of security and bar staff. There are also some additional cleaning requirements and some minor costs associated with having the Administration Centre open. These costs come to approximately $1,000. These costs have traditionally been absorbed within the City's Marketing budget.

The City also dedicates two pages of the Belmont Business Talk to showcase the Belmont based businesses who win awards at the Small Business Awards. This is neither a direct nor indirect subsidy for the Awards themselves as the purpose of the article is to promote local business excellence to the rest of the business community. However, it is a cost that is related to the Business Awards. In December 2010 the cost of these two pages was $808.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

The proposal provides support to the Belmont Business Enterprise Centre and seeks to enhance the image of Belmont.

OFFICER RECOMMENDATION

MARKS MOVED, POWELL SECONDED, That Council approve the inclusion of $12,500 for the Belmont Small Business Awards 2011 within the 2011/2012 Annual Budget for the purpose of sponsoring the Best New Business Award.

******ABSOLUTE MAJORITY REQUIRED******

CARRIED 9 VOTES TO 0

7.36pm Having previously declared a Financial Interest in Item 12.4, Cr Hanlon returned to the meeting.

12.5 DISPOSAL OF 24 ASHWORTH STREET, CLOVERDALE

Original attachment archived in Confidential Minute Book 2011

BUSINESS BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Confidential Attachment 1 – Item 12.5 refers	**Valuation – 24 Ashworth Street, Cloverdale**

Voting Requirement	:	Absolute Majority
Subject Index	:	68/004 – Council Land Acquisitions and Management
Location / Property Index	:	24 Ashworth Way, Cloverdale
Application Index		N/A
Disclosure of any Interest	:	N/A
Previous Items	:	N/A
Applicant	:	City of Belmont
Owner	:	City of Belmont
Responsible Division	:	Corporate and Governance

COUNCIL ROLE

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

Item 12.5 Continued

PURPOSE OF REPORT

To seek Council's approval to dispose of the property at 24 Ashworth Street, Cloverdale.

SUMMARY AND KEY ISSUES

The property located at 24 Ashworth Street, Cloverdale is a vacant allotment, and former drainage sump.

The site requires some remediation before disposal such as removal of the drainage sump and removal of the soakwell.

As the lot currently forms an overflow for drainage, an upgrade of the downstream system is require. Detailed investigation is needed to determine this.

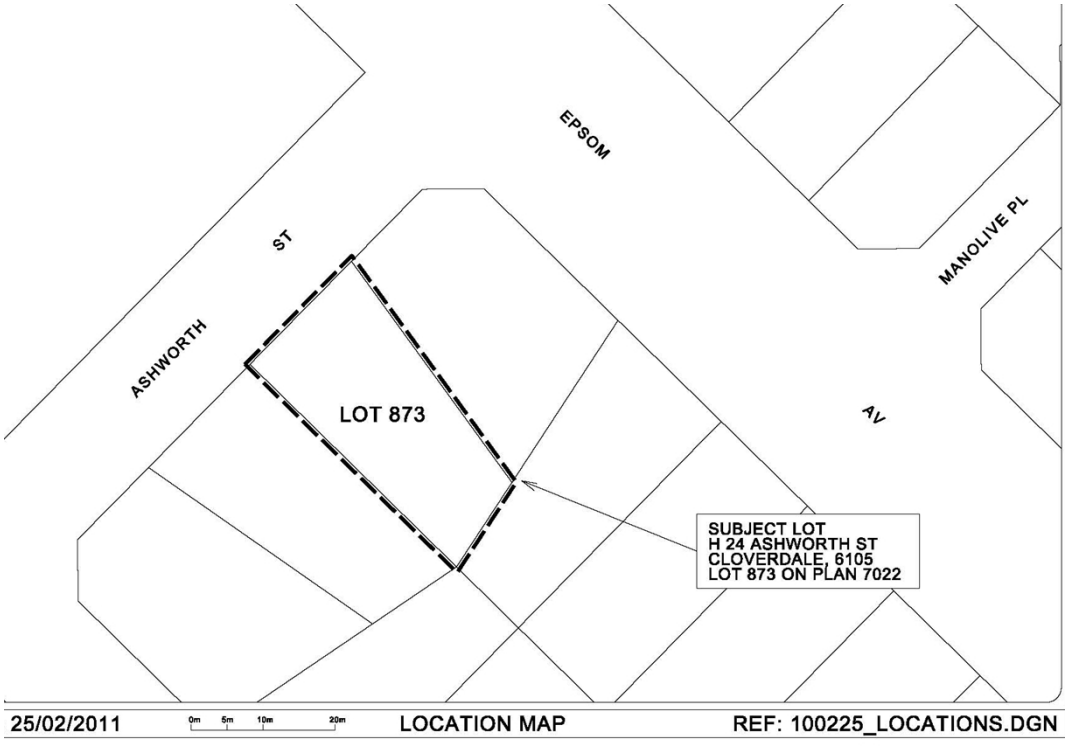
The property is regular in shape with an area of 655 m^2 and frontage of 20.1 metres.

The site is zoned Residential R20.

The current market value of the property is contained in the confidential attachment supporting this report. (Confidential Attachment 1).

LOCATION

The location of the property is 24 Ashworth Street, Cloverdale.



Item 12.5 Continued

CONSULTATION

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

It is noted consultation will take place if Council approves of the disposal and submissions are sought through the advertising required by the *Local Government Act 1995*.

There will also be the listing for sale and signage required to advertise the sale of the land.

STRATEGIC PLAN IMPLICATIONS

In accordance with the Strategic Plan Key Action Area: Business Excellence

Objective: Apply sound and sustainable business management principles.

Strategy: Operate Council's land and facilities portfolio as an efficient investment.

POLICY IMPLICATIONS

A Land Asset Management Plan was adopted by Council on 18 September 2007. This plan provides the decision making framework for disposal of the City's land.

In order to determine the strategic objectives of properties identified within the plan, principles have been determined to guide the management of Council's property portfolio. The first of these states;

> *Property assets should only be held when they support program delivery or achieve strategic objectives, including forming part of a long term investment strategy. The only other properties that the Council should retain non-regulatory control over are those that are necessary for the efficient and effective performance of its functions, those that the Council is otherwise legally required to control, or those that fit defined strategic or investment criteria.*

The property at 24 Ashworth Street, Cloverdale is considered surplus to the City's needs.

STATUTORY ENVIRONMENT

Section 3.58 of the *Local Government Act 1995* outlines the processes required of local government for the disposal of land.

