



City of Belmont

ORDINARY COUNCIL MEETING

MINUTES

TABLE OF CONTENTS

24 July 2012

ITEM	SUBJECT HEADING	PAGE
NOTICE OF MEETING		
1.	OFFICIAL OPENING.....	1
2.	APOLOGIES AND LEAVE OF ABSENCE	2
3.	DECLARATIONS OF INTEREST	2
3.1	FINANCIAL INTERESTS	2
3.2	DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT	2
4.	ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) AND DECLARATIONS BY MEMBERS	2
4.1	ANNOUNCEMENTS	2
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
5.2	QUESTIONS FROM MEMBERS OF THE PUBLIC	3
5.2.1	Mr W Childs, 122 Sydenham Street, Kewdale	3
5.2.2	Mr R Birch, 195 Knutsford Avenue, Kewdale.....	4
6.	CONFIRMATION OF MINUTES/RECEIPT OF INFORMATION MATRIX.....	5
6.1	ORDINARY COUNCIL MEETING HELD 26 JUNE 2012.....	5
6.2	INFORMATION MATRIX FOR THE AGENDA BRIEFING FORUM HELD 17 JULY 2012.....	5
7.	QUESTIONS BY MEMBERS ON WHICH DUE NOTICE HAS BEEN GIVEN (WITHOUT DISCUSSION).....	5
8.	QUESTIONS BY MEMBERS WITHOUT NOTICE.....	5
9.	NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION	5

ITEM	SUBJECT HEADING	PAGE
10.	BUSINESS ADJOURNED FROM A PREVIOUS MEETING	5
11.	REPORTS OF COMMITTEES	6
11.1	STANDING COMMITTEE (ENVIRONMENTAL) HELD 25 JUNE 2012	6
11.2	STANDING COMMITTEE (AUDIT AND RISK) HELD 9 JULY 2012	6
11.3	STANDING COMMITTEE (COMMUNITY CAPACITY) HELD 16 JULY 2012	6
12.	REPORTS OF ADMINISTRATION	7
12.1	FINAL ADOPTION OF LOCAL PLANNING POLICY No 7 'THE SPRINGS DESIGN GUIDELINES'-MINOR AMENDMENTS.....	8
12.2	RIVERSDALE NORTH DETAILED AREA PLAN (THE SPRINGS SPECIAL DEVELOPMENT PRECINCT)	16
12.3	BELMONT SISTER CITY ASSOCIATION-REVISED MEMORANDUM OF UNDERSTANDING.....	32
12.4	APPOINTMENT OF SISTER CITY COUNCIL REPRESENTATIVE AND TOUR MANAGER	41
12.5	ADOPTION OF 2011-12 DIFFERENTIAL RATES.....	47
12.6	REVIEW OF THE CITY OF BELMONT POLICY MANUAL 2012	53
12.7	ACCOUNTS FOR PAYMENT-JUNE 2012	57
12.8	MONTHLY ACTIVITY STATEMENT AS AT 30 JUNE 2012	60
12.9	FORMAL ADOPTION OF THE 2012-13 ANNUAL BUDGET	68
12.10	NATURAL DISASTER RESILIENCE PROGRAM GRANT-EMERGENCY PREPAREDNESS AWARENESS FOR CULTURALLY AND LINGUISTICALLY DIVERSE COMMUNITIES AND CHILDCARE SERVICE PROVIDERS	75
12.11	NATURAL DISASTER RESILIENCE PROGRAM GRANT-EMERGENCY POWER GENERATOR PROJECT.....	82
12.12	FUTURE INVOLVEMENT IN THE CARBON NEUTRAL PROGRAM	87
12.13	GARVEY PARK FORESHORE STABILISATION-SECTION 3	92
12.14	TWO RIVERS CATCHMENT GROUP INCORPORATED COMMUNITY REPRESENTATIVE.....	98
13.	REPORTS BY THE CHIEF EXECUTIVE OFFICER	108
13.1	REQUESTS FOR LEAVE OF ABSENCE	108
14.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	108
14.1	PRESENTATION OF 2012 OPPORTUNITY AWARDS-CONFIDENTIAL MATTER IN ACCORDANCE WITH <i>LOCAL GOVERNMENT ACT 1995</i> SECTION 5.23 (2) (B).....	108
15.	CLOSURE	108

