



City of Belmont

ORDINARY COUNCIL MEETING

MINUTES

TABLE OF CONTENTS

23 March 2021

ITEM	SUBJECT HEADING	PAGE
1.	OFFICIAL OPENING	2
2.	APOLOGIES AND LEAVE OF ABSENCE	2
3.	DECLARATIONS OF INTEREST THAT MIGHT CAUSE A CONFLICT	2
3.1	FINANCIAL INTERESTS	2
3.2	DISCLOSURE OF INTEREST THAT MAY AFFECT IMPARTIALITY	2
4.	ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) AND DECLARATIONS BY MEMBERS	3
4.1	ANNOUNCEMENTS.....	3
4.2	DISCLAIMER.....	3
4.3	DECLARATIONS BY MEMBERS WHO HAVE NOT GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPERS PRESENTLY BEFORE THE MEETING	3
5.	PUBLIC QUESTION TIME.....	3
5.1	RESPONSES TO QUESTIONS TAKEN ON NOTICE	3
5.1.1	MS L HOLLANDS ON BEHALF OF BELMONT RESIDENT AND RATEPAYER ACTION GROUP (BRRAG).....	3
5.1.2	MS L HOLLANDS, 2 MILLER AVENUE, REDCLIFFE	4
5.2	QUESTIONS FROM MEMBERS OF THE PUBLIC.....	5
5.2.1	MS L MENHENNETT, 50 TREAVE STREET, CLOVERDALE	6
5.2.2	MS L HOLLANDS ON BEHALF OF BELMONT RESIDENTS AND RATEPAYERS ACTION GROUP (BRRAG).....	7
5.2.3	MS L HOLLANDS, 2 MILLER AVENUE, REDCLIFFE	8
5.2.4	MR P HITT, 14 MCLACHLAN WAY, BELMONT	9
5.2.5	MRS J GEE, 2/97 GABRIEL STREET, CLOVERDALE	10
5.2.6	MR L ROSOLIN, 355 SYDENHAM STREET, BELMONT.....	11
6.	CONFIRMATION OF MINUTES/RECEIPT OF MATRIX.....	12
6.1	ORDINARY COUNCIL MEETING HELD 23 FEBRUARY 2021	12
6.2	MATRIX FOR THE AGENDA BRIEFING FORUM HELD 16 MARCH 2021	13
7.	QUESTIONS BY MEMBERS ON WHICH DUE NOTICE HAS BEEN GIVEN (WITHOUT DISCUSSION).....	13

ITEM	SUBJECT HEADING	PAGE
8.	QUESTIONS BY MEMBERS WITHOUT NOTICE	13
8.1	RESPONSES TO QUESTIONS TAKEN ON NOTICE	13
8.2	QUESTIONS BY MEMBERS WITHOUT NOTICE.....	13
9.	NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION	13
10.	BUSINESS ADJOURNED FROM A PREVIOUS MEETING	13
11.	REPORTS OF COMMITTEES	13
11.1	STANDING COMMITTEE (AUDIT AND RISK) HELD 22 FEBRUARY 2021	13
12.	REPORTS OF ADMINISTRATION	14
12.1	DRAFT REDCLIFFE STATION ACTIVITY CENTRE PLAN AND AMENDMENT NO. 15 TO LOCAL PLANNING SCHEME NO. 15	15
12.2	STATUTORY COMPLIANCE AUDIT RETURN 2020.....	81
12.3	2020-2021 MARCH BUDGET REVIEW	89
12.4	ACCOUNTS FOR PAYMENT – FEBRUARY 2021.....	94
12.5	MONTHLY ACTIVITY STATEMENT AS AT 28 FEBRUARY 2021.....	97
13.	REPORTS BY THE CHIEF EXECUTIVE OFFICER.....	103
13.1	REQUESTS FOR LEAVE OF ABSENCE	103
13.2	NOTICE OF MOTION.....	103
14.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	103
14.1	SEEKING INSTRUCTIONS REGARDING LEGAL MATTER (FID 254192) (CONFIDENTIAL MATTER IN ACCORDANCE WITH <i>LOCAL GOVERNMENT ACT</i> <i>1995</i> SECTION 5.23(2)(C)(E)(II))	104
15.	CLOSURE	104

ATTACHMENTS INDEX

- Attachment 1 – Item 12.1 refers**
- Attachment 2 – Item 12.1 refers**
- Attachment 3 – Item 12.1 refers**
- Attachment 4 – Item 12.1 refers**
- Attachment 5 – Item 12.1 refers**
- Attachment 6 – Item 12.1 refers**
- Attachment 7 – Item 12.1 refers**
- Attachment 8 – Item 12.1 refers**
- Attachment 9 – Item 12.2 refers**
- Attachment 10 – Item 12.3 refers**
- Attachment 11 – Item 12.3 refers**
- Attachment 12 – Item 12.3 refers**
- Attachment 13 – Item 12.4 refers**
- Attachment 14 – Item 12.5 refers**

CONFIDENTIAL ATTACHMENTS INDEX

- Confidential Attachment 1 – Item 14.1 refers**

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, CITY OF BELMONT CIVIC CENTRE, 215 WRIGHT STREET, CLOVERDALE ON TUESDAY, 23 MARCH 2021 COMMENCING AT 7.00PM.

MINUTES

PRESENT

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

IN ATTENDANCE

Mr J Christie	Chief Executive Officer
Ms M Bell	Director Corporate and Governance
Ms M Reid	Director Infrastructure Services
Mr K Davidson	Acting Director Development and Communities
Mr J Olynyk, JP	Manager Governance
Mr W Loh (<i>dep 7.46pm</i>)	Manager Planning Services
Mr V Popescu	Manager City Projects
Mrs M Lymon	Principal Governance and Compliance Advisor
Miss K Vilksen (<i>dep 7.46pm</i>)	Coordinator Design Projects
Ms D Morton	Media and Communications Adviser
Mrs J Cherry-Murphy	Senior Governance Officer

MEMBERS OF THE GALLERY

There were 12 members of the public in the gallery and one press representative.

1. OFFICIAL OPENING

7.00pm The Presiding Member welcomed all those in attendance and declared the meeting open.

The Presiding Member read aloud the Acknowledgement of Country.

Before I begin I would like to acknowledge the Traditional Owners of the land on which we are meeting today, the Noongar Whadjuk people, and pay respect to Elders past, present and future leaders.

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

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

2. APOLOGIES AND LEAVE OF ABSENCE

Ms J Gillan (Apology)

Director Development and Communities

3. DECLARATIONS OF INTEREST THAT MIGHT CAUSE A CONFLICT

3.1 FINANCIAL INTERESTS

Nil.

3.2 DISCLOSURE OF INTEREST THAT MAY AFFECT IMPARTIALITY

Name	Item No and Title	Nature of Interest (and extent, where appropriate)
Cr Ryan	12.1 Draft Redcliffe Station Activity Centre Plan and Amendment No. 15 to Local Planning Scheme No. 15	Sister lives in DA6 area.

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

4.1 ANNOUNCEMENTS

Nil.

4.2 DISCLAIMER

7.05pm The Presiding Member drew the public gallery's attention to the Disclaimer.

The Presiding Member advised the following:

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

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

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

Nil.

5. PUBLIC QUESTION TIME

5.1 RESPONSES TO QUESTIONS TAKEN ON NOTICE

5.1.1 Ms L HOLLANDS ON BEHALF OF BELMONT RESIDENT AND RATEPAYER ACTION GROUP (BRRAG)

The following questions were taken on notice at the 23 February 2021 Ordinary Council Meeting. Ms Hollands was provided with a response on 9 March 2021. The response from the City is recorded accordingly:

1. I asked questions at the December 2020 Ordinary Council Meeting with regard to gratuity payments. The response I received did not answer my question. How many staff have signed contracts in accordance with the existing Enterprise Bargaining Agreement (EBA) from 31 March 2005 until the current CEO, John Christie commenced at the City of Belmont in late 2017?

Response

All staff employed at the City can be considered to have contracts of employment and all staff are covered by the EBA upon commencement. Your question has therefore been answered on the basis that you are seeking the total number of staff the City has employed in any capacity during the dates presented without any reference to whether these staff are still employed at the City ie turnover is not included in the figures. As a result they will not match current employee numbers.

Answer as follows:

The total number of new staff employed from 31/03/05 to 29/10/17 is 662.

Item 5.1.1 Continued

2. How many signed contracts in accordance with the existing EBA were signed since Mr Christie arrived in late 2017 and the December 2020 meeting when the questions were asked?

Response

The total number of new staff employed from 30/10/17 to 15/12/20 is 107.

3. Has Council been advised by Officers that the gratuity payments under the EBA can be removed or amended under Section 2.10 of the *Fair Work Act 2009* and if not, why not?

Response

As previously advised, the CEO and Council have been advised of the relevant industrial parameters and implications associated with these payments.

5.1.2 Ms L HOLLANDS, 2 MILLER AVENUE, REDCLIFFE

The following questions were taken on notice at the 23 February 2021 Ordinary Council Meeting. Ms Hollands was provided with a response on 12 March 2021. The response from the City is recorded accordingly:

1. I have used an App called Snap Send Solve. Who monitors this app and is there any information on the ratings available to the public?
2. I have made reports about trees that were growing through power lines, however I have not received any acknowledgement of receipt of these complaints. If we are going to have this app, why is it not being monitored and why isn't the tree department doing their job by getting on top of issues with power lines and trees?

Response

***As provided at the 23 February 2021 Ordinary Council Meeting:* The Chief Executive Officer stated that the City refutes claims that departments are not doing what they are expected to do, the question will be taken on notice to investigate who is responsible for those areas and if there has been a delay with service provision, the Parks team will respond appropriately.**

Additional information:

Snap Send Solve is an external App which the City of Belmont does not promote or have any direct involvement with.

The City receives reports that are forwarded from the App, directed to the Belmont@belmont.wa.gov.au email address, which are then assigned to the relevant internal Department.

Rather than using the Snap Send Solve App, the City encourages residents to report issues directly, either by phone, email or by using the Report Something button on the Homepage of the City's website.

Item 5.1.2 Continued

A search has been undertaken of the City's document management system, and identified three reports relating to powerline pruning received in 2021, submitted by the BRRAG via the Snap Send Solve App.

A summary of the outcomes for each is identified in the table below.

Unfortunately a follow up response was not sent to the BRRAG, to advise of the outcome. Relevant staff have been advised of the requirement to provide a response to the reporter in future.

<i>Date received</i>	<i>Reported issue</i>	<i>Outcome</i>
30 January 2021	<i>Overgrown tree 4 Miller Ave Redcliffe. Interfering with power lines</i>	<i>All locations were inspected by a City officer on 12 February 2021.</i>
	<i>Overgrown trees in Leake Street Belmont. Interfering with power lines</i>	<i>While there was some level of encroachment of trees within the clearance distances to powerlines, this was assessed as a low risk and could be adequately addressed through the City's scheduled Powerline Pruning Programme (1 April – 31 May 2021 for the north side of the City). The extent of pruning typically undertaken will be reviewed with the contractor, in an effort to ensure encroachment doesn't occur outside the scheduled program.</i>
	<i>Overgrown trees down Gardiner St Belmont. Interfering with power line</i>	

With regards to tree management, the City has an Annual Powerline Pruning Programme undertaken between January and May, to satisfy the minimum clearance zones as set out by Western Power. Adverts are placed in the Southern Gazette for the South Side & North Side programmes, information is also on the City's [website](#).

In addition to the scheduled pruning, should any issues be identified and reported, City officers will inspect the tree and organise earlier pruning if warranted.

5.2 QUESTIONS FROM MEMBERS OF THE PUBLIC

7.06pm The Presiding Member drew the public gallery's attention to the rules of Public Question Time as written in the Agenda. In accordance with rule (I), the Mayor advised that he had registered four members of the public who had given prior notice to ask questions.

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

5.2.1 Ms L MENHENNETT, 50 TREAVE STREET, CLOVERDALE

1. The intersection of Keane Street with Abernethy Road in Cloverdale is very dangerous and is very difficult to exit since the Gateway program has been completed. I wish to ask the Council what current action is being taken to rectify this dangerous intersection?

Response

Residents have previously raised concerns regarding both Gabriel and Keane Street intersections and as a result, the City included funds in the current financial year to undertake a study of Abernethy Road from Fulham Street through to Leach Highway. Concept plans have been developed and are currently being assessed. Following the finalisation of these plans, the City will engage traffic consultants to undertake a traffic study to assist in the future planning, including funding requirements.

Abernethy Road is a key route within the City's road network and the Main Roads WA road hierarchy. Due to the complexities involved with any upgrades/modifications to Abernethy Road, the project will require a number of detailed analyses and evaluations to be undertaken to provide the most appropriate and effective option. As part of this process the City will be required to engage with Main Roads WA and other utilities providers.

After the design review and engagement process is complete, the City will be in a position to provide the community with information regarding potential changes to Abernethy Road.

2. I sent an email putting forward some suggestions earlier today. Is there any opportunity for the Council Members to look at the suggestions put forward for immediate consideration?

Response

The Chief Executive Officer stated he had not seen the email and will take the question on notice and review the suggestions and determine whether it is appropriate for those to be circulated to Elected Members and respond to Ms Menhennett.

3. The main suggestion was can the Belmont Sports and Recreation Centre close either both or one of their gates on Abernethy Road as people on Keane Street are cutting through the car park on to Abernethy Road and causing more delays. Could this be looked at as a priority?

Response

The Chief Executive Officer stated the City is aware of those issues. The City cannot take immediate action and close them, as of tomorrow, but the whole situation will be assessed by engineers as part of the review and the City will then be able to make an informed decision on what the future holds for Abernethy Road.

5.2.2 MS L HOLLANDS ON BEHALF OF BELMONT RESIDENT AND RATEPAYER ACTION GROUP (BRRAG)

1. With regard to Item 12.1, why is the City of Belmont putting the onus on property owners for the contribution fund instead of developers, when there will be owners who may not wish to develop themselves?

Response

The Manager Planning Services advised that the development contribution fund is payable on development, so landowners are not required to pay upfront. When the land is developed, the contribution becomes payable.

2. Will the property owners be sent an invoice?

Response

The Presiding Member stated no, it is determined when the land is developed.

3. How will it work if there is a shortfall in the projected costings, either through time delays in developing or budget blow-outs? Will the owner get an increase in costs or will the City pick it up?

Response

The Manager Planning Services advised that the City will have to pre-fund some of the works and then the Development Contribution Plan is a mechanism to help the City recoup that expenditure over time. There is some risk in the timing of when property owners choose to develop and when that development contribution fund actually comes in. There are provisions for increases written into the proposed Scheme Amendment where it is reviewed every five years and then the appropriate index applied to costings.

4. So, in effect, if it is \$50,000 today, it is possible it will be \$70,000 to \$80,000 in five years, is that right?

Response

The Manager Planning Services advised that, hypothetically, yes. As to the actual figures, it would depend on the lot size and contribution rate.

5. With regard to the State Government quota for new homes in the City of Belmont being a minimum of 10,410, the three major areas just being off the Great Eastern Highway are The Springs, the Golden Gateway and the DA6. With the DA6 projected to take between 3,000-4,200 dwellings, the Golden Gateway 3,400 and, according to City of Belmont staff, the Springs about 700, on these areas alone, with a conservative DA6 figure of 3,000, that is going to around the 7,000 mark. Therefore, how many blocks throughout the rest of Belmont have already been subdivided contributing to the target of 10,410?

Response

The Presiding Member advised that the question would be taken on notice.

Item 5.2.2 Continued

6. With the other development areas that we have around Belmont, how many figures are we looking at with them? Have we reached the quota?

Response

The Presiding Member advised that the question would be taken on notice.

7. It would appear that the City of Belmont will make these targets just with the additional changes to zoning in residential areas across the City, without the need to have such high targets in DA6. Why does it appear that the City of Belmont is trying to go above the quotas with so many homes planned for the DA6 and, therefore, impacting unreasonably on the amenity of those that already live here?

Response

The Manager Planning Services advised that the DA6 is a transit oriented development precinct which is quite different from the rest of Belmont, but will take the question on notice.

8. Is the City of Belmont planning to address all the rat-running traffic problems we are currently having (Stanton Road in particular) and take care of this prior to any DA6 development being approved?

Response

The Chief Executive Officer advised that the question would be taken on notice.

5.2.3 Ms L HOLLANDS, 2 MILLER AVENUE, REDCLIFFE

1. With regard to my previous questions, the figure provided by the City for staff employed between 31 March 2005 until Mr Christie commenced in 2017 was 662. How many of these staff are still employed?

Response

The Chief Executive Officer advised that the question would be taken on notice.

2. The figure provided between 31 Oct 2017 and December 2020 was 107. How many of these staff remain?

Response

The Chief Executive Officer advised that the question would be taken on notice.

3. Have you advised the Councillors specifically that under Section 2.10 of the *Fair Work Act 2009* that an application can be made to amend, remove or vary the gratuity payments so they comply with the government regulations?

Response

The Chief Executive Officer advised that as previous responses have said, Councillors are fully aware of all the legislation that relates to this matter.

Item 5.2.3 Continued

4. At the 16 March 2021 Agenda Briefing, I was unable to do a deputation on behalf of BRRAG for the DA6 because I refused to provide names and addresses of our members. I live just off Moreing Street and use Epsom and Stanton amongst other roads to get around. Therefore, Mr Mayor, why do you think people in our area of Redcliffe, that are affected by traffic, are not directly affected by this development and, in the absence of an interpretation in the Standing Orders of “directly affected”, how do you determine the affect on others and, as my local East Ward representative, along with Cr Ryan, why did you both vote against hearing from a resident in your Ward?

Response

The Presiding Member advised that the question would be taken on notice.

5.2.4 MR P HITT, 14 MCLACHLAN WAY, BELMONT

1. I ask the Mayor, as Chairman of the Trust, when is this public meeting concerning the Belmont Trust going to take place?

Response

The Presiding Member advised as soon as the relevant information is available.

2. Is this lack of public meetings regarding this Trust, an indicator of the vail(*sic*) of secrecy that seems to permeate this subject?

Response

The Presiding Member stated no.

3. Did the City of Belmont pay for the removal of the fence surrounding part of the Belmont Sports and Recreation Centre (BSRC) and the installation of bollards?

Response

The Director Infrastructure Services stated the City did pay for the works and it was fully funded through the Local Roads and Community Infrastructure Program.

4. What is the current amount of monies owed to the City of Belmont including all rates and charges and outstanding loans by the BSRC?

Response

The Presiding Member advised that the question would be taken on notice.

5. At the 16 March 2021 Agenda Briefing Forum, the Mayor made the decision that the BRRAG representative could not submit a deputation. Why did the Mayor not take into consideration BRRAG members are ratepayers of the City of Belmont and therefore underwrite part, or whole, of whatever developments are proposed within the City of Belmont? Therefore, they, the ratepayers, are directly affected in monetary and other considerations.

Item 5.2.4 Continued

Response

The Chief Executive Officer stated that the Mayor did not refuse the deputation. The deputation did have approval which I withdrew as a result of the person wanting to give that deputation not being prepared to give me a list of the people in the DA6 area that they were representing. Then, in accordance with the *Standing Orders Local Law 2017*, the request for the deputation was voted on by Council and Council resolved not to allow the deputation.

6. Is the City of Belmont actively discriminating against the residents and ratepayers of Belmont by not allowing questions to be asked on this by a representational body?

Response

The Chief Executive Officer stated no, he does not believe we were.

5.2.5 MRS J GEE, 2/97 GABRIEL STREET, CLOVERDALE

1. Considering the tragic accident on Great Eastern Highway where a traffic controller lost his leg – what could or should Council do to ensure safer working conditions for traffic control operators on roadworks within the City?

Response

The Chief Executive Officer stated that he understood that accident took place on the Great Eastern Highway under the control of Main Roads WA (MRWA) and not the City of Belmont. The City has safety procedures in place and expects all contractors to adhere to these. It is a requirement to have plans drawn up and approved by MRWA as required and they have to be developed by a qualified traffic management consultant. The City of Belmont has all the necessary safety protocols in place and when Worksafe have investigated this incident there may be improvements to road safety and traffic controllers across the State.

2. With all the infill proposed in the DA6, is Council focussing on monetary or lifestyle balance for the future of Belmont?

Response

The Chief Executive Officer stated the City is aware of its requirements under the *Planning and Development Act 2005* that the State Government Planning Legislation applies and that is what the City is doing. It is not about monetary value or increasing rates and it certainly is about improving the lifestyle and liveability of the City. The Manager Planning Services stated that the City is required to provide housing in accordance with the State prescribed targets and housing in the best possible form, in consultation with the community.

3. Again, with such infill, at what cost will this be to those that use this densely populated area?

Response

The Chief Executive Officer stated that is a hypothetical question, but one would hope that it will improve liveability, connectivity and better quality of life.

Item 5.2.5 Continued

4. Why do Councils not consult those who work in traffic management more when doing these infill areas? They are the ones on the road, trying to make sure it is safe for everybody and for themselves, whilst the roads are being upgraded.

Response

The Chief Executive Officer stated that the City has a tender for traffic management. The companies that tender for the work are fully qualified to do so and they must have all the required qualifications to undertake that work. As mentioned previously, traffic management plans must be developed and those are generally approved by MRWA and the City has its own staff that ensure all contractors comply with the safety requirements of the contract when undertaking that work.

5. Further to the lady asking questions about Keane Street and Gabriel Street intersections, where you stated that you are looking at funds to sort these corners out, does that mean you might actually look at putting a crash barrier in on Gabriel Street like I asked over 12 months ago?

Response

The Chief Executive Officer stated that as he said previously, the City are currently undertaking studies and traffic assessments in that area to determine what is the most appropriate treatment for Abernethy Road and until that is completed, we are not in a position to make changes that we think may be suitable and it will need to be approved by MRWA.

6. So, if I want to know more about this I need to approach MRWA?

Response

The Chief Executive Officer suggested that Ms Gee arrange a time to meet with the Director Infrastructure Services or Manager Works who would be happy to share the process the City is going through.

5.2.6 MR L ROSOLIN, 355 SYDENHAM STREET, BELMONT

1. As you are aware, I have raised a number of issues over recent months. I ask the CEO - are you keeping an eye on the issues raised? Also, at the last meeting, you stated that my allegations were not substantiated? Clearly, all the issues I raised are substantiated. I know the minutes cannot be changed, so I would like to receive an apology for that if it is possible?

Response

The Chief Executive Officer stated he was aware of what is going on and, as stated, keeping an eye on things. It was understood that Mr Morrison has reached out to you on more than one occasion to arrange a time to meet with you and that you refused to meet Mr Morrison on-site to discuss some of these issues. He does not believe an apology is warranted on behalf of staff in dealing with your issues and, again, urged Mr Rosolin to meet with Mr Morrison to resolve these issues.

Item 5.2.6 Continued

2. I am still requesting an apology for what was said at the Council meeting?

Response

The Chief Executive Officer stated that as stated previously, an apology is not required. The minutes from the meeting that you are referring to were accurate and reflected conversation that took place.

3. When something happens in the City, everybody is affected – property values change, traffic changes. With regard to DA6, Stanton Road is a primary road. As soon as you pass the bridge, it becomes an urban road. It serves a lot of people. Even when using a bus service, people leave their cars parked on the street. Do you believe this development, and the traffic and parking issues that may emerge from it, is a good option for the traffic?

Response

The Presiding Member stated the City has a code for parking that defines how much parking is permitted and how these places are developed. With regard to people who are “directly affected”, these are the people who actually live in the development area (or very very close) who will have more traffic from within and outside the development itself. The rest would be classed as a third person situation, where you are on the outside looking in. The Presiding Member stated he has to make a decision on who is directly affected and to say the whole of Belmont is directly affected is not correct. There is a big difference between someone living in Stanton Road and yourself living in Sydenham Street and that is the distinction we are trying to draw.

The Chief Executive Officer stated that part of the question is similar to the question asked by Ms Hollands as to the impact on Stanton Road and that part will be taken on notice.

7.41pm As there were no further questions, the Presiding Member declared Public Question Time closed.

6. CONFIRMATION OF MINUTES/RECEIPT OF MATRIX

**6.1 ORDINARY COUNCIL MEETING HELD 23 FEBRUARY 2021
(Circulated under separate cover)**

OFFICER RECOMMENDATION

DAVIS MOVED, SEKULLA SECONDED

That the Minutes of the Ordinary Council Meeting held on 23 February 2021 as printed and circulated to all Councillors, be confirmed as a true and accurate record.

CARRIED 9 VOTES TO 0

**6.2 MATRIX FOR THE AGENDA BRIEFING FORUM HELD 16 MARCH 2021
(Circulated under separate cover)**

OFFICER RECOMMENDATION

DAVIS MOVED, POWELL SECONDED

That the Matrix for the Agenda Briefing Forum held on 16 March 2021 as printed and circulated to all Councillors, be received and noted.

CARRIED 9 VOTES TO 0

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

Nil.

8. QUESTIONS BY MEMBERS WITHOUT NOTICE

8.1 RESPONSES TO QUESTIONS TAKEN ON NOTICE

Nil.

8.2 QUESTIONS BY MEMBERS WITHOUT NOTICE

Nil.

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

Nil.

10. BUSINESS ADJOURNED FROM A PREVIOUS MEETING

Nil.

11. REPORTS OF COMMITTEES

**11.1 STANDING COMMITTEE (AUDIT AND RISK) HELD 22 FEBRUARY 2021
(Circulated under separate cover)**

OFFICER RECOMMENDATION

DAVIS MOVED, SEKULLA SECONDED

That the Minutes for the Standing Committee (Audit and Risk) meeting held on 22 February 2021 as previously circulated to all Councillors, be received and noted.

CARRIED 9 VOTES TO 0

12. REPORTS OF ADMINISTRATION

WITHDRAWN ITEMS

Nil.

POWELL MOVED, WOLFF SECONDED

That the Officer or Committee Recommendations for Items 12.1, 12.2, 12.3, 12.4, and 12.5 be adopted en bloc by an Absolute Majority decision.

CARRIED BY ABSOLUTE MAJORITY 9 VOTES TO 0

7.43pm The Manager Planning Services and Coordinator Design Projects departed the meeting and did not return.