Item 12.5 Continued

In this section it is stated:

> *(2) Except as stated in this section, a local government can only dispose of property to —*
> *(a) the highest bidder at public auction; or*
> *(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
> *(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
> *(a) it gives local public notice of the proposed disposition —*
> *(i) describing the property concerned;*
> *(ii) giving details of the proposed disposition; and*
> *(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
> *and*
>
> *(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the Council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

If the recommendations within this report are endorsed by Council, the City would follow Section 3.58 (3) for the disposal by private treaty and through a local estate agent.

BACKGROUND

The property is currently used as a drainage overflow basin and if removed, an upgrade of the downstream drainage pipes will be required following a detailed investigation. Including a design and construct briefing, the works are roughly estimated at about $60,000.

The ground is lightly grassed and the physical sump is approximately 1m deep over about 500 m^2 of the site (ie. almost all of the site). As such, the property is not suitable for recreational purpose.

The removal of pipes, soakwell and backfill of the site to level, will cost an approximately $30,000.

OFFICER COMMENT

The land at 24 Ashworth Street, Cloverdale, is surplus to the City's land holding needs, and should be disposed of in a timely manner.

The market is not currently sufficiently buoyant to provide what can be considered the best financial return.

By preparing and authorising this report now the works, which will take approximately six months, can commence and the property and Officers will be ready to take advantage of the expected market upswing.

Item 12.5 Continued

FINANCIAL IMPLICATIONS

It is intended that the City accept no less than the current market valuation (Confidential Attachment1) for 24 Ashworth Street, Cloverdale. There are works of approximately $90,000 required before the property may be disposed. Further costs associated with tendering the sale, will not be significant.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER RECOMMENDATION

That Council,

1. Endorse the disposal of 24 Ashworth Street, Cloverdale, for not less than the recommended market value at time of disposal.

2. Delegate authority to the Chief Executive Officer to undertake all matters as arising with respect to this recommendation.

3. Authorise the Mayor and Chief Executive Officer to place the common seal of the City of Belmont on documentation associated with the disposal of 24 Ashworth Street, Cloverdale.

4. Consider the provision of approximately $90,000 in the draft 2011/2012 Budget for associated works to enable the sale of the subject land.

ABSOLUTE MAJORITY REQUIRED

Item 12.5 Continued

AMENDED OFFICER RECOMMENDATION

MARKS MOVED, POWELL SECONDED, That Council,

1. ***Endorse the disposal of 24 Ashworth Street, Cloverdale, for not less than the recommended market value at time of disposal.***

2. ***Delegate authority to the Chief Executive Officer to undertake all matters as arising with respect to this recommendation.***

3. ***Authorise the Chief Executive Officer to place the common seal of the City of Belmont on documentation associated with the disposal of 24 Ashworth Street, Cloverdale.***

4. ***Consider the provision of approximately $90,000 in the draft 2011/2012 Budget for associated works to enable the sale of the subject land.***

******ABSOLUTE MAJORITY REQUIRED******

CARRIED 10 VOTES TO 0

Reason

The Mayor was removed as signatory from the Recommendation as the City of Belmont Standing Orders only require the Chief Executive Officer's endorsement.

12.6 DISPOSAL OF LOT 114 (187) STAR STREET, CARLISLE

Original attachment archived in Confidential Minute Book 2011

BUSINESS BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Confidential Attachment 2 – Item 12.6 refers	**Valuation – Lot 114 (187) Star Street, Carlisle**

Voting Requirement	:	Absolute Majority
Subject Index	:	68/004 – Council Land Acquisitions and Management
Location / Property Index	:	187 Star Street, Carlisle
Application Index		N/A
Disclosure of any Interest	:	N/A
Previous Items	:	N/A
Applicant	:	City of Belmont
Owner	:	City of Belmont
Responsible Division	:	Corporate and Governance

COUNCIL ROLE

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

PURPOSE OF REPORT

To seek Council's approval to dispose of the property at Lot 114 (187) Star Street, Carlisle.

Item 12.6 Continued

SUMMARY AND KEY ISSUES

The property located at 187 Star Street Carlisle, is a vacant allotment and former drainage sump adjacent to the City of Belmont's Operations Centre.

The property is located in the Town of Victoria Park.

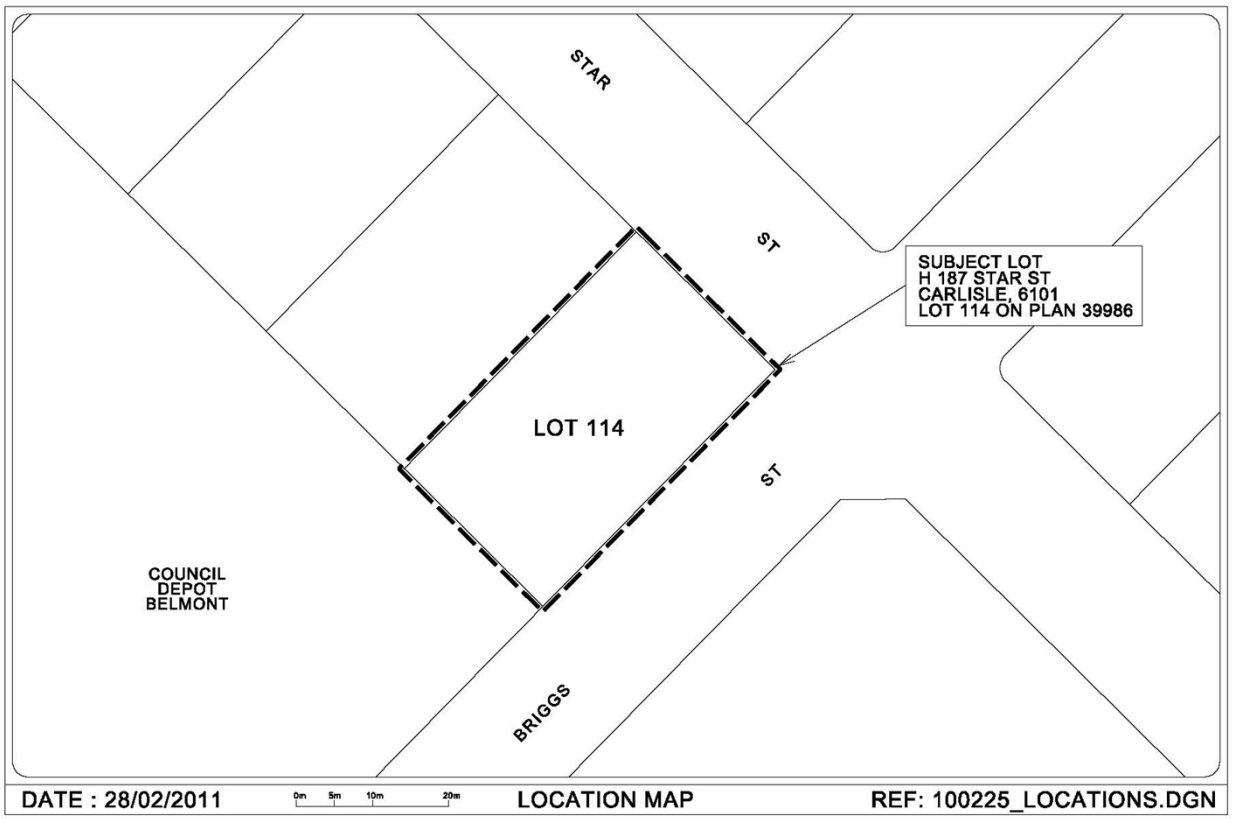
The property is regular in shape with an area of 1103 m^2 and 25.5 metre frontage to Star Street.

