



**City of Belmont**  
**ORDINARY COUNCIL MEETING**  
**MINUTES**  
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23 August 2016

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**ATTACHMENTS INDEX**

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**CONFIDENTIAL ATTACHMENTS INDEX**

Confidential Attachment 1 – Item 12.4 refers

<p><b>Councillors are reminded to retain the OCM Attachments for discussion with the Minutes</b></p>
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## MINUTES

### PRESENT

Cr P Marks, Mayor (Presiding Member)	East Ward
Cr R Rossi, JP, Deputy Mayor	West Ward
Cr B Ryan	East Ward
Cr P Gardner	South Ward
Cr J Powell	South Ward
Cr S Wolff	South Ward

### IN ATTENDANCE

Mr N Deague	A/Chief Executive Officer
Mr R Lutey	Director Technical Services
Mr R Garrett	Director Corporate and Governance
Ms L Dobrin	A/Director Community and Statutory Services
Mr J Olynyk, JP	Manager Governance
Mr W Stephens ( <i>dep 7.13pm &amp; did not return</i> )	Manager Parks and Environment
Mr J Warner ( <i>dep 8.17pm &amp; did not return</i> )	A/Manager Community Development
Mrs M Lymon	Principal Governance and Compliance Advisor
Ms C Corney ( <i>dep 7.13pm &amp; did not return</i> )	Coordinator Occupational Safety and Health
Ms D Morton	Media and Communications Officer
Ms A Feeney ( <i>dep 7.13pm &amp; did not return</i> )	Environmental Health Officer
Mr C Zanich ( <i>dep 7.13pm &amp; did not return</i> )	Occupational Safety and Health Officer
Ms A Lloyd-Bostock ( <i>dep 7.13pm &amp; did not return</i> )	Risk and Business Continuity Officer
Mr A Abbaszadeh ( <i>dep 7.13pm &amp; did not return</i> )	Building Technical Officer/Inspector
Mr P Goddard ( <i>dep 7.13pm &amp; did not return</i> )	Library Team Leader
Mr J Martin ( <i>dep 7.13pm &amp; did not return</i> )	Building Maintenance Officer
Ms R Mulqueen ( <i>dep 7.13pm &amp; did not return</i> )	Executive Assistant Technical Services
Mr G Keld ( <i>dep 7.13pm &amp; did not return</i> )	Administration Officer Community Services
Ms S D'Agnone	Governance Officer

### MEMBERS OF THE GALLERY

There were 47 members of the public in the gallery and no press representative.

### OBSERVERS

Mr L McCulloch	Commissioner, Worksafe
Ms K Kempin	Senior Occupational Safety and Health Consultant, LGIS

## 1. OFFICIAL OPENING

The Presiding Member opened the meeting at 7.02pm, welcomed those in attendance and read the Acknowledgement of Country.

***It is important that we acknowledge the traditional owners of the land on which we are meeting today the Noongar Whadjuk people and pay respect to Elders both past and present***

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

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

## 2. APOLOGIES AND LEAVE OF ABSENCE

Cr L Cayoun (Leave of Absence)	West Ward
Cr M Bass (Leave of Absence)	East Ward
Cr P Hitt (Apology)	West Ward
Mr S Cole (Apology)	Chief Executive Officer

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

### 3.1 FINANCIAL INTERESTS

Nil.

### 3.2 DISCLOSURE OF INTEREST THAT MAY AFFECT IMPARTIALITY

<b>Name</b>	<b>Item No and Title</b>
Cr P Gardner	Item 12.3 Community Sporting and Recreation Facilities Fund (CSRFF)
Cr R Rossi	Item 13.2 Notice of Motion (Cr Powell) – Representation at Community Meeting – WA Meth Strategy Forum

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

**4.1 ANNOUNCEMENTS**

The Presiding Member made the following announcement:

*"It gives me great pleasure to announce that tonight the City of Belmont is to receive the Worksafe Platinum Award for Safety, for a second time.*

*This award is not just across Local Government, but all Western Australian Industries. The City of Belmont was the first Local Government to achieve this award back in 2012.*

*Joining us for the presentation, I would like to welcome Worksafe Commissioner Lex McCulloch. Also welcome to Katherine Kempin, Senior Occupational Safety and Health consultant with LGIS, who was involved in the Auditing evaluation process."*

Mr McCulloch presented the Worksafe Platinum Award for Safety to the Mayor.

**7.13pm** The Manager Parks and Environment, Coordinator Occupational Safety and Health, Occupational Safety and Health Officer, Environmental Health Officer, Risk and Business Continuity Officer, Library Team Leader, Building Technical Officer/Inspector, Building Maintenance Officer, Executive Assistant Technical Services and the Administration Officer Community Services departed the meeting and did not return.

**4.2 DISCLAIMER**

**7.14pm** 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.*

*Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material."*

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

Nil.

**5. PUBLIC QUESTION TIME**

**5.1 RESPONSES TO QUESTIONS TAKEN ON NOTICE**

**5.1.1 MR B CHILDS, 122 SYDENHAM STREET, KEWDALE**

The following question was taken on notice at the Ordinary Council Meeting of 26 July 2016. Mr Childs was provided with a response on 12 August 2016. The response from the Mayor is recorded accordingly:

1. In relation to a domestic violence item previously presented to Council, why didn't you Mr Mayor know of the Council Officers' good work in this highly topical subject?

**Response**

**As the Mayor of the City it is not practicable nor in some cases appropriate for me to be across all operational matters that the City's Officers are involved in.**

**In this particular case, the City has not played any significant role in the matter of Domestic Violence as this has always been a State Government responsibility. The City has not had any particular significant strategies or budget allocations directed at Domestic Violence.**

**Cr Gardner has now raised the matter and the Officers have reported their findings and recommendations to the Council at an Information Forum that will result in the matter coming back to the Council for a decision as to what Council's involvement may be in the future.**

## 5.2 QUESTIONS FROM MEMBERS OF THE PUBLIC

7.17pm The Presiding Member drew the public gallery's attention to the rules of Public Question Time as written in the Agenda. In accordance with rule (I), the Mayor advised that he had registered six members of the public who had given prior notice to ask questions.

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

### 5.2.1 MR B CHILDS, 122 SYDNEHAM STREET, KEWDALE

I acknowledge your response to my question, however there are a few questions.

Domestic violence and violence against women was the highest community concern in 2015.

1. Why didn't Councillors ask what should we do?

1(a) Isn't it everybody's responsibility to do what we can to lessen our communities' trauma?

You have initiated some foremost programmes in the past to complement the State and Federal Government's responsibility and received funding to do so.

2. Why couldn't Domestic Violence be another issue you could facilitate improved services for the victims?

#### Response

The Presiding Member advised that Councillors recently attended an Information Forum where one of the main items for discussion was domestic violence. There was a great deal of discussion by Councillors on this subject and on how the City could best play a role in this area.

Councillors are working towards being more enlightened on the issue of domestic violence and are anticipating an item being presented to Council in the coming months.

3. Tenders: Is the Security Contract linked to any performance? What are the Performance indicators?

#### Response

The A/Chief Executive Officer advised that he would take this question on notice.

4. Can we be informed of the Tender process applied to the Youth Services?

4(a) What are the performance indicators?

#### Response

The A/Chief Executive Officer advised that standard tender processes were undertaken when the Youth Services tender was awarded, however he would take the question on notice to provide further information.



### **5.2.2 Ms K VANDERSLIK, 23 LAKEWOOD AVENUE, ASCOT**

Cr Rossi, you visited residents of Ascot Waters asking for support for your elected position. Will you be in attendance at the Special Electors' Meeting on 7 September 2016 and as our community representative, what support can you offer the residents on their objections to the proposed development at 52 Grandstand Road Ascot?

#### **Response**

**The Presiding Member advised Ms Vanderslik that all questions are required to be directed to himself and not to individual Councillors.**

Ms Vanderslik reworded her question to read:

What Councillors will be in attendance at the Special Electors' Meeting on 7 September 2016?

#### **Response**

**The Presiding Members advised he did not know which Councillors would attend the Special Electors' Meeting on 7 September 2016, however Councillors are aware of their responsibilities to the community and should endeavour to attend.**

### **5.2.3 MR B VON KOUSKY, 16 LAKEWOOD AVENUE ASCOT**

Council claims that residents did not object to the development that was proposed on the same site in 2014. At that time, did Council envisage a 15 storey building?

#### **Response**

**The A/Chief Executive Officer advised that there are two stages to this process. The first stage is the disposal of the land, and the second stage is the Development Approval.**

**The first stage, which commenced in 2014, is the disposal of the Council owned land. In this process, Council complied with all legislative requirements and advertised the proposed disposal. Statutory requirements are for Council to consult with all affected residents, which was done. Residents are entitled to make submissions relating to the sale of Council owned land.**

**As no responses to the first round of advertising were received, Council advertised the proposed disposal of the land a second time.**

**At that time, discussions were held around what could potentially be developed on the site. This included discussions of a 15 storey development, however the applicant's proposal was not known until the Development Application was lodged.**

**Community comment on a 15 storey development could not be sought in the first stage as it was not known what would be proposed by the developers at that stage.**

**The Development Application will be assessed through the Metro Central Joint Development Assessment Panel (JDAP). Council was aware that the Development Application would be assessed by the JDAP, which comprises of independent State Government appointed experts.**

**5.2.4 MR W CAMPBELL, 10 LAKEWOOD AVENUE, ASCOT**

1. We understand that two City of Belmont Councillors declared a conflict of interest and removed themselves from the JDAP that will consider the 52 Grandstand Road proposal. Specifically, what are these conflicts of interest? What conflicts of interest might exist with respect to aged care agendas and connection with private companies such as Craicare?

**Response**

The Presiding Member advised that as Council own the land in question, this causes a conflict of interest for the Councillor representatives on the JDAP. Further, certain conditions were placed on the sale of the land by Council, which is also a conflict of interest.

The Presiding Member advised that the three remaining members on the JDAP are independent experts appointed by the State Government.

The State Government and the Department of Planning are encouraging the densification of Perth.

Developments valued at \$2M or above may be assessed by the JDAP.

2. What does 6/3 mean in the context of Councillor support?

**Response**

The Presiding Member advised that in the second round of consultation with Ascot Waters residents, twelve lengthy submissions were received. These submissions indicated concerns regarding traffic, parking and noise, and indicated that residents sought a development that would not cause disruptions to the area. Council's decision was to manage the disposal of the site and endeavour to find the least disruptive use for the site, which an aged care facility is considered to be.

The City has consulted with all residents of Ascot Waters twice.

The building height of the proposed aged care facility will be determined by the JDAP. A report will also be prepared by an independent consultant.

*Item 5.2.4 Continued*

3. Councillors are elected to serve the best interests of the community. Do you feel the Councillors have taken the best interests of the community into consideration?

**Response**

The Presiding Member advised that Council has not put the site for sale on the open market, but has endeavoured to find the best possible use for the site, in the interests of the City of Belmont and Ascot Waters residents.

Outcomes arising from the Special Electors' Meeting will be provided to the JDAP for their consideration.

The introduction of JDAPs has effectively taken decisions concerning planning, where certain criteria are met, out of Councils' hands. In this case the City is the owner of the site and has endeavoured to get the best possible outcome for this \$3M asset.

4. I respect the process, however I hope that the residents of Ascot Waters can rely on your support where applicable at the Special Electors' Meeting.

**Response**

The Presiding Member advised that he understood residents' concerns, however buildings in general were getting higher as higher density is encouraged. Developers who have had applications refused by Council or the JDAP will appeal to the State Administrative Tribunal (SAT).

The A/Chief Executive Officer advised that one of the conditions of sale imposed by Council was that the Development Application receives JDAP approval. The matter will then be required to go back to Council for consideration, as the JDAP decision may not be acceptable to Council. The conditions of sale will be checked to ensure they have been met and it is at this point that Council will decide whether or not to sell the site to Craigcare. This is the reason Councillors on the JDAP were required to declare a conflict of interest.

### **5.2.5 Ms C FOOTE, 7 CLEARWATER WAY, ASCOT**

1. The Ascot Waters Special Development Precinct Policy (Local Planning Policy No. 6) outlines criteria against which all development within the precinct will be assessed. The Policy Objective includes “to facilitate a harmonious and attractive living environment which can be appreciated by both residents of the precinct and the wider community”. Can you please explain how the Council considers the proposed 15 storey development of a retirement village “fits in” and is consistent with this policy when the proposed development is adjacent to predominantly 2-3 storey homes?