ATTACHMENTS INDEX

Attachment 1-Item 12.1 refers
Attachment 2-Item 12.1 refers
Attachment 3-Item 12.1 refers
Attachment 4-Item 12.2 refers
Attachment 5-Item 12.2 refers
Attachment 6-Item 12.3 refers
Attachment 7-Item 12.5 refers
Attachment 8-Item 12.6 refers
Attachment 9-Item 12.7 refers
Attachment 10-Item 12.8 refers
Attachment 11-Item 12.9 refers
Attachment 12-Item 12.10 and 12.11 refers
Attachment 13-Item 12.13 refers

ITEM	SUBJECT HEADING	PAGE
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CONFIDENTIAL ATTACHMENTS INDEX

Confidential Attachment 1–Item 14.1 refers

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

PRESENT

Cr P Marks, Mayor	East Ward
Cr S Wolff, Deputy Mayor	South Ward
Cr J Powell	South Ward
Cr M Bass	East Ward
Cr G Godfrey	East Ward
Cr B Martin	West Ward
Cr R Rossi, JP	West Ward
Cr P Hitt	West Ward
Cr G Dornford	Central Ward

IN ATTENDANCE

Mr S Cole	Chief Executive Officer
Mr R Lutey	Director Technical Services
Mr N Deague	Director Community and Statutory Services
Mr R Garrett	Director Corporate and Governance
Mr J Olynyk, JP	Manager Governance
Mr S Monks	Manager Finance
Mr M Ridgwell	Principal Governance and Compliance Advisor
Ms S Johnson	Governance Officer

MEMBERS OF THE GALLERY

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

1. OFFICIAL OPENING

The Presiding Member opened the meeting at 7.02pm, welcomed those in attendance and invited Cr Godfrey to read aloud the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers. Cr Godfrey read aloud the affirmation.

Affirmation of Civic Duty and Responsibility

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

2. APOLOGIES AND LEAVE OF ABSENCE

Cr J Gee (Apology)

Central Ward

3. DECLARATIONS OF INTEREST

3.1 FINANCIAL INTERESTS

Name	Item No and Title	Nature of Interest (and extent, where appropriate)
Sally de la Cruz (Coordinator Community Wellbeing)	Item 12.4 Appointment of Sister City Council Representative and Tour Manager	Indirect Financial Interest The Proposed Tour Manager is the Coordinator Community Wellbeing

3.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

Name	Item No and Title
Cr Dornford	Item 12.2 Riversdale North Detailed Area Plan (The Springs Special Development Precinct)
Cr Wolff	Item 12.3 Belmont Sister City Association–Revised Memorandum of Understanding Item 12.4 Appointment of Sister City Council Representative and Tour Manager

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

4.1 ANNOUNCEMENTS

Nil.

4.2 DISCLAIMER

7.04pm The Presiding Member advised the following:

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

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

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

Nil.

5. PUBLIC QUESTION TIME

5.1 RESPONSES TO QUESTIONS TAKEN ON NOTICE

Nil.

5.2 QUESTIONS FROM MEMBERS OF THE PUBLIC

7.04pm 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 Presiding Member advised that he had one registered member of the public who had given prior notice to ask questions. This being Mr W Childs.

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

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

5.2.1 Mr W Childs, 122 Sydenham Street, Kewdale

- 1. Why doesn't the Belmont Bulletin feature the Youth and Family Services (YFS) or the Police and Citizens Youth Centre (PCYC) Program?**

Response

The Chief Executive Officer replied that the Youth and Family Services and/or PCYC Program will be featured in the Bulletin in the future; however they are not the only topics that the City will feature in the Bulletin.

Item 5.2.1 Continued

2. I was surprised at the simplicity of the YFS budget, I think I now understand what has happened, is it like this?

The YFS Strategic Plan no longer exists, it's gone. The City of Belmont gives a donation of \$539,194 to run a PCYC Program, incumbent in the deal is to employ an indigenous Youth Worker. As it is a PCYC Program, there is no need for the monitoring of delivery of services, that is-no City of Belmont staff budgeted for.