The property is located within the Town of Victoria Park's 'Industry' zone, and is superfluous to the needs of the City.

The current market value of the property is contained in the confidential attachment supporting this report. (Confidential Attachment 2).

LOCATION

The property Lot 114 (187) Star Street, Carlisle is situated in the locality of the Town of Victoria Park.



Item 12.6 Continued

CONSULTATION

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

It is noted consultation will take place if Council approve of the disposal and submissions are sought through the advertising required by the *Local Government Act 1995*.

There will also be the listing for sale and signage required to advertise the sale of the land.

STRATEGIC PLAN IMPLICATIONS

In accordance with the Strategic Plan Key Action Area: Business Excellence

Objective: Apply sound and sustainable business management principles.

Strategy: Operate Council's land and facilities portfolio as an efficient investment.

POLICY IMPLICATIONS

A Land Asset Management Plan was adopted by Council on 18 September 2007. This plan provides the decision making framework for disposal of the City's land.

In order to determine the strategic objectives of properties identified within the plan, principles have been developed to guide the management of Council's property portfolio. The first of these states;

> *Property assets should only be held when they support program delivery or achieve strategic objectives, including forming part of a long term investment strategy. The only other properties that the Council should retain non-regulatory control over are those that are necessary for the efficient and effective performance of its functions, those that the Council is otherwise legally required to control, or those that fit defined strategic or investment criteria.*

The property at Lot 114 (187) Star Street Carlisle, is considered surplus to the City's needs.

Item 12.6 Continued

STATUTORY ENVIRONMENT

Section 3.58 of the *Local Government Act 1995* outlines the processes required of Local Government for the disposal of land.

In this section it is stated:

> *(2) Except as stated in this section, a local government can only dispose of property to —*
> *(a) the highest bidder at public auction; or*
> *(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
> *(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
> *(a) it gives local public notice of the proposed disposition —*
> *(i) describing the property concerned;*
> *(ii) giving details of the proposed disposition; and*
> *(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
> *and*
>
> *(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the Council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

If the recommendations within this report are endorsed by Council, the City would follow Section 3.58 (3) for the disposal by private treaty, though a local estate agent.

BACKGROUND

The subject property Lot 114 (187) Star Street Carlisle was originally part of a larger site, then known as the old Main Roads WA depot site.

The site was acquired by the City for the purposes of relocation of the City of Belmont Operations Centre.

Following acquisition of the site and subdivision in 2002, the subject lot was retained initially for the purpose of providing rear access to the Operations Centre. At the time, the Briggs Street road reserve was not open to traffic.

The Briggs Street road reserve was opened to vehicular access in 2008 and now provides access to the site.

As a result there is no need to retain the subject lot for this purpose.

Item 12.6 Continued

OFFICER COMMENT

The land at Lot 114 (187) Star Street Carlisle is surplus to the City's land holding needs.

The subject lot is not required or expected to be required for City use.

By preparing and authorising this report now, the property will be ready to take advantage of a market upswing.

FINANCIAL IMPLICATIONS

It is intended that the City accept no less than the current market valuation (Confidential Attachment 2).

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER RECOMMENDATION

That Council,

1. Endorse the disposal of Lot 114 (187) Star Street Carlisle, for not less than the recommended market value at time of disposal.

2. Delegate authority to the Chief Executive Officer to undertake all matters as arising with respect to this recommendation.

3. Authorise the Mayor and Chief Executive Officer to place the common seal of the City of Belmont on documentation associated with the disposal of Lot 114 (187) Star Street Carlisle.

ABSOLUTE MAJORITY REQUIRED

Item 12.6 Continued

AMENDED OFFICER RECOMMENDATION

MARKS MOVED, GEE SECONDED, That Council,

1. ***Endorse the disposal of Lot 114 (187) Star Street Carlisle, for not less than the recommended market value at time of disposal.***

2. ***Delegate authority to the Chief Executive Officer to undertake all matters as arising with respect to this recommendation.***

3. ***Authorise the Chief Executive Officer to place the common seal of the City of Belmont on documentation associated with the disposal of Lot 114 (187) Star Street Carlisle.***

******ABSOLUTE MAJORITY REQUIRED******

CARRIED 10 VOTES TO 0

Reason

The Mayor was removed as signatory from the Recommendation as the City of Belmont Standing Orders only require the Chief Executive Officer's endorsement.

12.7 STATUTORY COMPLIANCE AUDIT RETURN 2010

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 6 – Item 12.7 refers	**Copy of Statutory Compliance Audit Return 2010 submission**

Voting Requirement	:	Simple Majority
Subject Index	:	39/005 – Statutory Compliance Returns
Location / Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	Item 12.15 OCM 23 March 2010
Applicant	:	City of Belmont
Owner	:	City of Belmont
Responsible Division	:	Corporate and Governance

COUNCIL ROLE

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

PURPOSE OF REPORT

This report seeks Council's adoption and endorsement for certification of the completed 2010 Compliance Audit Return for submission to the Department of Local Government.

Item 12.7 Continued

SUMMARY AND KEY ISSUES

A requirement of the *Local Government Act 1995* is for a Compliance Audit Return to be completed by 31 March each year.

The Department of Local Government provides a set of questions (which can vary from year) to Local Governments around mid December of every year.

Following adoption of the 2010 Compliance Audit Return submission the monitoring of actions arising from non-compliance will be monitored at future Standing Committee (Audit & Risk) meetings.

The report outlines the City's level of compliance for each of the legislative areas submitted for assessment by the Department of Local Government (the Department) in the 2010 Compliance Audit Return.

The 2010 Compliance Score was 97.5%.

LOCATION

N/A

CONSULTATION

In completing the 2010 Compliance Audit Return, consultation has occurred internally with relevant responsible Officers and with Officers of the Department.

STRATEGIC PLAN IMPLICATIONS

The City of Belmont's Strategic Plan 2010-2015 outlines the following objective and strategy which broadly relate to the function of the Compliance Audit Return.