12.1 DRAFT REDCLIFFE STATION ACTIVITY CENTRE PLAN AND AMENDMENT NO. 15 TO LOCAL PLANNING SCHEME NO. 15

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1 – Item 12.1 refers	<u>Draft Modified Redcliffe Station Activity Centre Plan</u>
Attachment 2 – Item 12.1 refers	<u>Plan of Amendment No. 15</u>
Attachment 3 – Item 12.1 refers	<u>Draft Development Contribution Plan Report</u>
Attachment 4 – Item 12.1 refers	<u>Schedule of Submissions</u>
Attachment 5 – Item 12.1 refers	<u>Advertised and Modified Public Open Space Provision</u>
Attachment 6 – Item 12.1 refers	<u>Traffic Impact Assessment</u>
Attachment 7 – Item 12.1 refers	<u>Bushfire Management Plan</u>
Attachment 8 – Item 12.1 refers	<u>Infrastructure Servicing and Cost Estimate Report</u>

Voting Requirement : Simple Majority
 Subject Index : 116/112 – Development Area 6 – Structure Plan
 Location / Property Index : Various
 Application Index : N/A
 Disclosure of any Interest : Nil
 Previous Items : 10 December 2019 Ordinary Council Meeting Item 12.3
 Applicant : N/A
 Owner : Various
 Responsible Division : Development and Communities Division

COUNCIL ROLE

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

Item 12.1 Continued

PURPOSE OF REPORT

For Council to consider:

1. Adoption of a modified draft Redcliffe Station Activity Centre Plan (ACP) for the purposes of undertaking advertising in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* – Schedule 2 – Deemed Provisions (the Regulations).
2. Initiating Amendment No. 15 to Local Planning Scheme No. 15 (LPS 15) for the purposes of:
 - Introducing a new ‘Urban Development’ zone and applying it to the Redcliffe Station precinct to serve as an underlying zoning that facilitates the implementation of the ACP.
 - Establishing a Development Contribution Plan (DCP) to serve as a mechanism for sharing common costs associated with delivering infrastructure to precinct.
 - Updating the boundaries of the Development Area 6 (DA6) precinct to accord with established road alignments within Perth Airport estate.
 - Introducing new provisions applicable to DA6 to provide for the implementation of the ACP and establish expectations for the future planning of land within Perth Airport estate.

SUMMARY AND KEY ISSUES

- The draft Redcliffe Station ACP has been prepared to coordinate the future subdivision, zoning and development for a portion of DA6, being the Redcliffe Station precinct.
- At the 10 December 2019 Ordinary Council Meeting (OCM), Council adopted the draft Redcliffe Station ACP for the purposes of pre-consultation with the community, and adopted the approach of preparing a DCP to provide for the sharing of infrastructure costs for the redevelopment of the precinct.
- The draft ACP was subsequently advertised from 26 February 2020 to 15 May 2020 (79 days), during which time a total of 67 submissions were received.
- The key issues raised by submissions relate to the redevelopment process, the proposed development requirements, particularly in relation to building height and site area requirements, retail development, public open space (POS) provision, traffic and car parking.
- Following the pre-consultation period, the draft ACP has been reviewed and modified, with key changes being an increase in POS provision, the removal of the proposed connection between Bulong Avenue and Second Street and clarification on land assembly requirements. In addition, various administrative amendments, updates and additional justification have been included throughout the draft ACP, and infrastructure costings have been reviewed to inform the DCP. The draft modified Redcliffe Station ACP is provided as [Attachment 1](#).

Item 12.1 Continued

- To progress the draft ACP, it is necessary to:
 - Progress the draft ACP through the formal advertising and adoption process as provided by the Regulations.
 - Initiate an amendment to LPS 15 to modify the zoning of land and associated Special Control Area (SCA) provisions, and establish a DCP.
- Amendment No. 15 to LPS 15 seeks to apply a generic 'Urban Development' zoning to the ACP area and include operational provisions for the DCP, including details of the infrastructure and administrative items funded by the DCP and the methodology for the calculation of cost contributions. The amendment also proposes to alter the boundaries of the DA6 SCA area. The proposed Amendment No. 15 Map and DCP Report are provided as [Attachment 2](#) and [Attachment 3](#), respectively.
- It is recommended that Council endorse the draft modified Redcliffe Station ACP and initiate Amendment No. 15 to LPS 15 as a 'complex' amendment, for the purposes of advertising pursuant to the Regulations.

LOCATION

The draft Redcliffe Station ACP and Amendment No. 15 to LPS 15 relates to the DA6 precinct, which encompasses land bound by Great Eastern Highway (GEH), Coolgardie Avenue, Redcliffe Road, Perth Airport and Tonkin Highway, Redcliffe (refer to Figure 1).

Item 12.1 Continued

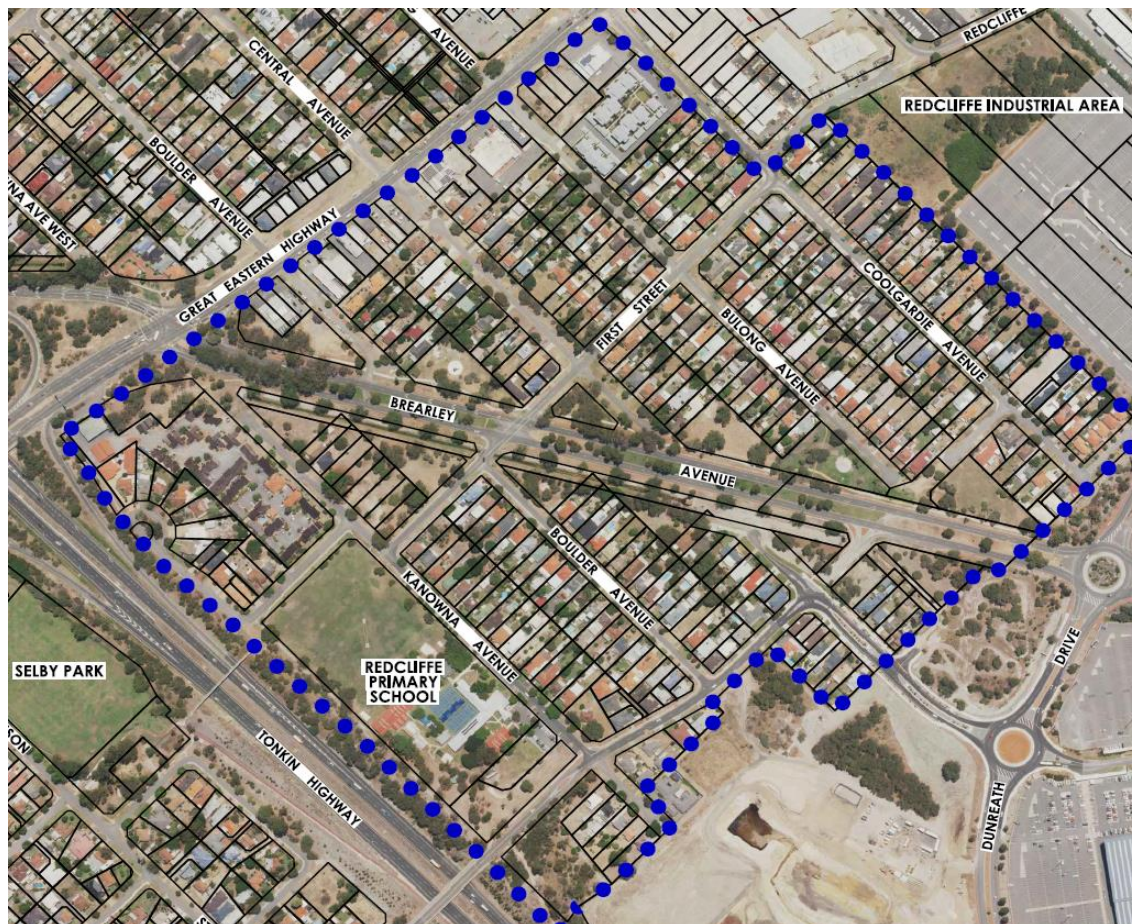


Figure 1: Redcliffe Station Activity Centre Plan Area

CONSULTATION

On 10 December 2019, Council resolved to endorse the draft Redcliffe Station ACP for the purposes of undertaking 'pre-consultation', outside of the formal statutory advertising process. This was in recognition of the complexities associated with the draft ACP and the desire to allow comprehensive engagement with the community and stakeholders, as well as opportunities for modifications and refinements, prior to it being formally progressed to the Western Australian Planning Commission (WAPC).

The draft Redcliffe Station ACP was subsequently advertised for a period of 79 days (from 26 February 2020 to 15 May 2020) by way of:

- Letters being sent to landowners and occupiers within and surrounding the precinct.
- Letters being sent to government agencies and stakeholders.
- Placing a notice in the 27 February 2020 edition of the Southern Gazette newspaper.
- A community information booth held on Saturday, 7 March 2020.
- A live online information session on Thursday, 26 March 2020.

Item 12.1 Continued

- Displaying variable message sign (VMS) within the precinct between 28 February 2020 and 2 March 2020.
- Displaying information on the City's website.
- Posting information on the City's Facebook page.

At the conclusion of the advertising period, a total of 67 submissions were received, with 11 being received from government bodies and agencies and 56 from landowners and/or occupiers. A map identifying the extent of the consultation area and the origin of the submissions received from the referral area follows (Figure 2). It should be noted that of the 56 submissions received from landowners/occupiers, 44 originated from landowners/occupiers within the Redcliffe Station precinct. A summary of the submissions received and comments thereon are included in the Schedule of Submissions contained as [Attachment 4](#).

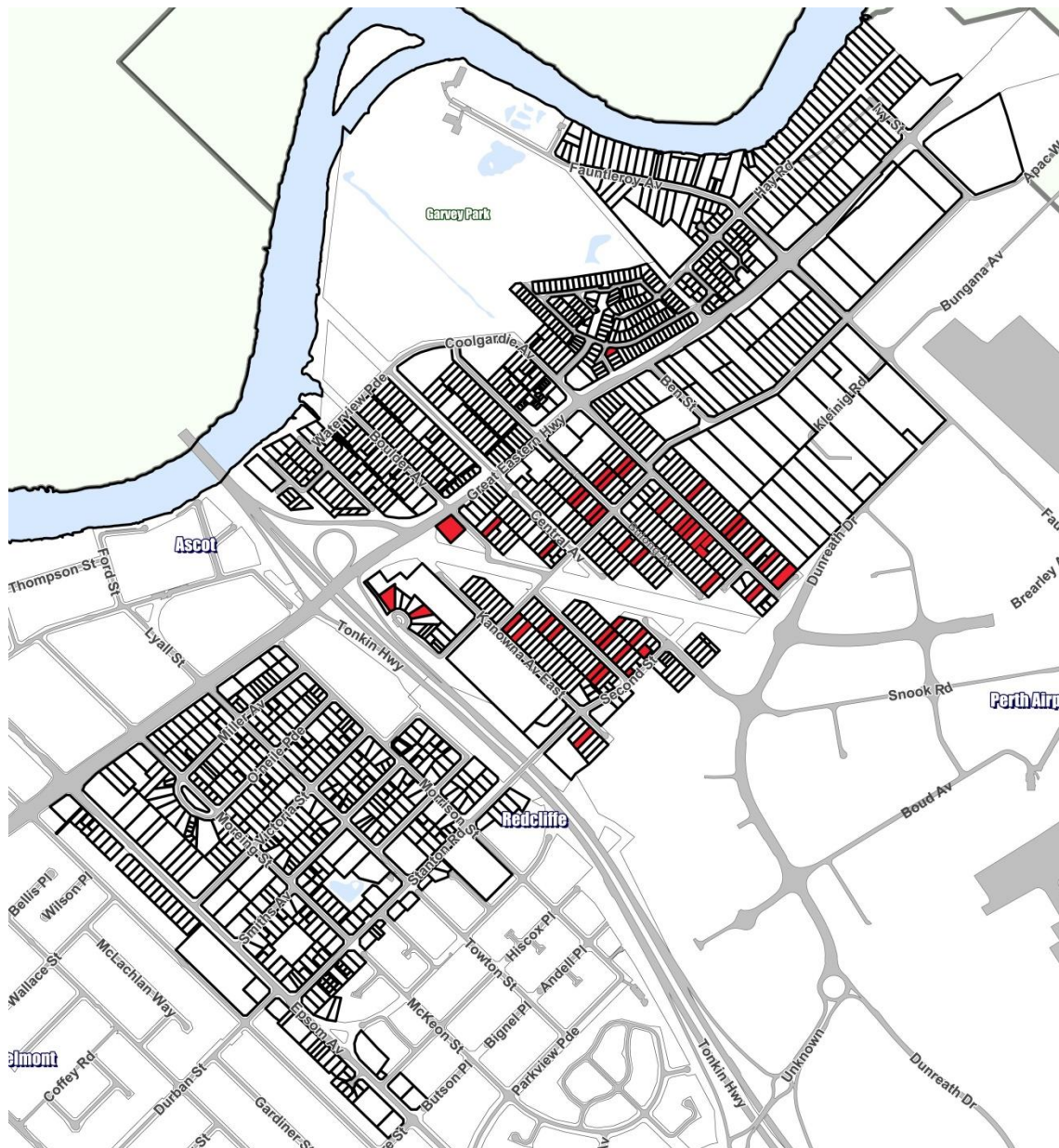


Figure 2: Consultation Map and Origin of Submissions

Item 12.1 Continued

The key concerns raised in the submissions relate to:

- The attractiveness and viability of redevelopment within the precinct.
- Community involvement in decision-making processes.
- The appropriateness of additional retail development within the precinct and the adjacent Perth Airport Estate.
- The minimum development site area and frontage requirements and the requirement to amalgamate land.
- The maximum and minimum building height requirements.
- The spatial layout of the 'Mixed Use' zoning and sub-precinct areas.
- The adequacy of the proposed POS provision within the precinct.
- Whether the proposed car parking requirements will be adequate for the precinct and the ability for the existing road network to accommodate on-street parking.
- Increased traffic flows within the precinct, particularly along Stanton Road/Second Street and Coolgardie Avenue.

The abovementioned concerns are further discussed in the Officer Comment section of this report, along with any applicable technical matter.

This report provides information and recommendations for Council to determine whether the draft ACP should now proceed to formal advertising and processing in accordance with the requirements of Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015* – Schedule 2 – Deemed Provisions (the Regulations). More specifically, it stipulates the following:

- The duration of advertising being 42 days, unless otherwise approved by the WAPC.
- An opportunity to readvertise any modifications proposed to an ACP can only be undertaken once, unless otherwise approved by the WAPC.
- The City being required to prepare a report of recommendation to the WAPC within 60 days of the conclusion of the advertising period.

Should Council resolve to endorse the draft ACP for the purposes of undertaking formal advertising and processing, it is recommended that WAPC approval be sought for a longer advertising period so as to align with the advertising timeframes for progressing a concurrent complex amendment to LPS 15 (i.e. 60 days).

Item 12.1 Continued

STRATEGIC COMMUNITY PLAN IMPLICATIONS

In accordance with the 2020 – 2040 Strategic Community Plan:

Goal 1: Liveable Belmont

Strategies:

- 1.2 Plan and deliver vibrant, attractive, safe and economically sustainable activity centres.
- 1.3 Ensure activity centres have a thriving economy.
- 1.4 Attract public and private investment and businesses to our City and support the retention, growth and prosperity of our local businesses.

Goal 2: Connected Belmont

Strategies:

- 2.2 Make our City more enjoyable, connected and safe for walking and cycling.
- 2.3 Facilitate a safe, efficient and reliable transport network.
- 2.4 Promote alternative forms of transport.

Goal 3: Natural Belmont

Strategies:

- 3.4 Provide green spaces for recreation, relaxation and enjoyment.

Goal 5: Responsible Belmont

Strategies:

- 5.4 Advocate and provide for affordable and diverse housing choices.
- 5.5 Engage and consult the community in decision-making.
- 5.6 Deliver effective, fair and transparent leadership and decision-making, reflective of community needs and aspirations.
- 5.7 Engage in strategic planning and implement innovative solutions to manage growth in our City.

Item 12.1 Continued

POLICY IMPLICATIONS

Local Planning Policy No. 14 – Development Area 6 Vision

Local Planning Policy No. 14 (LPP 14) was adopted by Council on 23 February 2016 and provides a statutory basis for implementing the DA6 Vision Plan, and includes the requirement for any Structure Plan to have regard to the Vision Plan. In summary, the Vision Plan for DA6 provides:

- The identification of the future Redcliffe Train Station in the eastern portion of the precinct;
- The redevelopment of the existing residential neighbourhood, with a mix of three, six, eight and 13 storey buildings, with higher intensity mixed use development being focussed around Redcliffe Train Station and properties fronting GEH.
- Modifications to the internal road networks, including:
 - The closure of Brearley Avenue;
 - Connecting Bulong Avenue and Second Street, on the northern side of the train station;
 - Connecting Central Avenue across the former Brearley Avenue road reserve;
 - Connecting Boulder Avenue and Kanowna Avenue East across the former Brearley Avenue road reserve.
- The creation of a linear POS area spanning between GEH and the future Redcliffe Station, with the existing Southern Main Drain being redeveloped into a living stream.

An extract of the DA6 Vision Plan is provided below (Figure 3).

Item 12.1 Continued

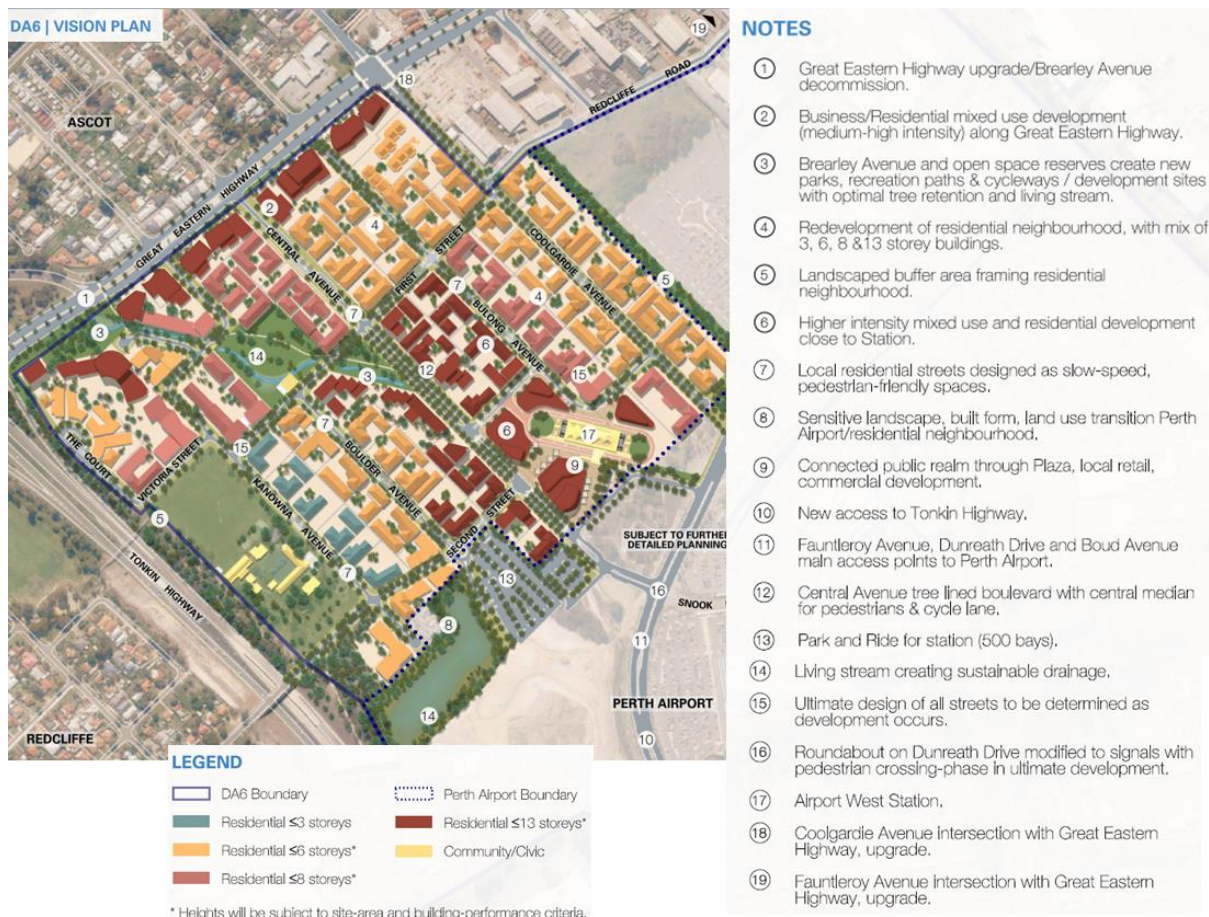


Figure 3: Development Area 6 Vision Plan

STATUTORY ENVIRONMENT

Strategic Planning Framework

Perth and Peel @ 3.5 Million

The State strategic planning framework documented under the WAPC 'Perth and Peel @ 3.5 million' guides the planning direction of the City. It recognises that a 'business-as-usual' approach to planning will not adequately accommodate Perth's growth, and is likely to result in significant detriment to the liveability of the Perth metropolitan area. It is also likely to put strain on finances, resources and the environment. There is a directive from the State Government to plan areas in such a way that would:

- Promote a more energy efficient and consolidated urban form.
- Reduce the overall need to travel.
- Support the use of public transport, cycling and walking for access to services, facilities and employment.

It is widely accepted that higher residential densities and mixed use developments within walkable catchments of activity centres and high frequency transit nodes has the potential to reduce car dependence, increase accessibility for those without access to private cars and therefore reduce road congestion and infrastructure demand. It also provides for housing diversity and opportunities for more affordable living within vibrant areas that are well connected with services, employment and public transport.

Item 12.1 Continued

Perth and Peel @ 3.5 million identifies the Redcliffe Station precinct as forming part of the wider Perth Airport activity centre. Activity centres are intended as hubs that attract people for a variety of activities and would mainly consist of a concentration of commercial uses with a varying proposition of other uses such as residential, or in the case of Perth Airport, aviation services. Ultimately, the residential area surrounding the future Redcliffe Station should be planned to accommodate transit-oriented development and made an attractive place to live and work.

Draft Great Eastern Highway Urban Corridor Strategy

The Great Eastern Highway Urban Corridor Strategy is a draft planning document that establishes a 'vision' for the GEH corridor and proposes a series of implementation strategies to ensure that the vision is realised. The Strategy will be implemented through Scheme provisions, structure planning and local planning policies.

The Strategy identifies four precincts along GEH and aims to provide area-specific guidance on their future growth and development in accordance with the urban design framework. Precinct 4 of the Strategy includes the section of GEH between Tonkin Highway and Ivy Street, of which the southern side falls within the DA 6 precinct. The key recommendations of the Strategy that are relevant to planning the DA 6 precinct are as follows:

- The establishment of the Coolgardie Avenue Activity Node focussed around the Coolgardie Avenue/GEH intersection that will form a community focal point along the Corridor.
- An 'urban plaza' has been identified at the Coolgardie Avenue Activity Node which is intended to be integrated with the future built form upon redevelopment of the site.
- The former Brearley Avenue road reserve will be transformed into a larger green space and provide a connection to the Redcliffe Train Station.
- Access to properties fronting GEH is to be provided from a secondary street and parking is provided behind buildings.
- Two pedestrian overpasses are identified between Coolgardie Avenue and Tonkin Highway to facilitate pedestrian access from the residential area on the northern side of GEH to the future Redcliffe Train Station.

It should be noted that the GEH Urban Corridor Strategy remains in draft form and may be revised in light of any amendments to the draft ACP, prior to being formally adopted by Council. Notwithstanding, the draft ACP is generally consistent with the draft Strategy.

Item 12.1 Continued

Statutory Planning Framework

Metropolitan Region Scheme

The DA6 precinct is predominantly zoned 'Urban' under the Metropolitan Region Scheme (MRS). Portions of the precinct are reserved for 'Primary Regional Roads' (PRR) under the MRS in association with existing, proposed or former road alignments of GEH and Tonkin Highway, which abut the precinct area.

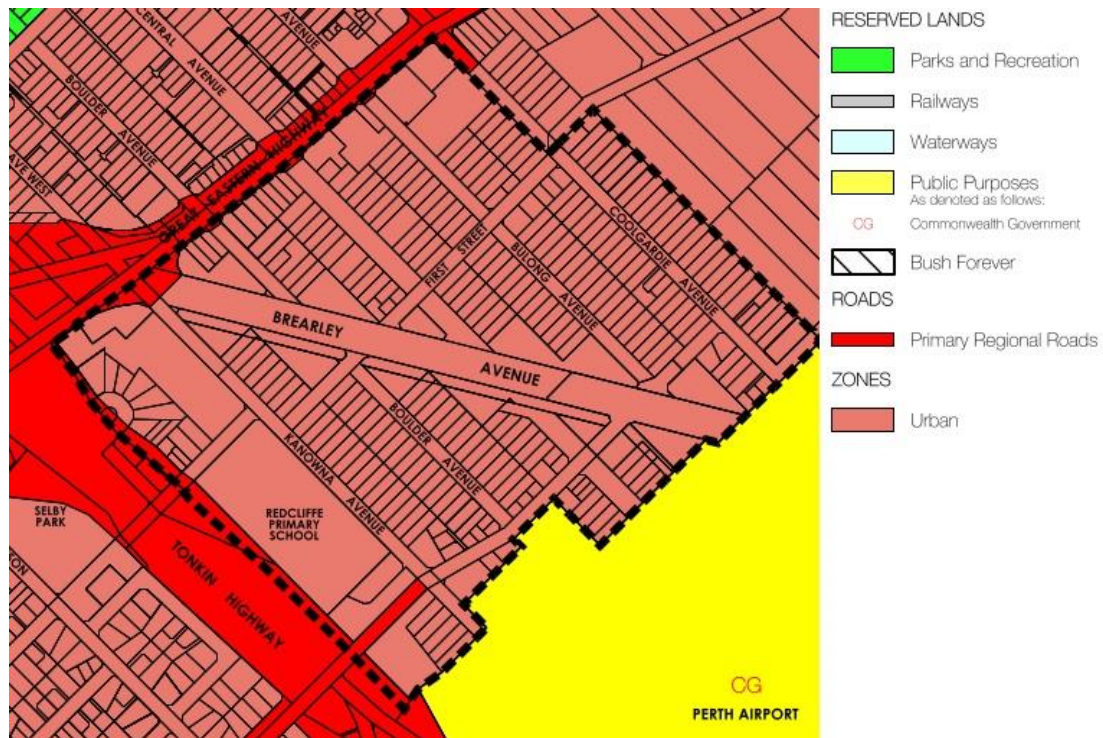


Figure 4: Metropolitan Region Scheme Map

Local Planning Scheme No. 15

Local Planning Scheme No. 15 predominantly zones private land within the precinct 'Residential', with properties near GEH being zoned 'Mixed Use'. There is one land parcel within the precinct zoned 'Service Station'. The precinct also comprises several areas of POS adjacent to the former Brearley Avenue road reserve, which are reserved for 'Parks and Recreation' under LPS 15. The existing Redcliffe Primary School is reserved 'Public Purpose – Primary School' under LPS 15.