#### **Response**

The A/Chief Executive Officer advised that Local Planning Policy No 6 (LPP6) does not apply to the 52 Grandstand Road site. In 1988, under Town Planning Scheme No. 11, this site was zoned industrial. Under Town Planning Scheme No. 14, the zoning was changed to mixed use. The Ascot Kilns site at 1 Grandstand Road is also zoned mixed use, along with some of the Perth Racing WA land. In the early 1990s when the Ascot Waters Vision Plan was being formulated this seemed important for the area, however the development potential was not put into place at the time. The remainder of the Ascot Waters area was zoned R20 to R100. The Ascot Waters Consortium wanted to replicate the East Perth area development and the Council approved this vision. It was always planned that the 52 Grandstand Road site would hold an important, iconic building.

The development height will be assessed by the JDAP, being an independent panel, where all factors can be considered.

2. A letter was sent to residents “request comments on development application: by Wilmot Loh, Coordinator Design Projects which outlined the key aspects of the proposed Retirement Village and provided details on making a submission. Why was the proposed height of 15 storeys not listed in the key aspects?

#### **Response**

The A/Chief Executive Officer advised that the Council has never seen it necessary for special building height controls in the City.

Buildings of similar height will be seen increasingly in the area, including within the Golden Gateway precinct.

The original vision for The Springs did not specify a maximum building height for the subject site.

The development process was to write to every resident within Ascot Waters, and over 100 submissions have been received. The City’s role is to now prepare a Responsible Authority Report (RAR), including a schedule of all submissions, list all comments received and give a professional view of comments that were made. JDAP members may seek clarification of information if required.

The services of an external consultant have also been engaged by the City to produce a technical report to be presented to the JDAP.

7.53pm **ROSSI MOVED, GARDNER SECONDED,** *that question time be extended.*

**CARRIED 6 VOTES TO 0**

**5.2.6 MR J McCAMEY, 21 WATERWAY CRESCENT, ASCOT**

1. When Ascot Waters was planned out, why wasn't a buffer zone included?

**Response**

The A/Chief Executive Officer advised that the applicants have purchased the adjoining property on Waterway Crescent with the intention of stepping down the development on this site.

The original zoning of R20 to R100 was seen as a buffer of sorts for 52 Grandstand Road.

A view widely held by urban designers is that the height of a building is not as important as making the ground level more attractive.

Having a landmark development adds an excellent wayfinding element to the area.

2. Under the *Local Government Act 1995*, 2.10(a)(b), Councillors are required to represent the interests of ratepayers. Is devaluing the properties in Ascot the way they do that?

**Response**

The Presiding Member advised that there has not been any development in the City that has not had major objections.

Many objections were received when Ascot Waters was being developed. As the site was a former rubbish dump, many objectors believed that the development would devalue the neighbourhood. That has been proved not to be the case.

The A/Chief Executive Officer advised that feedback from the community consultation period was considered very carefully and conditions were placed on the disposal of the land.

The A/Chief Executive Officer advised that he did not believe that this proposed development would devalue land in Ascot Waters.

3. A real estate agent has advised me that some homes in Ascot Waters could be devalued by hundreds of thousands of dollars, and that my home could be devalued by between \$70,000 to \$100,000.

**Response**

The A/Chief Executive Officer advised there is no evidence that developments in the City have devalued house prices.

In planning terms, the land value component cannot legally be a consideration when assessing an application.

*Item 5.2.6 Continued*

4. Mr McCamey's Question 4 was ruled out of order in accordance with Rules for Council Meeting Public Question Time, Rule e) being:

*'Questions which are considered inappropriate; offensive or otherwise not in good faith; duplicates or variations of earlier questions; relating to the personal affairs or actions of Council members or employees; legal advice; legal proceedings or other legal processes; or would otherwise impose an unreasonable resource impost on the City; will be refused by the Presiding Member as 'out of order' and will not be recorded in the minutes'.*

**5.2.7 MR T QUINLIVAN, 5 NORTHERLY AVENUE ASCOT**

Mr Quinlivan stated that from a personal perspective, living close to the development site, his privacy will be compromised with tenants being able to look into his back yard if the proposed aged care facility is approved.

A beautiful environment with a community vibe has been created in the Ascot Waters area. It is extremely disappointing and there is a sense of betrayal. When we built our homes we had to follow strict guidelines.

What I see now is a movement away and detraction from the sense of community that we currently enjoy in Ascot Waters.

How is this building going to continue the sense of community? So big, so much traffic, problems on race days. Was the traffic study done on a race day? How will ambulances get through the area on busy days?

I would like to register my disappointment and be heard. We need your support. We live in an area we love.

**Response**

**The Presiding Member advised that he would take Mr Quinlivan's comments as a statement.**

**5.2.8 MR L MUSCEDERE, 6, 208 FISHER STREET, BELMONT**

On page 40 there is an Officer comment re: political and community group affiliations. Will any Councillors be prepared to move that as a motion tonight?

**Response**

**The Presiding Member advised that the Policies - Publicly Available Registers item would be voted on later in the meeting.**

**5.2.9 MR S WILLIAMSON, 39 SEDGELAND WAY, ASCOT**

1. Can you please explain how the proposed 15 storey oblong apartment block on 52 Grandstand Road supports the Council vision of an iconic entrance building?

**Response**

The A/Chief Executive Officer advised that the proposed building is an aged care complex with a nursing home component, which is a welcome use for the City. Submissions received indicated no objections to the building use but rather to the height of the building.

City Officers are preparing a report and will hold discussions with the applicant on various options for improving the appearance of the building.

The Director Community and Statutory Services is responsible for reviewing all documentation provided to the JDAP to ensure that all relevant issues and information have been included.

The overall appearance of a landmark building is critical and makes an enormous difference to the aesthetics of the area. How a building presents itself is one of its key features. Building design and how it works at street level are important factors.

A landmark building will be prominent from every angle and should be built to a high standard.

The present and future context of a building must be considered when contemplating building height.

A 15 storey building would not be considered a tall building in some areas, however in Ascot Waters, it is considered high. This is an example of where Planning often requires a degree of subjectivity.

**5.2.10 MS A CEPEDA, 1 NORTHERLY AVENUE, ASCOT**

1. Thank you for the opportunity to ask questions. My property is 60 metres from the proposed development. I have read the Traffic Management Report and seen the plans in detail, and I am very concerned about traffic in the area. There will be traffic during shift changeovers, which will be three times a day.

The Traffic Management Report only considers 46 cars during peak hours. 46 cars is not many as according to the report, that is the proposed number of staff. Staff will be changing shifts and going in and out at 10pm, 7am and 4pm, which will become noisy. What is planned to try to stop noise to nearby residents? I can see nothing in the report that will reduce noise to close residents.

Transformers will be close to the path where people walk. It does not say anywhere in the report that these transformers will not cause harm to residents living close by through electromagnetic radiation. When will the residents be asked about this?

With 197 bays underground, there will be lots of noise and lots of movement. Silica must be well controlled as it can generate silicosis. I was not able to find any record of a contamination register.

With ambulance siren noise at 95-100 decibels, who will be able to sleep in the neighbourhood?

**8.17pm The A/Manager Community Development departed the meeting and did not return.**

**Response**

**The A/Chief Executive Officer advised that the report Ms Cepeda was referring to was not a City of Belmont report but a report prepared by Craigcare.**

**The role of the City of Belmont Planning Department is to review all aspects of the application, and noise and traffic impacts will certainly be examined carefully.**

**This site cannot remain vacant indefinitely and all developments will cause a degree of disruption.**

**LPP6 Ascot Waters Special Development Precinct Policy envisages many uses for this site. If the site was disposed of on the open market, prospective development could include offices, a motel, serviced apartments and the like.**

**All of Ms Cepeda's concerns will be taken into consideration and their impact will be assessed.**

**The final decision will be made by the JDAP. The best way to convey any concerns to the decision makers is to consult the DAP Secretariat at the Department of Planning. Request a hearing to present your views directly to the JDAP. The JDAP will already have comments from the submissions received by the City, however being there personally may assist in making your points.**



*Item 5.2.10 Continued*

**The Director Community and Statutory Services will review the overall conclusions before they are forwarded to the JDAP, ensuring all issues and considerations have been addressed.**

**Particular days of the year, like Mothers' Day, Fathers' Day and Easter are times when traffic at aged care facilities increases, but generally minimal traffic is generated from these sorts of developments.**

2. I put a lot of detail on my health and safety concerns in my submission. Will they be included in your report?

**Response**

**The A/Chief Executive Officer advised that the City's role is to highlight key points from submissions received in the RAR, and generally all comments from the submissions are included. JDAP members are also provided with copies of the full submissions which they can examine in closer detail.**

3. When are we going to receive feedback on the decision?

**Response**

**The A/Chief Executive Officer advised that the City is required to lodge the RAR with the DAP Secretariat by 9 September 2016.**

**The DAP Secretariat will advise the meeting date which is generally within two weeks of the date of lodgement of the RAR.**

**The DAP Secretariat will publish an agenda for the meeting when this item will be considered. After the agenda is published, members of the public are able to review the RAR, which includes a summary of the submissions made and comments on those submissions from the City.**

4. Will I receive a response from the City to confirm that they have received my submission?

**Response**

**The A/Chief Executive Officer advised that individual responses to submissions are not sent as they form part of the RAR, however a letter of acknowledgement will be sent to all residents who lodged a submission.**

**8.28pm As there were no further questions, the Presiding Member declared Public Question Time closed.**

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

- 6.1 ORDINARY COUNCIL MEETING HELD 26 JULY 2016**  
(Circulated under separate cover)

**OFFICER RECOMMENDATION**

***GARDNER MOVED, POWELL SECONDED, That the minutes of the Ordinary Council Meeting held on 26 July 2016 as printed and circulated to all Councillors, be confirmed as a true and accurate record.***

**CARRIED 6 VOTES TO 0**

- 6.2 INFORMATION MATRIX FOR THE AGENDA BRIEFING FORUM HELD 16 AUGUST 2016**  
(Circulated under separate cover)

**OFFICER RECOMMENDATION**

***ROSSI MOVED, POWELL SECONDED, That the Information Matrix for the Agenda Briefing Forum held on 16 August 2016 as printed and circulated to all Councillors, be received and noted.***

**CARRIED 6 VOTES TO 0**

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

Nil.

- 8.30pm** The Principal Governance and Compliance Advisor departed and returned to the meeting.

**8. QUESTIONS BY MEMBERS WITHOUT NOTICE**

Nil.

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

Nil.

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

Nil.

**11. REPORTS OF COMMITTEES**

**11.1 STANDING COMMITTEE (AUDIT AND RISK) HELD 25 JULY 2016**  
(Circulated under separate cover)

**OFFICER RECOMMENDATION**

**POWELL MOVED, WOLFF SECONDED,** *That the Minutes for the Standing Committee (Audit and Risk) meeting held on 25 July 2016 as previously circulated to all Councillors, be received and noted.*

**CARRIED 6 VOTES TO 0**

**11.2 EXECUTIVE COMMITTEE MEETING HELD 10 AUGUST 2016**  
(Circulated under separate cover)

**OFFICER RECOMMENDATION**

**ROSSI MOVED, WOLFF SECONDED,** *That the Minutes for the Executive Committee meeting held on 10 August 2016 as previously circulated to all Councillors, be received and noted.*

**CARRIED 6 VOTES TO 0**

**11.3 EXECUTIVE COMMITTEE MEETING HELD 15 AUGUST 2016**  
(Circulated under separate cover)

**OFFICER RECOMMENDATION**

**POWELL MOVED, GARDNER SECONDED,** *That the Minutes for the Executive Committee meeting held on 15 August 2016 as previously circulated to all Councillors, be received and noted.*

**CARRIED 6 VOTES TO 0**

**12. REPORTS OF ADMINISTRATION**

**WITHDRAWN ITEMS**

Item 12.1 was withdrawn at the request of Cr Rossi

Item 12.5 was withdrawn at the request of Cr Rossi

**POWELL MOVED, WOLFF SECONDED,**

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

**CARRIED BY ABSOLUTE MAJORITY 6 VOTES TO 0**

## 12.1 BELMONT ON THE MOVE – INTEGRATED MOVEMENT NETWORK STRATEGY

### BUILT BELMONT

#### ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1 – Item 12.1 refers	<a href="#">Belmont on the Move</a>
Attachment 2 – Item 12.1 refers	<a href="#">Schedule of Submissions</a>

Voting Requirement	:	Simple Majority
Subject Index	:	117/019–Integrated Movement Network Strategy – Belmont on the Move
Location / Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	9 September 2014 Information Forum Item 6.4 14 April 2015 Information Forum Item 6.2 14 July 2015 Information Forum Item 6.2 14 June 2016 Information Forum Item 6.1
Applicant	:	City of Belmont
Owner	:	City of Belmont
Responsible Division	:	Community and Statutory Services

#### COUNCIL ROLE

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

#### PURPOSE OF REPORT

To seek endorsement from Council for the adoption of Belmont on the Move, Integrated Movement Network Strategy (IMNS) (refer [Attachment 1](#)).