Objective:	Maximise organisational effectiveness and reputation as an organisation, employer and a community.
Strategy:	Ensure that the organisation's capacity and capability meets strategic, customer and operational needs
Corporate Key Action:	Manage the City's operations in a manner consistent with the Leadership Strategy

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

12.7 Continued

STATUTORY ENVIRONMENT

***Local Government Act (Audit) Regulations 1996,* r14** – requires that a Compliance Audit be carried out and Compliance Audit Return be prepared annually for the period 1 January to 31 December in a form prescribed by the Minister. It also requires that the Compliance Audit Return be; presented to a meeting of Council, adopted by Council and recorded in the meeting minutes.

***Local Government Act (Audit) Regulations 1996*, r15**, requires that after the Compliance Audit Return has been presented to Council, a certificate (signed by Mayor and Chief Executive Officer) must be forwarded to the Director General of the Department including a copy of the relevant Council minute and any supplementary documentation providing explanation or qualification of the Compliance Audit.

BACKGROUND

The compliance audit period is 1 January to 31 December 2010 and once the audit is completed the City is required to: -

- Present the Compliance Audit Return to Council;
- Seek Council's endorsement of the completed Compliance Audit Return; and,
- Return the endorsed and certified Compliance Audit Return, along with a copy of the Council minute, to the Department by no later than 31 March 2011.

In completing the Compliance Audit Return the Chief Executive Officer and other designated Officers have undertaken an audit of the City's activities, practices and procedures applicable to each section and requirement.

The report has been presented to the Standing Committee for Audit and Risk on the 21 February 2011. Several questions were asked and responded to at the meeting; a copy of the presentation was circulated to Councillors as a Tabled Attachment to the minutes.

The Department has required that the Return be completed on line via its website, and the completed copy of the return is provided as Attachment 6 to this report and is a printout of the City's registered responses.

Once Council has resolved its satisfaction with the contents of the Return and the recommended remedial actions, it can be jointly certified by the Mayor and the Chief Executive Officer and then submitted to the Department.

Council may also refer the completed Compliance Audit Return to the Auditor or other external inspection service for an independent check.

OFFICER COMMENT

The analysis has been completed and identified non-compliances have been assessed in terms of:

- **Substantive Non-Compliance** – there has been a failure to comply with the substantial requirements of the compliance obligation due to a process failure; or,

12.7 Continued

- **Technical Non-Compliance** – whilst a substantive requirement has been met, there has been a minor human error, a minor misinterpretation of the technical requirements or a slight over-run on a statutory deadline.

The City of Belmont has achieved the following

Compliance Area	Number Full Compliance	Substantive Non-Compliance	Technical Non-Compliance
Cemeteries	3	0	0
Commercial Enterprises by Local Governments	5	0	0
Delegation of Power / Duty	13	0	0
Disclosure of Interest	19	1	0
Disposal of Property	0	2	0
Elections	34	1	0
Executive Functions	12	0	0
Finance	44	0	0
Local Government Employees	23	0	0
Local Laws	11	0	0
Meeting Process	55	1	0
Miscellaneous Provisions	2	1	0
Official Conduct	6	0	0
Swimming Pools	0	1	0
Tenders for Providing Goods and Services	47	0	0
Total	**274**	**7**	**0**

**Technical Non-Compliance is not included in Compliance Score.*

The 2010 Compliance Score was 97.5%.

When reading the questions shown in the Compliance Audit Return (refer to Attachment 7), it should be noted, they should be read in conjunction with the relevant extract of the *Local Government Act 1995* and / or associated Regulations, as there are some instances where the manner of expression of the question may mislead in the specific statutory requirements.

12.7 Continued

Outlined below is an overview of the non-compliance matters identified for Council's consideration.

Question	City's Response	Officer's Comment
Disclosure of Interest *Local Government Act 1995 s5.75(1); Local Government (Administration) Regulations 22 Form 2* Was a primary return lodged by all newly designated employees within three months of their start day.	No - There was one Primary return that was lodged 1 day outside of the 3 months of their start date.	Although a proven and reliable procedure was in place for advising new staff members of the requirement to complete a Primary Return if their role required it, the employee in question was hired as a casual employee and as such was not covered by the procedure. Procedures have since been updated to ensure that casual officers are monitored in the future.
Disposal of Property *Local Government Act 1995 s3.58(3)* Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	9 Towton Street: The 11 February 2008 Ordinary Council Meeting agreed to the disposal of 9 Towton Street, for a sale price of no less than $450,000. It was also agreed to delegate responsibility to dispose of the property in accordance with the requirements of the *Local Government Act 1995*. Subsequent to this recommendation the effects of the Global Financial Crisis had a negative impact on property prices, and there was no interest in the property at the agreed asking price. However, the real estate agent kept the property on his books and continued to promote. In October 2010 an offer was made by persons unknown to the City to purchase the property for $450,000. As the offer was within the limits of the current valuation from April 2010, the offer was accepted and settlement took place in December 2010. Due to an administrative oversight public notice was not given prior to the disposal	A review of the process maps associated with disposing of property has taken place and the need to ensure that the processes are adhered to has been reinforced to the relevant officers.

12.7 Continued

Question	City's Response	Officer's Comment
Disposal of Property *Local Government Act 1995 s3.58(4)* Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	9 Towton Street: The 11 February 2008 Ordinary Council Meeting agreed to the disposal of 9 Towton Street, for a sale price of no less than $450,000. It was also agreed to delegate responsibility to dispose of the property in accordance with the requirements of the *Local Government Act 1995*. Subsequent to this recommendation the effects of the Global Financial Crisis had a negative impact on property prices, and there was no interest in the property at the agreed asking price. However, the real estate agent kept the property on his books and continued to promote. In October 2010 an offer was made by persons unknown to the City to purchase the property for $450,000. As the offer was within the limits of the current valuation from April 2010, the offer was accepted and settlement took place in December 2010. Due to an administrative oversight public notice was not given prior to the disposal	A review of the process maps associated with disposing of property has taken place and the need to ensure that the processes are adhered to has been reinforced to the relevant officers.
Elections *Local Government Act 1995 s4.32(4)* Did the CEO, within 14 days after receiving a claim for enrolment, decide whether the claimant was eligible or not eligible under s4.30(1)(a) and (b) and accept or reject the claim accordingly.	No	Staff Turnover has resulted in training delays on the Pathways Electoral Module. Future compliance is to be monitored.