Item 12.1 Continued

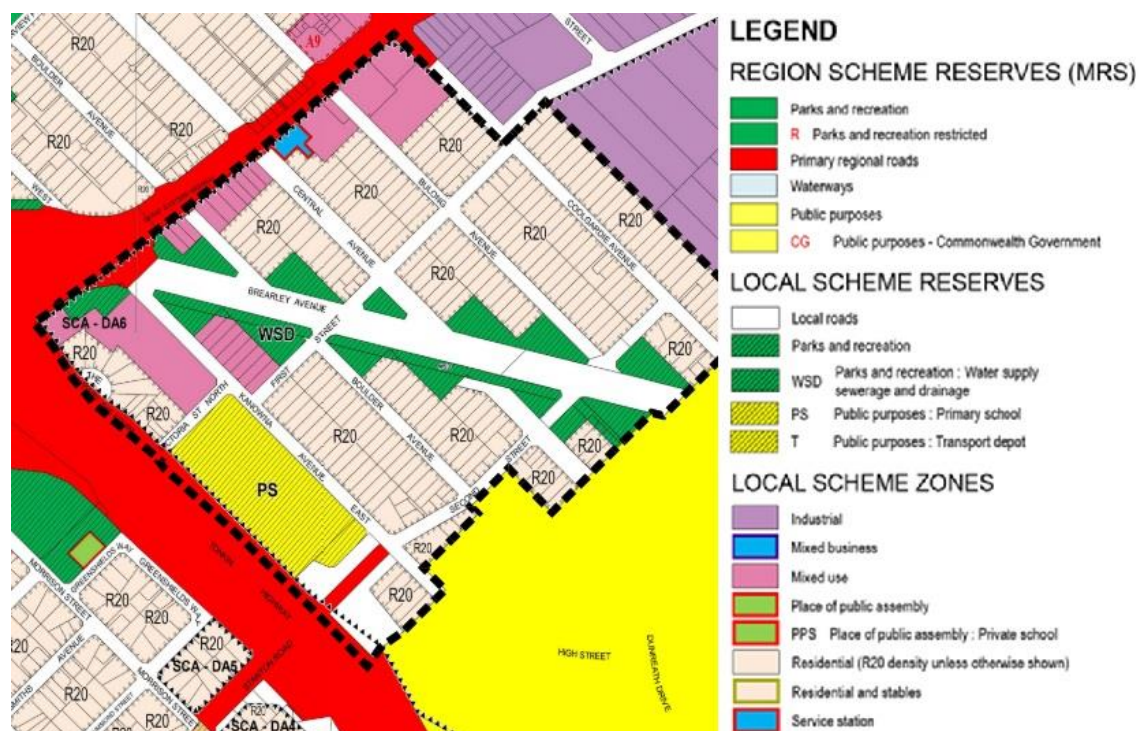


Figure 5: Local Planning Scheme No. 15 Scheme Map

Planning and Development (Local Planning Schemes) Regulations 2015

Activity Centre Plan

Part 4 of the Regulations – Schedule 2 – Deemed Provisions outlines the procedure for the preparation and advertising of an ACP, with the key requirements being:

- The local government must advertise an ACP within 28 days of the ACP being accepted for assessment and advertising.
- The ACP shall be advertised for a period of 42 days, unless otherwise approved by the WAPC.
- A structure plan must be advertised by:
 - Publishing a notice, the proposed ACP and material accompanying it on the local government website;
 - Giving notice of the proposed ACP to any public authority or utility service provider considered appropriate; and
 - Making a notice, the proposed ACP and material accompanying it available for public inspection at a place in the district, during normal business hours.
- A structure plan may also be advertised by:
 - Giving notice of the proposed ACP to owners and occupiers who, in the opinion of the local government, are likely to be affected by the approval of the structure plan;
 - Publishing a notice of the proposed ACP in a newspaper circulating the district; and

Item 12.1 Continued

- Erecting a sign or signs in a conspicuous place on the land the subject of the proposed ACP.
- Following the conclusion of the advertising period, the local government must consider all submissions made on the proposed ACP.
- The local government may readvertise any modifications proposed to the structure plan to address issues raised in submissions however, modifications to the ACP cannot be advertised on more than one occasion without approval from the WAPC.
- The local government must prepare a report to the WAPC within 60 days from the last day for making submissions which includes the following:
 - A list of the submissions considered by the local government;
 - Any comments by the local government in respect of those submissions;
 - A schedule of any proposed modifications to address issues raised in the submissions;
 - The local government's assessment of the proposal based on appropriate planning principles; and
 - A recommendation by the local government on whether the proposed ACP should be approved by the WAPC.
- On receipt of a report on a proposed ACP from the local government, the WAPC must within 120 days consider the plan and determine whether to approve the ACP, require the ACP to be modified, or refuse the structure plan.

The WAPC may direct the local government to readvertise the ACP where it considers that major modifications have been made however; it cannot direct the local government to readvertise the ACP on more than one occasion.

It should be noted that at the time of writing this report, amendments to the Regulations were released which may result in the term 'activity centre plan' being replaced with 'precinct structure plan'. The implications of these amendments and transitional arrangements will need to be explored further with the Department of Planning, Lands and Heritage (DPLH) during and following the advertising process.

Scheme Amendment

The formal progression of the draft ACP, including modifying the zoning and reservation of land and establishing a DCP, will require amendments to the City's LPS 15. Section 75 of the *Planning and Development Act 2005* provides for an amendment to be made to a local planning scheme, with the procedures for undertaking an amendment set out in Part 5 of the Regulations.

The Regulations specify three different types of Scheme amendments, being 'basic', 'standard' and 'complex'. The main differences between the amendment classifications are the differing advertising requirements, with a 'basic' amendment not having any advertising requirement unless otherwise required by the WAPC. Clause 35(2) of the Regulations requires a resolution of the local government specifying the type of amendment and the reasons for the classification.

Item 12.1 Continued

Irrespective of the classification of the amendment, where a responsible authority (being the local government) has resolved to amend a Scheme, it shall be forwarded to the Environmental Protection Authority (EPA) to determine whether the amendment requires an environmental assessment. Where no environmental assessment is required, the responsible authority must advertise the amendment for a period of 60 days by:

- Publishing a copy of the notice and the amendment on the website of the local government;
- Giving a copy of the notice to each public authority that the local government considers is likely to be affected by the amendment;
- Displaying a copy of the notice in the offices of the local government for the period of making submissions set out in the notice; and
- Advertising the amendment as directed by the WAPC and in any other way the local government considers appropriate.

After the conclusion of the advertising period, Council is required to consider the submissions and pass a resolution to either support the amendment, with or without modification, or not support the amendment. After passing a resolution, the amendment is to be forwarded to the WAPC to review and provide a recommendation to the Minister for Planning.

State Policies

The following State policies are relevant to the consideration of the draft ACP and scheme amendment:

- State Planning Policy 3.6 – Development Contributions for Infrastructure
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas
- State Planning Policy 4.2 – Activity Centres for Perth and Peel
- State Planning Policy 5.4 – Road and Rail Noise
- State Planning Policy 7.2 – Precinct Design
- State Planning Policy 7.3 – Residential Design Codes
- Development Control Policy 1.6 – Planning to Support Transit Use and Development
- Development Control Policy 2.3 – Public Open Space in Residential Areas
- Liveable Neighbourhoods.

The key elements of the above State policies and their relevance to the draft ACP and scheme amendment are discussed in the Officer Comment section of the report.

Item 12.1 Continued

It should be noted that at the time of writing this report, State Planning Policy 7.2 – Precinct Design was released and became operational on 16 February 2021. A supporting document detailing the manner and form in which a structure plan is to be prepared under State Planning Policy 7.2 – Precinct Design was also released. The implications of this Policy and transitional arrangements will need to be explored with the DPLH during and post advertising, and it should be noted that subsequent modifications may be required.

BACKGROUND

Redcliffe Station Precinct

The Redcliffe Station precinct comprises approximately 49ha of land bound by GEH, Coolgardie Avenue, Tonkin Highway and Perth Airport Estate, in the suburb of Redcliffe. The area is located approximately 350 – 400m south-east of Garvey Park and the Swan River, and is located adjacent to Selby Park (west) and the Redcliffe Industrial Area (east). Figure 6 below shows the location of the Redcliffe Station precinct in relation to the surrounding area.



Figure 6: Site Context

The precinct is predominantly residential in nature, except for a mix of commercial uses along GEH. Redcliffe Primary School is located in the south-western portion of the precinct, adjacent to Tonkin Highway. Redcliffe Train Station is currently being constructed at the south-eastern portion of the Brearley Avenue reserve, adjacent to Perth Airport Estate, as part of the State Government's Forrestfield Airport Link (FAL) project. The Southern Main Drain, an open-channel regional drain that carries water from Kalamunda to the Swan River, is located adjacent to the Brearley Avenue road reserve between Kanowna Avenue East and Central Avenue. There are also various 'pocket parks' located adjacent to the Brearley Avenue road reserve that contain significant mature trees and serve both a drainage and recreational function.

Item 12.1 Continued

The existing housing stock within the precinct is characterised predominantly by older 1950s/1960s dwellings, although there are instances where properties have been subdivided and developed with newer housing. Lot sizes within the area range from 209m² to 15,970m², with most properties being approximately between 800m² and 1,000m² in area. Landownership within the area is highly fragmented, as illustrated by Figure 7 below. Of the 288 lots in the precinct, only 55 of the lots are two or more adjoining properties owned by the same person/entity.

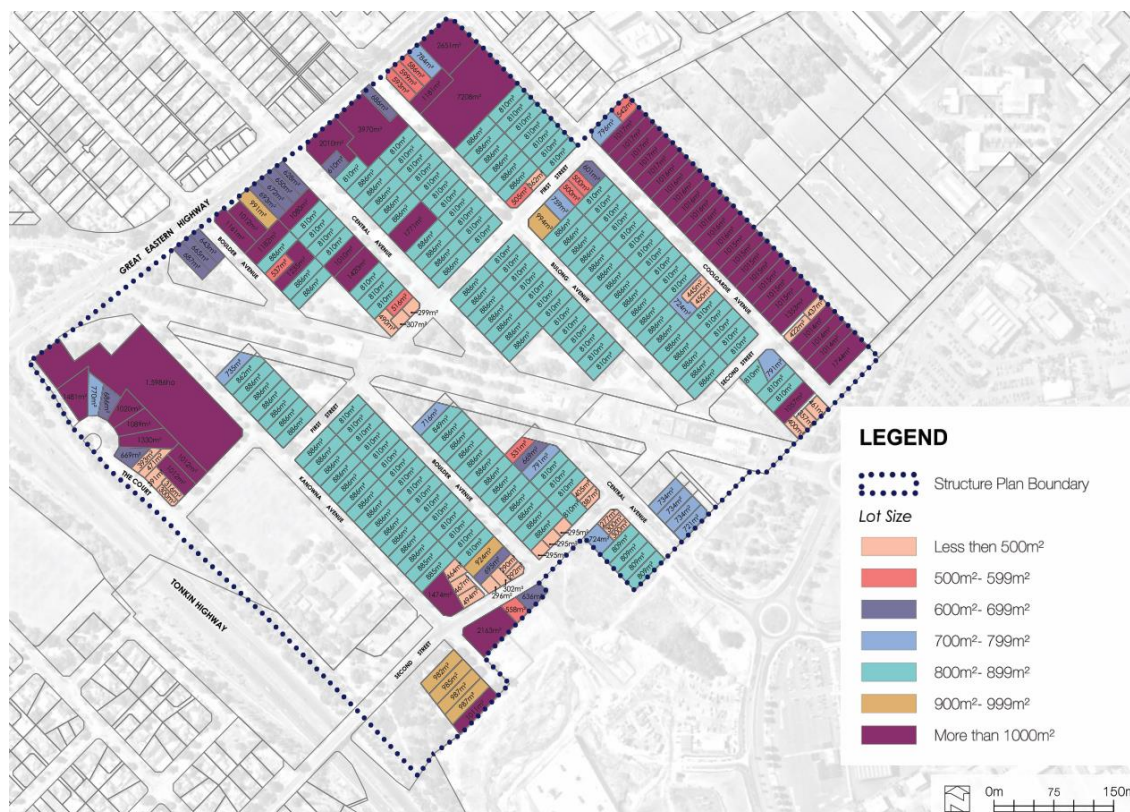


Figure 7: Existing Development Pattern

Planning Framework

The draft planning framework consists of three key elements, as follows:

- **Activity Centre Plan:** The ACP serves as a structure plan that provides for the coordination of future subdivision, zoning and development of an area.
- **Operative Planning Scheme:** To provide for the statutory implementation of the ACP through zoning and development provisions, as well as establishing the DCP to provide for the sharing infrastructure costs amongst developing landowners.
- **Design Guidelines:** The Design Guidelines will be adopted as a local planning policy and outline specific development and built form criteria for the area.

In terms of the operative planning scheme component of the planning framework, it should be noted that the State have indicated that they will not be initiating an Improvement Scheme over the area. As such, it will be necessary for an amendment to be undertaken to LPS 15 to facilitate the implementation of the ACP.

The subject report is seeking Council's consideration of the draft ACP and an amendment to LPS 15, an outline of which follows. It should be noted that the Design Guidelines are still under preparation and will be informed by the progression of the draft ACP.

Item 12.1 Continued

Draft Redcliffe Station Activity Centre Plan

The draft Redcliffe Station ACP has been prepared to coordinate future redevelopment of the Redcliffe Station precinct. More specifically, it provides for:

- Mixed commercial and residential development immediately surrounding Redcliffe Train Station and abutting GEH and residential development throughout the remainder of the precinct.
- Built form controls premised on precinct areas, including minimum site area requirements, plot ratio, minimum and maximum building height, street setbacks and car parking requirements.
- A central area of POS in the former Brearley Avenue road reserve and the realignment of the Southern Main Drain.
- The identification of a road hierarchy and movement network for vehicles, pedestrians and cyclists, as well as the consideration of street design and traffic management and safety measures.
- Strategies for the management and treatment of stormwater runoff within the precinct.
- The identification of infrastructure and servicing requirements required for the redevelopment of the precinct.
- Infrastructure funding and delivery measures, including consideration of staging and implementation.

Following the pre-consultation period, the draft ACP has been reviewed and modified, with the key changes being:

- The removal of an Improvement Plan and Improvement Scheme as an option for the statutory implementation of the ACP.
- Additional clarity on the land assembly requirements, specifically to recognise that subdivision and development cannot occur in a manner that prejudices the overall development potential of the area.
- The removal of development bonus criteria for additional building height and plot ratio.
- The primary control requirements have been reviewed against the Residential Design Codes (R-Codes), and additional clarity and justification has been provided for any proposed variations.
- The inclusion of preliminary findings from the Retail Needs Assessment (RNA) prepared in support of the Scheme Review project.
- The removal of POS 4 and 5 and the expansion of POS 1 and 3 to provide a total provision of 3.79ha, representing approximately 9.46% of the developable area.
- Removal of 'Road 3', being the connection of Bulong Avenue and Second Street, immediately adjacent to Redcliffe Train Station.

Item 12.1 Continued

- The inclusion of a Bushfire Management Plan (BMP) identifying the bushfire attack level (BAL) across the precinct and the management of any bushfire hazards.
- The inclusion of a noise exposure map to identify land subject to noise attenuation requirements under State Planning Policy 5.4 (SPP 5.4) due to their proximity to major transport corridors.
- Various minor text and image updates throughout the document.

The draft modified ACP is provided in [Attachment 1](#).

Amendment No. 15 to Local Planning Scheme No. 15

Amendment No. 15 to LPS 15 proposes to:

1. Introduce the 'Urban Development' zone and apply it to the Redcliffe Station precinct to serve as an underlying zoning that facilitates the implementation of the ACP.
2. Establish a Development Contribution Area (DCA) over the Redcliffe Station precinct and an associated DCP to serve as a mechanism for sharing common costs associated with delivering infrastructure to precinct.
3. Update the boundaries of the DA6 precinct to accord with established road alignments within Perth Airport estate.
4. Introduce new provisions applicable to the DA6 precinct that provide for the implementation of the ACP and establish expectations for the future planning of land within Perth Airport estate.

A copy of the draft Amendment No. 15 map is contained as [Attachment 2](#) and the DCP Report is provided as [Attachment 3](#).

OFFICER COMMENT

The Redcliffe Station precinct has long been recognised as an area with significant redevelopment potential due to its low development density, ageing housing stock, and the significant State investment being made with the construction of Redcliffe Train Station. It is necessary however to coordinate redevelopment through an appropriate planning framework so as to ensure that the transformation of the area is undertaken in an orderly and proper manner, aligning with contemporary planning practice and community expectations.

Council's endorsement of the draft Redcliffe Station ACP for the purposes of pre-consultation with the community and key stakeholders provided an opportunity to receive initial feedback on the plan, prior to its progression through statutory approval processes. This pre-consultation period has identified several areas of community concern, particularly in relation to the redevelopment process and POS provision. It also provided an opportunity for State agencies to provide technical advice on various elements of the ACP. The feedback received has ultimately informed various modifications to the draft ACP and Council now needs to determine whether the draft modified ACP, contained as [Attachment 1](#), should be progressed to formal advertising.

Item 12.1 Continued

To provide for the statutory implementation of the draft ACP, it is necessary to progress an amendment to LPS 15. This involves changes being made to the existing zoning of the precinct, the introduction of development provisions and the establishment of a DCP. The initiation of an amendment to LPS 15 will provide for its concurrent progression through advertising with the draft ACP.

The key matters for Council's consideration on the proposed scheme amendment and draft modified ACP, in light of the feedback and submissions received, are discussed below.

Redevelopment Process

The existing fragmentation of landownership and the proposed land assembly requirements pose significant challenges for achieving a coordinated planning outcome in the Redcliffe Station precinct. Submissions received during the pre-consultation period raised concerns about the attractiveness and viability of redevelopment in the area, and queried whether the requirements of the ACP are too aspirational and/or onerous. Various submissions also made suggestions that the City should perform a lead role in coordinating land assembly and establish a community reference group that reviews future planning proposals. The key considerations relating to these matters are discussed below.

Attractiveness and Viability of Redevelopment

Submissions raised concerns in relation to the attractiveness and viability of development within the Redcliffe Station precinct, and suggested that the current market conditions would not be conducive to higher density development and that the primary control requirements of the draft ACP are too aspirational. In particular, concerns were raised about the minimum development site area, building height and dwelling yield requirements. It should be noted that in formulating the draft ACP, feedback on the redevelopment of the precinct and the key primary control requirements was sought from development industry representatives. In considering the concerns of submitters and the feedback received from the industry representatives, the following points are relevant:

- Higher density residential development immediately surrounding the Redcliffe Train Station would provide the intensity necessary to support the operation of the station, as well as the viability of convenience uses and services.
- Land fragmentation will pose a significant constraint to redevelopment in the area as landowners who are willing to undertake development will need to purchase an adjoining property or undertake a joint development, but could be prevented from doing so should the adjacent landowners not be willing to proceed. Favourable market conditions will assist with this issue as developers are more likely to purchase land within the area with a view to consolidate land and undertake development.
- The minimum land assembly (lot size and frontage) requirements would facilitate the creation of consolidated land parcels to support high quality built form outcomes. Small and narrow lots typically do not allow for the open space, landscaping and setbacks necessary to maintain a high level of amenity for existing and future residents in the area.

Item 12.1 Continued

- The area currently lacks amenity and services to attract investment and redevelopment to the precinct. It is therefore crucial that public realm improvements, as well as community development and placemaking measures are delivered early on. Attractive development and convenience services within Perth Airport estate will also likely serve as a catalyst for investment within the precinct.
- There are various other apartment precincts within the Perth metropolitan region which would likely out-compete the Redcliffe Station precinct on the basis that they are less constrained, and have higher levels of amenity, access to services and land values.
- Redevelopment is expected to occur over an extended period of time. The redevelopment of areas assigned lower building height and dwelling yield requirements are expected to occur earlier than those areas immediately surrounding the Redcliffe Train Station and along GEH where greater requirements would apply.
- The proposed requirements for building height include both minimum and maximum requirements, with the minimum requirements stipulating building heights between two and four storeys. These minimum requirements are not considered to be unreasonable or prohibitive of development in the area, noting that a minimum two storey building requirement is successfully applied to higher density development in the wider City of Belmont area.
- Certainty surrounding the planning framework and the timing of infrastructure delivery would increase the attractiveness of the area from an investment perspective.

In light of the above, it is acknowledged that the redevelopment process is likely to be slow, and ultimately dependent on market conditions and landowners' willingness to undertake development. Nonetheless, it is considered important to balance short-term outcomes and long-term objectives in the precinct. Whilst it may be attractive to allow unconstrained low to medium density development to occur in the short term, this would undermine the strategic intent of the area, and jeopardise amenity outcomes and the ability to sustain future local convenience retailing and services. Rather, significant attention should be given to improving the amenity of the area to build its attractiveness to investors and developers. Whilst market conditions cannot be controlled, the City can influence perception through future commitments being made on the pre-funding, timing and delivery of infrastructure and public realm improvements; building community cohesion; and promoting the area as a place to invest.

Facilitation of Redevelopment Process

A number of submissions received during the pre-consultation period requested that the draft Redcliffe Station ACP be amended to include governance clauses that require:

- The City to establish a community reference group comprised of 12 resident landowners (elected by the community) who would be responsible for:
 - (i) Reviewing any land assembly proposals, and
 - (ii) Evaluating options that may be available for landowners to sell their properties.

Item 12.1 Continued

The submission suggested that the City would host these meetings on a regular basis and invite independent industry representatives (i.e. developers, builders, real estate agents). The purpose of this request is to give landowner's equal consideration and status to the City and other agencies in planning deliberation processes.

- The City is to give residents three months' notice prior to the commencement of infrastructure/construction works.
- The City is to provide residents with details of project timelines and strategies to mitigate safety issues and impacts on amenity, to the satisfaction of the residents.

In light of these requests, consideration should be given to:

1. The role of the City of Belmont in facilitating the redevelopment process.
2. The ability and appropriateness of the community to control and deliberate on planning processes.
3. The City's approach to engaging with the community on proposed infrastructure/construction works.

These points are discussed below.

Role of Local Government in the Redevelopment Process

It is acknowledged that the requirements and financial implications associated with selling, purchasing, amalgamating and developing land are complex and can be difficult to navigate for people who are unfamiliar with the processes involved. In any circumstance, landowners who are interested in pursuing a development are encouraged to seek independent advice, whether it is from a real estate agent, a town planner, a financial advisor and/or a property developer. It is considered inappropriate for local governments to provide and/or facilitate such services given its role in decision making processes and the potential for it to affect impartiality. There is also a risk that should insufficient or incorrect advice be provided, the City could be held liable, as well as become involved in civil disputes.

For the above reasons, it is not recommended that the City facilitates engagement between landowners and independent industry representatives. Notwithstanding, following the establishment of the local planning framework for the precinct, the City could explore the preparation of communication material about land development processes and important sources of information to assist landowners should they be interested in undertaking development.

Community Involvement in the Redevelopment Process

In considering the request to establish a community reference group that reviews land assembly proposals and evaluates options available for landowners to sell their property, the following points are relevant:

- The power to determine proposals is provided through planning legislation and rests with decision-making authorities (i.e. Local or State government), and there is no legal ability to circumvent or alter this through the ACP or local planning scheme.

Item 12.1 Continued

- Community interests are represented by local government Councillors who are democratically elected and appropriately governed in accordance with the *Local Government Act 1995*.
- Decision-making authorities are required to consider proposals based on individual planning merit as outlined by relevant planning legislation and instruments, and cannot be influenced by personal interest.

In light of the above, it is considered inappropriate to establish a community reference group responsible for reviewing and evaluating land assembly proposals and options on the basis that:

- (i) There is no legal ability to establish or give powers to such a group; and
- (ii) Decision-making bodies already exist and are appropriately governed by legislation.

Notwithstanding the above, it is recognised that there may be opportunities to involve the community in other forms. This may include:

- Establishing a preferred practice for undertaking community consultation on development proposals within the precinct.
- Involving the community in decisions on infrastructure upgrades within the precinct, such as the detailed design of POS areas and public art provision.
- Providing an online portal with updates and information on development and works within the precinct.

In terms of the first point, it is considered that establishing the manner in which community consultation on development proposals is undertaken within the precinct will provide for consistency in advertising practices. It is considered that an approach should be formulated and set out by the Design Guidelines (Local Planning Policy) prepared for the precinct, which in itself would be subject to consultation with the community. To undertake this, it is not necessary to modify the draft ACP, and rather this will be considered at a later stage when formulating the Design Guidelines.

Community Engagement on Future Works

The concern surrounding the community being adequately notified of future construction and infrastructure works is acknowledged, however the need to specifically include a requirement in the ACP for the City to notify landowners is unnecessary. In undertaking any major project, it is normal operational practice for the community to be informed of works which could potentially be disruptive and for ongoing projects, the manner in which the community is informed is typically guided by a community engagement plan. It is expected that in undertaking infrastructure works within the precinct, the City would prepare a community engagement plan which will identify opportunities for community involvement in decision making processes, as well as establish a practice for keeping the community informed on the status of works.

In the case of construction works on private development sites, a condition would typically be imposed on a development approval requiring the preparation and implementation of a construction management plan. These plans reinforce existing regulatory requirements (i.e. compliance with the *Environmental Protection (Noise) Regulations 1997*) and are not typically made publicly available unless requested.

Item 12.1 Continued

It also reasonable to expect some disruption from construction works, and for major projects, developers often adopt a practice of engaging with adjacent landowners on civil matters. Lastly, it is not possible for the City to have knowledge or control over the timing of works on private development sites. It is therefore not possible or practical for the City to provide the community with 3 months' notice of such works.

Proposed Activity Centre and Retail Floorspace

The draft ACP proposes to facilitate the creation of an activity centre, with mixed commercial and residential development, immediately surrounding Redcliffe Train Station. This is expected to form part of a wider 'Neighbourhood Centre' that includes immediate development within the adjacent Perth Airport estate.