*Item 12.1 Continued*

## **SUMMARY AND KEY ISSUES**

The City of Belmont is a growing inner city locality. As a result of the increase in both internal and external development, the City of Belmont is addressing future pressures on the local transport network by developing a long term transport strategy to support Council, residents and businesses over the next 10 years.

The development of Belmont on the Move has been underpinned by significant technical work but most importantly, a detailed community engagement process which has provided many of the key ideas set out within the proposed strategies and projects.

Belmont on the Move is therefore seeking to define what key elements, policies, projects and strategies are required over the next 10 years to ensure that residents, visitors and businesses can continue to move in, around and through the City.

## **LOCATION**

N/A.

## **CONSULTATION**

As part of the development of Belmont on the Move, comprehensive community consultation was undertaken in three parts:

- Councillor workshop
- Preliminary consultation
- Formal advertising of the draft Strategy.

### **Councillor Workshop**

The vision for Belmont on the Move was developed from a workshop held with the City's Councillors in March 2015:

***“Belmont on the Move will enable people to move safely, conveniently and comfortably around their City.”***

It is supported by four values – amenity, accessibility, awareness and opportunity.

### **Preliminary Consultation**

The community engagement plan was implemented from May 2015 to September 2015, with approximately 223 people participating across a range of different opportunities.

*Item 12.1 Continued*

**Community and User Group Engagement**

At the completion of the Councillor workshop, which defined the vision for Belmont on the Move, a tiered community engagement program was implemented from May 2015 to September 2015. During the engagement period, participants took part in a range of opportunities, comprising:

*Tier 1*

Online Engagement: Utilising the City's existing website and corresponding community engagement module, a specific Belmont on the Move section was developed. The online medium provided people the opportunity to participate in the community engagement program in their own time, or as an alternative to attending an organised community forum. This comprised of:

1. An online community survey which focused on understanding popular local destinations, preferred mode of transport, and motivation for changing habits relating to car use.
2. An interactive map which enabled participants to mark a specific locational area and make suggestions.

The online community survey and interactive map was available on Belmont Connect, through the City of Belmont's website from Tuesday 30 June 2015 until Tuesday 4 August 2015.

*Tier 2*

Nine user group working sessions were held with targeted groups that are representative of the City's diverse demographic and community profile. These were designed to enable the project team to understand the specific/unique needs of each group and included:

1. Belmont Business Action Focus Group – 13 May 2015
2. Age Friendly Focus Group – 3 June 2015
3. Disability Access and Inclusion Focus Group – 5 June 2015
4. Youth Focus Group – 10 June 2015
5. Aboriginal Reference Committee Focus Group – 12 June 2015
6. Cyclist Focus Group – invited group 17 June 2015
7. Urban Infill Workshop – 23 July 2015
8. Senior Citizens Centre Focus Group – 24 August 2015
9. Sparkles Playgroup – 1 September 2015.

*Item 12.1 Continued*

Surveys were distributed at the Ruth Faulkner Public Library, targeted at the general community, with 17 completed. The City's diverse demographic profile is a unique community element and in response to this, a survey was also developed for completion by Cultural and Linguistically Diverse (CaLD) community groups which were distributed as part of a separate engagement process undertaken to inform the City's Cultural Development Plan. This aimed to optimise resources and minimise consultation fatigue; 27 surveys were completed.

Tier 3

Two opportunities for the general community to participate were held:

- Community information stand – a general session held at the Belmont Forum
- A facilitated working session focussing on infill/urban development.

Additional information sources that were referenced by the project team to inform Strategy development were:

- Findings from separate community consultation to inform Development Area 6 (2014-15)
- The TravelSmart Survey (2014)
- Belmont Mixed Business Area study (2011)
- Streetscape Upgrade Program.

The draft Community Engagement Report – Belmont on the Move (available to Councillors upon request) compiles the information extracted from the community to develop the draft Strategy. The report details the findings from the preliminary consultation which informed Belmont on the Move.

**Formal Advertising of Draft Strategy**

The draft Strategy was advertised from the 20 April 2016 to 31 May 2016.

- Belmont Connect (20 April 2016 to 31 May 2016)
- Southern Gazette (26 April 2016 and 17 May 2016)
- 91 persons involved in Place Based Workshops
- Belmont Bulletin (26 May 2016)
- Front page of the Southern Gazette (10 May 2016)
- Social Media - Facebook and Twitter (4 May 2016)
- May Monthly Buzz
- Staff email to Senior Management Group, Belmont Leadership Team and all staff.

*Item 12.1 Continued*

During advertising a total of three submissions were received in support of the Strategy. The submissions were predominantly related to minor administrative errors within the document and an increase in public transport throughout the City of Belmont. A copy of the submissions can be found in the Schedule of Submissions (refer [Attachment 2](#)).

### **STRATEGIC COMMUNITY PLAN IMPLICATIONS**

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

**Objective:** Maintain public infrastructure in accordance with sound Asset Management practices.

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

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

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

#### **Corporate Key Action:**

- Review relevance of current road network to suit future needs.
- Implement Belmont on the Move.
- Review priorities outlined in the City's Local Bike Plan and update schedule of works for implementation.
- Implement the Travel Smart Plan 2012–2017.
- Operational activities which support predominantly this 'transport alternatives' strategy.

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

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

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

### **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.



*Item 12.1 Continued*

## **STATUTORY ENVIRONMENT**

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

## **BACKGROUND**

In 2012, WAPC released guidelines for the preparation of integrated transport plans. These guidelines were specifically designed to assist local authorities in the development of integrated plans that approach and address strategic transport issues at a localised level.

In April 2014, Flyt Consultants were engaged to prepare a Background Analysis report to support the future preparation of an IMNS. The background report (available to Councillors upon request) covered a range of information that established the context for Belmont on the Move, such as:

- The Belmont on the Move process.
- Demographic profile and demands.
- All elements of the existing and future transport network as presently planned by the City of Belmont and other agencies.
- Monitoring and performance outcomes.

There are competing pressures on the existing transport network and increasing development and residential population is adding to the complexity of these pressures. It was therefore considered pertinent to engage the community in the process from the outset and make it a people based approach.

Upon commencement of the engagement process for Belmont on the Move, a vision workshop was held in March 2015 with the City of Belmont Councillors and senior staff. The vision workshop was provided to establish a vision, to inform and guide the community engagement and ultimately Belmont on the Move. A project vision and supporting values were developed to align with the City's overall corporate vision and framework, which formed the key basis for Belmont on the Move.

## **OFFICER COMMENT**

The presented format of the Belmont on the Move document is in a draft format only and will be reviewed for layout prior to publishing in accordance with Council standards and formatting style guide.

The increasing pressures on the local transport network have resulted in the development of Belmont on the Move. Belmont on the Move is unique in that it is a strategy document focussed intently on local, place based measures to effect change in travel behaviours. This approach recognises that smaller local changes can sometimes result in the greatest benefit. In addition, it recognises the limitations that the City has on effecting change for major infrastructure schemes that can form the basis of local government strategy documents.

*Item 12.1 Continued*

### **Belmont on the Move Strategy Document**

In addition to providing background and context within the City of Belmont for an IMNS, as well as the process involved in the community engagement process, the document provides and addresses some key overarching themes:

#### **Demand Drivers**

The demand drivers are the fundamental considerations which underpin the future pressures on the transport network. These include, but are not limited to the following:

- Public transport
- Roads
- Cycling and walking
- Parking
- Travel Demand Management
- Freight
- Overall transport network.

If the City of Belmont were not to put in place a strategic framework for its future network now, it would result in an uncoordinated approach resulting in the loss of amenity for all users of the transport network. It would also deprive Belmont of the potential to develop a unique set of localities and communities. The demands placed on this future network resulted in a series of opportunities and constraints which have been a key input into the development of the draft Belmont on the Move strategy.

#### **Overall Transport Strategies**

The implementation of Belmont on the Move and the associated strategies, policies and projects are based around providing a broad strategy framework for each mode of transport, with more detailed examination of places around the City of Belmont to support local movement.

The broader strategies are designed to provide the City of Belmont with principles to guide decision making. They are also designed to tie in with wider Perth metropolitan strategies and projects, and facilitate movement of people and goods to, from and through the City of Belmont.

The overall strategy structure is shown in Figure 1 below, with Belmont on the Move forming part of the suite of Council wide strategic documents, but also having inputs into the local place based strategies.

Item 12.1 Continued

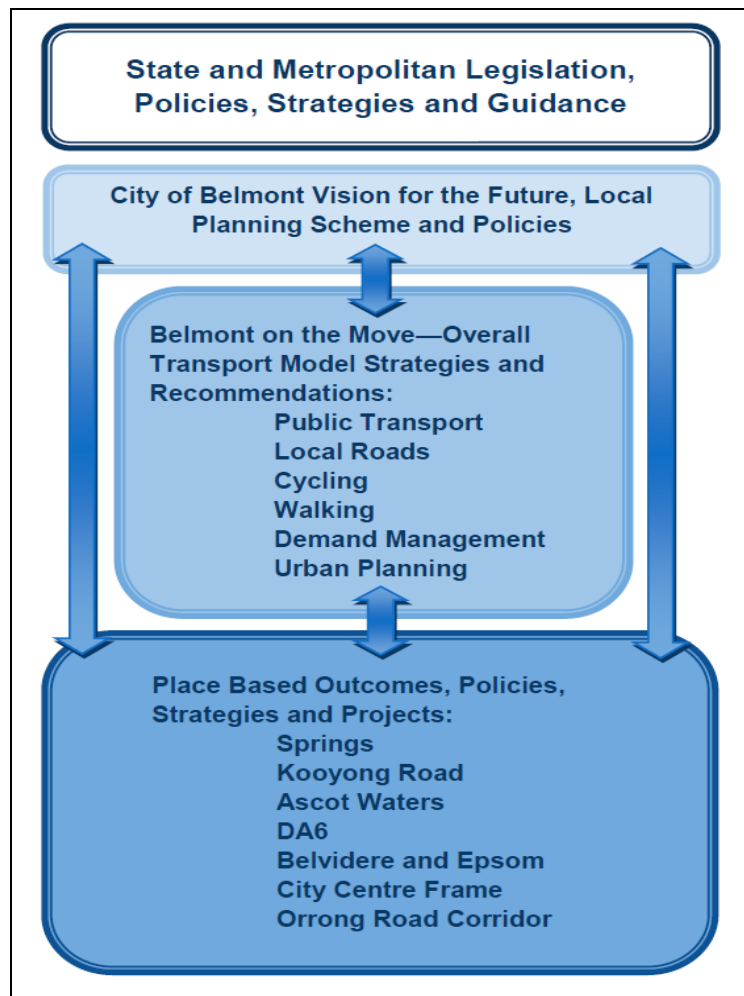


Figure 1 –Transport Framework

### Place Based Strategies

The overarching modal strategies identify the different ways people move around the City, and will provide key deliverables which will guide the development and management of the transport network over the next decade. These modal strategies have also been taken and applied in more detail to seven locations around the City of Belmont (ie Place Based Strategies). They include:

- The Springs
- Kooyong Road Village
- Ascot Waters
- Development Area 6
- Epsom Avenue and Belvidere Street
- Town Centre Frame
- Orrong Road Corridor.

Item 12.1 Continued

Each of these locations has been reviewed through the Belmont on the Move project with more specific strategies, policies, plans and projects set out for each area. Each area has recommendations for:

- Public Transport
- Cycling
- Pedestrians
- Local streets
- Strategies/activities.

These recommendations then progress through to the implementation section, providing clear guidance to the City and the community for how Belmont on the Move will be delivered (refer to Figure 2).