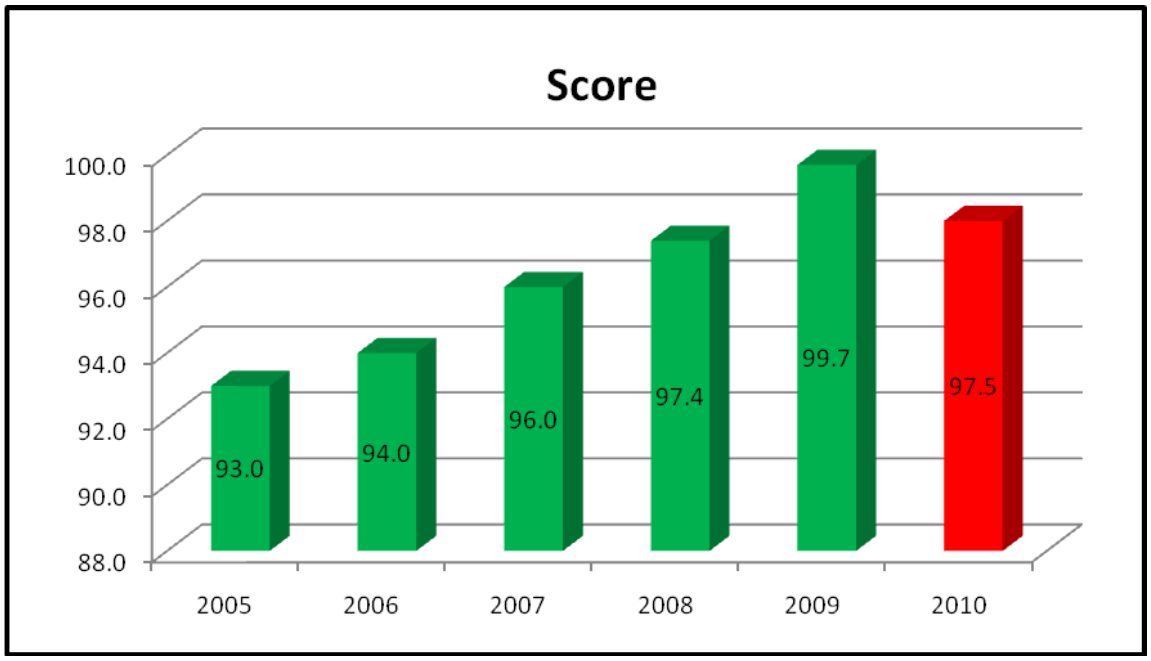
12.7 Continued

Question	City's Response	Officer's Comment
Meeting Process *Local Government Act 1995s5.29* Did the CEO convene all electors' meetings by giving at least 14 days local public notice and each Council member at least 14 days notice of the date, time, place and purpose of the meeting.	No - Although the meeting was advertised in the West Australian on the 24/11/2010 and the Southern Gazette 30/11/2010 and 07/12/21010, no memo was sent to Councillors informing them of the purpose of the meeting.	Standard 72 hours notice was given to Elected Members and not the required 14 days notice. Compliance Calender will be adjusted to ensure future compliance.
Miscellaneous Provisions *Local Government Act 1995 s9.29(2)(b)* On all occasions, were those employees who represented the local government in court proceedings, appointed in writing by the CEO.	No written appointments have been given to those employees who represented the City of Belmont at the State Administrative Tribunal.	This process will be reviewed and changes made to ensure compliance in the future.
Swimming Pools *Local Government (Miscellaneous Provisions) Act 1960 s245A(5)(aa)* Have inspections of known private swimming pools, either been, or are proposed to be, carried out as required by section 245A(5)(aa) of the *Local Government (Miscellaneous Provisions) Act 1960.*	No - An Audit of swimming pools within the City of Belmont carried out in October showed that there were approximately 90 pools that had not been inspected. Every one of those pools has since been either inspected or served with a notice of inspection.	The Register of swimming pools located within the City has now been moved into Pathways. This will help ensure that properties are not missed in the future. Regular audits will also ensure that the register is kept updated.

The areas of non compliance will be monitored by the Senior Management Group via monthly reporting functions to ensure a repeat does not occur.

12.7 Continued

Figure 1 – City of Belmont Annual Compliance Audit Return Compliance Rates



FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

12.7 Continued

OFFICER AND COMMITTEE RECOMMENDATION

1. The 2010 Compliance Audit Return, as contained within Attachment 6 be adopted as a true and accurate representation of the outcomes of the audit of statutory activities and that the Mayor and the Chief Executive Officer be authorised to complete the 'Joint Certification' on Council's behalf; and

2. In accordance with the Local Government Act (Audit) Regulations 1996, the certified 2010 Compliance Audit Return and a copy of the minutes relative to this report be forwarded to the Department of Local Government by 31 March 2011; and

3. That the Chief Executive Officer pursue the implementation of remedial actions in order to enhance the City's compliance capacity; and

4. That the Standing Committee (Audit and Risk) monitor for compliance those aspects identified within the 2010 Compliance Audit Return.

OFFICER RECOMMENDATION ADOPTED EN BLOC – REFER TO RESOLUTION APPEARING AT ITEM 12

12.8 ACCOUNTS FOR PAYMENT – FEBRUARY 2011

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 7 – Item 12.8 refers	**Accounts for Payment – February 2011**

Voting Requirement	:	Simple Majority
Subject Index	:	54/007 – Creditors – Payment Authorisations
Location / Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Corporate and Governance Division

COUNCIL ROLE

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

PURPOSE OF REPORT

Confirmation of accounts paid and authority to pay unpaid accounts.

SUMMARY AND KEY ISSUES

A list of payments is presented to the Council each month for confirmation and endorsement in accordance with the *Local Government (Financial Management) Regulations 1996*.

12.8 Continued

LOCATION

N/A

CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

There are no Strategic Plan implications evident at this time.

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:

> *"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.

12.8 Continued

OFFICER COMMENT

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

Municipal Fund Cheques	782902-782963	$243,279.81
Municipal Fund EFTs	EF016405-EF016750	$2,434,656.75
Municipal Fund Payroll	February 2011	$1,026,175.85
Trust Fund Cheques	905330-905331	$41,549.66
Trust Fund EFT	EF016436	$1,785.00
Total Payments for February 2011		**$3,747,447.07**

A copy of the Authorised Payment Listing is included as Attachment 7 to this report.

FINANCIAL IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER RECOMMENDATION

That the Authorised Payment Listing for February 2011 as provided under Attachment 7 be received.