City of Belmont is responsible for:

- Insurance of building and personnel
- Building services-water, electricity, phone etc
- Building maintenance and depreciation
- The upkeep of centre equipment used for the programs electronic games, music equipment, computers, cameras, arts and sports equipment.

Response

The Chief Executive Officer stated that the Strategic Plan still exists, the payment of \$539,194 is the result of a tender to run services, not a donation and the Community Services Department provides staff resources to oversee the services.

5.2.2 Mr R Birch, 195 Knutsford Avenue, Kewdale

1. Can Council address the problem of shopping trolleys being dumped in Ross Street and can it be made mandatory that a deposit system be introduced to use shopping trolleys to discourage dumping? The cost of collecting dumped shopping trolleys is falling on the rate payer.

Response

The Director Community and Statutory Services agreed with Mr Birch's concerns and has undertaken to carry out an investigation and report back on the matter. Mr Birch was requested to provide a street number of the house in question.

7.13pm The Presiding Member closed question time.

6. CONFIRMATION OF MINUTES/RECEIPT OF INFORMATION MATRIX

6.1 ORDINARY COUNCIL MEETING HELD 26 JUNE 2012
(Circulated under separate cover)

OFFICER RECOMMENDATION

POWELL MOVED, WOLFF SECONDED, That the minutes of the Ordinary Council Meeting held on 26 June 2012 as printed and circulated to all Councillors, be confirmed as a true and accurate record.

CARRIED 9 VOTES TO 0

**6.2 INFORMATION MATRIX FOR THE AGENDA BRIEFING FORUM
HELD 17 JULY 2012**
(Circulated under separate cover)

OFFICER RECOMMENDATION

BASS MOVED, HITT SECONDED, That the Information Matrix for the Agenda Briefing Forum held on 17 July 2012 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

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 (ENVIRONMENTAL) HELD 25 JUNE 2012
(Circulated under separate cover)

WOLFF MOVED, POWELL SECONDED, That the Minutes for the Standing Committee (Environmental) meeting held on 25 June 2012 as previously circulated to all Councillors, be received and noted.

CARRIED 9 VOTES TO 0

11.2 STANDING COMMITTEE (AUDIT AND RISK) HELD 9 JULY 2012
(Circulated under separate cover)

POWELL MOVED, MARTIN SECONDED, That the Minutes for the Standing Committee (Audit and Risk) meeting held on 9 July 2012 as previously circulated to all Councillors, be received and noted.

CARRIED 9 VOTES TO 0

11.3 STANDING COMMITTEE (COMMUNITY CAPACITY) HELD 16 JULY 2012
(Circulated under separate cover)

ROSSI MOVED, BASS SECONDED, That the Minutes for the Standing Committee (Community Capacity) meeting held on 16 July 2012 as previously circulated to all Councillors, be received and noted.

CARRIED 9 VOTES TO 0

12. REPORTS OF ADMINISTRATION

WITHDRAWN ITEMS

Item 12.1 was withdrawn at the request of Cr Wolff.
Item 12.2 was withdrawn at the request of Cr Wolff.
Item 12.3 was withdrawn at the request of Cr Wolff.
Item 12.4 was withdrawn at the request of Cr Powell.
Item 12.9 was withdrawn at the request of Cr Rossi.
Item 12.14 was withdrawn at the request of Cr Powell.
Item 12.15 was withdrawn at the request of Cr Wolff.

HITT MOVED, BASS SECONDED, That with the exception of Items 12.1, 12.2, 12.3, 12.4, 12.9, 12.14 and 12.15 which are to be considered separately, that the Officer Recommendations specifically for Items 12.5, 12.6, 12.7, 12.8, 12.10, 12.11, 12.12 and 12.13 be adopted en-bloc by an Absolute Majority decision.