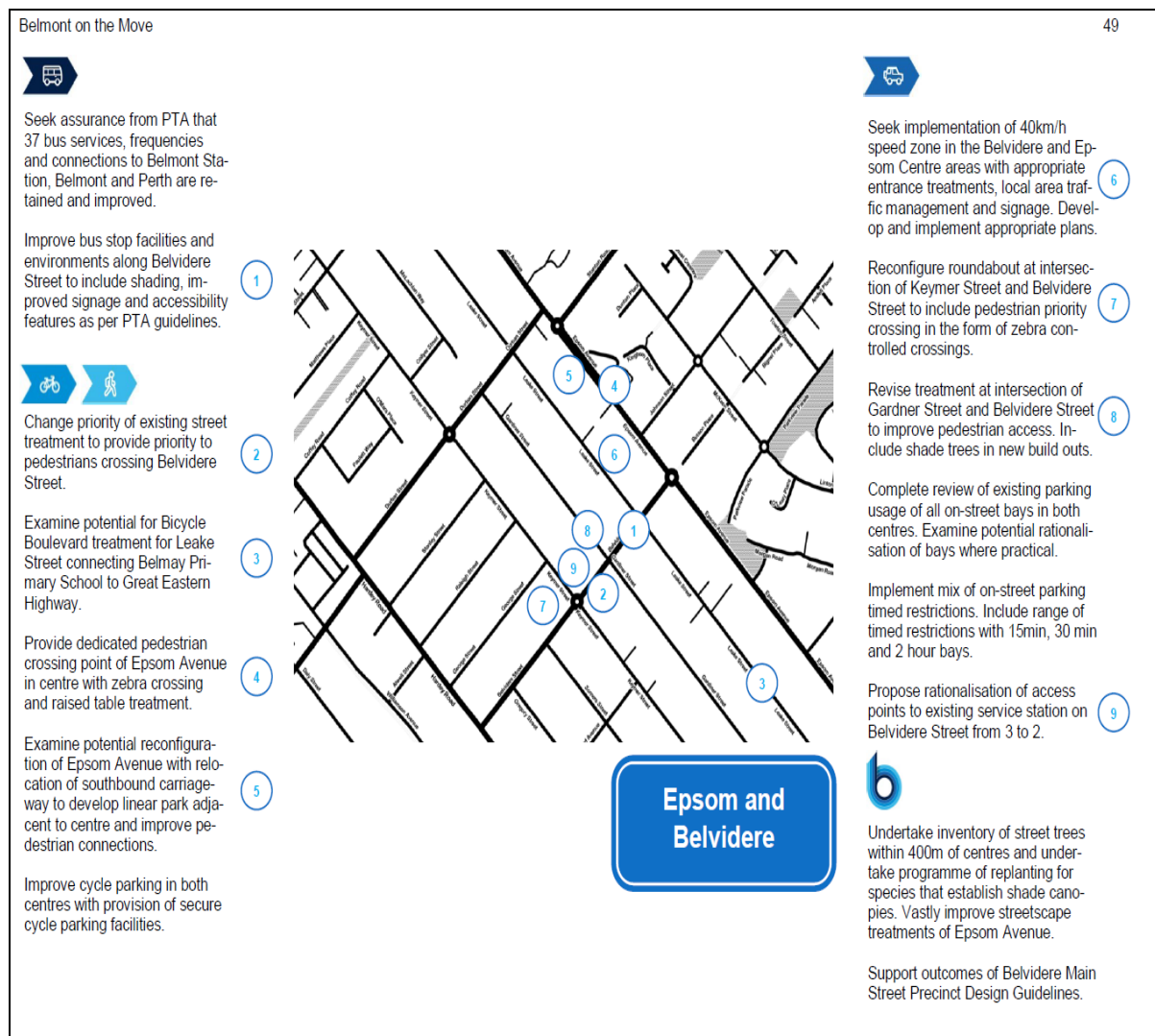


Figure 2 – Example of Placed Based Strategy for Epsom Avenue and Belvidere Street

*Item 12.1 Continued*

## **Implementation**

Belmont on the Move focuses on outcomes that can largely be implemented by the City of Belmont, with support from other agencies. This approach will ensure that the measures included in the modal strategies and place based recommendations do not rely on significant intervention from state government. Rather, the outcomes of Belmont on the Move will supplement state government managed projects and strategies being pursued or implemented such as Forrestfield-Airport Link, Gateway WA, The Springs, Surrey Road Bicycle Boulevard and Perth and Peel@3.5million.

Some measures in Belmont on the Move will also require revisions or additions to the existing Local Planning Strategy, and the Corporate Business Plan 2015–2019. When adopted, Belmont on the Move will not be a standalone strategic document. The City of Belmont has established a clear program of priorities, strategies and plans within the Corporate Business Plan 2015–2019 which will assist in funding and delivering the projects within Belmont on the Move.

The following statements within the Corporate Business Plan 2016-2020 underpin the development of Belmont on the Move.

- Provide a safe, efficient and well maintained transport network.
- Encourage a broad range of transport alternatives and provide adequate management of traffic density, parking, congestion and safety of the transport network, in and surrounding the City of Belmont.
- Review relevance of current road network to suit future needs.
- Complete trial of the BUS link shuttle service. Evaluate and make recommendations for the future of the service.
- Implement the Belmont on the Move.
- Operational activities which support predominantly the 'transport alternatives' strategy.
- Review priorities outlined in the City's Local Bike Plan and update schedule of works for implementation.
- Implement the Travel Smart Plan 2012–2017.
- Facilitate quality transport linkages to the airport and between the airport and the City. Direct bus route from Belmont train station to Town Centre.

When adopted, additional elements from Belmont on the Move will be incorporated into the Corporate Business Plan. The Strategy also provides a set of implementation plans providing an indication of timing and broad costing in conjunction with the seven Placed Based Strategies mentioned above.

*Item 12.1 Continued*

**FINANCIAL IMPLICATIONS**

There are no immediate financial implications from the implementation of Belmont on the Move for the 2016–2017 financial year. Future monetary resources will be required to be budgeted for on an annual basis as currently arranged in line with the Council budget process.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

**SOCIAL IMPLICATIONS**

The adoption of Belmont on the Move will:

- Ensure that the community has access to the services and facilities it needs
- Enhance a sense of community and the image of Belmont
- Contribute to an environment where residents are safe and feel safe.

**OFFICER RECOMMENDATION**

That Council adopt the Belmont on the Move Integrated Movement Network Strategy – July 2016.

**AMENDED OFFICER RECOMMENDATION**

**ROSSI MOVED, WOLFF SECONDED,**

***That Council adopt Attachment 1 the Belmont on the Move Integrated Movement Network Strategy – July 2016, subject to the following modifications:***

- 1. PT6 on Page A31 of Attachment 1 be amended to delete the words “such as the City of Belmont BUSlink”.***
- 2. The Tables on Pages A31, A33, A35, A37, A39, A41, A43 of Attachment 1 be amended to replace the word “Policies” with the heading “Future Actions”.***

**CARRIED 6 VOTES TO 0**

**Reason:**

To provide better clarity as to Council’s intention and to ensure there is no confusion over what is an adopted Council Policy or Local Planning Policy.

**12.2 SCHEME AMENDMENT No. 9 TO CITY OF BELMONT LOCAL PLANNING SCHEME  
No. 15**

**BUILT BELMONT**

**ATTACHMENT DETAILS**

<b><u>Attachment No</u></b>	<b><u>Details</u></b>
Attachment 3 – Item 12.2 refers	<a href="#"><u>Ministerial Approval – Scheme Amendment No. 1</u></a>
Attachment 4 – Item 12.2 refers	<a href="#"><u>Ministerial Approval – Scheme Amendment No. 4</u></a>
Attachment 5 – Item 12.2 refers	<a href="#"><u>Western Australian Planning Commission request for modification to wording of Clause 5.3.2(2) of Scheme Amendment No. 4</u></a>

Voting Requirement	:	Simple Majority
Subject Index	:	116/126–Local Planning Scheme No. 15
Location / Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	27 November 2012 Ordinary Council Meeting Item 12.2 29 October 2013 Ordinary Council Meeting Item 12.4 24 June 2014 Ordinary Council Meeting Item 12.14
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Community and Statutory Services

**COUNCIL ROLE**

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

**PURPOSE OF REPORT**

To consider adoption of Scheme Amendment No. 9 to the City of Belmont Local Planning Scheme No. 15 (LPS15).

*Item 12.2 Continued*

### **SUMMARY AND KEY ISSUES**

The City of Belmont LPS15 was adopted by Council at the Special Council Meeting of 14 February 2011, and gazetted on 1 December 2011.

Scheme Amendment No. 4 to LPS15 was gazetted prior to Scheme Amendment No. 1.

As part of Scheme Amendment No. 4 (refer [Attachment 4](#)), Clause 5.3.2(2)(c) was gazetted as follows:

*'(c) In the case of proposed lots, they are not of an irregular shape or can demonstrate that a dwelling can be accommodated on any proposed lot.*

*Development of Multiple Dwellings at the R30 density is not permitted on R20 coded corner lots.'*

However, as part of Scheme Amendment No. 1 (refer [Attachment 5](#)), Clause 5.3.2(2)(c) was gazetted as follows:

*'(c) The created lots area of a regular shape, or it can be demonstrated that a dwelling can be accommodated on any new lot.'*

Scheme Amendment No. 1 to LPS15 was unfortunately not modified to encapsulate the final sentence within Clause 5.3.2(2)(c) introduced under Scheme Amendment No. 4.

Council is requested to consider passing a resolution to adopt a basic amendment to LPS15 in accordance with Regulation 35(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

### **LOCATION**

N/A.

### **CONSULTATION**

There has been no specific consultation undertaken in respect to this matter as under Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, a basic amendment (such as this) requires no consultation.

### **STRATEGIC COMMUNITY PLAN IMPLICATIONS**

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

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

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



*Item 12.2 Continued*

## **POLICY IMPLICATIONS**

### **State Planning Policy 3.1 – Residential Design Codes (Gazettal 23 October 2015)**

The Residential Design Codes (R-Codes) are a State Planning Policy of the Western Australian Planning Commission (WAPC) which applies to all residential developments within Western Australia. The R-Codes are adopted under the Local Planning Scheme and apply to residential development unless otherwise specifically varied.

## **STATUTORY ENVIRONMENT**

Section 75 of the *Planning and Development Act 2005* refers to the amendment of a Local Planning Scheme. The procedures for amending a Local Planning Scheme are contained within the *Act*.

## **BACKGROUND**

### **Scheme Amendment No. 1 History**

At the 27 November 2012 Ordinary Council Meeting (OCM) (Item 12.2), Council granted final adoption to Scheme Amendment No. 1 of LPS15. Of relevance to this report, Clause 5.3.2(2) of LPS15 was amended to clarify the development requirements in regards to the intention of the R30 corner lot density bonus.

The WAPC undertook an assessment of the Amendment and subsequently provided feedback on a number of matters, none however related to Clause 5.3.2(2) of LPS15. Therefore, it was not until October 2013 (29 October 2013 OCM Item 12.4) that Council were able to advise the WAPC of Council's position on a revised Scheme Amendment No. 1.

On 11 November 2015 (gazetted 15 December 2015), the Minister for Planning approved Scheme Amendment No. 1. In regards to Clause 5.3.2(2) of LPS15, it was gazetted as follows:

#### *5.3.2 Residential Zone*

(2) *The City may permit the development, or support the subdivision of, an existing R20 coded corner lot to a maximum density of R30 provided:*

(a) *The existing lot has frontage to two constructed roads;*

(b) *Any existing improvement/s which in the opinion of the City is:*

(i) *of low quality or incapable of being upgraded to a standard commensurate with new development; or*

(ii) *poorly sited and fails to maximise opportunities in relation to proposed lot boundaries;*

*is demolished; and*

*Item 12.2 Continued*

- (c) *The created lots are of a regular shape, or it can be demonstrated that a dwelling can be accommodated on any new lot.*

#### **Scheme Amendment No. 4 History**

In June 2014, (24 June 2014 OCM Item 12.14) Council considered Scheme Amendment No. 4 to prohibit multiple dwellings on R20 coded corner lots. Council resolved to amend LPS15 by amending Clause 5.3.2(2) to read as follows:

##### *5.3.2 Residential Zone*

- (2) *The City may permit the development, or support the subdivision of an existing R20 coded corner lot to a maximum density of R30 provided:*

- (a) *All existing improvements which in the opinion of the City are:*

- (i) *of low quality or incapable of being upgraded to a standard commensurate with new development; or*
- (ii) *poorly sited and fail to maximise opportunities in relation to proposed lot boundaries*

*are demolished;*

- (b) *The existing lot has frontage to two constructed roads; and*

- (c) *In the case of proposed lots, they are not of an irregular shape or can demonstrate that a dwelling can be accommodated on any proposed lot.*

*For R20 coded corner lots Multiple Dwellings are not permitted.'*

In January 2015, the WAPC notified the City (refer [Attachment 5](#)), that the Minister for Planning decided not to approve the above amendment until such time as the following modifications are effected:

*Replace "For R20 coded corner lots Multiple Dwellings are not permitted." In the last sentence in point 2 of the amendment resolution with "Development of Multiple Dwellings at the R30 density is not permitted on R20 coded corner lots".*

Therefore, the City modified Scheme Amendment No. 4 so the last sentence of the amendment resolution was as follows:

*'Development of Multiple Dwellings at the R30 density is not permitted on R20 coded corner lots.'*

On 5 March 2015 (gazetted 24 March 2015), the Minister for Planning approved Scheme Amendment No. 4 as detailed above.