OFFICER RECOMMENDATION ADOPTED EN BLOC –
REFER TO RESOLUTION APPEARING AT ITEM 12

12.9 2010/2011 MARCH BUDGET REVIEW

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 8 – Item 12.9 refers	**2010/2011 March Budget Review Detailed Report**
Attachment 9 – Item 12.9 refers	**2010/2011 March Budget Review Statement**
Attachment 10 – Item 12.9 refers	**2010/2011 Construction Summary**

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

COUNCIL ROLE

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

PURPOSE OF REPORT

This report is prepared to conduct the March review of the Budget and recommend adjustments to the 2010/2011 Adopted Budget. (Note: Details of Income and Expenditure Variances are included as Attachment 8).

12.9 Continued

SUMMARY AND KEY ISSUES

In keeping with sound financial management practices, a further review of the 2010/2011 Adopted Budget has been conducted. The Budget remains in balance and a summary of significant variances has been included.

The March Budget Review ensures that a sound financial position is maintained for the end of the financial year and a sound base is created to prepare the 2011/2012 Budget.

LOCATION

N/A

CONSULTATION

Consultation has been undertaken with all directors, managers and relevant officers throughout the organisation. Community consultation is not required.

STRATEGIC PLAN IMPLICATIONS

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

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

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

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

Regulation 33A of the Local Government (Financial Management) Regulations requires a local government to carry out a review of its Budget between 1 January and 31 March each year, report it to Council and then report the outcome of the review to the Department of Local Government. The City of Belmont has for many years now conducted two budget reviews, one in October and one in March.

12.9 Continued

BACKGROUND

In keeping with Council's ongoing budget control and financial management, a number of adjustments are required to ensure Council's Budget continues to reflect an accurate position. For statutory reporting purposes, the adopted Budget is used, however, for sound management purposes, the adjusted Budget will be used on a day to day basis in the Management Reports.

The March Budget Review is a very significant review that ensures Council's finances remain on track in the lead up to the end of the financial year and therefore set a very sound base for the development of the following year's Budget.

The March Budget Review process is aimed at addressing the following issues:
- Resolutions of Council referred for funding:
- Resolutions of Council referred for consideration;
- All other Budget matters as identified by Directors and their staff; and
- That a balanced budget be maintained.

OFFICER COMMENT

The following summary lists the Divisional adjustments from the Summary of Income and Expenditure Variances.

• Opening Balance – Surplus	0
• Chief Executive Officer Section	30,350
• Corporate and Governance Division	906,455
• Technical Services Division	(756,057)
• Community and Statutory Services Division	(180,748)
• Closing Balance	0
Net Cost	**0**

Whilst this Budget Review is particularly comprehensive and covers a myriad of issues that are briefly explained in Attachment 8, there are some issues that warrant further comment:

- Additional $145,000 Municipal investment income which has been driven by a favourable cash flow position and an ongoing competitive term deposit market resulting in higher returns.

- Rates income has been increased by $214,267 to recognise interims received and anticipated to 30 June, specifically Industrial rates. The main contributor to the interims has been the new Bunnings store.

- A review of bonds and deposits held by the City has contributed $460,000 in additional income. The bonds and deposits have been transferred as a result of their age (i.e. more than 10 years) or have been identified as funds to be retained by the City following a review. This income has contributed to the transfer to the Property Development as highlighted below.

12.9 Continued

It should be noted that the funds held for greater than 10 years are being transferred in accordance with Section 6.9(4) of the *Local Government Act 1995* and is subsequent to a detailed review of funds and distribution to those contributors who could be located.
This does not preclude the return of these funds to depositors should an entitlement to the funds be confirmed.

- Information Technology has identified total savings of $167,217 comprising a reduction in expected staff related costs, lower than anticipated upgrade costs which are to be partially deferred and a saving in hardware maintenance.

- A number of adjustments have been made to recognise land dealings already approved by Council primarily involving the compulsory acquisition of land along Great Eastern Highway. The additional net land sales income of $3,325,400 has minimal impact on the Municipal Fund as they are transferred to the Land Acquisition Reserve.

- The road construction budget has increased $159,510 due largely to the Wright St project. Major increases in this project were generally due to the increased area of impact resulting in more grass replacement, reticulation, concrete replacement (at a higher quality), drainage and bus shelters ultimately creating an improved project outcome. This additional expenditure was largely offset by the reduced budget for the State Emergency Service Facility (SES) as this is not ready for external hardstand works to be undertaken.

- Footpath construction identified savings of $107,480 due to the detailed inspection of poorly rated paths which identified areas which did not require renewal.

- Drainage construction identified savings of $39,467. Some projects were removed for this financial year as they were unable to be constructed due to service locations which were unidentified at the budget stage and were unable to be redesigned without expensive service relocation. These project removals were offset due the over expenditure of Laurie Street that not only had service complications, but tree issues as well.

- Shopping Centre revitalisation projects are expected to be delayed until next year including the City's contribution to the shop awnings at Kooyong Rd (not all owners have agreed to the works) as well as laneway upgrades at Belvidere Street. Savings of $45,000 have been transferred to the Streetscapes Reserve to be utilised next year. The original $50,000 transfer from Reserve has also been withdrawn.

- Year to date expenditure savings of more than $61,000 have been identified in streetscapes predominantly street tree pruning. An amount of $48,000 has been allocated to power line pruning due to a change in priority.

- Playground equipment replacement and rubber softfall installation costs of $260,000 have been deferred until next financial year and transferred to the Parks Development Reserve. Playground equipment had been budgeted via a playground 'aged based' asset replacement programme. However, this approach did not consider a condition rating and the appropriateness of the current equipment.

12.9 Continued

It was simply a 'like for like' replacement. Parks is undertaking a review of playground provision that will match demand with available space and tie this to the actions of the new asset management plan to provide a more appropriate level of playground provision.

- Additional funds of $105,171 have been allocated to the Wilson park (netball court) upgrade. The additional funds are required as the original budget had assumed that the project was primarily landscaping funded by contributions from public open space monies. This is no longer the case with the focus being resurfacing of the netball courts. The recent tender was higher than expected with the costs part funded by the Netball club.

- Entry Statement upgrade appears unlikely to occur this year as consensus on the options could not be reached resulting in current year savings of $43,700.

- The recent irrigation tenders have been lower than anticipated with total savings of $189,500 across Centenary, Miles and Forster Park's. The savings have been transferred to the Parks Development Reserve which will help fund the future delivery of water via a more complex hydrozone system and the installation of iron filtration systems to all new irrigation systems.

- Garvey Park Foreshore Stabilisation has been postponed due to the extent of acid sulphate soils (ASS) which were not revealed during the consultant's initial review. The presence of ASS will add substantially to the total costs for excavation, transport and dumping. This will be 50% funded by Riverbank funding in the 2011/12 financial year with $130,000 being transferred to the Environment Reserve.

- No public art project will be undertaken until the Public Art Directions and Master Plan is completed which is resulting in savings and subsequent transfer to the Public Art Reserve of $50,000.