Several submissions received during the pre-consultation period raised concerns with regard to the necessity, scale and timing of retail development within the precinct. More specifically, it was advocated that the area was already well catered for with retail development, and that additional retail will impact existing small businesses and their long-term viability. It was also suggested that the addition of another shopping centre should not be considered until such time that residential development has been undertaken in the precinct.

Having regard for the matters raised in this submission, it is noted that City's Local Commercial Strategy (2008) does not currently identify a 'Neighbourhood Centre' within the DA6 precinct. The establishment of any new activity centre should therefore be considered in the context of State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP 4.2), which outlines:

- Principles and design criteria for the planning and development of activity centres, particularly in relation to distribution, function, land use and urban design of activity centres and their integration with public transport.
- An activity centres hierarchy that categorises activity centres based on their function and characteristics. It identifies that a 'Neighbourhood Centre' is intended to provide for daily and weekly household shopping needs, community facilities and a small range of other convenience services.
- A requirement to undertake an RNA outlining the estimated retail need and indicative distribution of floorspace across the activity centres within a local government area, so as to inform the preparation of a local planning strategy.
- A requirement to undertake a Retail Sustainability Assessment (RSA) to support major development proposals that assesses the potential economic and related effects of significant retail expansion on the network of activity centres in a locality.

In accordance with the SPP 4.2 activity centre hierarchy, Perth Airport is identified as a 'Specialised Centre' that is intended to accommodate land uses that complement the aviation and logistics services offered by the airport. Notwithstanding, the Perth Airport Master Plan 2020 identifies additional commercial development within the Airport West Precinct, immediately adjacent to the Redcliffe Station precinct, which is described as being commensurate to a 'Neighbourhood Centre', with high intensity land uses being promoted around the Redcliffe Train Station. Whilst development within Perth Airport estate is not subject to the same land use control and approval requirements as the Redcliffe Station precinct, it is considered logical to plan in a manner that is holistic in supporting transit oriented development principles.

Item 12.1 Continued

Whilst the Redcliffe Station precinct is not currently identified as an 'activity centre' in the City's Local Commercial Strategy, this document is currently under review as part of a wider review of the City's Local Planning Strategy and LPS 15. This review involves appraising the City's activity centres hierarchy, including identifying new activity centres such as DA6 and undertaking an RNA. This work has been formulated into a contemporary Activity Centres Planning Strategy, which will be considered by Council for public advertising in due course.

In the case of the requirement for an RSA, it should be noted that the major development proposal 'trigger' includes any proposal that would result in the total retail floorspace of a neighbourhood centre exceeding 6,000m² net lettable area. This requirement can however be waived where proposed retail floorspace is substantially within the walkable catchment of a passenger rail station, in view of the scale and likely impact of the proposal.

In considering the concerns raised by the submitters in light of the above, the following points are relevant:

- Contemporary planning practice supports the provision of local convenience retailing and amenities clustered around public transport nodes and within walkable distances to housing. This has the benefit of reducing the overall need to travel and promoting public transport, cycling and walking.
- The demand for retail floorspace in an area is directly correlated to population, therefore any increase in population would typically increase the retail need in an area.
- The RNA prepared by the City to inform the preparation of the Activity Centres Planning Strategy and the review of LPS 15 suggest that by 2036, the proposed Neighbourhood Centre could accommodate some 3,000m² of retail floorspace. This is based on a conservative estimate of the population increasing by approximately 4,000 people, and as such the retail demand could in fact be lesser or greater depending on the uptake of development in the precinct and also factoring in demand generated by surrounding employment.
- The 'Mixed Use' zoning proposed by the draft ACP immediately surrounding Redcliffe Train Station represents a relatively small area and due to its fragmentation, it is unlikely to support any substantial retail development. Rather, it is expected to accommodate small-scale retail convenience uses and non-retail commercial development, with major retail likely to occur within Perth Airport estate which, by virtue of its land availability and tenure, is less constrained.
- The identification of a 'Neighbourhood Centre' immediately adjacent to the Redcliffe Train Station is provided through the Perth Airport Master Plan 2020. Perth Airport has indicated its intention to develop the 'core' component of the Neighbourhood Centre which is anticipated to include an anchor supermarket. The precise nature, scale and timing of this development is however unknown at this stage nonetheless, the development of a supermarket would be entirely consistent with the function of a neighbourhood centre as outlined by SPP 4.2.

In light of the above, it is considered that the establishment of a Neighbourhood Centre surrounding the Redcliffe Train Station would support the future residential population and would align with transit-oriented development principles, and is therefore supported on this basis. Notwithstanding, it is recognised that the timing of any substantial retail development in this area could undermine the sustainability of other activity centres if supporting residential population growth does not occur.

Item 12.1 Continued

Given that there are limited opportunities for substantial retail development within the Redcliffe Station precinct itself, it is considered unnecessary to impose any specific controls on floorspace through the draft ACP. Rather, it is important that careful consideration is applied to the planning of major retail development within the adjacent Perth Airport estate to ensure that it does not impact on the viability of existing activity centres. As the draft ACP and the City's LPS 15 do not apply to Perth Airport estate, it is not possible to impose any control on retail development, and rather this will require separate consideration through pre-existing referral arrangements.

Primary Controls and Development Requirements

The draft ACP includes 'primary controls' that establish development requirements for minimum site area and configuration, minimum residential density, maximum plot ratio, minimum and maximum building height and building setbacks. The purposes of these controls are to ensure that future development:

- Aligns with Council's adopted Vision Plan in terms of the built form scale, particularly building heights.
- Provides sufficient intensity to support the future Redcliffe Train Station and the viability of a future neighbourhood centre.
- Respects the existing and future character of the area, particularly surrounding Redcliffe Primary School as well as the interface between identified precinct areas.
- Occurs on consolidated land parcels that are more conducive to high quality built form outcomes.
- Responds to State Government infill targets for activity centres and transit precincts.

Several submissions raised concerns regarding the primary controls and development requirements, namely:

- The proposed minimum lot size and frontage requirements would require most lots within the precinct to amalgamate, which might slow the redevelopment of the area and lead to situations where landowners are 'left-out' of the process.
- The appropriateness of the proposed maximum building heights.
- The appropriateness and successful implementation of the proposed development bonus criteria.
- The adequacy of the proposed minimum and maximum car parking requirements and the potential for overflow parking to occur within the street.

In addition to the above, the following suggestions were made by submitters in relation to the proposed primary control and development requirements:

- Reviewing the primary control requirements to achieve consistency with the R-Codes, where practical, and clearly outlining and justifying any variations.
- Adjusting the proposed sub-precinct boundaries to allow for greater development potential.

Item 12.1 Continued

- Deleting the proposed maximum parking requirements to allow for additional parking to be provided.
- Lowering the proposed maximum parking requirements to further limit an oversupply of parking within the precinct.
- Including provision for a density bonus where development achieves a minimum sustainability rating.

The above concerns and suggestions are discussed below, along with any applicable technical matters.

Minimum Lot Size and Frontage Requirements

The draft ACP includes primary controls that require lots to achieve minimum site area and lot frontage requirements to be able to development. More specifically, lots will need to achieve a minimum site area of 1,600m² and a frontage of 30m for all sub-precincts, with the exception of the Urban Corridor sub-precinct where the requirement is 1,000m² and 20m, respectively. Lot sizes within the precinct are predominantly 800m² to 900m² in area and approximately 15m wide and 50m deep. As such, in order to achieve the minimum site area and configuration requirement, it will be necessary for most lots within the precinct to be amalgamated with an adjoining lot.

Several submissions received during the pre-consultation period raised concerns with the proposed minimum lot size and frontage requirements on the basis that it is onerous and could slow the redevelopment process, and suggested that some sub-precincts should be exempt from these requirements. It is considered that the minimum lot size and frontage requirements are necessary to deliver the high quality built form outcomes identified by the Vision Plan. Irrespective of the sub-precincts, small and narrow lots are not conducive for the development intensity envisioned for the area, nor do they represent an efficient or desirable form of development. Consolidated development sites are able to deliver more extensive areas of open space, landscaping and setbacks which are necessary to maintain a high level of amenity for existing and future residents. Whilst it is accepted that this may slow the redevelopment process, it is considered that land consolidation should prevail in favour of good built form outcomes.

Concerns were also raised by submitters that the minimum lot size and frontage requirements could lead to an uncoordinated development outcome, where some landowners are 'left-out' of the redevelopment process and unable to later meet the requirements to develop. To address this concern, the draft ACP has been modified to include provisions requiring holistic consideration of land assembly proposals. In addition, it is recommended that a provision be inserted into LPS 15 to reinforce this consideration, which is discussed in more detail later in this report.

Item 12.1 Continued

Building Height

The draft ACP includes controls on the minimum and maximum building heights for each precinct area, as well as ‘bonus’ height allowances where certain criteria are met. Table 1 below outlines the proposed building height requirements.

Sub-Precinct	Minimum Building Height	Maximum Building Height	Maximum Building Height with Bonus
Centre	4 storeys	8 storeys	13 storeys
Centre Transition	3 storeys	6 storeys	8 storeys
Residential Core	2 storeys	4 storeys	6 storeys
School Interface	2 storeys	3 storeys	N/A
Urban Corridor	3 storeys	8 storeys	13 storeys

Table 1: Summary of Proposed Building Height Requirements

Several submissions received during the pre-consultation period raised concerns in relation to the appropriateness of building heights up to 6, 8 and 13 storeys, and considered that the requirements are unsuitable for the area and should be re-evaluated. In considering these concerns, the following points are relevant:

- The proposed maximum (including bonus) building heights generally align with the DA6 Vision Plan which was adopted through extensive community consultation.
- The proposed spatial allocation of building heights promotes an intensive core immediately surrounding Redcliffe Train Station, as well as adjacent to GEH, whilst still respecting the existing character of the area through limiting building heights to 4 storeys, or 6 storeys with a bonus, within the Residential Core sub-precinct.
- The proposed minimum building heights assists with securing the appropriate development intensity that was intended by the DA6 Vision Plan. This will assist with the viability of a future Neighbourhood Centre and the operation of the Redcliffe Train Station.
- The proposed minimum building heights ensure that new development provides a suitable urban interface to the public realm that maximises opportunities for passive surveillance. In essence, the requirements do not allow for single storey development directly abutting the street, and rather any single storey development would need to be ‘sleeved’ behind buildings that achieve the minimum height requirement.
- The proposed maximum building heights reflect an upper limit allowance for development within the area, and it is considered unlikely that all development would seek to achieve the maximum height.

For the reasons outlined above, it is considered that the proposed building height requirements are acceptable, particularly given that they have been subject to extensive community consultation through the preparation of the DA6 Vision Plan and are consistent with the built form intensity favoured for transit-oriented development precincts.

Item 12.1 Continued

Development Bonus Criteria

The draft ACP identifies 'bonus' plot ratio and building height allowances where developments incorporate facilities that would support a wider community benefit. Several examples of potential facilities identified include:

- The provision of affordable housing in collaboration with the State Government or not for profit housing provider;
- Dwellings that achieve universal design requirements that support disability access and ageing in place;
- A dedicated community space, such as a meeting room or exhibition space that is available for use by external community groups; and/or
- The provision of publicly accessible private open space on a property that can provide informal gathering space.

The allowance for bonuses to be granted subject to performance criteria was identified by the Vision Plan and is supported for the purposes of achieving a greater community outcome through the redevelopment process. Notwithstanding, several concerns have been identified with the appropriateness of these requirements. More specifically, it has been suggested that several of the criteria do not provide an adequate trade-off for the community and will lead to uncertainty amongst the community of future development outcomes in the precinct. It has recently become apparent that similar requirements applied in other local government areas have been problematic from an implementation perspective, and have been the subject to further review and refinement.

In recognising the above concerns, the draft ACP has been modified to remove the proposed development bonus criteria in-lieu of further examination being undertaken through the preparation of Design Guidelines (i.e. a local planning policy). Deferring consideration of the criteria will allow for greater scrutiny and provide an opportunity to learn from the failures and successes of other local governments. Notwithstanding, the maximum bonuses are proposed to be retained within the primary controls table of the ACP so as to define the absolute limit of potential building height and plot ratio within the precinct, and to ultimately inform the provisions of the Design Guidelines.

Car and Bicycle Parking

The draft ACP establishes minimum and maximum car parking and minimum bicycle parking requirements for development within the Redcliffe Station precinct. In recognising that the Redcliffe Station precinct could potentially experience significant public car parking demand, the draft ACP proposes that all local roads within the precinct be upgraded to accommodate embayed on-street car parking and pedestrian and cycling infrastructure.

Several submissions received during the pre-consultation period raised concerns that the proposed car parking requirements are inadequate and would lead to overflow parking in the street. Concerns were also raised by a submitter about maximum parking requirements leading to shortfalls and overflow parking, however, a suggestion was made by another submitter that the maximum requirement should be reduced due to the proximity of Redcliffe Train Station. In considering these concerns, the following points are relevant:

Item 12.1 Continued

- The proposed minimum car parking requirement for residential development is as per the adopted standard under the R-Codes (specifically Volume 2 –Apartment Design) for development located within a walkable catchment to a train station or high frequency transit stop. This standard is widely applied across the Perth Metropolitan Region and it recognises that development accessible to public transport is less reliant on private vehicles.
- The availability of car parking has a major influence on how people choose to travel. In the absence of maximum parking requirements, an oversupply of car parking could eventuate, leading to visual blight, the underutilisation of land and encourage car usage rather than sustainable transport alternatives.
- While a limit on the number of car parking spaces for residential development is proposed, it does not undermine the minimum parking provision required by the R-Codes (Volume 1 and 2) – i.e. the limit is greater than the minimum specified under the R-Codes. This is intended to reduce the reliance on private vehicles whilst not being onerous for developers who wish to offer some additional car parking.
- The proposed requirements for residential development do not allow for additional visitor parking bays above the minimum required by Volume 2 of the R-Codes. This is intended to limit the supply of visitor parking in the precinct to encourage the use of alternative modes of transport (e.g. the Redcliffe Train Station).
- The precinct will incorporate embayed on-street car parking that will assist with any overflow or short-term parking needs within the precinct. Notwithstanding, the availability of on-street parking for overflow purposes should not be assumed as-of-right by developers who will still be responsible for ensuring adequate on-site parking is provided and adopt appropriate management measures.
- A universal car and bicycle parking standard is proposed for retail and commercial uses. This differs from the standards under LPS 15 which requires a different number of spaces depending on the specific land use. Adhering to the LPS 15 standards can overcomplicate the provision of car parking and is not considered appropriate in the context of a mixed use, transit-oriented precinct which requires a level of flexibility and adaptability.
- The proposed minimum and maximum car parking requirements for commercial and retail uses is less than the LPS 15 requirement for a ‘Shop’ land use, but similar to the requirement for an ‘Office’ land use. This is considered to represent an appropriate balance for the likely mix of uses that will be provided within the Centre and Urban Corridor precincts.
- There is no specific car and bicycle requirement proposed for civic and community type uses, rather the draft ACP provides for a merit based assessment. This is premised on civic and community uses generally having varied parking demands and therefore the imposition of a standard is considered to be impractical.
- The bicycle parking requirement proposed by the draft ACP is greater than the minimum requirements established by both the R-Codes and LPS 15 on the basis that cycling should be encouraged in this precinct.

Item 12.1 Continued

- Local Planning Scheme No. 15 includes requirements for end-of-trip facilities to be incorporated into developments where bicycle parking is required.

Based on the above reasons, the car and bicycle parking standards proposed by the draft ACP are considered appropriate in the context of a future mixed use transit-oriented development area. Notwithstanding, it is recognised that the proposed standards and management measures may need to be reviewed and adjusted in the future to address any unforeseen issues that may arise.

Relationship to Residential Design Codes

The draft ACP includes primary control and development requirements which are intended to vary, replace and/or be read in addition to the requirements of the R-Codes. More specifically, the draft ACP proposes to vary requirements in relation to building height, street setbacks, rear boundary setbacks, minimum site area, plot ratio and car and bicycle parking, with further variations potentially being proposed through the preparation of Design Guidelines for the area. The variations are considered necessary to reflect the envisioned local character of the area which could not be delivered otherwise through the simple application of the R-Codes.

By way of background, the R-Codes establish built form controls for all residential development within Western Australia (WA). It is premised on the allocation of residential densities that correlate to specific built form requirements under Volume 1 and Volume 2 of the R-Codes. Volume 1 of the R-Codes establishes standards for single houses and grouped dwellings, as well as multiple dwellings at densities up to R30. Volume 2 of the R-Codes specifically relates to multiple dwelling developments, including mixed use development, at the R40 density and above.

Submissions were received during the pre-consultation period which suggested that the primary control requirements of the draft ACP should be reviewed to achieve consistency with the R-Codes where practical. In addition, where it is deemed appropriate and necessary to vary provisions of the R-Codes, it was requested that the draft ACP clearly outlines and includes justification for any variation. In considering this feedback, the draft ACP has been modified as follows:

- A table has been inserted into Part 1 of the draft ACP that specifies which elements of the R-Codes are being varied by the ACP so as to provide clarity.
- The 80m² minimum site area requirement for single houses and grouped dwellings in the School Interface sub-precinct (R60) has been removed to defer to requirements of the R-Codes (120m²). This is on the basis that an 80m² minimum site area requirement is considered too significant of a variation to the R60 requirements.
- The minimum rear setback for development above two storeys has been removed to defer to the requirements of the R-Codes which include provisions that address upper floor building separation.
- The maximum primary street setback requirement for development up to two storeys in the School Interface sub-precinct has been increased from 4m to 5m on the basis that it will provide a more open streetscape setting than what the R-Codes would deliver at the R60 coding.

Item 12.1 Continued

It is considered that the above modifications will provide some consistency and clarity on the relationship of the draft ACP with the R-Codes, and in turn improve legibility of the overall planning framework.

Sub-Precinct Boundaries

The draft ACP divides the precinct into various sub-precincts which are defined by their intended character and function, key attributes and urban design vision. Each sub-precinct has specific controls for density, building height and setbacks, with the Centre and Urban Corridor sub-precincts also correlating to a 'Mixed Use' zoning, which permits a greater range of non-residential land uses than the 'Residential' zone. The alignment of the sub-precinct boundaries seeks to provide transition and harmonisation between developments, which is evident through the graduation of allowable built form intensity between sub-precincts.

Several submissions received during the pre-consultation period requested that the draft ACP be modified to change several properties/cells from the Centre Transition sub-precinct to the Centre sub-precinct. The requests are generally in response to a desire for greater development potential and/or flexibility. The identified properties/cells are as follows:

- Lots 297 – 298 (Nos 122 and 124) Bulong Avenue;
- Lots 887 – 889 (Nos 146, 146A and 148) Coolgardie Avenue; and
- Lots 7 – 11 (Nos 94, 96, 98, 100 and 102) Kanowna Avenue East and Lot 152 on Plan 412099.

Figure 8 below illustrates the location of the suggested adjustments.

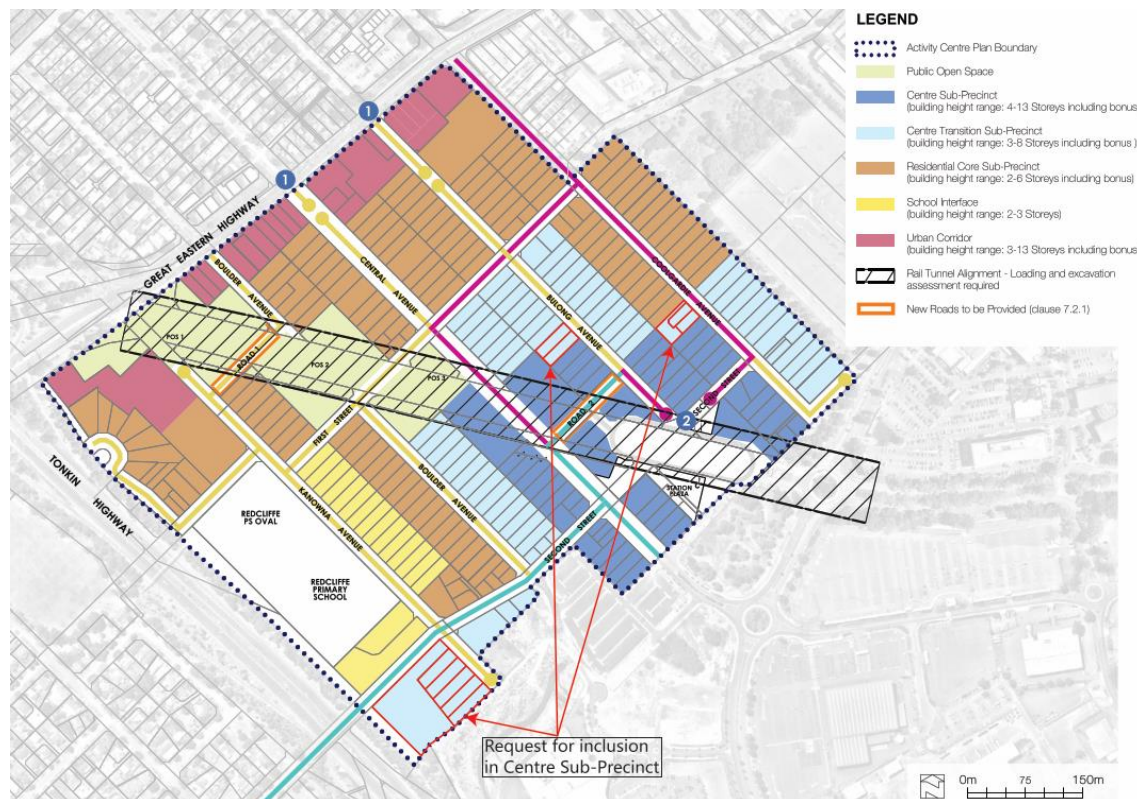


Figure 8: Suggested Sub-Precinct Boundary Adjustments

Item 12.1 Continued

Lots 297 – 298 Bulong Avenue and Lots 887 – 889 Coolgardie Avenue

Lots 297 – 298 Bulong Avenue and Lots 887 – 889 Coolgardie Avenue are located directly abutting the Centre sub-precinct, and in the case of Lot 887 – 889 Coolgardie Avenue, also abutting the Residential Core sub-precinct. Whilst it is recognised that some form of transition may be desirable, it is acknowledged that these properties are directly adjacent to the Centre sub-precinct and therefore their inclusion could be viewed as inconsequential to the design outcome of the area. Nonetheless, modifying the draft ACP to accommodate this request gives rise to the following concerns:

- The expansion of the Centre sub-precinct, and associated Mixed Use zoning, could inadvertently dilute the creation of a 'core' mixed use area immediately surrounding Redcliffe Train Station. It is anticipated that the demand for non-residential development, and in particular active uses such as retail, will likely be limited and any proposition that could draw activity from the core of the precinct should be discouraged.
- Modifications to the sub-precinct boundaries could establish an undesirable precedent for further changes being made to the boundaries, which in the case of the Centre sub-precinct and associated Mixed Use zoning, could ultimately erode the residential intent of the surrounding area. This is particularly concerning for Lots 887 – 889 Coolgardie Avenue given that the streetscape character is intended to be residential in nature, with an expectation that non-residential development in the Centre sub-precinct primarily fronting onto Second Street as the avenue to the train station entry.
- Adjusting the Centre sub-precinct to encompass Lots 887 – 889 Coolgardie Avenue would remove any transition between the Centre and Residential Core sub-precincts. This could result in an incompatible built form outcome whereby development between 4 to 13 storeys directly interfaces with development between 2 to 6 storeys. This differs from Lots 297 – 298 Bulong Avenue which, if modified, would only adjoin properties within the Centre Transition sub-precinct.

In light of the above, it is considered that there may be merit in supporting the adjustment of the sub-precinct boundary to incorporate Lots 297 – 298 Bulong Avenue into the Centre sub-precinct. This is on the basis that these lots would form a regular pattern of development with adjacent Centre sub-precinct properties, and adjoining properties in the Centre Transition sub-precinct to the north. Nonetheless, in light of the concerns identified above, should Council resolve to adopt this modification, it is recommended that the change should be specifically advertised to the community, with the draft ACP being modified to recognise the proposed change prior to formal advertising.

In the case of Lots 887 – 889 Coolgardie Avenue, in light of the above concerns, particularly in relation to development interface with adjoining properties and transition with the Residential Core sub-precinct, the suggestion to include these lots within the Centre sub-precinct is not supported.

Lots 7 – 11 and 152 Kanowna Avenue East

Lots 7 – 11 and 152 Kanowna Avenue East represent a 1.17ha cell bound by Second Street, Kanowna Avenue East, Tonkin Highway and Perth Airport Estate. The cell is included within the Centre Transition sub-precinct, with the School Interface and Residential Core sub-precinct being located to the north and north-west, and the Centre Transition sub-precinct to the north-east. In considering the proposal to change this cell from the Centre Transition to the Centre sub-precinct, the following points are relevant:

Item 12.1 Continued

- The current Centre Transition sub-precinct designation would support building heights ranging from 3 to 8 storeys, whereas the suggested Centre sub-precinct designation would permit building heights ranging from 4 to 13 storeys.
- The cell is located at the western gateway to the precinct at Second Street/Stanton Road, and therefore it is reasonable to expect more iconic development in this location, although this could be achieved irrespective of building height and scale.
- The cell is located outside of the 400m walkable catchment to Redcliffe Train Station and the creation of an isolated Centre sub-precinct with an associated 'Mixed Use' zoning is inconsistent with transit-oriented development principles. In addition, it could undermine the creation of a consolidated mixed use area immediately surrounding Redcliffe Train Station and erode the residential intent of the wider area.
- The roads surrounding this cell provide a logical separation from adjacent sub-precinct boundaries with differing built form requirements. Nonetheless, the cell is located directly opposite Redcliffe Primary School and the School Interface and Residential Core sub-precincts which collectively permit building heights ranging between 2 to 4 storeys. The potential allowance of building heights up to 13 storeys in this location could be viewed as incompatible with the desired built form character of development surrounding Redcliffe Primary School.
- The cell abuts the Southern Main Drain corridor that extends approximately 90m wide, with Perth Airport's Direct Factory Outlet (DFO) and future Neighbourhood Centre developments being located approximately 100m and 140m to the south and east, respectively. There may be future opportunities to provide a direct pedestrian connection across the Southern Main Drain to access these developments, however this would be subject to discussion with, and commitment made by, Perth Airport.