*Item 12.2 Continued*

### **OFFICER COMMENT**

Scheme Amendment No. 4 to LPS15 was gazetted prior to Scheme Amendment No. 1.

Scheme Amendment No. 1 to LPS15 was unfortunately not modified to encapsulate the final sentence within Clause 5.3.2(2)(c) introduced under Scheme Amendment No. 4.

The last sentence within Clause 5.3.2(2)(c) inserted into the Scheme under Scheme Amendment No. 4 was not picked up prior to the gazettal of Scheme Amendment No. 1. Therefore, a basic Scheme Amendment needs to be made.

Having regard to the above, Amendment No. 9 is consistent with the Minister for Planning approval of Scheme Amendment No. 4. It is therefore recommended that Council grant final adoption to LPS15 Scheme Amendment No. 9 and forward the Scheme Amendment to the WAPC for consideration.

### **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.

### **OFFICER RECOMMENDATION**

*That Council:*

1. ***Determine that proposed Amendment No. 9 to Local Planning Scheme No. 15 be classified a basic amendment, as it seeks to correct an administrative error, pursuant to Regulation 34(a) Division 1, Part 5 of the Planning and Development (Local Planning Schemes) Regulations 2015:***
2. ***In pursuance of Section 75 of the Planning and Development Act 2005, amend Local Planning Scheme No. 15 by:***
  - (a) ***Amending Clause 5.3.2(2)(c) of Local Planning Scheme No. 15 to read as follows:***
    - (c) ***The created lots are of a regular shape, or it can be demonstrated that a dwelling can be accommodated on any new lot.***

***Development of Multiple Dwellings at the R30 density is not permitted on R20 coded corner lots.'***

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

**12.3 COMMUNITY SPORTING AND RECREATION FACILITIES FUND (CSRFF)**

**SOCIAL BELMONT**

**ATTACHMENT DETAILS**

<b><u>Attachment No</u></b>	<b><u>Details</u></b>
Attachment 6 – Item 12.3 refers	<a href="#"><u>Storage Shed Designs to be located at Middleton Park and Peet Park Reserve</u></a>

Voting Requirement	:	Simple Majority
Subject Index	:	57/003–Community Sporting and Recreation Grants
Location/Property Index	:	Lot 14336 (13-25) Middleton Street, Cloverdale Lot 1184 (0) Sydenham Street, Kewdale
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	Middleton Park: Crown Land Peet Park: City of Belmont
Responsible Division	:	Community and Statutory Services

**COUNCIL ROLE**

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

**PURPOSE OF REPORT**

To provide Council with background on the proposed storage shed projects at Middleton Park and Peet Park and seek Council approval to proceed with applications for funding to the Department of Sport and Recreation (DSR) in the 2016-2017 financial year.

*Item 12.3 Continued*

### **SUMMARY AND KEY ISSUES**

The sporting clubs based at Middleton Park (Ascot Senior Cricket Club, Ascot Eagles Junior Cricket Club and Redcliffe Junior Football Club) and Peet Park (Belmont Cricket Club and Belmont Junior Football Club) have identified a lack of available storage space in their multi-purpose facilities and have no access to power/water utilities next to training areas on the reserves. As a result of lack of storage, a number of ongoing issues occur as follows:

- Clubs currently store large items at off-site locations or store items on-site in unsecure multi-purpose areas including change rooms and service areas. This poses challenges in their day to day operations and for their volunteers. It also causes conflict with other hirers and City officers and contractors undertaking maintenance.
- All five clubs seek to expand their membership bases, requiring an investment in new equipment to support their members. Due to the lack of storage, there is no available space to allow for growth.
- Clubs require power to operate club equipment, such as bowling machines during training sessions. These items are currently being powered by portable generators.
- All clubs require an area away from the multi-purpose facility to wash items such as excess paint on line marking equipment to avoid damaging existing infrastructure at the multipurpose facilities.

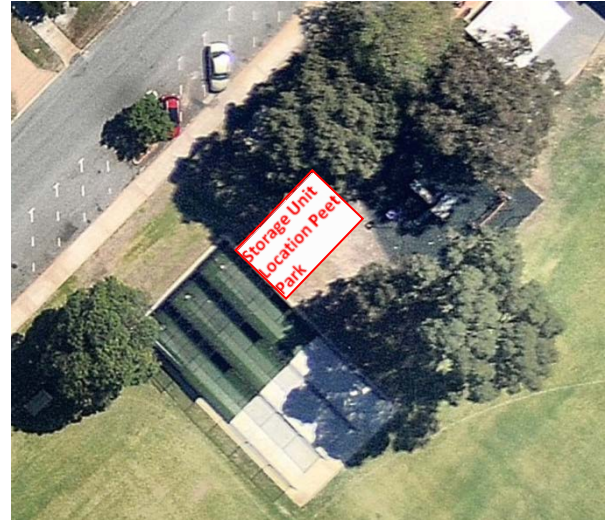
The Community Sporting and Recreation Facilities Fund (CSRFF) application proposes that the City of Belmont will seek a one-third contribution from DSR for each project and up to a one-third joint contribution from the clubs at their respective reserve locations. Prior to submission of the applications, minutes confirming Council's support for the applications is required to be attached.

Both storage units will be City assets and the City will be responsible for all maintenance of the storage units as required.

*Item 12.3 Continued*

**LOCATION**

Middleton Park, 13-25 Middleton Street, Cloverdale (adjacent to the cricket nets) and Peet Park (0 Sydenham Street, Kewdale).



**CONSULTATION**

Each CSRFF application has been developed in consultation with all five clubs involved in their respective projects. Before completing the CSRFF applications, each club was given an opportunity to provide input and comment on the design to ensure the storage units met their required needs in terms of practicality and location. Each of the clubs have provided written confirmation they are satisfied with the project proceeding should funding be approved.

*Item 12.3 Continued*

### **STRATEGIC COMMUNITY PLAN IMPLICATIONS**

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

**Objective:** Develop community capacity and self-reliance.

**Strategy:** Assist clubs and community groups to be viable and active.

**Corporate Key Action:** Assist new and existing local sporting clubs to be sustainable.

### **POLICY IMPLICATIONS**

#### **SB1 COUNCIL AUTHORITY TO APPLY FOR GRANTS**

##### **Policy Objective**

To ensure that a responsible process is in place to accommodate the application and acceptance of grants and subsidies.

##### **Policy Statement**

Council encourages the application for funds that will have benefit to the community. The Chief Executive Officer has authority to make submissions for grants/subsidies subject to their purpose falling within the Council's overall Strategic Plan.

##### **Policy Detail**

The Chief Executive Officer can accept grants/subsidies, except in the following cases, which require specific Council authorisation:

- Grants/subsidies that require an unbudgeted co-payment of funds.
- Grants/subsidies that result in expenditure not identified and authorised as part of the budget process.
- Grants/subsidies where the amount varies significantly from that which has been identified and authorised as part of the budget process.

### **STATUTORY ENVIRONMENT**

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

### **BACKGROUND**

It has been identified by the club committees at both multi-purpose facilities that there is not enough storage space available to store essential club equipment for growing membership bases. Concerns were raised that equipment had to be stored in unsecured change rooms, service areas or volunteers are transporting items from off-site storage locations to training and matches.

*Item 12.3 Continued*

The lack of storage space is causing concerns for City Officers and contractors responsible for the maintenance of the multi-purpose facilities. Items are currently stored on change room floors and service areas which need to be accessed by cleaners and contractors. Items are also being left in communal areas affecting the ability to hire the facility to other community groups and casual hirers. Having items located in communal areas poses a number of risks to hirers and to the sporting club where items can be potentially damaged or stolen.

The lack of power and water available at the cricket training facilities on both reserves has been an ongoing issue. Clubs require power to operate certain equipment such as bowling machines which benefit their members for training purposes. Currently the clubs are running long extension cords or providing a generator to power the machines. All clubs are also having difficulty with cleaning line marking equipment as the only water sources are located in the multi-purpose facility areas which often results in paint damage to paths or internal storage areas.

The City of Belmont's Community Wellbeing Department and Building Services Department have been working in consultation with the sporting clubs located at the Middleton Park and Peet Park Reserves to find a permanent storage solution to relieve the above stated pressures caused by the lack of existing storage space whilst addressing the need for water and power services required for training and maintenance purposes.

The proposed storage buildings will be rendered brick with colorbond roofs.

**OFFICER COMMENT**

Community participation in sporting clubs provides many benefits including:

- Providing physical activity and recreation opportunities in a volunteer capacity.
- Providing the opportunity for community members to meet one another, create close friendships and feel part of a community.
- Contributing towards a tolerant community and providing a positive impact for Culturally and Linguistically Diverse (CaLD) communities.
- Contributing towards a healthier population resulting in less stress on the health care system.
- Positively impacting on children's learning.
- Positively impacting on mental health in the wider community.
- Reducing anti-social behaviour as community members are more actively engaged in sport.
- Contributing to a safer community.

The five clubs provide these benefits to their combined member base ranging from 333 members at Middleton Park to 382 members at Peet Park.



*Item 12.3 Continued*

By providing sufficient storage at each site, the five sporting clubs can:

- Support the growth in membership and continue to provide a valuable service in the community.
- Alleviate the stress incurred by club volunteers with the management and storage of existing equipment.
- Invest in new equipment to support the growth in membership numbers.
- Address the need for power and water to ensure that members can continue to train with the correct equipment in a safe environment.

In addition to club benefits, the additional storage will allow the City to:

- Have confidence that the multipurpose facilities will be more desirable for hire by other community groups and casual hirers.
- Undertake maintenance in a timely manner.

The storage units will be City owned assets and the City will be managing each project. The clubs involved in the projects will have exclusive use of the storage area whilst they have a Seasonal Hire Agreement with the City.

Both storage units will have internal dividers and each club will have a locked access roller door so their equipment remains secured. Notwithstanding, all clubs have been advised as part of their Seasonal Hire Agreement that they are responsible for insuring their contents on City property.

Each allocated area within the shed will be provided with a power source for club use and there will be an external water tap on the unit for clubs to utilise. Clubs are responsible for the internal fit-out of shelving or storage to ensure it meets their individual needs and maximise their available space.

Details of the designs at each reserve can be found in [Attachment 6](#).

### **FINANCIAL IMPLICATIONS**

Historically the City has committed funds to successful CSRFF applications that will receive one-third of the budget costs towards the project. Council policy encourages community/sporting groups to contribute to projects on a one-third basis resulting in Council committing the remaining one-third of the project.

Allocations of \$75,000 for Middleton Park and \$60,000 for Peet Park for the provision of the storage sheds have been included in the approved 2016–2017 Annual Budget. The budget also includes allocations of \$25,000 for Middleton Park and \$20,000 for Peet Park for income from the CSRFF grant being approximately one-third of the total cost.

Since the budget was finalised the clubs have indicated that they are in a position to fund a contribution towards the project of \$37,108, this income will be included at the October budget review.

*Item 12.3 Continued*

As the design has continued to evolve after the budget was finalised, the City engaged a Quantity Surveyor and also revised the estimates for the projects. The main change was that the services to the storage facilities will be horizontally bored in-lieu of open trenching, this is the method preferred by the City's Parks and Environment Department.

The revised estimates of the project are as follows:

- Middleton Park: \$78,624 excluding GST
- Peet Park: \$56,777 excluding GST.

This will require the budgets to be adjusted at a future budget review when the actual costs become clearer. The anticipated total contribution by the City will be in the order of \$53,159.

The values quoted are all exclusive of GST. It should be noted that if a club is not registered for GST, they will incur a GST liability on top of their contribution.