- Work on site for the new State Emergency Services (SES) building will not commence until next financial year with current year costs primarily being architectural services. The net impact on the Municipal Fund this year is a savings of $30,000.

- Replacements of gables and finials at the Faulkner Park Retirement Village costing $75,000 have been budgeted. As they are fully funded from reserve there is no financial impact on the Municipal Fund.

- Savings of $75,600 has been identified with possibly only minor works required at the Selby Park community facility.

- The multi-purpose community facility project has been withdrawn due to the lack of available grant funding. As this was to be funded by a loan in 2010/11 there is no financial impact on the Municipal Fund.

- Reduction of $43,000 regarding the refurbishment of Forster Park resulting from the re-allocation of Regional and Local Community Infrastructure Program funding.

12.9 Continued

- Although fully funded by reserve the upgrade of the Belmont Community Nursing Home has been postponed at the request of the tenant.

- Additional funds of $65,071 have been allocated for the improvement of Wilson Park; this is to provide Mechanical Ventilation, new ceilings and lighting to the change rooms and toilets. This is required now due to substandard wiring and asbestos removal and to allow netball to fully utilise the facility this season.

- $120,000 has been allocated for the upgrade of the Senior Citizens Building main hall.

- Total savings in both building maintenance and construction exceeds $100,000.

- A new Belmont Trust reserve has been created to ensure income resulting from the compulsory acquisition of Belmont Trust land along Great Eastern Highway is ring fenced for Belmont Trust purposes only. The estimated income is $1,681,500 which has no impact on the Municipal Fund. The funds held by this Reserve will be used exclusively for Belmont Trust purposes based on future resolutions.

- Identified savings/income across the review have enabled significant additional transfers to reserve including the Property Development Reserve, thus maintaining funds for future needs. Additional Reserve Transfers are identified in the following table:

Accounting equipment reserve	$265,000
Streetscapes reserve	$45,000
Parks Development reserve	$477,811
Land acquisition reserve	$3,308,242
LSL Reserve - Salaries Reserve	$30,000
Environment reserve	$130,000
Property development reserve	$778,544
Ruth Faulkner library reserve	$20,000
Building maintenance reserve	$100,000
Public Art Reserve	$50,000
Belmont Trust Reserve	$1,681,500

- Overall, the March budget review adjustments have resulted in a balanced budget with the closing balance remaining at $500,000.

The March Budget Review has been an extensive exercise to ensure the budget remains in balance and reflects the current expenditure trends. The detailed March Review Report (Attachment 8) includes substantial comment, however, should further explanation be required then please contact the appropriate Director. Also to be noted is that comments relate to Authorised Budget, October Review and March review. Comments relating to the current (March) review are prefaced with the word “March” and are normally at the end of the comment detail.

Also attached is a new ‘Statement of Budget Review’ (Attachment 9) which compares the proposed March Budget Review to the current Authorised Budget as requested by

12.9 Continued

the Department of Local Government. In addition to this is an updated Construction Summary list (Attachment 10) to help Council understand the expected financial impact on the Municipal Fund of Capital Works Programmes.
The March Budget Review is an important step in the process of vigilance, as it maintains a balanced Budget and ensures Services and Capital Works Programmes are adequately resourced.

As has been the case in the past, Council's financial position will be closely monitored in the lead up to the end of the Financial Year and should any significant issues require attention, then they will be raised with Council accordingly.

FINANCIAL IMPLICATIONS

Budget Reviews ensure that the City's Budget remains in balance and all matters relating to Income and Expenditure are addressed in a responsible and accountable manner. They also ensure sufficient resources are available to meet all statutory obligations as well as delivering services and completing capital works.

ENVIRONMENTAL IMPLICATIONS

There are no significant environmental implications evident at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER RECOMMENDATION

ROSSI MOVED, POWELL SECONDED,

1. ***That the variations to the 2010-2011 March Budget Review document as detailed in Attachment 8 be approved.***

2. ***That the Director Corporate and Governance be authorised to amend the budget in accordance with all resolved variations.***

******ABSOLUTE MAJORITY REQUIRED******

CARRIED 10 VOTES TO 0

12.10 MONTHLY ACTIVITY STATEMENT AS AT 28 FEBRUARY 2011

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 11 – Item 12.10 refers	**Monthly Activity Statement as at 28 February 2011**

Voting Requirement	:	Simple Majority
Subject Index	:	32/009 – Financial Operating Statements
Location / Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Corporate and Governance

COUNCIL ROLE

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

PURPOSE OF REPORT

To provide Council with relevant monthly financial information.

SUMMARY AND KEY ISSUES

The following report includes a concise list of material variances and a Reconciliation of Net Current Assets at the end of the reporting month.

12.10 Continued

LOCATION

N/A

CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

Section 6.4 of the *Local Government Act 1995* in conjunction with Regulations 34 (1) of the *Local Government (Financial Management) Regulations 1996* requires monthly financial reports to be presented to Council.

Regulation 34 was amended as at 1 July 2005 to require a Statement of Financial Activity reporting on the sources and applications of funds for that month. A quarterly or tri-annual statement is no longer required under the amended Regulation.

Regulation 34(5) determines the mechanism required to ascertain the definition of material variances which are required to be reported to Council as a part of the monthly report. It also requires Council to adopt a "percentage or value" for what it will consider to be material variances on an annual basis. Further clarification is provided in the Officer Comments section.

Indicate the appropriate statutory environment implications if required.

BACKGROUND

The *Local Government (Financial Management) Regulations 1996* require that financial statements are presented on a monthly basis to Council. In October 2008, Council adopted 10 percent of the budgeted closing balance as the materiality threshold.

12.10 Continued

OFFICER COMMENT

The Statutory Monthly Financial Report is to consist of a Statement of Financial Activity reporting on sources and applications of funds as set out in the Annual Budget. It is required to include:-

- Annual budget estimates
- Budget estimates to the end of the reporting month
- Actual amounts to the end of the reporting month
- Material variances between comparable amounts
- Net current assets as at the end of the reporting month.

The amendment to the Regulations has fundamentally changed the reporting structure which has been used to 30 June 2005, as it now requires reporting of information consistent with the "cash" component of Council's budget rather than being "accrual" based.

The monthly financial report is to be accompanied by:-

- An explanation of the composition of the net current assets, less committed* and restricted** assets
- An explanation of material variances***
- Such other information as is considered relevant by the local government.

**Revenue unspent but set aside under the annual budget for a specific purpose.*

***Assets which are restricted by way of externally imposed conditions of use eg tied grants.*

**** Based on a materiality threshold of 10 percent of the budgeted closing balance as previously adopted by Council*.

In order to provide more details regarding significant variations as included in Attachment 11 the following summary is provided.