In light of the above, it is considered that the Centre Transition sub-precinct designation currently applied to Lots 7 – 11 and 152 Kanowna Avenue East would facilitate an appropriate built form outcome for the location and should not be modified. It respects and serves as a transition to the adjacent School Interface and Residential Core sub-precincts, and does not undermine the intent of creating a core mixed use area immediately surrounding Redcliffe Train Station. Nonetheless, it still facilitates a generous development outcome of up to eight storeys, recognising the site's prominent position as a gateway to the precinct and direct separation from other sub-precincts.

Movement Network

The Redcliffe Station precinct is dominated by the presence of the major primary distributor roads of GEH and Tonkin Highway on the northern and western boundaries respectively, with the Perth Airport estate to the south. Access to the precinct is currently provided from GEH, Stanton Road and Dunreath Drive (via Central Avenue), with no access being provided directly from Tonkin Highway.

Item 12.1 Continued

The key elements of the movement network proposed by the draft ACP are as follows:

- The reconnection of the original grid road layout through the provision of the following new road connections:
 - Kanowna Avenue and Boulder Street (Road 1);
 - Central Avenue and Bulong Avenue (Road 2); and
 - Bulong Avenue and Second Street (Road 3).
- The upgrading of all existing roads in a manner that aligns with its intended function, addressing carriageway width, on-street parking, pedestrian infrastructure and directional signage.
- Retaining the restriction on through movements to GEH from Bulong Avenue and Central Avenue, until such time that Qantas relocate operations from Terminals 3 and 4 at Perth Airport and GEH is upgraded, after which access arrangements to GEH will be reviewed by the City and Main Roads Western Australia (MRWA).
- Maintaining all existing intersections in their current arrangement, with the exception of the following:
 - The provision of a new signalised intersection at Central Avenue and Second Street.
 - Modifying the priority that exists at the intersection of Central Avenue and First Street so that vehicles travelling on Central Avenue will have priority.
- All roads within the precinct will retain their classification under the MRWA Functional Road Hierarchy, with Stanton Road and Second Street designated as 'Local Distributor Road', with all other roads to remaining classified as 'Access Roads'.
- A requirement for shared access along the rear of properties fronting GEH, with no direct access permitted to GEH.

Submissions received during the pre-consultation period raised concerns in relation to the movement network, namely:

- Increased traffic flows in the area, particularly along Second Street and as a result of development within Perth Airport estate, and the capacity of the existing road network to safely and adequately accommodate increases in traffic in the area.
- The proposed signalised intersection at Second Street and Central Avenue potentially causing traffic queuing and the suggestion that it should be replaced by a roundabout.

Item 12.1 Continued

- The proposed connection of Bulong Avenue and Second Street (Road 3) will encourage vehicles to utilise Coolgardie Avenue to access the train station and increase traffic.
- The proposed traffic calming devices will slow traffic and increase congestion on the local roads.

These concerns are discussed below.

Traffic Volumes and Road Network Capacity

A number of submissions highlighted concerns with traffic rat-running through the area and suggested that the redevelopment of the precinct, the operation of the Redcliffe Train Station, and further development within Perth Airport estate would exacerbate these issues. In addition, there was a concern that the capacity of the road network would be exhausted, and increased traffic would cause safety and amenity issues in the area.

In considering these concerns, it should be noted that a Traffic Impact Assessment (TIA) was prepared to assess the proposed road network and traffic implications for the precinct ([Attachment 6](#)). This assessment has been informed by the previous modelling undertaken by the Public Transport Authority (PTA) in 2015 for the Redcliffe Train Station, but updated as follows:

- The modelling is premised on the precinct being fully built out by 2031 at a moderate yield so that the modelling overestimates impacts in the event that development occurs faster than anticipated.
- The modelling now includes the DFO and Costco development in Perth Airport estate.
- Central Avenue and Bulong Avenue have been modelled based on their current cul-de-sac configuration.

A summary of the key findings and recommendations made in both assessments, as relevant to the draft ACP, are as follows:

- Traffic will increase on most roads over time particularly from the introduction of the Redcliffe Train Station and uses undertaken in Perth Airport estate. Traffic increases will also occur from the redevelopment and intensification of uses within the Redcliffe Station precinct however this is expected to occur over a longer time frame (including beyond 2031).
- Modelling indicates that PM peak period experiences a higher level of traffic in the precinct, predominantly from vehicles accessing the commercial land uses in Perth Airport estate. Peak hour vehicle trip generation for each land use are shown in Table 2 below.

Item 12.1 Continued

Land Use	AM Peak Hour		PM Peak Hour	
	Arrival	Departure	Arrival	Departure
Commercial	174	31	41	164
Residential	260	779	870	429
Redcliffe Primary School	125	125	0	13
Costco and DFO	145	97	494	494
Train Station (Park n Ride and Kiss n Ride)	500	200	200	500
Total	1,204	1,232	1,605	1,600

Table 2: Estimated Peak Hour Trip Generation by Land Use (2031)

- Traffic generated from land uses contained within the Redcliffe Station precinct will have limited impact on surrounding land uses, with the type and scale of traffic generated by adjacent commercial land uses overall exceeding and having a more apparent impact on the network.
- Modelling of peak hour street network volumes for 2021 and 2031 (refer to Table 3 and Figure 9 below) indicates that:
 - Coolgardie Avenue and First Street will serve as an access route through the precinct to commercial land uses in Perth Airport estate.
 - Traffic volumes on Central Avenue, Second Street and Stanton Road are predominantly attributed to Qantas operations at Terminal 3, the DFO and Costco developments, and in the future the Redcliffe Train Station.
 - In the long term, the relocation of Qantas operations will marginally decrease traffic volumes experienced on Central Avenue, Second Street and Stanton Road.

Street Segment	2021 Forecast Flows		2031 Forecast Flows	
	AM	PM	AM	PM
Coolgardie Avenue (Between Great Eastern Highway and First Street)	480	500	1,260	1,480
First Street (Central Avenue to Coolgardie Avenue)	180	200	930	1,070
Kanowna Avenue (First Street to Second Street)	40	90	250	80
Stanton Road (Morrison Street to Kanowna Avenue)	890	1,230	830	920
Central Avenue (Dunreath Drive to Second Street)	840	1,260	1,160	1,370

Table 3: Forecast Peak Hour Traffic Volumes by Street (2021 and 2031)

Item 12.1 Continued

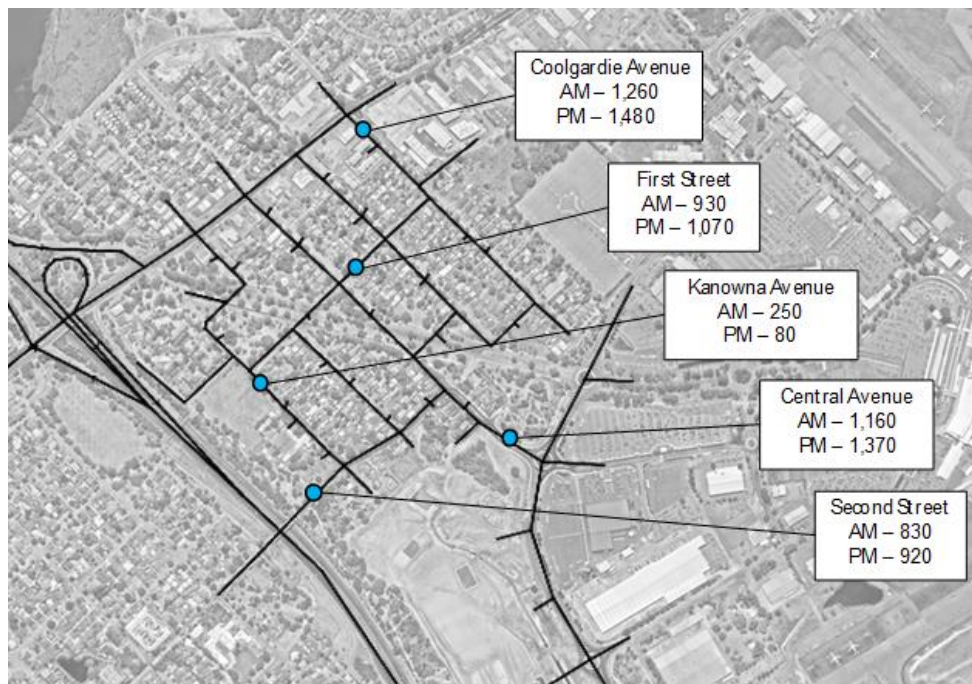


Figure 9: 2031 Street Network Modelling Results

- There is potential for vehicle through-movement in the Redcliffe Station precinct due to continuing activities on the Perth Airport estate, namely the operation of Qantas from Terminal 3 and the DFO and Costco developments.
- Coolgardie Avenue will reach practical design capacity during both the AM and PM peak periods from traffic predominantly accessing the Redcliffe Train Station Park 'n' Ride facility and commercial land uses in Perth Airport estate.
- Aside from Coolgardie Avenue, all streets and intersections will be capable of accommodating forecast traffic subject to the implementation of traffic management measures.

To address several issues identified through modelling, the TIA proposes measures to minimise through-movements in the precinct and improve overall safety. More specifically, it recommends the following:

- Road and streetscape upgrades should be designed to slow traffic, including measures such as on-street parking, differing pavements, narrowed carriageway (in certain areas) and encourage pedestrian movements.
- Traffic speeds should be controlled through a posted speed limit of 40 kilometres per hour and the implementation of various traffic calming/management measures.
- The Central Avenue/Second Street intersection should be signalised to manage traffic volumes, discourage through movements and to facilitate pedestrian movements to the future Redcliffe Train Station.
- The through-connection of Bulong Avenue and Central Avenue to GEH should only occur when:

Item 12.1 Continued

- Great Eastern Highway is widened to six lanes with a solid median strip in the middle that restricted access to left-in/left-out movements only.
 - Qantas relocates all operations from Terminal 3 at Perth Airport (earmarked to occur in 2025).
 - Further analysis is undertaken by the City and MRWA to determine that the overall function of the road network warrants additional connections to GEH for local traffic movements.
- All roads within the Redcliffe Station precinct should maintain their existing classification under the MRWA Functional Road Hierarchy as their intended purpose will not change.

In light of the above, it is recognised that traffic will increase in the area over time, particularly as a result of the Redcliffe Train Station and eventually from redevelopment within the precinct. It is reasonable to expect some increase in traffic volumes in the area as population increases, and modelling suggests that these increases can be accommodated by the local road network. It is recognised however that improvements should be made to the local road network to discourage through-movements accessing Perth Airport, reduce traffic speeds, and create a more safe and pedestrian-friendly environment. It is considered that the approach of redesigning the local road network to slow traffic, as opposed to allowing fast free-flowing traffic, is sound, with its precise layout including traffic management measures being later confirmed through detailed design work.

Second Street and Central Avenue Intersection

The draft ACP proposes the signalisation of the Central Avenue and Second Street intersection to deter traffic through-movements in favour of a slow, pedestrian environment adjacent to Redcliffe Train Station. Submissions received from Metronet and MRWA questioned whether this intersection required signalisation, and suggested that a roundabout treatment would be preferred. In considering this feedback, the following should be noted:

- A roundabout would support free-flowing and faster traffic flows, which would not be conducive to safe pedestrian access to Redcliffe Train Station.
- Modelling indicated that a signalised or stop-sign controlled intersection would deter traffic through-movements in the precinct and favour the use of the existing regional road network. This is on the basis that it would be slower and therefore less desirable for vehicles to utilise Stanton Road/Second Street to access Perth Airport compared to accessing from Tonkin Highway or Fautleroy Avenue.

In light of the above, a roundabout treatment at the Second Street and Central Avenue intersection is not supported. It should be acknowledged however that the signalisation of the intersection would ultimately require approval from MRWA which may not be forthcoming in the short-term. Given that this intersection requires immediate control to deter traffic through-movements in the precinct, it is considered that converting to a stop-sign controlled intersection could equally slow traffic and serve as an interim measure. The draft ACP has therefore been modified to reflect this approach, however it maintains that this intersection should ultimately be signalised in the long-term to accommodate growing traffic demands. This would also afford the opportunity to monitor demand on the intersection, as well as further liaise with MRWA on ultimate design and approval requirements.

Item 12.1 Continued

Bulong Avenue and Second Street Connection (Road 3)

The draft ACP proposes to extend and connect the existing Bulong Avenue and Second Street cul-de-sacs to improve permeability of the road network immediately surrounding Redcliffe Train Station. Despite the Redcliffe Train Station incorporating a 'Kiss and Ride' area on its southern side, there is a concern that these roads could inadvertently be used in a similar manner, with their current cul-de-sac configuration potentially giving rise to traffic congestion. It has therefore been suggested by the draft ACP that the connection of this road should be delivered by the State as part of construction works for Redcliffe Train Station.

Submissions received during the pre-consultation period raised concerns that linking these roads could encourage and increase traffic movements along Coolgardie Avenue. In addition, the PTA disputed that the connection was required as a result of traffic from Redcliffe Train Station, and suggested that if these roads were to be connected, the works should be completed as part of the broader redevelopment of the area. In light of these concerns and in recognising that there is no evidence to suggest that these roads would attract vehicles accessing Redcliffe Train Station, the draft ACP has been modified to remove this connection. Nonetheless, the draft ACP still recognises that this connection could be delivered in the future should demand arise.

Public Open Space

The provision of adequate POS within the Redcliffe Station precinct was raised as a main concern during the pre-consultation period. The key considerations regarding POS provision are discussed below.

Public Open Space Criteria

The criteria for POS provision is set out in the WAPC's Liveable Neighbourhoods and Development Control Policy 2.3 – Public Open Space in Residential Areas. The usual requirement is that 10% of developable land is to be provided as POS, which may include a range of functions such as recreation, conservation and drainage, although there are limitations on credit allowances, including:

- Existing schools, reserves, dedicated drainage (detention of stormwater for a 1:1 year storm event) and purely commercially zoned land is not credited as POS.
- A minimum of 8% of the required 10% POS must provide for active and passive recreation, but may also include drainage areas that do not accommodate storm events equal to or less than a 1:5 year event.
- The remaining 2% (of the 10%) may comprise 'restricted POS', being areas that incorporate stormwater captured from between 1:1 year and 1:5 year events.

It should be noted that in the case of mixed use development, there is no minimum requirement for the provision of POS. Instead, Liveable Neighbourhoods outlines that the POS requirement is to be determined by the WAPC on a case-by-case basis, having regard to:

- The amount of mixed uses proposed and the potential number of residents;
- The amount of POS available in 300m of the mixed use area;

Item 12.1 Continued

- The proportion of the mixed use area likely to be used for non-residential purposes; and
- The level of innovation and quality of the resultant urban form in neighbourhood and town centres.

The above POS criteria as it relates to the Redcliffe Station precinct are discussed below.

Existing Public Open Space Provision

The existing POS provision within the Redcliffe Station precinct consists of several 'pocket parks' surrounding the Brearley Avenue road reserve and comprises a total area of approximately 3.55ha of creditable POS, representing 9.72% of developable area. These existing POS areas are currently maintained to a basic standard and contain limited infrastructure, however the presence of mature trees significantly contributes to the amenity of these areas.

Advertised Public Open Space Provision

The draft Redcliffe Station ACP advertised during the pre-consultation period proposed approximately 3.66ha of POS, which equated to 8.72% of developable land within the precinct. The POS was proposed to comprise of the following areas:

- Public Open Space Corridor (POS 1 – 3): These POS areas would comprise approximately 2.35ha and form the main spine within the precinct, linking GEH with the future Redcliffe Train Station, via the former Brearley Avenue road reserve. The area would be developed to incorporate a realigned Southern Main Drain and passive and active recreational spaces.
- Station Plaza (POS 4): This POS area would comprise 5,581m² and surround Redcliffe Train Station and be developed as an 'urban plaza' to accommodate high levels of activity and pedestrian use.
- Linear Woodland Green Link (POS 5): This POS area would comprise 5,073m² and be formed from surplus Tonkin Highway road reserve, situated behind Redcliffe Primary School, and linking Victoria Street North and Stanton Road.

In addition to the above, opportunities were identified for additional POS to serve the precinct in the form of the shared use of the existing Redcliffe Primary School oval (comprising approximately 1.5ha) and adjacent areas within Perth Airport estate. It should be noted that the advertised POS provision aligned with the adopted DA6 Vision Plan, with the exception of POS 5 which was provided as an additional area of POS.

The following issues were identified from feedback received on the draft ACP and proposed POS provision:

- The community expressed a desire for POS provision to be increased to 10% of developable land within the area, to align with the standard requirement.
- The PTA and Metronet advised that the Redcliffe Train Station plaza could not form part of POS 4 as it is PTA controlled land dedicated for the purpose of operating and maintaining the railway.

Item 12.1 Continued

- Main Roads Western Australia provided no indication on whether the road reserve behind Redcliffe Primary School was surplus to the needs of the Tonkin Highway to form POS 5.
- The Department of Education's support for a shared use arrangement of the Redcliffe Primary School oval was contingent on additional land being secured from the Department of Communities to increase the size of the school site.
- Perth Airport provided no indication of whether any opportunities exist to utilise adjacent land within their estate for POS. Notwithstanding, previous discussions with Perth Airport have suggested if POS was to be provided, its ongoing use could not be guaranteed in the long-term.
- A submitter requested that POS 1 be expanded to encompass an existing area of POS that contains several mature native trees, located adjacent to Seasons Funeral Parlour.
- A submitter requested that POS 3 be expanded to encompass the adjacent proposed State development site.

It should be noted that the removal of POS 4 and 5 would result in a significant reduction in POS provision of approximately 1.06ha, reducing the total provision to approximately 2.6ha, and being 0.95ha less than the existing provision.

Modified Public Open Space Provision

In response to the issues raised during the pre-consultation period, the draft Redcliffe Station ACP has been modified as follows:

- POS 1 has been expanded to encompass the existing area of POS adjacent to Lots 128-130 No. 401 GEH (Seasons Funeral Parlour);
- POS 3 has been modified and expanded to encompass existing Crown reserve that had been identified for a State development site; and
- POS 4 and 5 have been removed as a POS.

Plans illustrating the advertised and modified POS provision are provided as [Attachment 5](#).

The result of these changes increases POS provision to approximately 3.79ha, representing 9.46% of developable land within the area and a shortfall of 2,155m². A detailed analysis of the existing, advertised and proposed modified POS provision for the Redcliffe Station precinct is outlined by Table 4 below.

Item 12.1 Continued

Provision	Existing	Advertised	Modified
Gross Area	49.1827ha	49.0907ha	49.1827ha
Deductions			
Redcliffe Primary School	3.4957ha	3.2614ha	3.2614ha
MRS Reservation	2.9496ha	0ha	1.5469ha
Brearley Avenue Road Reservation	3.6764ha	0ha	0ha
Dedicated Drainage (1:1 year) and Southern Main Drain Reserves	1.0977ha	0.3567ha	0.3567ha
Mixed Use and Commercial Zones (25%)	1.4126ha	2.1726ha	2.11565ha
Redcliffe Train Station	0ha	1.2871ha	1.82ha
Total Deductions	12.632ha	7.0778ha	9.1007ha
Total Net Developable Area	36.5507ha	42.013ha	40.082ha
POS Required @ 10%	3.6551ha	4.2013ha	4.0082ha
Total POS Provided	3.5518ha	3.6623ha	3.7927ha
Total POS Provision	9.72%	8.72%	9.46%

Table 4: Public Open Space Provision

In considering the implications for the proposed modified POS provision, the following points are relevant:

- The expansion of POS 1 and 3 will encompass existing Crown reserve, avoiding the need to acquire any privately owned land, as well as support the retention of mature trees within public land.
- The proposed POS areas (POS 1 – 3) are intended to be developed as a high amenity space with quality infrastructure, and will exceed a typical basic standard, representing ‘quality over quantity’.
- The modified plan increases the amount of POS in the area by 2,409m² however it will decrease the amount of Crown land available for State development sites by approximately 1.1ha, from 3.1ha to 2ha.
- The modified POS areas comprise approximately 3.52ha of unrestricted POS, representing 8.76% of the 10% requirement and exceeding the standard of 8% unrestricted as stipulated by Liveable Neighbourhoods. Additional areas of POS could be provided as restricted POS to achieve the 10% requirement, but would provide no additional recreational benefit.
- An increase in POS provision will increase the cost of landscaping works required within the POS, and in turn increase the cost contribution rates under the proposed DCP.
- A decrease in the amount developable land will reduce the area of land contributing to the DCP, thereby increasing the cost contribution rates for remaining developable land.

Item 12.1 Continued

- The POS shortfall of 2,155m² or 0.54% could be supplemented by a cash-in-lieu contribution made by developers, however this is not recommended as it would increase the contribution rates under the DCP, and no plan exists for how the contribution would be spent, whether it is on land acquisition and/or enhancement of POS.
- The Redcliffe Train Station plaza (formerly POS 4) will still serve as a landscaped passive recreational space, irrespective of whether it is classified as POS.
- Even though the arrangement cannot be secured at this point in time, opportunities still exist to explore the shared use of the existing Redcliffe Primary School oval for public recreation purposes. While the school oval cannot technically be included for the 10% POS calculation, it would in reality provide an additional 1.5 hectares of open space for public recreation. Although not formally accepted as POS, this would lift the precinct's open space to 12.71%.
- The Redcliffe Station precinct is located within close proximity to Selby Park which can be accessed via the pedestrian bridge linking Victoria Street North to Selby Park.

In light of the above, it is considered that the modified provision of approximately 3.79ha or 9.46% represents a balanced approach to facilitating adequate POS within the precinct.

Water Management

The WAPC's Better Urban Water Management (2008) guideline document stipulates that a Local Water Management Strategy (LWMS) is to accompany an ACP. Typically, a LWMS is a broad drainage strategy for a development area that addresses the management of additional quantities of stormwater created from urban development. An LWMS is currently being prepared to support the ACP in accordance with the WAPC's guideline document. The key elements of the proposed water management approach for the precinct include:

- The realignment of the Southern Main Drain from an open channel to an 'urban stream' traversing POS 1 and 2, and piped through POS 3.
- All stormwater events currently accommodated by the Southern Main Drain (i.e. 1:1 and 1:5 year events) will continue to be accommodated within the realigned urban stream.
- The 1:100 year stormwater event which is currently accommodated by the Southern Main Drain and surrounding open space areas are intended to be accommodated within POS 1 and 2, subject to further detailed modelling and design.
- All stormwater events currently accommodated on private landholdings will continue to be required to detain stormwater on site. This will require any development proposals to demonstrate that sufficient capacity is available to achieve on site storage and infiltration on site.
- Stormwater runoff from the local road network and public realm areas will be captured by rain gardens and the street drainage network.

Item 12.1 Continued

To enable assessment and feedback of the proposed water management approach in the precinct, the LWMS should be finalised prior to the commencement formal advertising.

Southern Main Drain

The Southern Main Drain is a regional stormwater drain that traverses the precinct, carrying water from Kalamunda to the Swan River, and forms as a State Government asset. As outlined above, a key aspect of the draft ACP is the proposed realignment and conversion of the existing Southern Main Drain from an open channel ditch drain to an 'urban stream' through POS 1 and 2, and a piped system through POS 3. The purpose of the realignment is to de-constrain the existing reserve for use as POS and State development sites, and deliver a high amenity and contemporary water sensitive urban design outcome.

The urban stream concept is proposed to have a combination of landscaped terraced and battered edges, differing from a traditional 'living stream' concept which typically have landscaped battered edges only and seek to resemble a natural water course. The intent of the urban stream and piped concept is to balance the integration of drainage with useable POS and the retention of existing mature trees, whilst also achieving best-practice water sensitive urban design principles. A living stream concept, with its battered edges (1:6 gradient), would have a greater land requirement, and in turn result in the removal of mature trees, the reduction of usable POS and potentially give rise to the need to acquire private land to accommodate drainage and/or POS. For this reason, the urban stream and piped concept is considered a more practical solution for this precinct, delivering a greater amenity outcome whilst also addressing water conveyance, management and quality requirements.

The draft ACP includes concept plans illustrating a proposed alignment and design of the Southern Main Drain however, these concepts have not been endorsed by the relevant State Government agencies. This is on the basis that the agencies prefer a traditional 'living stream' concept as it strictly aligns with the State's position on urban water management practice. Irrespective, it is considered appropriate to maintain the abovementioned position on the design of the Southern Main Drain, which would ultimately be determined by the WAPC in its decision on the draft ACP. Whilst the ultimate design of the Southern Main Drain is not finalised, it should be noted that the draft LWMS will still outline appropriate water management principles that would inform future decision making for the precinct.

Bushfire Management

The southern portion of the Redcliffe Station precinct is designated as 'bushfire prone' due to its proximity to bushfire prone vegetation located within the Tonkin Highway reservation and Perth Airport. State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP 3.7) requires that any strategic planning proposal containing bushfire prone areas should be accompanied by a BMP to ensure that the threat posed by any hazard is appropriately mitigated in accordance with the WAPC's Bushfire Protection Guidelines.

Following the pre-consultation period, a BMP has been prepared ([Attachment 7](#)) and modifications have been made to the draft ACP to reflect its findings and recommendations. The main aspects and recommendations include:

Item 12.1 Continued

- Areas of existing vegetation in the Tonkin Highway reserve and within Perth Airport estate represent 'Moderate' and 'Extreme' bushfire hazards.
- The BAL assessment completed for the site indicates that a BAL rating of BAL-29 or less can be achieved at future habitable buildings across the majority of the site. The south-western and eastern portions of the site however will be subject to a BAL rating of BAL-40 and BAL-FZ (refer to Figure 10 below).
- Where a property is subject to a BAL rating of BAL-40 and/or BAL-FZ, development will need to be designed to ensure that habitable buildings achieve BAL-29 or less through the siting and setback of buildings within the site. Alternatively, for properties located adjacent to Tonkin Highway, a shallower setback distance could be achieved through further analysis.
- Buildings proposed in locations subject to a BAL rating will need to satisfy higher construction requirements in accordance with Australian Standard AS3959: Construction of buildings in bushfire prone areas.
- Access to the precinct is available to the north-west, south-west and south-east of the site via GEH, Stanton Road and Dunreath Drive, respectively, which will remain available to residents and emergency services.
- All existing public roads within the site and surrounding area comply with the minimum standards set out in the Bushfire Protection Guidelines.
- The site is currently supplied with scheme water and fire hydrants.

It should be noted that the BAL assessment contained within the BMP is intended to form a conservative assessment of potential bushfire risk posed to the area for the purposes of informing the ACP. Given that changes can occur in vegetation, it is likely that a revised BAL assessment and BMP will need to be prepared to support future subdivision and development applications within the area. It should also be noted that some of the identified bushfire prone vegetation may be cleared as part of imminent upgrades to Tonkin Highway.