If the funding application is approved, the City of Belmont will be seeking a joint contribution by the clubs for their respective storage units as demonstrated in the tables below:

<b>Middleton Park (3 Clubs)</b>			
<b>Total Cost(ex GST)</b>	<b>Cost to Council (ex GST)</b>	<b>Cost to Clubs (ex GST)</b>	<b>CSRFF Funding (ex GST)</b>
\$78,624	\$31,812	\$20,604 (\$6868 per club)	\$26,208.00

<b>Peet Park (2 Clubs)</b>			
<b>Total Cost (ex GST)</b>	<b>Cost to Council (ex GST)</b>	<b>Cost to Clubs (ex GST)</b>	<b>CSRFF Funding (ex GST)</b>
\$56,777	\$21,347	\$16,504 (\$8252 per club)	\$18,926

Should the funding received from DSR be less than the funding requested, the City of Belmont will be required to fund the outstanding costs to complete the projects.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

*Item 12.3 Continued*

### **SOCIAL IMPLICATIONS**

The addition of a storage unit at Peet Park and Middleton Park will support community sporting groups by:

- Ensuring that the community has access to the services and facilities it needs.
- Assisting in developing community capacity in local sporting clubs.
- Supporting local sporting groups.
- Enhancing a sense of community and the image of Belmont.
- Contributing to an environment where residents are safe and feel safe by increase in membership and activation of the City's sporting reserves.

#### **Note:**

**Cr P Gardner declared an interest that may affect impartiality in Item 12.3 Community Sporting and Recreation Facilities Fund (CSRFF).**

### **OFFICER RECOMMENDATION**

***That Council:***

- 1. Authorise the Chief Executive Officer to accept funding through the City's Community Sporting and Recreation Facilities Fund application for the amount of \$26,208 excluding GST for the addition of a storage unit with power and water services to be located at Middleton Park, if successful.***
- 2. Authorise the Chief Executive Officer to accept funding through the City's Community Sporting and Recreation Facilities Fund application for the amount of \$18,926 excluding GST for the addition of a storage unit with power and water services to be located at Peet Park, if successful.***
- 3. Refer allocation of funds, including approximately \$37,108 GST exclusive income to recognise the clubs financial contributions, to the October Budget Review.***

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

**12.4 PRESENTATION OF 2016 OPPORTUNITY AWARDS**

**BUSINESS EXCELLENCE BELMONT**

**ATTACHMENT DETAILS**

<b>Confidential Attachment No</b>	<b>Details</b>
<b>Confidential Attachment 1 – Item 12.4 refers</b>	<a href="#"><u>Recommendations for 2016 Opportunity Awards</u></a>

Voting Requirement : Simple Majority  
Subject Index : 74/008 - Opportunity Awards  
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 community to another level of government/body/agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, local planning schemes and policies.*
- Review** *When Council reviews decisions made by Officers.*
- Quasi-Judicial** *When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

**PURPOSE OF REPORT**

To seek Council's endorsement of the Senior Management Group's recommendations for the 2016 Opportunity Awards to be presented at the Annual Mayoral Dinner, scheduled for Saturday, 8 October 2016.

*Item 12.4 Continued*

### **SUMMARY AND KEY ISSUES**

The Senior Management Group makes recommendations in relation to the Opportunity Awards for endorsement by Council in accordance with a Council resolution passed in August 1998.

### **LOCATION**

N/A

### **CONSULTATION**

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

### **STRATEGIC COMMUNITY PLAN IMPLICATIONS**

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

**Objective:** Maximise organisational effectiveness and reputation as an organisation, employer and a community.

**Strategy:** Promote the City as the “City of Opportunity”.

**Corporate Key Action:** Implement the City’s new three to five year Marketing Plan.

### **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.

### **BACKGROUND**

At the Ordinary Council Meeting held on 25 August 1998, Council resolved the following:

*“The presentation of Opportunity Awards to stakeholders in recognition of their contribution to a significant/outstanding project within the City over the past twelve months demonstrating that the project has enhanced the amenity and quality of life in the City, or has greatly assisted the organisation in achieving its objectives”.*

The above item also requested that projects were to be recommended by the Senior Management Group and confidentially endorsed by Council.

The projects are to be recommended on the basis that the stakeholder has assisted the Senior Management Group in the development and enhancement of the City.

An exemplary level of co-operation must also have been displayed, that has resulted in everyone’s objectives being achieved.

*Item 12.4 Continued*

A list of the previous winners of the Opportunity Awards since its inaugural presentation in 1998 follows:

<b>Year</b>	<b>Recipients</b>
1998	<ul style="list-style-type: none"> <li>• Secureforce International</li> <li>• The Western Australian Turf Club</li> <li>• The Satterley Group.</li> </ul>
1999	<ul style="list-style-type: none"> <li>• The Belmont Business Enterprise Centre</li> <li>• Ascot Waters Consortium</li> <li>• Eldercare and the Faulkner Park Retirement Estate Board of Management.</li> </ul>
2000	<ul style="list-style-type: none"> <li>• The Perron Group</li> <li>• Main Roads Department</li> <li>• Ministry of Housing.</li> </ul>
2001	<ul style="list-style-type: none"> <li>• Western Power and Office of Energy</li> <li>• The Reading Group</li> <li>• Mell-Fin Securities Pty Ltd.</li> </ul>
2002	<ul style="list-style-type: none"> <li>• The Sister City Association</li> <li>• The Belmont Rotary Club.</li> </ul>
2003	No Mayoral Dinner was held as a result of the refurbishment of the Civic Centre.
2004	The 2004 Mayoral Dinner concentrated on launching the rebranding and repositioning of the City of Opportunity Marketing Strategy.
2005	<ul style="list-style-type: none"> <li>• Maxicom Construction Group</li> <li>• People Solutions</li> <li>• South Eastern Metropolitan District Office of the WA Police.</li> </ul>
2006	<ul style="list-style-type: none"> <li>• Lotterywest</li> <li>• Strategic Leadership Consulting Pty Ltd</li> <li>• St John Ambulance.</li> </ul>
2007	<ul style="list-style-type: none"> <li>• McLeods Barristers and Solicitors</li> <li>• Motor Trade Association of Western Australia (Inc)</li> <li>• Belmont / Victoria Park State Emergency Service Unit</li> <li>• Western Australian Planning Commission.</li> </ul>
2008	<ul style="list-style-type: none"> <li>• Reginald Fernandes</li> <li>• Matthew Lyford – Watchtower</li> <li>• Richard Campbell – CMS Events.</li> </ul>
2009	<ul style="list-style-type: none"> <li>• Local Government Insurance Services (LGIS)</li> <li>• Peter Coxon – Coxon Group of Companies.</li> </ul>
2010	<ul style="list-style-type: none"> <li>• The Property Council of Australia</li> <li>• Laraine Wheller – Wheller Consulting/Rubis.</li> </ul>
2011	<ul style="list-style-type: none"> <li>• Perth Airport</li> <li>• Eastern Metropolitan Regional Council</li> <li>• Western Australian Local Government Association.</li> </ul>
2012	<ul style="list-style-type: none"> <li>• South East Metro Crime Prevention and Diversity Unit.</li> </ul>
2013	<ul style="list-style-type: none"> <li>• Main Roads Western Australia - City East Alliance Group.</li> <li>• Belmont Forum Shopping Centre.</li> </ul>
2014	<ul style="list-style-type: none"> <li>• Finbar Group Limited – Spring View Towers Residential Apartments</li> <li>• Swan River Trust - Foreshore Partnership</li> <li>• Consulate-General of Japan – Support of Sister City Relationship.</li> </ul>
2015	<ul style="list-style-type: none"> <li>• YMCA.</li> </ul>

*Item 12.4 Continued*

Each winner receives a jarrah replica of the Opportunity logo that is accompanied by a specific citation that defines the stakeholder's contribution.

**OFFICER COMMENT**

The Senior Management Group has considered the issue for the 2016 Mayoral Dinner and has unanimously agreed on the nominations detailed in [Confidential Attachment 1](#).

**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.

**OFFICER RECOMMENDATION**

***That Council endorse the recipients of the 2016 Opportunity Awards as identified in [Confidential Attachment 1](#) and that the nominations remain confidential until presented at the Mayoral Dinner scheduled for Saturday, 8 October 2016.***

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

**12.5 POLICIES – PUBLICLY AVAILABLE REGISTERS - 23 FEBRUARY 2016 ORDINARY COUNCIL MEETING**

**BUSINESS EXCELLENCE BELMONT**

**ATTACHMENT DETAILS**

<b><u>Attachment No</u></b>	<b><u>Details</u></b>
Attachment 7 – Item 12.5 refers	<a href="#"><u>BEXBXX Elected Member Disclosure of Interests Register</u></a>
Attachment 8 – Item 12.5 refers	<a href="#"><u>BEXBXX Elected Member Registers - Other</u></a>
Attachment 9 – Item 12.5 refers	<a href="#"><u>BEXBXX Elected Member Contact with Developers</u></a>
Attachment 10 – Item 12.5 refers	<a href="#"><u>DLGC Operational Guideline 12 - Elected Members' Relationship with Developers</u></a>

Voting Requirement	:	Simple Majority
Subject Index	:	32/015 Council Policy Manuals/Code of Conduct
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil.
Previous Items	:	OCM 25 August 2015 – Item 11.2 OCM 23 February 2016 – Item 12.9
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Corporate and Governance

**COUNCIL ROLE**

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



*Item 12.5 Continued*

### **PURPOSE OF REPORT**

To consider the adoption of the following Council Policies:

- BEXBXX – Elected Member Disclosure of Interests Register (refer [Attachment 7](#))
- BEXBXX – Elected Member Registers – Other (refer [Attachment 8](#))
- BEXBXX – Elected Member Contact with Developers (refer [Attachment 9](#)).

These policies have been drafted following a Notice of Motion originally submitted by Councillor Gardner and subsequent Alternative Councillor Motions.

### **SUMMARY AND KEY ISSUES**

For Council to consider the adoption of policies for the following publicly available registers:

- BEXBXX – Elected Member Disclosure of Interests Register
- BEXBXX – Elected Member Registers – Other
- BEXBXX – Elected Member Contact with Developers.

### **LOCATION**

N/A

### **CONSULTATION**

Consultation with Councillors was undertaken at the 7 December 2015 Special Information Forum, and the 12 July 2016 Information Forum.

Relevant City of Belmont officers and the Senior Management Group have been consulted.

### **STRATEGIC COMMUNITY PLAN IMPLICATIONS**

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

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

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

### **POLICY IMPLICATIONS**

Council endorsement of any of these policies will necessitate amendment to the City of Belmont Policy Manual.

*Item 12.5 Continued*

## **STATUTORY ENVIRONMENT**

The *Local Government Act 1995* states that:

### **5.65. Members' interests in matters to be discussed at meetings to be disclosed**

- (1) *A member who has an interest in any matter to be discussed at a council or committee meeting that will be attended by the member must disclose the nature of the interest —*
  - (a) *in a written notice given to the CEO before the meeting; or*
  - (b) *at the meeting immediately before the matter is discussed.*

*Penalty: \$10 000 or imprisonment for 2 years.*
- (2) *It is a defence to a prosecution under this section if the member proves that he or she did not know —*
  - (a) *that he or she had an interest in the matter; or*
  - (b) *that the matter in which he or she had an interest would be discussed at the meeting.*
- (3) *This section does not apply to a person who is a member of a committee referred to in section 5.9(2)(f).*

### **5.75. Primary returns**

- (1) *A relevant person other than the CEO must lodge with the CEO a primary return in the prescribed form within 3 months of the start day.*
- (2) *A CEO must lodge with the mayor or president a primary return in the prescribed form within 3 months of the start day.*
- (3) *This section does not apply to a person who —*
  - (a) *has lodged a return within the previous year; or*
  - (b) *has, within 3 months of the start day, ceased to be a relevant person.*

*Penalty: \$10 000 or imprisonment for 2 years.*

### **5.76. Annual returns**

- (1) *Each year, a relevant person other than the CEO must lodge with the CEO an annual return in the prescribed form by 31 August of that year.*
- (2) *Each year, a CEO must lodge with the mayor or president an annual return in the prescribed form by 31 August of that year.*

*Penalty applicable to subsections (1) and (2): \$10 000 or imprisonment for 2 years.*

### **5.88. Register of financial interests**

- (1) *A CEO is to keep a register of financial interests.*
- (2) *The register is to contain —*
  - (a) *the returns lodged under section 5.75 and 5.76; and*
  - (b) *a record of the disclosures made under sections 5.65, 5.70 and 5.71,*

*and be in the form that is prescribed (if any).*

*Item 12.5 Continued*

- (3) *As soon as is practicable after a person ceases to be a person who is required under section 5.75 or 5.76 to lodge a return, the CEO is to remove from the register all returns relating to that person.*
- (4) *Returns lodged under section 5.75 or 5.76 and removed from the register under subsection (3) are to be kept by the CEO for a period of at least 5 years after the person who lodged the return ceased to be a council member or designated employee.*

**BACKGROUND**

At the 25 August 2015 Ordinary Council Meeting, Cr Gardner put forward a Notice of Motion for Council consideration regarding the publication of electronic copies of the City of Belmont's Financial Interest Register, Councillor Travel Register and Councillor Gift/Hospitality Register on the City's website.