Report Section	*YTD Budget*	*YTD Actual*	*Comment*
Expenditure – Capital			
Finance Department	36,667	90,536	Fleet purchases ahead of schedule.
Computing	208,916	14,606	Equipment purchases behind schedule.
Property and Economic Development	250,000	(9,828)	Accrued prior year acquisition costs remain outstanding. Land purchases behind schedule.
Belmont Community Watch	60,000	0	Fleet purchases behind schedule.
Crime Prevention and Community Safety	446,333	304,040	CCTV equipment purchases behind budget.
Technical Services	484,597	321,023	Garvey Park project deferred.
Grounds Operations	627,326	279,729	Playground equipment projects behind schedule.
Road Works	2,926,003	3,239,379	Projects ahead of schedule.
Streetscapes	170,684	88,512	Projects behind schedule.
Footpath Works	440,477	305,154	Expected to be less than the adopted budget with savings identified.
Drainage Works	445,983	342,139	Projects have been rescheduled.

12.10 Continued

Report Section	*YTD Budget*	*YTD Actual*	*Comment*
Operations Centre	771,286	597,454	Plant purchases behind schedule.
Building Operations	2,303,838	569,527	Some delays in projects and payments including the new Community Centre.
Technical Services	179,570	119,868	Fleet purchases behind schedule.
Expenditure – Operating			
Computing	1,088,527	836,249	Employee, software and consulting costs lower than anticipated.
Marketing and Communications	788,222	719,190	Employee related costs lower than anticipated.
Executive Services	1,043,474	831,228	Employee related costs lower than anticipated.
Governance	1,615,664	1,554,866	ABC Cost Allocation lower than anticipated.
Property and Economic Development	391,914	324,536	Consulting costs lower than anticipated.
Crime Prevention and Community Safety	319,557	205,368	Alarm installation costs lower than anticipated.
Community Services	316,815	250,267	Consulting costs lower than anticipated.
Youth Services General	499,829	432,761	Employee and program costs lower than anticipated.
Sanitation Charges	2,548,055	2,401,643	Outstanding rubbish collection costs.
Ruth Faulkner Library	1,022,787	946,836	Employee related costs lower than anticipated.
Community and Recreation Service	313,440	231,035	Recreation and Art projects behind schedule.
Grounds Overheads	913,634	833,431	Employee related costs lower than anticipated.
Road Works	566,125	629,844	Street maintenance and sweeping ahead of schedule.
Streetscapes	884,644	503,990	Street trees maintenance costs are lower than anticipated.
Building Operations	332,132	241,673	Building maintenance and consulting costs are lower than anticipated.
Public Works Overheads	819,610	887,637	Employee related costs higher than anticipated.
Plant Operating Costs	596,046	528,032	Employee and fuel costs are lower than anticipated.
Technical Services	1,095,153	997,305	Employee related costs are lower than anticipated.
Other Public Works	855,841	517,685	Outstanding street lighting costs.
Revenue – Capital			
Property and Economic Development	(2,684,091)	(1,568,182)	Land sales ahead of budget.
Road Works	(928,172)	(513,403)	Timing variance with receipt of grant income.
Building Operations	(19,000)	(109,818)	Timing variance with receipt of grant income.
Revenue - Operating			
Computing	(1,003,139)	(836,249)	ABC Allocation Recovery lower than anticipated.
Records Management	(389,829)	(334,985)	ABC Allocation Recovery lower than anticipated.
Rates	(31,920,116)	(32,049,406)	Industrial rates slightly higher than anticipated.

12.10 Continued

Report Section	*YTD Budget*	*YTD Actual*	*Comment*
General Purpose Income	(255,215)	(382,822)	Timing variance with receipt of grant income.
Financing Activities	(846,388)	(912,835)	Investment income higher than anticipated
Crime Prevention and Community Safety	(718,173)	(776,189)	Timing variance with a recognition of Alarm Assist income.
Belmont HACC Services	(1,173,378)	(1,473,850)	Timing variance with receipt of grant income.
Public Facilities Operations	(74,815)	(126,171)	Property Hire more than anticipated.
Grounds Overheads	(825,967)	(775,383)	Overhead recover lower than anticipated.
Road Works	(202,006)	(253,712)	Timing variance with receipt of grant income.
Plant Operating Costs	(820,069)	(678,463)	Plant Utilisation recovery lower than anticipated.

In accordance with *Local Government (Financial Management) Regulations 1996*, Regulation 34 (2)(a) the following table explains the composition of the net current assets amount which appears at the end of the attached report.

Reconciliation of Nett Current Assets to Statement of Financial Activity		
Current Assets as at 28 February 2011	**$**	**Comment**
Cash and investments	34,238,599	Includes municipal, reserves and deposits
- less non rate setting cash	(13,542,274)	Reserves and deposits held
Receivables	3,469,450	Rates levied yet to be received and Sundry Debtors
- less non rate setting receivables	(521,581)	ESL levied and GST payable
Stock on hand	301,591	
Total Current Assets	**23,945,785**	
Current Liabilities		
Creditors and provisions	(6,435,289)	Includes deposits
- less non rate setting creditors and provisions	3,619,124	ESL, GST and deposits held
Total Current Liabilities	**(2,816,165)**	
Nett Current Assets 28 February 2011	21,129,620	
Nett Current Assets as Per Financial Activity Report	21,129,620	
Less Restricted Assets	**(610,236)**	Unspent grants held for specific purposes
Less Committed Assets	**(20,019,384)**	All other budgeted expenditure
Estimated Closing Balance	**500,000**	

12.10 Continued

FINANCIAL IMPLICATIONS

The presentation of these reports to Council ensures compliance with the *Local Government Act 1995* and associated Regulations, and also ensures that Council is regularly informed as to the status of its financial position.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER RECOMMENDATION

That the Monthly Financial Reports as at 28 February 2011 as included in Attachment 11 be received.

OFFICER RECOMMENDATION ADOPTED EN BLOC – REFER TO RESOLUTION APPEARING AT ITEM 12

13. REPORTS BY THE CHIEF EXECUTIVE OFFICER

13.1 REQUESTS FOR LEAVE OF ABSENCE

Nil.

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil.

15. CLOSURE

There being no further business the Presiding Member closed the meeting at 7.40pm.

MINUTES CONFIRMATION CERTIFICATION

The undersigned certifies that these minutes of the Ordinary Council Meeting held 22 March 2011 were confirmed as a true and accurate record at the Ordinary Council Meeting held 27 April 2011:

❑ Without amendment ❑ With amendment

Signed by the Person Presiding: _____

PRINT name of the Person Presiding: _____