Item 12.1 Continued

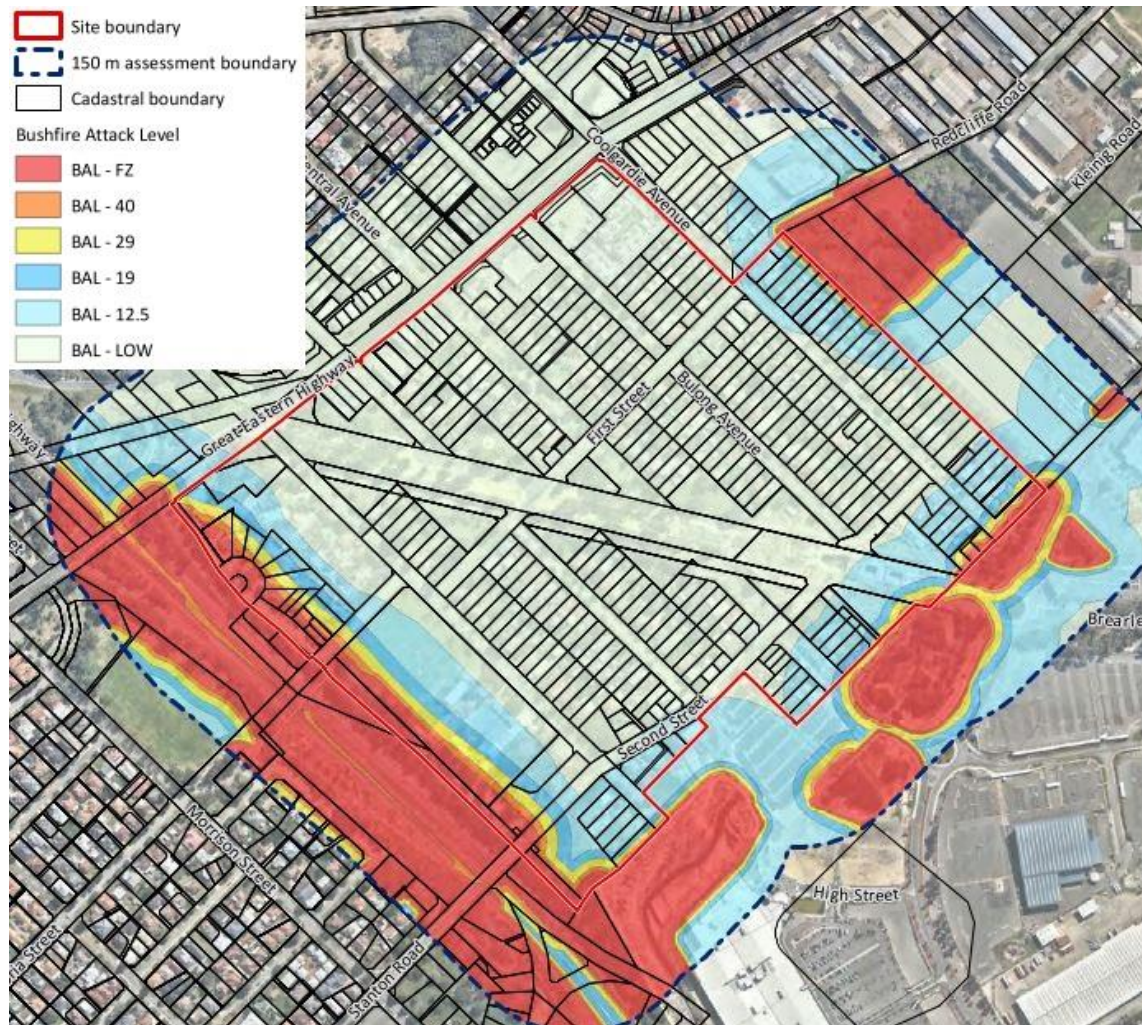


Figure 10: Bushfire Attack Level (BAL) Assessment Contour Plan

Transport Noise

The Redcliffe Station precinct is bounded by Tonkin Highway and GEH and contains the Redcliffe Train Station, and is therefore subject to transport noise and the requirements of State Planning Policy 5.4 – Road and Rail Noise (SPP 5.4). State Planning Policy 5.4 aims to protect major transport corridors from incompatible urban encroachment and protect people from unreasonable levels of transport noise by establishing a ‘noise target’ for new noise-sensitive development and mitigation requirements to be applied through the planning process.

State Planning Policy 5.4 provides for the assessment of noise impacts to be undertaken by way of:

1. Preparing a comprehensive noise management plan that provides a site-specific noise assessment and recommended noise mitigation measures; or
2. Applying the Policy’s noise exposure forecast table to estimate noise impacts based on proximity to major transport corridors and assign noise mitigation requirements based on predicted impact.

Item 12.1 Continued

The approach of undertaking a comprehensive noise assessment as part of the ACP was not preferred on the basis that substantial upgrading works are proposed to Tonkin Highway and GEH which could alter noise impacts, and noise associated with the Redcliffe Train Station is currently unknown. As such, the draft Redcliffe Station ACP has been modified, as follows:

- The Policy's noise exposure forecast table has been applied to identify properties that will be required to implement noise mitigation measures to address noise impacts from Tonkin Highway and GEH only.
- Properties located within 100m of Redcliffe Train Station have been identified as requiring a noise management plan to be prepared to support any future development proposal.

Figure 11 below illustrates the proposed application of the SPP 5.4 requirements to the precinct area. Despite the above, it should be noted that it will remain open for the ACP to be amended at a later date should new information pertaining to noise become known, and also developers may still choose to undertake noise assessments should they wish to adopt alternative noise mitigation requirements.

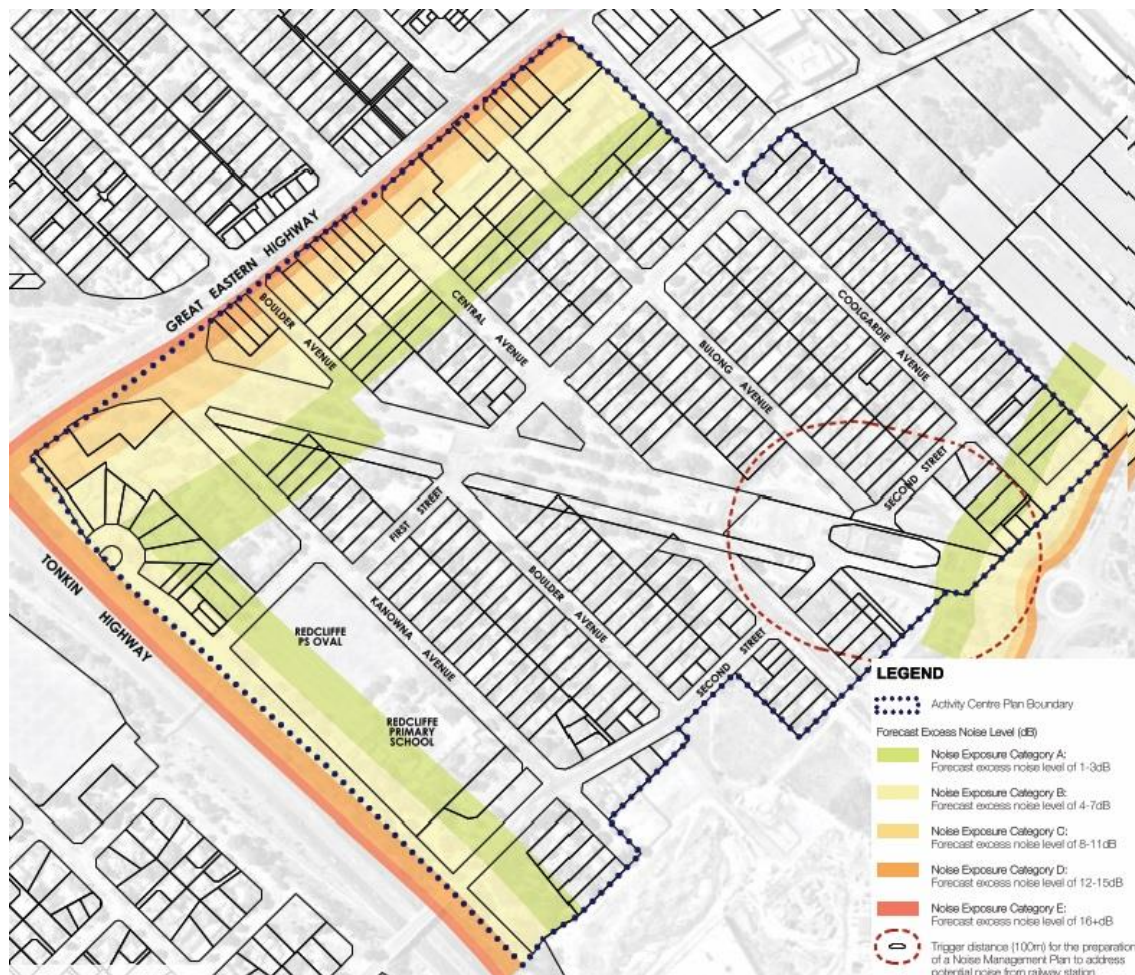


Figure 11: Noise Assessment and Mitigation Requirements

Item 12.1 Continued

Proposed Scheme Amendment

The draft Redcliffe Station ACP has been prepared to coordinate the future zoning, development and subdivision of land within the DA6 precinct. Notwithstanding, LPS 15 serves as the principal statutory planning tool for controlling land use and development within the City of Belmont. The ACP is intended to serve as a 'due regard' document, and to have statutory force and effect, its key elements are required to be incorporated into LPS 15 via an amendment. This could be alternatively achieved through a State-initiated Improvement Scheme, however the WAPC have indicated that they would not be willing to progress an Improvement Scheme for the precinct, and rather an amendment to LPS 15 should be undertaken.

In light of the WAPC's position, Council's initiation of an amendment to LPS 15 is sought to provide for the progression and statutory implementation of the draft ACP. The key aspects of the proposed amendment include:

1. Modifying the zoning and reservation of land within the precinct.
2. Adjusting the boundaries of, and introducing provisions for, the DA6 SCA.
3. Introducing provisions to establish a DCP for the purposes of sharing the cost of common infrastructure delivery amongst developing landowners.
4. Reclassifying and applying a new separate SCA to existing Industrial land to the north-east of the ACP area that is predominantly owned by Perth Airport.

The key considerations of each component of the proposed amendment are discussed below.

Zoning, Reservation and Density

Local planning schemes apply zones and reserves to land within district, via a scheme map, to control land use and development. To inform future planning for the precinct, the draft Redcliffe Station ACP illustrates future zones, reserves and densities which are intended to be incorporated, or 'normalised', into the LPS 15 Scheme Map. As the zoning, reservation and density proposed by the draft ACP are currently inconsistent with LPS 15, it is necessary to amend the Scheme Map by one of two ways:

1. Normalise the zoning, reservation and residential density of land to accord with the ACP; or
2. Apply a generic 'Urban Development' zoning over the entire precinct and defer to the ACP for the specific zonings, reservations and density of land within the area.

In considering the above, it should be noted that irrespective of each option, there is an expectation that the zoning, reservation and density provided by an ACP be eventually normalised into the LPS 15 Scheme Map. The key difference between the two options simply relates to the timing of normalisation, with option 1 providing for normalisation from the outset and option 2 serving as an interim zone with normalisation occurring at a later date.

Item 12.1 Continued

Flexibility to Undertake Review

In instances where an ACP has been developed to such a stage where the boundaries of the zonings, reservations and densities are established and are not likely to be modified, it is logical to simply reclassify land based to its ultimate zone, reserve or density as per option 1 above, rather than undertaking a later review of the ACP and LPS 15. Where the zoning, reservation or density is not finalised or may be reviewed, it is considered appropriate to adopt an interim and generic zoning over the entire precinct, as per option 2, which simply acts to defer to the ACP requirements.

In considering the two options, whilst there is merit normalising the zoning, reservation and density of land within the precinct from the outset, it is acknowledged that the need may arise to review these elements of the ACP. Option 2 would provide greater flexibility to undertake a review of the ACP and respond to any early implementation issues, without needing to progress a formal scheme amendment. Given the timeframes and processes involved in undertaking a scheme amendment, it is considered that this would prove cumbersome and undermines the ability to be responsive to development trends and community needs.

Due Regard Consideration

Whilst option 2 would rely on the rigour of the ACP to control land use and development, its status as a 'due regard' document should not be underestimated. A decision-maker will not simply need to have 'regard' to the ACP when making a decision on an application in the area, and rather a mandatory obligation would exist to consider and apply the document. The term 'due regard' is commonly used throughout the WA planning framework and has been the subject of numerous legal challenges that have continued to prove its weight in the consideration of planning matters.

Procedural Consideration

Council's initiation of an amendment would commence the process of changing the zoning, reservation and density of the precinct under LPS 15. From a process perspective, normalising the zoning, reservation and density of land from the outset as per option 1 would require some level of certainty on the configuration and boundary of each zone, reserve and density. This is on the basis that Council's ability to modify and readvertise an amendment following its initiation is limited to instances where the modifications respond to issues raised in the submissions. Instead, control over this process would rest with the WAPC, who in any event would, along with the Minister for Planning, be the final decision makers on the amendment. This could prove problematic for the Redcliffe Station precinct given that some uncertainty still exists on the precise configuration of POS and therefore its reservation. For this reason, the initiation of an amendment that applies a generic zoning over the entire precinct, as per option 2, would be more conducive to an efficient and flexible process.

Urban Development Zoning

For the reasons outlined above, it is recommended that Council proceed with initiating an amendment as per option 2 and apply a generic 'Urban Development' zoning over the entire precinct, with the specifics of zoning, reservation and density being provided by the ACP. It should be noted that the 'Urban Development' zone does not currently exist in LPS 15 and therefore the subject amendment will seek to introduce this as a new zone, by way of:

Item 12.1 Continued

- Introducing an Urban Development zone objective into the LPS 15 Scheme Text, as follows:

“To provide for the progressive and planned development of future urban areas for residential purposes and commercial and other uses normally associated with residential development.”

- Inserting the Urban Development zone into Table 1: Zoning Table of the LPS 15 Scheme Text with a notation stating that the development and use of land shall be in accordance with a structure plan approved in accordance with the Regulations.
- Amending the LSP 15 Scheme Map legend to include the Urban Development zone.

It should be noted that the Urban Development zone is a ‘Model Provision’ zone under the Regulations, which is intended to be utilised by all local governments to provide consistency in interpretation and decision making.

Special Control Area

A SCA is a designated area under a local planning scheme that is considered to be significant and warrant special planning provisions. The DA6 precinct is identified as an SCA under LPS 15 that requires comprehensive planning to be undertaken through an approved structure plan, prior to subdivision and development being progressed. The DA6 SCA is established within Schedule No. 9 of the LPS 15 Scheme Text, which contains the statutory provision requiring a structure plan for the precinct, and is depicted spatially on the Scheme Map. The establishment of a DCP also requires the designation of a separate SCA under Schedule No. 11 of LPS 15. The key considerations relating to the SCA provisions for the DA6 precinct are discussed below.

Spatial Area

The spatial area of the DA6 SCA encompasses the Redcliffe Station ACP precinct, as well as land within Perth Airport’s Airport West Precinct, as defined by the Perth Airport Masterplan 2020. A majority of land within the Airport West Precinct is reserved for ‘Public Purposes – Commonwealth Government’ under the MRS, however land to the north-east of the ACP area is zoned ‘Industrial’ under LPS 15 and ‘Urban’ under the MRS. All land within the Airport West Precinct is owned by the Commonwealth Government and leased to Perth Airport, with the exception of one property located at the corner of Dunreath Drive and Fauntleroy Avenue which is privately owned. A plan showing the spatial area of the DA6 SCA follows.

Item 12.1 Continued



Figure 12: Development Area 6 Special Control Area

It should be noted that irrespective of the zoning or reservation of land under a local planning scheme and the MRS, Perth Airport are not subject to any local or State planning controls. On this basis, their land is not included within the Redcliffe Station ACP area. Rather, in accordance with the requirements of the *Commonwealth Airports Act 1995*, development is required to be undertaken in accordance with the Perth Airport Master Plan 2020. In terms of the Airport West Precinct, the Master Plan designates a majority of the SCA land with a 'Commercial' zoning which supports a wide mix of commercial land uses and favours more intensive development immediately around the Redcliffe Train Station.

Whilst both LPS 15 and the draft Redcliffe Station ACP have no jurisdiction over Perth Airport's leasehold, it is considered that there is merit in maintaining the SCA over the portions of the Airport West Precinct that surround the Redcliffe Station Precinct. Maintaining the SCA establishes clear expectations for the future planning of this land in coordination with the Perth Airport Master Plan. More specifically, given that this area directly abuts the Redcliffe Station precinct which will contain residential uses, careful consideration should be given to its interface and the composition of compatible land uses. Opportunities also exist to explore POS provision within this location, which could serve both the Redcliffe Station precinct as well as the wider surrounding commercial and industrial area. Whilst the SCA would not be legally binding for Perth Airport, it would provide recognition of the key considerations for interface planning within the Perth Airport estate.

Item 12.1 Continued

Since the DA6 SCA boundaries were established in 2008, substantial development has occurred within the Airport West Precinct, including the establishment and realignment of roads. It is considered appropriate to make minor adjustments to the SCA boundary for consistency with the subsequently established road alignments, and update the spatial description in Schedule No. 9 of LPS 15 accordingly. The alignment will encompass a majority of land in the Airport West precinct designated with a 'Commercial' zoning under the Master Plan, generally encapsulating land located between 600m to 800m from Redcliffe Train Station.

Provisions

The existing DA6 SCA provision in Schedule No. 9 of LPS 15 requires a structure plan to be prepared prior to any subdivision or development being undertaken within the precinct. To add statutory weight to key elements of the draft Redcliffe Station ACP, it is recommended that several additional provisions be applied to the DA6 SCA. More specifically, it is considered that additional provisions should be included that require:

- All subdivision and development to be undertaken in accordance with an adopted structure plan and any relevant local planning policy.
- Compliance with the minimum development site area and frontage requirements, as stipulated by an adopted structure plan and any relevant local planning policy.
- Compliance with the minimum residential density, minimum and maximum building height and setback and maximum plot ratio requirements, as stipulated by an adopted structure plan and any relevant local planning policy.
- Holistic consideration of land assembly proposals through the development and/or subdivision processes to ensure development potential is maintained as intended by the ACP.

The proposed provisions relating to points 1 – 3 above are intended to apply the key primary controls for subdivision and development within the precinct, and provide a statutory link between LPS 15 and the ACP. It should be noted that these provisions are also intended to link LPS 15 with the future Design Guidelines (prepared as a local planning policy), which along with LPS 15, is expected to ultimately control subdivision and development within the precinct when the ACP is eventually normalised and revoked.

In terms of point 4 above, the purpose of this provision would be to ensure that any amalgamation and development undertaken within the precinct does not result in uncoordinated development outcomes. The minimum site area requirements provided by the ACP are intended to encourage land assembly within the precinct to facilitate high quality built form outcomes. It is acknowledged that not all landowners would be willing to undertake development at the same time, which could eventually result in properties being 'left out' and unable to meet the minimum site area requirements in order to develop. While it is not appropriate to impose an inflexible plan that dictates which properties must be amalgamated, it is considered necessary to require consideration of holistic planning outcomes when determining applications for subdivision or development to avoid this issue arising.

Item 12.1 Continued

Development Contribution Area

In order to establish a DCP over the Redcliffe Station ACP area, it is necessary to establish a 'Special Control Area – Development Contribution Area' on the LPS 15 Scheme Map. The purpose of this notation is simply to define the area for which the DCP applies, which will encompass land bound by GEH, Coolgardie Avenue, Redcliffe Road, Perth Airport and Tonkin Highway, Redcliffe. It should be noted that whilst the Special Control Area will encompass land which is not liable to make a contribution under the DCP, for example Redcliffe Primary School, existing road reserves and POS, the DCP itself will control the manner in which contributions are applied. This is discussed further below.

Development Contribution Plan

A DCP is a statutory instrument established under a planning scheme, and administered by State agencies or local governments, that provides for the sharing of infrastructure delivery costs amongst landowners. State Planning Policy 3.6 – Development Contributions for Infrastructure (SPP 3.6) sets out the principles and considerations that apply to development contributions for the provision of infrastructure in new and established urban areas, as well as the form, content and process to be followed. A DCP operates by requiring landowners to make a financial contribution towards infrastructure when undertaking subdivision and/or development, with the funds collected being expended in accordance with an adopted staging plan.

On 10 December 2019, Council resolved to support the preparation of a DCP to provide for the sharing of infrastructure costs amongst developing landowners within the precinct, and to facilitate the implementation of the ACP. The progression of a DCP for the Redcliffe Station ACP area requires LPS 15 to be amended to insert operational provisions into Schedule No. 11 of the Scheme Text. The format of the operational provisions is standardised by SPP 3.6, and are required to stipulate the following:

- The infrastructure and administration items that are to be funded through the DCP;
- The methodology for calculating cost contributions;
- The timing and priority of infrastructure delivery;
- The operational timeframe of the DCP; and
- The process for reviewing the DCP and reporting requirements.

The key aspects of the proposed DCP are discussed below.

Infrastructure and Administration Items

The redevelopment of Redcliffe Station precinct requires significant investment in infrastructure and ongoing administration to support both new development in the area and the operation of the future Redcliffe Train Station. The key infrastructure and administration required in the area includes:

- The realignment and landscaping of the Southern Main Drain;
- The development of POS;
- The construction of new roads;

Item 12.1 Continued

- The upgrading of existing roads, including intersection treatments;
- The undergrounding of existing powerlines;
- The upgrading of water and wastewater infrastructure;
- Relocation of certain service infrastructure; and
- The ongoing administration of the DCP by the City of Belmont.

The need for the infrastructure included in the DCP must be clearly demonstrated (need) and the connection between the development and the demand created should be clearly established (nexus). Table 5 below outlines the infrastructure and administration items proposed for inclusion in the DCP, their associated cost estimate and the rationale for their inclusion in the DCP.

No.	Infrastructure & Administration Item	Rationale	Estimated Cost
1A	Development of Public Open Space Corridor (POS 1, POS 2 and POS 3)	The Public Open Space Corridor will serve as recreational space for future residents and contribute to the overall POS provision for the precinct. As such, it directly benefits and is needed as a result of future development within the precinct.	\$4,120,238
2A	Construction of Road 1 (Kanowna Avenue to Boulder Avenue)	The construction of Road 1, and the removal of the existing temporary road infrastructure, will serve as an access point from the precinct and allow for the creation of POS 2, which will directly benefit and is needed as a result of future development within the precinct.	\$389,000
2B	Upgrade all Local Roads	The upgrade of local roads within the precinct will improve the streetscape amenity, slow traffic and encourage walking/cycling in the precinct. These upgrades are required to support the intensification of land use and development within the precinct.	\$6,800,000
3A	Electricity Infrastructure – Underground Network	The undergrounding of power within the precinct will improve streetscape amenity, safety and reliability of the power network. As such, it directly benefits and is needed as a result of future development within the precinct.	\$7,150,000
3B	Water Supply Infrastructure – Upgrades	The need to upgrade water infrastructure in the precinct is a direct result of increased development within the precinct.	\$1,038,000
3C	Wastewater Infrastructure – Upgrades	The need to upgrade wastewater infrastructure in the precinct is a direct result of increased development within the precinct.	\$1,362,000
3D	Gas Infrastructure – Upgrades	The need to upgrade gas infrastructure in the precinct is a direct result of increased development within the precinct.	\$472,000
4A	Preparation Costs	The costs incurred by the City of Belmont in preparing the planning framework for the precinct directly benefits the precinct by facilitating redevelopment.	\$460,395
4B	Administrative Costs (0.3% per annum for 10 years)	The costs incurred by the City of Belmont for implementation of the ACP and the administration of the DCP directly benefits and is needed as a result of future development within the precinct.	\$659,437
Total			\$22,451,070

Table 5: Proposed Development Contribution Plan – Infrastructure and Administration Items

Item 12.1 Continued

Since Council's previous consideration of the proposed DCP, there have been several DCP items which have been excluded, added or reviewed, as follows:

- The costs associated with the development of the Public Open Space Corridor (POS 1 – 3) have increased as a result of the draft ACP being modified to expand POS 1 and 3.
- The development of the 'Linear Woodland Green Link' previously referred to as 'POS 5' has been excluded on the basis that it is proposed to be deleted from the draft ACP.
- The road construction and upgrade and infrastructure upgrades to water supply, wastewater and gas reticulation have been increased to correspond with the likely staging of works and the inclusion of a construction contingency and project management costs.
- Costs associated with the preparation of the ACP and DCP have been added to recoup the City's expenditure on establishing a planning framework that enables and facilitates redevelopment of the precinct.

A detailed outline of the required infrastructure works, estimated costings and cost apportionment is provided in the draft Development Contribution Plan Report and Infrastructure Servicing and Cost Estimate Report, contained as [Attachment 3](#) and [Attachment 8](#).

Southern Main Drain

It should be noted that the works associated with the realignment and landscaping of the Southern Main Drain are not proposed for inclusion in the DCP. It is considered that there is no reasonable 'need and nexus' link between the works and redevelopment undertaken within the precinct given that:

- The Southern Main Drain is a State Government asset which conveys regional stormwater drainage from Kalamunda to the Swan River; and
- The realignment of the drain enables potential development of the existing reservation and facilitates the transfer of this land to the State for development purposes.

The exclusion of these works from the DCP maintains the position that they should be funded and delivered by the State Government. It should be noted however that no commitment has yet been made by the State to fund and deliver these works. Should no funding be secured, this would influence the ability for the State to progress development on some of the proposed development sites, as well as the ultimate design of the central POS corridor (POS 1 – 3).

Cost Apportionment Methodology

A DCP is required to clearly outline the manner in which costs will be apportioned across a precinct area. State Planning Policy 3.6 requires that the methodology for applying contributions should be consistent, and the manner in which it is applied should be clear, transparent and simple to understand and administer. It also stipulates that development contributions should be levied from all developments within a DCP area, based on their relative contribution to need.

Item 12.1 Continued

On 10 December 2019, Council adopted the approach of applying a ‘scaled’ contribution rate. This would operate by applying a proportionate contribution rate based on the estimated development floorspace for each sub-precinct, which is influenced by the development potential afforded by the ACP. This methodology is based on the principle that higher densities have a greater development potential and therefore will place more demand on infrastructure. In light of the infrastructure and administration items proposed for inclusion in the DCP and their estimated cost, Table 6 below outlines the proposed contribution rates for the area.