**COUNCILLOR RECOMMENDATION**

**GARDNER MOVED, CAYOUN SECONDED**

That the following documents be made publicly available as electronic versions via the City of Belmont website:

- Financial Interest Register
- Councillor Travel Register
- Councillor Gift/Hospitality Register.

Reason:

To increase the transparency and accountability of the Council.

Cr Rossi put forward the following amendment motion:

**COUNCILLOR AMENDMENT MOTION**

**ROSSI MOVED, POWELL SECONDED**

- 1. That the following documents be discussed at the Information Forum with the prospect of them being made publicly available as electronic versions, via the City of Belmont's website be put into place after the October 17 2015 election:**
  - **Financial Interest Register**
  - **Council Travel / Conference Registers**
  - **Councillor Gift / Hospitality Register**
- 2. That Councillors consider expanding the register at the Information forum to also discuss:**
  - **Political Affiliations**
  - **Community Group Affiliations**
  - **Closely Associated Person's Financial Interests and Affiliations**

**CARRIED 5 VOTES TO 4**

*For: Marks, Powell, Rossi, Ryan, Wolff  
Against: Bass, Cayoun, Gardner, Hitt*

*Item 12.5 Continued*

**Reason:**

To allow for greater transparency and to allow Councillor input to occur into how this transparency will be formulated.

**COUNCILLOR MOTION, AS AMENDED**

**GARDNER MOVED, CAYOUN SECONDED**

- 1 ***That the following documents be discussed at the Information Forum with the prospect of them being made publicly available as electronic versions, via the City of Belmont's website be put into place after the October 17 2015 election:***
  - ***Financial Interest Register***
  - ***Council Travel / Conference Registers***
  - ***Councillor Gift / Hospitality Register***
  
- 2 ***That Councillors consider expanding the register at the Information forum to also discuss:***
  - ***Political Affiliations***
  - ***Community Group Affiliations***
  - ***Closely Associated Person's Financial Interests and Affiliations***

**CARRIED 5 VOTES TO 4**

*For: Marks, Powell, Rossi, Ryan, Wolff  
Against: Bass, Cayoun, Gardner, Hitt*

Consultation with Councillors regarding Publicly Available Registers was undertaken at the 7 December 2015 Special Information Forum and a further report was submitted to the 23 February 2016 Ordinary Council Meeting.

Council resolved the following at the 23 February 2016 Ordinary Council Meeting:

**ALTERNATIVE COUNCILLOR MOTION**

**ROSSI MOVED, POWELL SECONDED, That Council:**

1. ***Adopt policy BEXB41 Publicly Available Registers as detailed in Attachment 13.***
  
2. ***Authorise the Chief Executive Officer to publish the Gift/Hospitality Register and the Contribution to Travel Register on the City of Belmont website.***
  
3. ***Request the Chief Executive Officer to further develop Policy BEXB41 – Publicly Available Registers or create new policies that will provide for the following registers and information relevant to Councillors being made available on the City of Belmont website:***
  - ***Declaration of financial and impartiality interest register.***
  - ***Travel and conference register.***
  - ***Attendance registers for all functions & events.***
  - ***Political affiliations.***
  - ***Community group affiliations.***
  - ***Full residential address.***

*Item 12.5 Continued*

- 4. Request the Chief Executive Officer to develop a policy that will preclude Councillors from receiving any gifts or donations, outside of official Council functions and invitations, at any time from developers and considers the development of a register recording all Councillor contact with Developers.**
  
- 5. Request the Chief Executive Officer to write to the Hon Tony Simpson MLA, Minister for Local Government; Community Services; Seniors and Volunteering; Youth and the Hon Peter Collier MLA, Minister for Education; Aboriginal Affairs; Electoral Affairs, the Western Australian Local Government Association and the Western Australian Electoral Commission requesting that an amendment to the Local Government (Elections) Regulations 1997, Part 5A – Disclosure of Gifts, be made making it a requirement for all election candidates to make a Statutory Declaration of their compliance to the requirements Part 5A.**

**CARRIED 9 VOTES TO 0**

Following Council's resolution, Policy BEXB41 was included in the City's Policy Manual and arrangements were made to publish the gift and contribution to travel registers on the City's website.

The *City of Perth Act 2015* came into effect on 4 March 2016 and resulted in amendments to the *Local Government Act 1995* and subsidiary legislation including changes to the gift and contribution to travel disclosure provisions.

A letter was written to the Hon Minister Tony Simpson MLA, Hon Minister Peter Collier MLA, the Western Australian Local Government Association and the Western Australian Electoral Commission dated requesting the consideration of amendments to Part 5A of the *Local Government (Elections) Regulations 1997* as outlined in item 5 of the above resolution.

At the 26 April 2016 Ordinary Council Meeting, Cr Bass put forward a Notice of Motion for Council consideration regarding Councillor and senior employee contact with developers.

#### **COUNCILLOR RECOMMENDATION**

**BASS MOVED, CAYOUN SECONDED,**

That the City of Belmont introduce a free online public register of contacts between Councillors and Senior Staff Officers with property developers. The register shall contain date name and nature of business dealings with the property developers.

Reason:

To improve transparency for the public and provide good governance for the City of Belmont.

*Item 12.5 Continued*

**Note:**

Cr Rossi put forward the following amendment motion.

**COUNCILLOR AMENDMENT MOTION**

**ROSSI MOVED, POWELL SECONDED,**

*That the matter of a public register of contacts with developers and development lobbyists be referred to an Information Forum so this item can be discussed in relation to Policy BEXB41 which has already been referred for discussion.*

**CARRIED 9 VOTES TO 0**

**Reason:**

To look at the registers as a whole instead of in isolation

**COUNCILLOR MOTION, AS AMENDED**

**BASS MOVED, CAYOUN SECONDED,**

*That the matter of a public register of contacts with developers and development lobbyists be referred to an Information Forum so this item can be discussed in relation to Policy BEXB41 which has already been referred for discussion.*

**CARRIED 9 VOTES TO 0**

Further consultation with Councillors regarding publicly available registers and contact with developers was undertaken at the 12 July 2016 Information Forum.

**OFFICER COMMENT**

At the 12 July 2016 Information Forum the draft policies were discussed and direction was sought from Council to provide clarity on intended definitions, inclusions and the required parameters for the policies.

Officers provided further information on legislative requirements, activities undertaken by other local governments and operational guidelines.

**Financial Interest Register**

All Elected Members and staff must consider their personal and professional activities in context with the requirements of the *Local Government Act 1995*, the *Local Government (Administration) Regulations 1996*, the *Local Government (Rules of Conduct) Regulations 2007*, the City's Policy Manual and Code of Conduct, specifically in regard to:

- Conflicts of interest
  - Financial
  - Proximity
  - Impartiality
  - Membership of Groups and Associations.

*Item 12.5 Continued*

Disclosures of any of these conflicts of interest must be made as soon as the conflict is known.

All 'Disclosures of Interest that Might Cause a Conflict' regarding items before Council are disclosed and published in the Council Meeting Minutes.

A register of 'Disclosures of Interest that Might Cause a Conflict' Forms is kept by the Compliance Administrator and is available for viewing as required under section 5.94 of the *Local Government Act 1995*.

Publication of a Financial Interests Register is not required by legislation.

**Travel and Conference Register**

City of Belmont Elected Members undertake travel and attend conferences in relation to professional development through their functions as Elected Members, their employment outside Council and for personal requirements.

The City's expenditure relating to Elected Member travel for Council business is included as it occurs in the monthly Accounts for Payment Report to Council.

Conference and Training expenditure relating to Elected Members is published annually in the City of Belmont Annual Report.

Any reimbursement for travel expenses is in line with policy BEXB11B Elected Member Professional Development and Authorised Travel. This provides for a maximum allocation of \$20,000 over the four year term of office for professional development and includes the cost of any travel requirements for professional development.

A record of other travel undertaken or conferences attended by Elected Members is not kept.

Publication of a Travel and Conference Register is not required by legislation.

**Attendance registers for all Functions and Events**

City of Belmont Elected Members attendance at Council and Committee meetings is recorded and published in the City's Annual Report.

A record of attendance at other meetings, functions and events is not kept. These disclosures are not required by legislation to be kept in a register, nor to be published.

**Political and Community Group Affiliations and Full Residential Address**

There is currently no legislative requirement for disclosures of this nature to be recorded.

If disclosure of a financial or impartiality interest is required in relation to any of these affiliations, they are required by legislation to be disclosed in relation to specific items on an Agenda.

The Department of Local Government and Communities has published a number of Operational Guidelines (Number 1 – Disclosures of Interest Affecting Impartiality, Number 20 – Disclosure of Financial Interests at Meetings and Number 21 – Disclosure of Financial Interests in Returns) which provide the definition of a 'closely associated person'.

*Item 12.5 Continued*

Publication of a Register of Political and Community Group Affiliations and Full Residential Address is not required by legislation.

**Contact with Developers**

There is currently no legislative requirement for disclosures of contact with developers to be recorded; however the provisions of the *State Records Act 2000*, and Council Policies BEXB29 – Organisational Record Keeping and BEXB29.1 – Roles and Responsibilities - Elected Members, remain applicable.

If disclosure of a financial or impartiality interest is required in relation to any contact with developers, they are required by legislation to be disclosed in relation to specific items on an Agenda.

Elected Members are required to comply with relevant provisions of the *Local Government Act 1995*, relevant Regulations, the City's Code of Conduct and Council Policy with regard to contact with developers, including obligations outlined in the City of Belmont Policy BEXB33 – Quasi Judicial Role.

The Department of Local Government and Communities has published Operational Guidelines Number 12 – Elected Members Relationship with Developers (refer [Attachment 10](#)).

Publication of a Register of Elected Member contact with Developers is not required by legislation.

**Concluding Summary**

Council's resolved position from the 23 February 2016 Ordinary Council Meeting, specifically items 3 and 4 are clear in regard to the required actions of the CEO:

*"3. Request the Chief Executive Officer to further develop Policy BEXB41 – Publicly Available Registers or create new policies that will provide for the following registers and information relevant to Councillors being made available on the City of Belmont website:*

- Declaration of financial and impartiality interest register.*
- Travel and conference register.*
- Attendance registers for all functions & events.*
- Political affiliations.*
- Community group affiliations.*
- Full residential address.*

*4. Request the Chief Executive Officer to develop a policy that will preclude Councillors from receiving any gifts or donations, outside of official Council functions and invitations, at any time from developers and considers the development of a register recording all Councillor contact with Developers."*

This has been completed and draft policies discussed with Councillors at a Special Information Forum on 12 July 2016.

There would be no clear tangible benefit to the community, the Council or the City in the adoption of any of these policies.



*Item 12.5 Continued*

### **FINANCIAL IMPLICATIONS**

Should the registers be implemented additional officer time would be required to implement the registers and make them available for public access through the City's website. These registers would be designed and implemented in a format suitable for publication on the website. Regular updating procedures would be implemented to ensure that relevant information is available as per policy requirements.

### **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. Not adopt Policy 'Elected Member Disclosure of Interests Register' as detailed in [Attachment 7](#).
2. Not adopt Policy 'Elected Member Registers – Other' as detailed in [Attachment 8](#).
3. Not adopt Policy 'Elected Member Contact with Developers' as detailed in [Attachment 9](#).

**Note:**

Cr Rossi put forward the following Alternative Councillor Motion.

### **ALTERNATIVE COUNCILLOR MOTION**

**ROSSI MOVED, POWELL SECONDED,**

That Council:

1. **Adopt Policy 'Elected Member Disclosure of Interests Register' as detailed in [Attachment 7](#).**
2. **Adopt Policy 'Elected Member Registers – Other' as detailed in Amended [Attachment 8](#).**
3. **Not adopt Policy 'Elected Member Contact with Developers' as detailed in [Attachment 9](#).**

**CARRIED 6 VOTES TO 0**

**Reason:**

**To make the Elected Member Registers – Other Policy more explicit and in the interest of open transparency and accountability to the residents of Belmont.**

**12.6 ACCOUNTS FOR PAYMENT - JULY 2016**

**BUSINESS EXCELLENCE BELMONT**

**ATTACHMENT DETAILS**

<b>Attachment No</b>	<b>Details</b>
<b>Attachment 11 – Item 12.6 refers</b>	<a href="#"><b>Accounts for Payment – July 2016</b></a>

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

**COUNCIL ROLE**

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

**PURPOSE OF REPORT**

Confirmation of accounts paid and authority to pay unpaid accounts.

**SUMMARY AND KEY ISSUES**

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

*Item 12.6 Continued*

**LOCATION**

N/A

**CONSULTATION**

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

**STRATEGIC COMMUNITY PLAN IMPLICATIONS**

There are no Strategic Community Plan implications evident at this time.

**POLICY IMPLICATIONS**

There are no 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*
- (d) sufficient information to identify the transaction.”*

**BACKGROUND**

Checking and certification of Accounts for Payment required in accordance with *Local Government (Financial Management) Regulations 1996*, Clause 12.

**OFFICER COMMENT**

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

Municipal Fund Cheques	787015 to 787045	\$240,321.92
Municipal Fund EFTs	EF045185 to EF045671	\$3,850,916.13
Municipal Fund Payroll	July 2016	\$1,547,876.28
Trust Fund EFTs	EF045186 and EF045187	\$33,355.33
Total of Payments for July 2016		<u>\$5,672,469.66</u>

*Item 12.6 Continued*

**FINANCIAL IMPLICATIONS**

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

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

**SOCIAL IMPLICATIONS**

There are no social implications at this time.

**OFFICER RECOMMENDATION**

*That the Authorised Payment Listing for July 2016 as provided under [Attachment 11](#) be received.*

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

**12.7 MONTHLY ACTIVITY STATEMENT AS AT 31 JULY 2016**

**BUSINESS EXCELLENCE BELMONT**

**ATTACHMENT DETAILS**

<b>Attachment No</b>	<b>Details</b>
<b>Attachment 12 – Item 12.7 refers</b>	<b><a href="#">Monthly Activity Statement as at 31 July 2016</a></b>

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

**COUNCIL ROLE**

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

**PURPOSE OF REPORT**

To provide Council with relevant monthly financial information.

**SUMMARY AND KEY ISSUES**

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

**LOCATION**

N/A

*Item 12.7 Continued*

### **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(1) requires a monthly Statement of Financial Activity reporting on revenue and expenditure.

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

### **BACKGROUND**

The *Local Government (Financial Management) Regulations 1996* requires that financial statements are presented on a monthly basis to Council. In previous years, Council has adopted ten percent of the budgeted closing balance as the materiality threshold.

### **OFFICER COMMENT**

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

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

Previous amendments to the Regulations fundamentally changed the reporting structure which requires reporting of information consistent with the “cash” component of Council’s budget rather than being “accrual” based.

*Item 12.7 Continued*

The monthly financial report is to be accompanied by:

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

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

*\*\*Assets which are restricted by way of externally imposed conditions of use e.g. tied grants.*

Council is required to adopt a percentage or value to determine material variances in accordance with the requirements of Australian Accounting Standards.

AASB108 discusses the principles to be applied in determining if a variance is material. AASB108 states that:

Information is material if its omission, misstatement or non-disclosure has the potential, individually or collectively, to influence the economic decisions of users taken on the basis of the financial statements or affect the discharge of accountability by the management or governing body of the entity. In deciding whether an item or an aggregate of items is material, the size and nature of the omission or misstatement of the items usually need to be evaluated together.

In the case of Council's Annual Budget (and related monthly Statement of Financial Activity), it is felt that the potential impact on the estimated closing balance should determine if an item is material or not. For this reason, Council has previously adopted ten per cent of the budgeted closing balance as the materiality threshold.

It should also be noted that many of the variances listed in the monthly Statement of Financial Activity would not technically fall within the auspices of the Accounting Standards as they are timing differences only, and would not generally have the potential to adversely affect either the decision making or the discharge of accountability for Council.

Regardless of this, it is proposed that all variances in excess of the specified percentage will have details reported. All variances calculated are a comparison of year to date actual vs. year to date budget.

In order to provide more details regarding significant variations as included in [Attachment 12](#) the following summary is provided.

Item 12.7 Continued

Report Section	Budget YTD	Actual YTD	Comment
<b>Expenditure - Capital</b>			
Computing	50,888	Nil	Capital purchases are on order.
Grounds Operations	68,473	13,836	Budget spread issue regarding Parks project.
Operations Centre	102,282		Plant is currently on order.
<b>Expenditure - Operating</b>			
Finance Department	219,233	140,458	Insurance and FBT allocations are outstanding.
Computing	223,559	284,143	Insurance allocations are outstanding.
Executive Services	202,292	109,104	Insurance allocations are outstanding.
Governance	281,437	219,563	Variance mainly relates to Activity Based Costing (ABC's) allocations.
Property & Economic Development	115,243	56,851	Contributions are currently less than budget.
Belmont Community Watch	110,787	1,047	Contractor invoices are paid one month in arrears.
Health	124,493	73,041	Variance relates to employee costs and insurance allocations.
Belmont HACC Services	253,164	191,241	Variance relates to the budget spread of employee costs.
Youth Services General	58,322	3,142	Contractor invoices are paid one month in arrears.
Town Planning	345,794	174,970	Legal and consulting costs are currently under budget.
Grounds Operations	484,128	287,427	Parks maintenance costs, partly due to contractor invoices paid in arrears, as well as consulting costs are below budget.
Grounds Overheads	266,816	149,202	Insurance allocations are outstanding.
Streetscapes	124,307	48,165	Contractor invoices are paid one month in arrears.
Public Works Overheads	262,451	91,171	Insurance allocations are outstanding.
Plant Operating Costs	123,990	63,690	Insurance allocations are outstanding.
Technical Services	260,218	168,476	Variance relates to employee costs and insurance allocations.
<b>Revenue - Capital</b>			
Property and Economic Development	(4,374,000)	Nil	No land sales occurred during the month.
Road Works	Nil	(500,000)	Capital grant invoiced earlier than expected.
<b>Revenue - Operating</b>			
Computing	(189,543)	(284,143)	ABC recoveries are above budget.
Insurance	(889,685)	(2,900)	Insurance allocations are outstanding.
Rates	(34,510,935)	(34,918,540)	Variance relates to interim (back) ex-gratia rates.



Item 12.7 Continued

Report Section	Budget YTD	Actual YTD	Comment
Financing Activities	(104,709)	(14,745)	Variance relates to the timing of the maturity of term deposits.
Faulkner Park Retirement Village.	Nil	(50,040)	Income from unit sales occurred earlier than anticipated.
Town Planning	(143,038)	(73,749)	Application fee income and ABC recoveries are below budget.

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

Reconciliation of Nett Current Assets to Statement of Financial Activity		
Current Assets as at 31 July 2016	\$	Comment
Cash and investments	44,320,961	Includes municipal and reserves
- less non rate setting cash	(39,889,352)	Reserves
Receivables	49,445,906	Rates levied yet to be received and Sundry Debtors
ESL Receivable	(8,590,046)	ESL Receivable
Stock on hand	209,731	
<b>Total Current Assets</b>	<b>45,497,200</b>	
<b>Current Liabilities</b>		
Creditors and provisions	(15,452,307)	Includes ESL and deposits
- less non rate setting creditors and provisions	11,382,921	Cash Backed LSL, current loans & ESL
<b>Total Current Liabilities</b>	<b>(4,069,386)</b>	
<b>Nett Current Assets 31 July 2016</b>	<b>41,427,814</b>	
Nett Current Assets as Per Financial Activity Report	41,427,814	
Less Restricted Assets	(518,329)	Unspent grants held for specific purposes
Less Committed Assets	<b>(40,409,485)</b>	All other budgeted expenditure
<b>Estimated Closing Balance</b>	<b>500,000</b>	

**FINANCIAL IMPLICATIONS**

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

*Item 12.7 Continued*

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

**SOCIAL IMPLICATIONS**

There are no social implications at this time.

**OFFICER RECOMMENDATION**

1. *That Council adopt ten percent of the estimated closing balance as the base amount for determining materiality of variations in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996.*
2. *That the Monthly Financial Reports as at 31 July 2016 as included in [Attachment 12](#) 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.

**13.2 NOTICE OF MOTION (CR POWELL) – REPRESENTATION AT COMMUNITY MEETING –  
WA METH STRATEGY FORUM**

**SOCIAL BELMONT**

**ATTACHMENT DETAILS**

Nil.

Voting Requirement	:	Simple Majority
Subject Index	:	35/002 Notices of Motion
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	:	Community and Statutory Services

**COUNCIL ROLE**

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

**PURPOSE OF REPORT**

To consider a Notice of Motion prepared by Councillor Powell in relation to the support and endorsement of the WA Meth Strategy Forum to be held at the Belmont RSL on the 1st September, and for a City of Belmont Officer(s) to attend in the capacity of an observer.

*Item 13.2 Continued*

### **SUMMARY AND KEY ISSUES**

Councillor Powell has submitted a Notice of Motion to be presented to the 23 August 2016 Ordinary Council Meeting for Council to consider the support and endorsement of the meeting to be held at the Belmont RSL on the 1st September, and for a City of Belmont Officer(s) to attend as an observer and report on the outcomes.

This meeting is being facilitated by Glenys Godfrey MLA, Member for Belmont. Hon Liza Harvey MLA, Minister for Police and Hon Andrea Mitchell MLA, Minister for Mental Health will be in attendance to provide information to interested community members.

### **LOCATION**

N/A

### **CONSULTATION**

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

### **STRATEGIC COMMUNITY PLAN IMPLICATIONS**

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

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

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

**Objective:** The City will take a key leadership role to ensure access to services and facilities and developing collaborative partnerships that enable greater accessibility for a changing community.

**Strategy:** Identify and assist those in need by connecting them with appropriate internal or external service providers.

### **POLICY IMPLICATIONS**

There are no significant policy implications evident at this time.

*Item 13.2 Continued*

### **STATUTORY ENVIRONMENT**

There are no specific statutory requirements in respect to this matter, however regard should be had to the requirements found in section 3.18(2)(b) of the *Local Government Act 1995* which states:

#### ***“3.18. Performing executive functions***

- (1) *A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.*
- (2) *In performing its executive functions, a local government may provide services and facilities.*
- (3) *A local government is to satisfy itself that services and facilities that it provides —*
  - (a) *integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body; and*
  - (b) *do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and*
  - (c) *are managed efficiently and effectively.”*

### **BACKGROUND**

A Notice of Motion by Councillor Powell reads as follows:

*“Motion:*

*That Council support and endorse the WA Meth Strategy Forum that will also address Domestic Violence and Crime, to be held at the Belmont RSL on the 1st September 2016, and for a City of Belmont officer(s) to attend and provide an update of the outcomes back to an Information Forum of Council.*

*Reason:*

*To seek and gain information on the State Government’s policies and position that will assist the City’s current investigations, programs and outcomes in relation to crime and domestic violence.”*

### **OFFICER COMMENT**

The problem of methamphetamine (meth) often links with other community issues such as domestic violence and crime.

A presentation is being developed for an upcoming Special Information Forum where the work of the City in relation to Community Safety will be explained. A Police representative will be in attendance at the Special Information Forum to discuss the issue of the 24 hour police station in Belmont, which remains a topical issue.

*Item 13.2 Continued*

With regards to the aforementioned community forum, it is important to note that the City has not been formally invited to attend. As a result, should any Officer(s) attend the forum, it is advised that they do only in the capacity of an observer, taking no direct part in the presentation or fielding questions on behalf of the City.

**FINANCIAL IMPLICATIONS**

Should this Councillor Motion be adopted there would be minimal cost relating to an Officer(s) attending the community meeting.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications at this time.

**SOCIAL IMPLICATIONS**

The attendance of an Officer at the community meeting does not alone generate any social outcomes.

**Note:**

**Cr R Rossi declared an interest that may affect impartiality in Item 13.2 Notice of Motion (Cr Powell) – Representation at Community Meeting – WA Meth Strategy Forum**

**COUNCILLOR RECOMMENDATION**

**POWELL MOVED, WOLFF SECONDED,**

***That Council acknowledge the WA Meth Strategy Forum that will also address domestic violence and crime to be held at the Belmont RSL on the 1st September 2016, and for a City of Belmont Officer(s) to attend and provide an update of the outcomes back to an Information Forum of Council.***

**CARRIED 6 VOTES TO 0**

**Reason:**

**To seek and gain information on the State Government's policies and position and provide information on the City's current investigations, programs and outcomes in relation to crime and domestic violence.**

**14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil.

**15. CLOSURE**

There being no further business the Presiding Member thanked everyone for their attendance and closed the meeting at 9.16pm.

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**MINUTES CONFIRMATION CERTIFICATION**

The undersigned certifies that these minutes of the Ordinary Council Meeting held 23 August 2016 were confirmed as a true and accurate record at the Ordinary Council Meeting held 27 September 2016.

Signed by the Person Presiding:



PRINT name of the Person Presiding:

Philip Marks.