Sub-Precinct	Estimated Development Floorspace (m ²)	Proportion of Estimated Development Floorspace (%)	Proportion of Infrastructure Cost	Area (m ²)	Rate (\$/m ²)
Centre (R-AC0)	68,812	22%	\$4,939,235	53,288	\$92.69
Centre Transition (R-AC3)	69,160	22%	\$4,939,235	69,160	\$71.42
Residential Transition (R100)	114,842	37%	\$8,306,896	122,172	\$67.99
School Interface (R60)	18,123	6%	\$1,347,065	19,699	\$68.38
Activity Corridor (R-AC0)	40,739	13%	\$2,918,639	31,338	\$93.134
Total	311,676	100%	\$22,451,070	295,657	

Table 6: Proposed Development Contribution Plan – Cost Apportionment

It should be noted that the contribution rates have increased since Council’s previous consideration of the proposed DCP, from an average rate of \$58.86/m² to \$75.94/m². This is a result of the expansion of POS within the precinct, which in turn has reduced the amount of land which would contribute to the DCP, and revisions to the estimated infrastructure costings.

A submission received from the Department of Communities during the pre-consultation period suggested that the methodology should be based on a charge per dwelling unit. Whilst this approach would fairly apportion costs based on the demand generated by higher densities, it would not provide adequate accountability and certainty for the life of the DCP. This is on the basis that ultimate dwelling yields are often dependant on the design/configuration of individual developments, and it would prove difficult to estimate the amount of contributions that would be received. Furthermore, it would not account for non-residential development undertaken within the precinct, which would similarly place demand on road and service infrastructure within the area.

A rate applied based on estimated floor-space area would account for both residential and non-residential development within the precinct. Pre-determining a rate based on floor-space ensures that the amount of contributions collected correlates to the total amount required to fund infrastructure. This would avoid situations where contributions are collected in excess of what is required, or similarly insufficient contributions are collected to cover costs. For these reasons, it is considered that this approach represents a more accurate and consistent approach to applying cost contributions to the precinct.

Timing and Priority of Infrastructure Delivery

The redevelopment of the Redcliffe Station precinct is expected to occur over an extended period of time and therefore it is necessary to consider how infrastructure delivery will be staged to align with development. The adoption of the ACP will simultaneously increase development potential across the area thereby making it challenging to anticipate the likely staging of development, as developments will be led by market response to public infrastructure and the intentions of individual landowners.

Item 12.1 Continued

Nonetheless, the draft ACP has identified the DCP infrastructure staging priorities for the area relative to the expected demand from the redevelopment of the precinct, as outlined in Table 7 below.

Priority	Item	Rationale
Estimated High (2021 – 2026)	Development of the Public Open Space Corridor (POS 1 – 3), including: <ul style="list-style-type: none"> • Design work. • Landscaping. • Footpath construction. • Amenities, including play spaces. 	The development of the Public Open Space Corridor will provide instant amenity to the Redcliffe Station precinct. The works should be undertaken in conjunction with the realignment of the Southern Main Drain.
	Construction of Road 1 (Connection of Kanowna Avenue and Boulder Avenue), including: <ul style="list-style-type: none"> • Detailed design. • Road construction. 	Road 1 is required to be constructed as part of the realignment of the Southern Main Drain so that it takes into account the necessary levels, crossing points and drainage culverts.
Medium (Ongoing)	Local Road upgrades including: <ul style="list-style-type: none"> • Ongoing monitoring of traffic volumes to determine the extent and timing of upgrades required. • Detailed design of road upgrades, including traffic calming devices, landscaping and drainage upgrades. • Undertaking the upgrade works. 	Local road upgrades should be undertaken in stages and in response to traffic demand and development. Notwithstanding, it is anticipated that road upgrades will be prioritised to respond to early traffic demand and improve streetscape amenity.
	Undergrounding of power in the precinct, including: <ul style="list-style-type: none"> • Investigating opportunities for shared funding arrangements between local, State and Commonwealth Government to assist in reducing the burden on the DCP. • Detailed design work. • Undertaking the works. 	The undergrounding of power should be undertaken as part of the local road upgrades to improve efficiency of works and minimise resident disruption.
	Water and Wastewater Main Distribution Upgrades	The actual demand for water and wastewater main distribution upgrades is subject to monitoring of capacity and is therefore unknown. Notwithstanding, it is logical for these works to be undertaken as part of the local road upgrades so as to improve efficiency of works and minimise resident disruption.
Low (Ongoing)	Gas Reticulation Upgrade	The actual demand for gas reticulation upgrades is subject to monitoring of capacity and is therefore unknown. Notwithstanding, it is logical for the works to be undertaken as part of the local road upgrades so as to improve efficiency of works and minimise resident disruption.
	Major Water Mains Infrastructure Upgrade	The demand to upgrade major water main infrastructure will be subject to ongoing monitoring of capacity.

Table 7: Indicative Infrastructure Staging Priorities

Item 12.1 Continued

It is anticipated that the City would need to adopt an approach of pre-funding infrastructure works in the precinct with reimbursement from the DCP occurring over time as contributions are made by developers. As such, the abovementioned infrastructure staging priorities will ultimately be dependent on the City's capital expenditure budget, commitments to other City projects, and priorities set out in the City's Corporate Business Plan and Long Term Financial Plan. The extent of financial commitment will also be dependent on any decision being made by the State Government to fund works, which at this point in time has not occurred.

Operational Timeframe and Review

A DCP is intended to operate for a limited period of time (i.e. 5-10 years), or until such time that the redevelopment process is complete and the funded infrastructure is delivered in accordance with the DCP. The operational timeframe for a DCP is required to be stipulated in the local planning scheme, and should the period of operation be extended, a scheme amendment is required to be undertaken, which in turn will require the approval of the Minister for Planning.

State Planning Policy 3.6 recommends a maximum operational timeframe of five years; however it notes that a longer or shorter period may be appropriate depending upon the particular circumstances of the development contribution area. Given that the redevelopment of the Redcliffe Station precinct is expected to occur over an extended period of time, it is considered appropriate to apply a 10 year operational period, with a major review occurring after five years. It is acknowledged however that the City will likely need to extend this timeframe through a later scheme amendment, which can occur as part of a major review.

Scheme Amendment Classification

The Regulations specify three different types of Scheme amendments, being 'basic', 'standard' and 'complex'. Clause 35(2) of the Regulations requires a resolution of the local government specifying the type of amendment and the reasons for the classification.

A complex amendment is identified by the Regulations as meaning:

- “(a) an amendment that is not consistent with a local planning strategy for the scheme that has been endorsed by the Commission;*
- (b) an amendment that is not addressed by any local planning strategy;*
- (c) an amendment relating to development that is of a scale or will have an impact, that is significant relative to development in the locality;*
- (d) an amendment made to comply with an order made by the Minister under section 76 or 77A of the Act;*
- (e) an amendment to identify or amend a development contribution area or to prepare or amend a development contribution plan.”*

The proposed amendment is considered to be a 'complex' amendment for the following reasons:

Item 12.1 Continued

- It proposes to identify a development contribution area and prepare a DCP.
- The amendment is not addressed by the City's adopted Local Planning Strategy.

In accordance with the requirements of the Regulations, a complex scheme amendment is required to be forwarded to the WAPC to consider whether the amendment is suitable for advertising. On receipt of advice, the amendment is required to be advertised for a period of no less than 60 days and considered by Council within 90 days after the end of the submission period for the amendment.

Community Consultation

The progression of the draft ACP and Amendment No. 15 to formal advertising provides an opportunity to seek feedback from the community, and represents the next step towards the establishment of a planning framework for the precinct. Should Council resolve to adopt the draft modified ACP for formal advertising and initiate Amendment No. 15, consultation will be required to be undertaken in accordance with the Regulations, however it is proposed that additional consultation measures be employed. As such, consultation is proposed to be undertaken by way of:

- An extended advertising period for the ACP, from 42 days to 60 days, will be requested from the WAPC, to allow for concurrent advertising with proposed Amendment No. 15.
- Giving notice to owners and occupiers who, in the opinion of the local government, are likely to be affected by the approval of the structure plan and/or amendment;
- Publishing a notice of in a newspaper circulating the district;
- A social media campaign;
- Hosting an information booth; and
- Erecting a signs in key locations on the land the subject of the proposed structure plan and amendment.

It is considered that the abovementioned community engagement and consultation methods are sound and will lead to informed feedback from the community during the formal advertising process. Following the formal advertising period, the ACP and Amendment No. 15 will be reviewed in light of any submissions received. A report will then be prepared for Council to decide upon a recommendation on the progression of the ACP and Amendment No. 15 to the WAPC.

Item 12.1 Continued

Conclusion

The progression of the draft ACP, as modified, and the initiation of an amendment to LPS 15 represent necessary steps in the establishment of a planning framework for the Redcliffe Station precinct. In light of the feedback received during pre-consultation, the draft ACP has been reviewed and modified, with key changes pertaining to:

- Clarity on the establishment of a 'Neighbourhood Centre' surrounding Redcliffe Train Station and its interrelationship with development within Perth Airport estate.
- Clarity on the operation and intent of the land assembly (amalgamation) requirements.
- The removal of development bonus criteria in-lieu of further investigations being undertaken through the preparation of Design Guidelines for the precinct.
- Adjustments being made to primary control and development requirements, namely to improve interpretation and provide some consistency with the R-Codes.
- The amount of proposed POS increasing in the precinct, reducing the extent of Crown land available for State development sites.
- The removal of the connection of Bulong Avenue and Second Street and the signalisation of the Central Avenue and Second Street intersection in-lieu of further monitoring and delivery based on demand.
- The inclusion of technical analysis on bushfire risk and transport noise exposure.

It is considered that the modifications to the draft ACP have responded to community concerns, where appropriate, and the document should now be progressed through the formal statutory advertising and determination process pursuant to the Regulations.

To compliment and coincide with the progression of the draft ACP, it is considered appropriate to concurrently initiate and advertise an amendment to LPS 15. The amendment is necessary to adjust the zoning of land, apply statutory control through development provisions, and establish a DCP. The progression of a concurrent amendment will ensure that planning is undertaken consistently and holistically for the precinct, and any implications of either the amendment and/or the ACP are considered collectively.

In light of the above, it is recommended that Council resolve to adopt the draft modified ACP and initiate Amendment No. 15 to LPS 15 for the purposes of formal advertising in accordance with the Regulations.

Item 12.1 Continued

FINANCIAL IMPLICATIONS

The establishment of a DCP and the adoption of a pre-funding approach represent a significant financial commitment for the City of Belmont. The main risks include:

- The City will be required to borrow funds to facilitate infrastructure provision, which could have long-term implications on the ability to fund other capital works projects.
- The funds collected through the DCP are based on estimates and therefore may not be sufficient to meet the actual cost of infrastructure required.
- The collection of contributions and the subsequent reimbursement to the City is wholly dependent on the uptake of development in the area, which is difficult to predict.

ENVIRONMENTAL IMPLICATIONS

There are no overarching environmental implications associated with the consideration of the draft ACP. Environmental considerations associated with future development within the precinct would be based on the nature of the proposed development, and the specific conditions of each development site.

SOCIAL IMPLICATIONS

- Further consultation of the draft ACP will lead to increased community awareness and knowledge of the project and the various planning considerations, as well as increase community participation in the planning process.
- The redevelopment of the precinct in accordance with transit-oriented development principles will encourage more a sustainable development pattern, reduce car dependence, increase accessibility for those without access to private cars, reduce congestion on the road network and reduce fuel consumption.
- Medium and higher density development will support a range of housing options for residents of the local area and assist with the City in meeting its infill housing targets.
- The establishment of a Neighbourhood Centre within the precinct will provide local convenience and amenities to both future and existing residents and businesses in the area.
- An increase in population in the area will assist with sustaining the operation of the Redcliffe Train Station and local convenience retailing and amenities.
- The provision of new POS and upgrades to the public realm will improve the overall amenity of the area.

Item 12.1 Continued

OFFICER RECOMMENDATION

That Council:

A. Pursuant to Section 75 of the *Planning and Development Act 2005*, amends Local Planning Scheme No. 15 by:

i. Introducing a new ‘Urban Development’ zone by:

a) Inserting the following text in Clause 3.2 “Objectives of the zones”:

“Urban Development Zone

To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.”

b) Adding a new column to Table 1: Zoning Table to insert the ‘Urban Development’ zone with a notation, as follows:

ZONES		
USE CLASSES	Urban Development	
	See Note 1	

Note 1: Development and use of land is to be in accordance with a Structure Plan, approved in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015

c) Adding the ‘Urban Development’ zone to the Scheme Map legend.

ii. Reclassifying land between Tonkin Highway, Great Eastern Highway, Coolgardie Avenue, Redcliffe Road and Perth Airport Estate, Redcliffe (excluding Lot 5662 on Plan 2911, from ‘Residential’, ‘Mixed Use’, ‘Service Station’, ‘Parks and Recreation’, ‘Public Purposes – Primary School’ and ‘Local Roads’ to the ‘Urban Development’ zone) as shown on the Scheme Amendment map contained as [Attachment 2](#).

iii. Introducing a Development Contribution Area over land between Tonkin Highway, Great Eastern Highway, Coolgardie Avenue, Redcliffe Road and Perth Airport Estate, Redcliffe, by:

Item 12.1 Continued

- a) **Establishing a Special Control Area – Development Contribution Area, depicted as ‘SCA – DCA2’, as shown on the Scheme Amendment map contained as [Attachment 2](#).**
- b) **Inserting the following table in to Schedule No.11 – Special Control Areas – Development Contribution Plans:**

Reference No.	DCP 2
Area Name	DCA 2 (Redcliffe Station Precinct)
Relationship to other planning instruments	The Development Contribution Plan operates in association with the Redcliffe Station Activity Centre Plan, adopted pursuant to Clause 22 of the Schedule 2 Part 4 <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.
Infrastructure and administration items to be funded	1. Development of Public Open Space 2. Construction of Road 1 (Kanowna Avenue to Boulder Avenue) 3. Upgrade Local Roads 4. Electricity Infrastructure – Underground Network 5. Water Supply Infrastructure – Upgrades 6. Wastewater Infrastructure – Upgrades 7. Gas Infrastructure – Upgrades 8. Administrative Costs
Method for calculating contributions	All landowners within the DCA 2 shall make a contribution to the cost of common infrastructure and administrative costs, based on net lot areas, as detailed in the Development Contribution Plan Report. The general formula for the requisite contribution is as follows: Area of total DCA (A) is as per State Planning Policy 3.6. Area of Precinct (AP) is as per endorsed Activity Centre Plan Total DCA cost (B) = cost of infrastructure items + administrative costs Total DCA Cost per Precinct (BP) = Proportionate Share of Estimated Floorspace Created (%) x Total DCA Cost (B) Contribution Rate (C) = Total DCA Cost of Precinct (BP) / Total Area of Precinct (AP) Area of subject site (D) is as per State Planning Policy 3.6. Owner's cost contribution = Contribution Rate (C) x Area of subject site (D)
Period of operation	10 years from the date of gazettal of Amendment 15 to Local Planning Scheme No. 15.

Item 12.1 Continued

Reference No.	DCP 2
Timing and priority	As set out in the Development Contribution Plan Report or in accordance with any relevant Council resolution.
Review process	<p>The plan will be reviewed five (5) years from the date of gazettal of the amendment to incorporate the plan, or earlier should the local government consider it appropriate having regard to the rate of development in the area and the degree of development potential still existing.</p> <p>The estimated costs shown in the cost apportionment schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by the qualified person undertaking the certification of costs.</p>
Reporting requirements	An annual report must be prepared by the responsible authority each financial year and published no later than three (3) months after the end of the financial year and reported on in accordance with the requirements of State Policy.

iv. Amending the Special Control Area – Development Area boundary and provisions for Development Area 6 (DA6) by:

- a) Amending the Scheme Map to realign the ‘Special Control Area – DA6’ boundary to encompass all land bound by Tonkin Highway, Great Eastern Highway, Coolgardie Avenue, Redcliffe Road, Fauntleroy Avenue, Miller Road, Boud Avenue and Dunreath Drive, as shown on the Scheme Amendment map contained as [Attachment 2](#).
- b) Amending Schedule No. 9 – Special Control Areas – Development Areas of the Scheme Text to adjust the area, remove the existing provision and introduce new provisions, as follows:

REF. NO.	AREA	PROVISIONS
SCA - DA6	Land bounded by Tonkin Highway, Great Eastern Highway, Coolgardie Avenue, Redcliffe Road, Fauntleroy Avenue, Miller Road, Boud Avenue and Dunreath Drive	<ol style="list-style-type: none"> 1. A structure plan or plans shall be prepared prior to any subdivision or development being undertaken within SCA – DA6. Structure plans should address the zoning and reservation of land, the composition of land uses, and interface of non-residential and residential development, road and access arrangements, public open space provision, site constraints and any other technical matter determined by the local government. 2. All subdivision and development shall be undertaken in accordance with an adopted structure plan and any relevant local planning policy.

Item 12.1 Continued

REF. NO.	AREA	PROVISIONS
		<p>3. The subdivision of land, excluding amalgamation, will not be supported where the overall parent lot size is less than the minimum site area and frontage requirements stipulated by an adopted Structure Plan and/or local planning policy, except where:</p> <ul style="list-style-type: none"> (a) The subdivision aligns with a development approval granted for the lot(s); and (b) The approved development has been undertaken to a minimum plate height of 3m above natural ground level. <p>4. Approval shall not be granted for the development of a site which does not achieve the minimum development site area and frontage requirements stipulated by an adopted Structure Plan and/or local planning policy, except where:</p> <ul style="list-style-type: none"> (a) The site is no less than 95% of the minimum development site area requirement stipulated by an adopted Structure Plan and/or local planning policy; or (b) The development is for the refurbishment of an existing commercial development which provides additional net lettable area no greater than 15% of the existing commercial development; or (c) The development is for works which are exempt from the requirement to obtain development approval in accordance with the Scheme. <p>5. All development shall comply with the minimum residential density, minimum and maximum building height, maximum plot ratio and minimum and maximum setback requirements stipulated by an adopted structure plan and/or local planning policy.</p> <p>6. In considering an application for development or subdivision approval, the determining authority shall only approve an application where it is satisfied that the proposed development or subdivision will not prejudice the overall development potential of the area as intended by an adopted planning framework.</p>

Item 12.1 Continued

- B. Pursuant to Clause 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, determines that Amendment No. 15 to Local Planning Scheme No. 15 is a 'complex' amendment, for the following reasons:**
- i. It proposes to identify a development contribution area and prepare a development contribution plan.**
 - ii. The amendment is not addressed by the City of Belmont Local Planning Strategy.**
- C. Subject to the Western Australian Planning Commission's advice that it considers the amendment suitable for advertising and the Environmental Protection Authority determining that an environmental review is not required, resolves in accordance with Regulation 37 of the *Planning and Development (Local Planning Schemes) Regulations 2015* to proceed to advertise the amendment in accordance with Regulation 38 of the Regulations.**
- D. Endorse the draft Development Contribution Plan Report and Cost Apportionment Schedule ([Attachment 3](#)) for the purpose of public advertising to directly affected landowners for a period of 60 days, occurring concurrently with advertising of Amendment No. 15 to Local Planning Scheme No. 15.**
- E. Adopt the draft modified Redcliffe Station Activity Centre Plan ([Attachment 1](#)) and associated supporting technical reports for the purpose of public advertising in accordance with Clause 18 of the *Planning and Development (Local Planning Scheme) Regulations 2015* – Schedule 2 – Deemed Provisions, subject to:**
- i. The finalisation of the draft Local Water Management Strategy;**
 - ii. Modifications to the Sub-Precinct Plan (Plan 2) and any other relevant plan to identify Lots 297 – 298 (Nos 122 and 124) Bulong Avenue for potential inclusion in the Centre sub-precinct.**
- F. Pursuant to Clause 18(3A)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* – Schedule 2 – Deemed Provisions, seeks the Western Australian Planning Commission's consent to extend the advertising period of the draft Redcliffe Station Activity Centre Plan to 60 days.**

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

12.2 STATUTORY COMPLIANCE AUDIT RETURN 2020

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 9 – Item 12.2 refers	Statutory Compliance Audit Return 2020

Voting Requirement	:	Simple Majority
Subject Index	:	39/005 Statutory Compliance Return
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	24 March 2020 OCM Item 12.2
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Corporate and Governance

COUNCIL ROLE

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

PURPOSE OF REPORT

To provide Council with the outcomes of the Statutory Compliance Audit Return for the period 1 January 2020 to 31 December 2020 as provided in [Attachment 9](#).

SUMMARY AND KEY ISSUES

It is a requirement of the *Local Government Act 1995* that all local governments carry out an audit of compliance in the prescribed manner and form approved by the Minister.

The Department of Local Government, Sport and Cultural Industries provided a set of questions via the Departmental Portal in January 2021. The 2020 audit questions focus on key areas of compliance as in previous years.

Item 12.2 Continued

The City of Belmont's 2020 compliance score is 94%, and whilst there is a slight reduction from previous years, the areas identified as non-compliance, which is inclusive of some optional questions asked, have been addressed in the Officer report with an explanation and recommended improvement actions.

LOCATION

Not applicable.

CONSULTATION

In completing the 2020 Statutory Compliance Audit Return, internal consultation has occurred with relevant officers of each department.

STRATEGIC COMMUNITY PLAN IMPLICATIONS

In accordance with the 2020 – 2040 Strategic Community Plan:

Goal 5: Responsible Belmont.

Strategy: Deliver effective, fair and transparent leadership and decision-making, reflective of community needs and aspirations.

POLICY IMPLICATIONS

There are no policy implications associated with this report.

STATUTORY ENVIRONMENT

Regulation 14 of the *Local Government (Audit) Regulations 1996* (Regulations) requires that a compliance audit for the period 1 January to 31 December is completed each year in a form approved by the Minister. Regulation 14 also requires the Standing Committee (Audit and Risk) to review the Compliance Audit Return (CAR) and present those results to Council.

Following adoption of the CAR by Council, the Regulations (Regulation 15 of the *Local Government (Audit) Regulations 1996*) require, a certified copy of the CAR (signed by both the Mayor and Chief Executive Officer), a copy of the minutes of the meeting in which the return was adopted and any additional information to be submitted to the Executive Director of the Department of Local Government, Sport and Cultural Industries by 31 March 2021.

Item 12.2 Continued

BACKGROUND

The compliance audit period is 1 January to 31 December 2020 and once the audit is completed the City is required to:

1. Present the Compliance Audit Return to the Standing Committee (Audit and Risk).
2. Present the Compliance Audit Return to Council.
3. Seek Council's endorsement of the completed Compliance Audit Return.
4. Return the endorsed and certified Compliance Audit Return, along with a copy of the Council Minutes, to the Department of Local Government, Sport and Cultural Industries by no later than 31 March 2021.

In completing the CAR various officers have undertaken an audit of the City's activities, practices and procedures applicable to each section of the Return. Governance has had oversight of the process to ensure that an independent, thorough and rigorous process is undertaken.

The focus of the audit questions for the 2020 period included key areas of compliance, in line with previous years, with the addition of election-based questions and areas affected by regulatory change together with optional questions.

The Compliance Audit Return is required to be completed online through the Department of Local Government, Sport and Cultural Industries website. A copy of the completed return is provided as [Attachment 9](#) to this report and is a printout of the City's registered responses.

Following Council's consideration of the CAR, a certified copy (signed by the Mayor and Chief Executive Officer) must be submitted to the Department of Local Government, Sport and Cultural Industries.

The Standing Committee (Audit and Risk) considered the findings of the Compliance Audit Return 2020 at its meeting of the 22 February 2021.

OFFICER COMMENT

Following receipt of the Compliance Audit Return questions through the Department of Local Government, Sport and Cultural Industries portal in January 2021, Governance in consultation with other officers conducted an internal audit to determine responses to questions in the Compliance Audit Return. To further substantiate responses, the City has included additional information and reference to the City's Council Meetings and documents registered in the Electronic Document Management System (ECM). Reference is also made to information contained in hard copy, which includes original copies of Elected Member and designated officer Primary and Annual Returns.

When reading the questions shown in the Compliance Audit Return (refer [Attachment 9](#)) it should be noted that they should be read in conjunction with the relevant extract of the *Local Government Act 1995* and / or associated Regulations.

Item 12.2 Continued

The 2020 CAR contains a total of 102 questions. This is a decrease of two questions from the 2019 return. The new questions are in relation to Elections and recent legislative amendments regarding gifts and disclosure provisions. There has also been rewording of previous questions and inclusion of new questions relating to the 2019-2020 amendments to the *Local Government Act 1995* (the Act) and associated Regulations.

A summary of the compliance areas and the City of Belmont assessment is as follows:

Compliance Area (Total Questions for Area)	Full Compliance	Non-Compliance
Commercial Enterprises by Local Government (5)	5	0
Delegation of Power/Duty (13)	13	0
Disclosure of Interest (21)	20	1
Disposal of Property (2)	2	0
Elections (3)	3	0
Finance (11)	10	1
Integrated Planning and Reporting (3)	2	1
Local Government Employees (6)	6	0
Official Conduct (4)	4	0
Optional Questions (Pertains to Financial Management & Audit)(10)	8	2
Tenders for Providing Goods and Services (24)	23	1
Totals (Total Questions – 102)	96	6

The City of Belmont 2020 Compliance Score is 94%.

Item 12.2 Continued

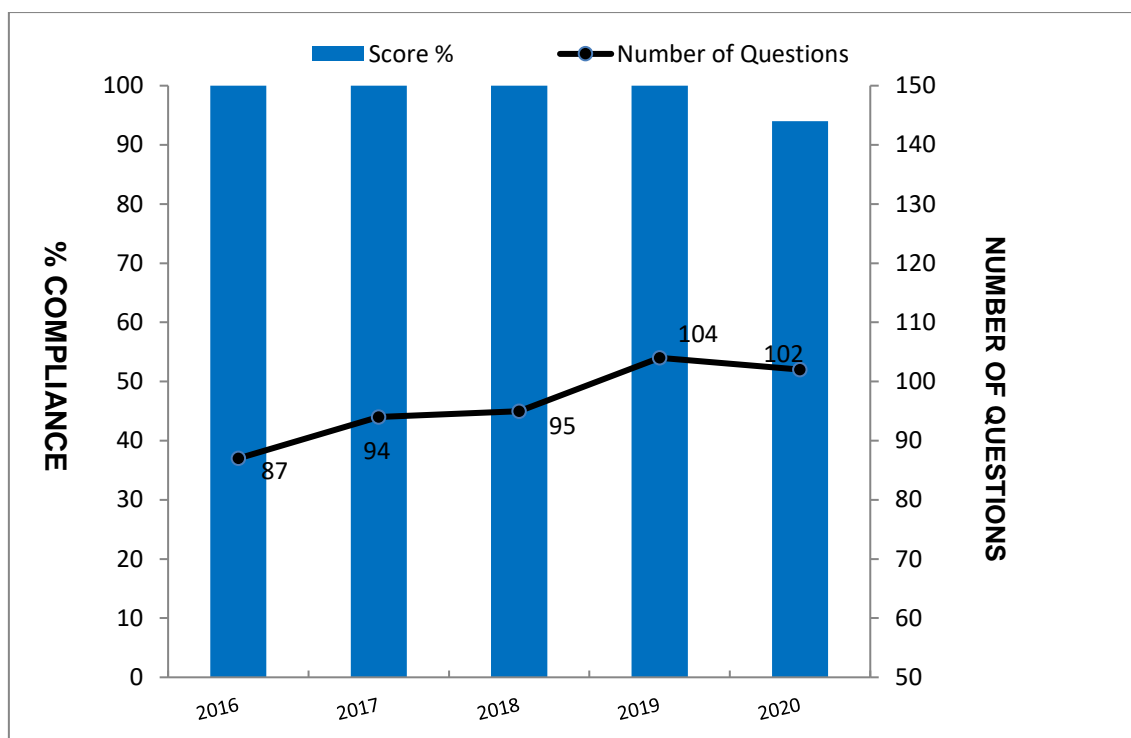


Figure 1 – City of Belmont Annual Compliance Audit Return Compliance Rates.

Responses provided by City Officers have been considered by Governance Officers for review against compliance requirements. Further clarification and communication has taken place with business units where required.

Governance has identified six areas from the sample selection which resulted in non-compliance, however have identified opportunities to provide additional training and guidance to assist officers to ensure compliance or make improvements.

The details are outlined as follows:

Areas of Non-Compliance

Integrated Planning and Reporting

Regulation 19DA of the *Local Government (Administration) Regulations 1996* requires that the Corporate Business Plan for the district is made in respect of each financial year.

The City of Belmont Corporate Business Plan was not reviewed and adopted by Council in the 2019-2020 financial year which was outside the required financial year timeframe. This was due to the annual review being delayed to ensure that any resultant changes to business operations were captured and aligned to the annual budget as a result of the outbreak of the COVID-19 pandemic in late February 2020. Council reviewed and adopted the Corporate Business Plan 2020 – 2024 in November 2020.

Improvement Opportunity

As part of the annual review of the Corporate Business Plan further consultation will be undertaken to identify any further applicable improvements to the integration and business planning processes by 30 June 2021.

Item 12.2 Continued

Tenders for Providing Goods and Services

It has been recognised that a supplier of the City has been consistently used over a period of time for small individual purchases that, as an annual total, exceed the threshold requiring written quotes to be obtained under the City's Purchasing Policy. It should be noted that the supply relates to the purchasing of tyres for the City's plant and fleet, and a local supplier has been used.

The Procurement Section has communicated this with the relevant Department and recommended a formal procurement process be undertaken for the supply. This process has now commenced.

Improvement Opportunity

A review of the process carried out by the Procurement Section to assess monthly supplier expenditure will be undertaken by 31 March 2021 to include reporting to be escalated through to the relevant Director when no follow up is carried out by the responsible officer on an identified exception.

Finance

This is in relation to the requirement for audits conducted under s.7.12A(4) of the Act addressing matters that are identified as significant. Although reported in the Compliance Audit Return under Finance the reported non-compliance does not relate to Finance audits and is detailed below.

The City took part in an Office of the Auditor General audit on Waste Management and although there were no significant matters identified in the response to the City, the audit report tabled in Parliament identified significant findings that were identified through the audit in relation to other participants and reported as findings of the audit (as a group). As a result, under s7.12A an action plan and report were required to be considered by Council and provided to the Minister. A copy of the report was provided to the Minister outside the required three month timeframe due to a delay in getting the report to Council following clarification of the relevance of the significant matters to the City of Belmont.

In addition, an Information Systems Audit was carried out in conjunction with the 2018-2019 annual financial audit with matters fully disclosed and considered by the Standing Committee (Audit and Risk) and Council following the receipt of the management letter. A further report was presented to the Standing Committee (Audit and Risk) and Council following tabling of the audit report in Parliament with the required Action Plan, resulting in the copy of the report being provided to the Minister outside the required three month timeframe.

It is considered that in both instances the Standing Committee (Audit and Risk) and Council were informed of the matters identified through the audits and any identified actions were being undertaken in respect of the matters identified in the audits. The process required for the reporting to the Minister on performance audits has been recognised.

Improvement Opportunity

A process has been developed to set out the necessary steps to ensure compliance with s.7.12 of the Local Government Act 1995 following notification of an audit being

Item 12.2 Continued

undertaken at the City and ensure the reporting of audits (financial and performance) is managed and carried out as required (Process to be implemented by 31 March 2021).

Optional Questions

Under s.5.90A of the Act the City must prepare and adopt a policy that deals with matters relating to the attendance of council members and the CEO at events. The policy is currently in draft form and has been considered for discussion and feedback from Council at an Information Forum in October 2020. Due to further management consideration of the full Policy Manual Review, which included the new policy in relation to attendance at events, the 'Attendance at Events' policy was not adopted by Council until the 23 February 2021 Ordinary Council Meeting.

Improvement Opportunity

Policy was adopted by Council in February 2021 and published on the City's website.

Disclosure of Interest

Due to an administrative delay, the request to an officer to complete a Primary Return was delayed and resulted in the return not being lodged within three months of the day on which the person became a designated employee. The officer involved was sub-delegated a power, however during the preparation of the relevant delegations forms, Governance had undertaken discussions regarding the requirement which caused the administrative delay. The sub-delegation has not been exercised and has subsequently been removed as it was determined to not be required.

The Chief Executive Officer has reported this breach in accordance with section 28 of the *Corruption, Crime and Misconduct Act 2003*.

Improvement Opportunity

Undertake a review of the supporting processes associated with Annual/Primary Returns to ensure compliance with legislated requirements (Process to be implemented by 31 March 2021).

Recommended Improvements

The City undertakes a comprehensive review of the responses that are provided in the CAR regarding the processes carried out through the organisation. In addition, the City conducts comparison reports on findings from inquiries carried out at other local governments to ensure improvements are made in accordance with recommendations and best practice.

Improvement opportunities identified through the Compliance Audit process will be reported to the Executive Leadership Team to determine the next steps.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

Item 12.2 Continued

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

SOCIAL IMPLICATIONS

There are no social implications associated with this report.

COMMITTEE RECOMMENDATION

That Council:

1. Receive and adopt the 2020 Compliance Audit Return, as provided in [Attachment 9](#).
2. Authorise the Mayor and Chief Executive Officer to complete the Joint Certification of the 2020 Compliance Audit Return.
3. Request the Chief Executive Officer to submit the certified 2020 Compliance Audit Return and a copy of the minutes relative to this report to the Department of Local Government, Sport and Cultural Industries by 31 March 2021 in accordance with the requirements of the *Local Government (Audit) Regulations 1996*.
4. Request the Chief Executive Officer to provide a report to the next meeting of the Standing Committee (Audit and Risk) outlining the actions and improvements identified in the Compliance Audit Return and Report.

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

12.3 2020-2021 MARCH BUDGET REVIEW

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 10 – Item 12.3 refers	2020-2021 March Budget Review
Attachment 11 – Item 12.3 refers	Reserve Accounts 30 June 2021
Attachment 12 – Item 12.3 refers	Rate Setting Statement

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

COUNCIL ROLE

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

PURPOSE OF REPORT

This report is prepared to conduct the second review of the Budget and recommend adjustments to the 2020-2021 Adopted Budget.

SUMMARY AND KEY ISSUES

In keeping with sound financial management practices, a further review of the 2020-2021 Adopted Budget has been conducted. The Budget remains in balance and a summary of significant adjustments has been included.

Item 12.3 Continued

The March Budget Review ensures that a sound financial position is maintained for the end of the financial year and a sound base is created to prepare the 2021-2022 Budget.

LOCATION

Not applicable.

CONSULTATION

There has been no specific consultation undertaken in respect to this matter other than internal staff. Community consultation is not required.

STRATEGIC COMMUNITY PLAN IMPLICATIONS

In accordance with the 2020 – 2040 Strategic Community Plan:

Goal 5: Responsible Belmont.

Strategy: Manage the City's assets and financial resources in a responsible manner and provide the best possible services for the community.

POLICY IMPLICATIONS

There are no policy implications associated with this report.

STATUTORY ENVIRONMENT

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires a local government to carry out a review of its Budget between 1 January and 31 March each year, report it to Council and then report the outcome of the review to the Department of Local Government. The City of Belmont has for many years now conducted two budget reviews, one in October and one in March.

BACKGROUND

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

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

Item 12.3 Continued

The March Budget Review process is aimed at addressing the following issues:

- Resolutions of Council referred for funding
- Resolutions of Council referred for consideration
- All other Budget matters as identified by Directors and their staff
- That a balanced Budget be maintained.

OFFICER COMMENT

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

(brackets indicate increased income / reduced expenditure)

• Opening Balance-Surplus	(1,720,400)
• Chief Executive Officer Section	(36,350)
• Corporate and Governance Division	2,572,090
• Infrastructure Services Division	(380,982)
• Development and Communities Division	(434,358)
• Closing Balance	0
	<hr/>
Net Cost	0

A detailed listing of all budget adjustments can be found in [Attachment 10](#). It should be noted that the report includes only those line items that have changed during the review process, all other line items remain as per the Adopted Budget.

Those noteworthy adjustments are further explained in the summary that follows.

- Employee costs, generally as a result of vacant positions during the year, have been reduced by a net \$727K after factoring in additional agency costs.
- Demand for financial support through the Financial Hardship Policy has been well below expectations with the budget reduced by \$115K
- Interest income is anticipated to decrease by \$61K due to the falling cash rate.
- Additional cleaning, concierge/security costs and other costs as a direct result of COVID-19 have required additional funding of \$128K.
- The IT Department have been focused on Belmont Hub which has resulted in a number of projects being postponed. The \$408K budget reduction is offset by a transfer to the Information Technology Reserve which will be used to fund those projects next year.
- Belmont Hub IT costs have been reduced with many expenses incurred last financial year. The budget was funded through the Property Development Reserve and the transfer from this reserve has also been reduced.
- Marketing and Communications have additional budget allocations, with the more notable being additional funding for the Imaginarium, Autumn River Festival and Volunteers Luncheon.

Item 12.3 Continued

- Although there have been many budget adjustments within the Facility and Property Management section they mainly relate to the reallocation of accommodation expenses to various tenants in Belmont Hub with the overall net impact on the budget negligible and fitting out the Glasshouse with furniture and equipment.
- An additional consulting budget is required within City Projects with a focus on Wilson Park.
- Underground power along Belmont Ave. was completed approximately 2 years ago by Western Power. The City was charged at the time based on a cost estimate calculated by Western Power and now that final costings are known the City has received a refund of \$716K. As this related to a grant funded project the City is required to refund 50% to the grantor. Both budget components have been updated.
- Budget adjustments in regards to the construction of Roads and Drains predominantly relate to updating budgets now that the final costs are known.
- Parks construction includes a number of budget amendments including new projects that are fully funded through new grants. This includes replacing the fencing at 400 Abernethy Road and landscaping upgrades at Grandstand Road and Adachi Park.
- Building Construction adjustments include updates for both the architectural and construction costs of Belmont Hub which will finalise the project. After taking into account the offsetting reserve transfer the overall impact is negligible. A new project has also been included with \$200K allocated towards the upgrading of the Glasshouse which is to be funded through new grants.
- Sanitation expenses have been reduced with relevant cost increases being less than anticipated. This has been offset by the budgeting of waste related additional costs. Income from the Container Deposit Scheme of \$78K has been included with the additional net surplus funds from Sanitation of \$86K to be transferred to the Waste Management Reserve.
- In addition to employee costs as a result of vacancies, Planning budgets have been adjusted for a number of other items including:
 - Take-up of the application fee 50% reimbursement as part of the COVID-19 relief measures has been less than anticipated (\$45K reduction);
 - Reduction in consulting and Design Review Panel costs (\$98K reduction).
 - Application fees have been stronger than anticipated with a \$50K increase.
- The total library budget has increased by more than \$200K as a result of building accommodation costs being reallocated from Facility and Property Management. These are internal allocations and have no net impact on the overall budget position
- The \$1.7M contribution towards FOGO from the EMRC (received in the 2019-2020 financial year) had to be treated as income in that year. This was a late year-end adjustment which is reflected as an increase in the Opening Balance and has an offsetting transfer to the Waste Management Reserve.
- A further \$818K has been transferred to the Property Development Reserve resulting in a balanced budget.

Item 12.3 Continued

[Attachment 11](#) provides an updated estimate of reserve balances for the 2020-2021 year with reserve balances expected to slightly increase in 2020-2021 to \$49.4M.

Also attached is an updated 'Rate Setting Statement' ([Attachment 12](#)) which compares the proposed March Budget Review to the current Authorised Budget.

FINANCIAL IMPLICATIONS

As the budget is still in balance there are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

SOCIAL IMPLICATIONS

The effective management of the City's Annual Budget ensures that the community has access to the services and facilities it needs now and into the future.

OFFICER RECOMMENDATION

That Council:

1. In accordance with *Local Government (Financial Management) Regulations 1996 Regulation 33A*, adopt the amendments contained in the 2020-2021 Budget Review ([Attachment 10](#), [Attachment 11](#) and [Attachment 12](#)), including the descriptions of variations and closing fund amendments.
2. Authorise the Director Corporate and Governance to amend the 2020-2021 Budget in accordance with all resolved variations.

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

12.4 ACCOUNTS FOR PAYMENT – FEBRUARY 2021

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 13 – Item 12.4 refers	Accounts for Payment – February 2021

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

COUNCIL ROLE

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

PURPOSE OF REPORT

Confirmation of accounts paid and authority to pay unpaid accounts.

SUMMARY AND KEY ISSUES

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

Item 12.4 Continued

LOCATION

Not applicable.

CONSULTATION

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

STRATEGIC COMMUNITY PLAN IMPLICATIONS

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

POLICY IMPLICATIONS

There are no policy implications associated with this report.

STATUTORY ENVIRONMENT

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

“If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared:

- (a) the payee's name;*
- (b) the amount of the payment;*
- (c) the date of the payment; and*
- (d) sufficient information to identify the transaction.”*

BACKGROUND

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

OFFICER COMMENT

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

Municipal Fund Cheques	788616 to 788620	\$28,063.83
Municipal Fund EFTs	EF071811 to EF072161	\$3,724,321.16
Municipal Fund Payroll	February 2021	\$1,514,396.49
Trust Fund EFTs	EF071890 to EF071891	<u>\$28,673.15</u>
Total Payments for February 2021		\$5,295,454.63

Item 12.4 Continued

A copy of the Authorised Payment Listing is included as [Attachment 13](#) to this report.

FINANCIAL IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

SOCIAL IMPLICATIONS

There are no social implications associated with this report.

OFFICER RECOMMENDATION

That the Authorised Payment Listing for February 2021 as provided under [Attachment 13](#) be received.

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

12.5 MONTHLY ACTIVITY STATEMENT AS AT 28 FEBRUARY 2021

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 14 – Item 12.5 refers	<u>Monthly Activity Statement as at 28 February 2021</u>

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

COUNCIL ROLE

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

PURPOSE OF REPORT

To 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

Not applicable.

Item 12.5 Continued

CONSULTATION

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

STRATEGIC COMMUNITY PLAN IMPLICATIONS

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

POLICY IMPLICATIONS

There are no policy implications associated with this report.

STATUTORY ENVIRONMENT

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

Regulation 34(1) requires a monthly Statement of Financial Activity reporting on revenue and expenditure.

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

BACKGROUND

The *Local Government (Financial Management) Regulations 1996* requires that financial statements are presented on a monthly basis to Council. Council has adopted 10% 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.

The monthly financial report is to be accompanied by:

Item 12.5 Continued

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

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

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

***Based on a materiality threshold of 10 percent.

In order to provide more details regarding significant variations as included in [Attachment 14](#) the following summary is provided.

Report Section	Budget YTD	Actual YTD	Comment
Expenditure - Capital			
Computing	1,099,003	386,549	A number of capital purchases won't be finalised this year and will be adjusted as part of the budget review.
City Facilities & Property	100,000	Nil	Budget relates to the potential purchase of land that is offset by a reserve transfer.
Environment	175,074	88,704	A number of Environment projects are behind budget although still planned to be completed this financial year.
Belmont Oasis	125,000	54,517	Relates to the purchase of gym and pool equipment that is to occur this year.
Ruth Faulkner Library	304,108	137,022	Budget spread issue regarding fitout and equipment at Belmont Hub.
Grounds Operations	999,228	548,253	Variance relates to a number of projects with Faulkner Park irrigation, Volcano Playground, Peachey Park and Cracknell Park playground renewals being the more significant.
Road Works	3,043,755	2,533,183	Variance mainly relates to Abernethy Rd slip lane modifications and the Gladstone Road/ Homewood Street projects commencing later than the budgeted timeframe.
Footpath Works	490,383	260,563	The variance mainly relates to completed projects where invoices are yet to be received. Kooyong Road has been delayed due to alignment reconsiderations.
Drainage Works	250,374	134,762	Drainage improvement projects including entry pit upgrades are behind schedule however a further \$110,000 is programmed for expenditure within the Abernethy Road projects in March.
Operations Centre	913,746	502,948	Includes the deferral of various fleet and plant across the organisation.

Item 12.5 Continued

Report Section	Budget YTD	Actual YTD	Comment
Building Operations	2,791,169	1,697,093	Variance mainly relates to Belmont Hub which has been adjusted as part of the budget review.
Expenditure – Operating			
Finance Department	1,445,120	1,380,354	Employee related costs are below budget.
Computing	2,074,325	1,938,323	Variance mainly relates to invoices not yet received for Business Applications.
Marketing & Communications	1,474,874	1,195,364	Variance relates to employee/printing costs and survey/sponsorship activities that are due to commence in early 2021.
Reimbursements	221,248	314,309	Variance relates to additional emergency response costs as a result of COVID-19.
Executive Services	922,043	845,454	Employee costs are below budget.
Chief Executive Officer	534,584	450,928	Variance relates to employee and consultancy costs that are below the budget projection.
Human Resources	876,023	801,924	Relates to a number of items that have minor cost variances.
Governance	2,333,673	1,991,728	Activity Based Costing (ABC) allocations are the primary reason for the variance.
Belmont Trust	90,000	1,513	Variance relates to legal and consultancy costs that are below the budget projection.
Rates	2,229,526	2,329,400	A greater number of residents than had been anticipated paid their rates in full, resulting in a greater take-up of the 5% discount.
City Facilities & Property	721,080	556,274	Employee, consulting and advertising costs are below budget.
Rangers	640,548	578,753	Relates to a number of items that have minor cost variances.
Crime Prevention & Community Safety	696,551	627,625	A number of programs have been delayed and are due to start in early 2021 including the taskforce video project and the Positive Engagement Program.
Health	951,808	875,250	Employee related costs are below budget.
City Facilities & Property	Nil	101,987	Employee, consulting and advertising costs are below budget.
Economic & Community Development	1,173,033	911,924	In addition to employee related costs the variance mainly relates to business related contributions/grants and BBEC accommodation support.
Town Planning	2,238,801	1,832,804	Variance mainly relates to employee costs.
Sanitation Charges	3,733,646	3,488,778	Invoices are processed one month in arrears and cost increases have been less than expected.
Marketing & Communications	430,083	242,481	Variance relates to a budget spread issue regarding a number of community events.

Item 12.5 Continued

Report Section	Budget YTD	Actual YTD	Comment
Belmont Oasis	531,075	426,765	Combination of outstanding contract management costs and the cost to manage the Oasis is less than expected.
Community Place Making	190,000	62,912	Variance largely relates to public art projects.
Building - Active Reserves	491,651	416,691	Building maintenance costs are below budget.
Grounds Operations	3,812,780	3,589,380	Employee, plant and contractor costs are below budget with invoices outstanding.
Grounds - Active Reserves	995,098	888,650	Plant and other maintenance costs currently below budget.
Grounds Overheads	1,040,795	985,085	Employee and contractor costs are below budget with invoices outstanding.
Streetscapes	1,055,506	963,917	Employee related costs are below budget.
Footpath Works	175,657	101,698	Expenditure on footpath maintenance is on an as reported or observed basis and currently all requests have been completed.
Operations Centre	504,162	573,542	Relates to a number of items that have minor cost variances including additional cleaning costs.
City Facilities & Property	372,408	244,963	The most significant items are cleaning and power costs relating to Belmont Hub.
Building Operations	831,687	729,208	Employee, consulting and general maintenance costs are below budget.
Plant Operating Costs	628,410	558,113	Employee related costs are below budget.
Technical Services	1,834,683	1,675,246	Employee and consulting costs are below budget.
City Projects	355,344	259,589	Employee and consulting costs are below budget.
Revenue - Capital			
Crime Prevention & Community Safety	(540,028)	(2,455)	Belmont Hub CCTV grant funding not yet received.
Grounds Operations	(64,667)	Nil	Budget relates Brearley Avenue irrigation works that are also under budget.
Road Works	(382,386)	(489,992)	Relates to the timing of road grants.
Operations Centre	(240,613)	(59,364)	Budget timing issue regarding plant replacement.
Revenue - Operating			
Finance Department	(1,454,644)	(1,380,354)	ABC recoveries are below budget.
Computing	(1,805,854)	(1,886,318)	ABC recoveries are above budget.
Reimbursements	(243,441)	(116,549)	Miscellaneous reimbursement income (offset by expenditure) is below budget.
Human Resources	(888,562)	(801,924)	ABC recoveries are below budget.
Rates	(50,103,182)	(50,386,373)	Interim rates have been better than expected.
City Facilities & Property	(405,093)	(568,877)	Variance relates to Belmont Hub accommodation (internal) recovery.
Financing Activities	(652,096)	(411,214)	Monthly variances are expected due to the timing of term deposits maturing.

Item 12.5 Continued

Report Section	Budget YTD	Actual YTD	Comment
Sanitation Charges	(6,209,845)	(6,286,292)	Number of bin services are slightly more than expected.
Marketing & Communications	(80,000)	(136,264)	Budget spread issue regarding the receipt of grant income to support community events.
Road Works	(184,179)	(917,244)	A refund from Western Power regarding Belmont Avenue underground power was received during January.
Public Works Overheads	(868,383)	(805,743)	Overhead recoveries are slightly below budget.
Plant Operating Costs	(976,132)	(638,699)	Overhead 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 28 February 2021	\$	Comment
Cash and investments	75,683,145	Includes municipal and reserves
- less non rate setting cash	(48,359,205)	Reserves
Receivables	5,964,227	Rates levied yet to be received and Sundry Debtors
ESL Receivable	(1,103,227)	ESL Receivable
Stock on hand	217,165	
Total Current Assets	32,402,105	
Current Liabilities		
Creditors and provisions	(9,467,444)	Includes ESL and deposits
- less non rate setting creditors & provisions	4,258,629	Cash Backed LSL, current loans & ESL
Total Current Liabilities	(5,208,815)	
Nett Current Assets 28 February 2021	27,193,291	
Nett Current Assets as Per Financial Activity Report	27,193,291	
Less Committed Assets	(26,693,291)	All other budgeted expenditure
Estimated Closing Balance	500,000	

FINANCIAL IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

SOCIAL IMPLICATIONS

There are no social implications associated with this report.

OFFICER RECOMMENDATION

That the Monthly Financial Reports as at 28 February 2021 as included in [Attachment 14](#) be received.

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

13. REPORTS BY THE CHIEF EXECUTIVE OFFICER

13.1 REQUESTS FOR LEAVE OF ABSENCE

Nil.

13.2 NOTICE OF MOTION

Nil.

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Note:

The Presiding Member advised that in accordance with Section 5.23(2)(c)(e)(ii) of the *Local Government Act 1995* in order to discuss Confidential Item 14.1 Council will need to go behind closed doors.

7.46pm ***DAVIS MOVED, SEKULLA SECONDED that in accordance with Section 5.23(2)(c)(e)(ii) of the Local Government Act 1995, the meeting proceed behind closed doors to discuss Confidential Item 14.1 – Seeking Instructions Regarding Legal Matter (FID 254192).***

CARRIED 9 VOTES TO 0

14.1 SEEKING INSTRUCTIONS REGARDING LEGAL MATTER (FID 254192) (CONFIDENTIAL MATTER IN ACCORDANCE WITH LOCAL GOVERNMENT ACT 1995 SECTION 5.23(2)(C)(E)(II))

ATTACHMENT DETAILS

Attachment No	Details
Confidential Attachment 1 – Item 14.1 refers	<u>Report Item - Seeking Instructions Regarding Legal Matter (FID 254191) (Confidential Matter in Accordance with Local Government Act 1995 Section 5.23(2)(c)(e)(ii))</u>

OFFICER RECOMMENDATION

POWELL MOVED, RYAN SECONDED

The Council directs the Chief Executive Officer to undertake the actions recommended as outlined within the Confidential Report regarding Legal Matter (FID254192).

CARRIED BY ABSOLUTE MAJORITY 9 VOTES TO 0

7.57pm **DAVIS MOVED, ROSSI SECONDED** that the meeting again be open to the public.

CARRIED 9 VOTES TO 0

7.58pm The meeting came out from behind closed doors. One member of the public returned to the meeting.

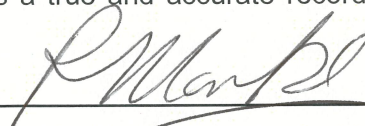
15. CLOSURE

There being no further business, the Presiding Member thanked everyone for their attendance and closed the meeting at 7.59pm.

MINUTES CONFIRMATION CERTIFICATION

The undersigned certifies that these Minutes of the Ordinary Council Meeting held on 23 March 2021 were confirmed as a true and accurate record at the Ordinary Council Meeting held 27 April 2021:

Signed by the Person Presiding: _____



PRINT name of the Person Presiding: _____

PHILIP MARKS