CARRIED BY ABSOLUTE MAJORITY 9 VOTES TO 0

12.1 FINAL ADOPTION OF LOCAL PLANNING POLICY NO 7 'THE SPRINGS DESIGN GUIDELINES'-MINOR AMENDMENTS

BUILT BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1–Item 12.1 refers	<u>Advertised Local Planning Policy No 7</u>
Attachment 2–Item 12.1 refers	<u>Submission Table</u>
Attachment 3–Item 12.1 refers	<u>Updated Local Planning Policy No 7 (For Final Adoption)</u>

Voting Requirement	:	Simple Majority
Subject Index	:	116/108 and 116/077
Location / Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	Item 12.1.7, Ordinary Council Meeting 28 August 2007 Item 12.1.4, Ordinary Council Meeting 20 May 2008 Item 12.4, Ordinary Council Meeting 27 April 2011 Item 12.4, Ordinary Council Meeting 26 July 2011 Item 12.5, Ordinary Council Meeting 24 April 2012
Applicant	:	City of Belmont and Landcorp
Owner	:	N/A
Responsible Division	:	Community and Statutory Services

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 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 checked="" 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> |

Item 12.1 Continued

PURPOSE OF REPORT

To consider comments received during the advertising of minor amendments to Local Planning Policy No 7 'The Springs Design Guidelines' (LPP7) and consider final adoption.

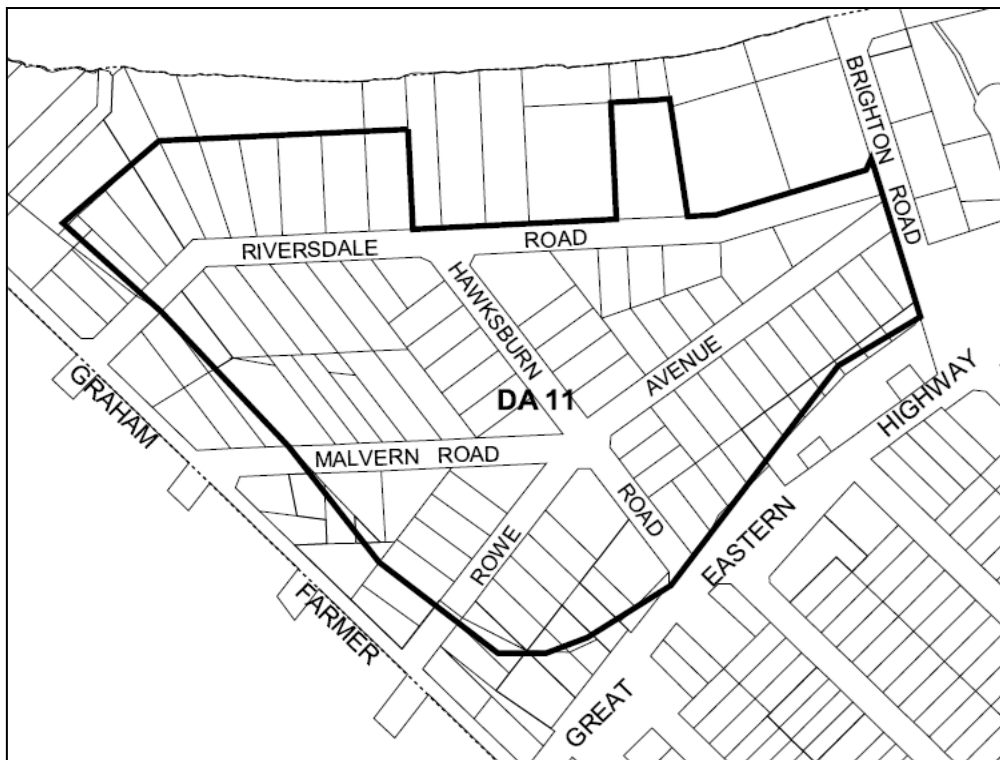
SUMMARY AND KEY ISSUES

- At the Ordinary Council Meeting (OCM) of 26 July 2011, Council resolved to grant final adoption of amendments to 'Local Planning Policy No 31–The Springs Design Guidelines (LPP31)' under Town Planning Scheme No 14 (TPS14).
- The City's Local Planning Scheme No 15 (LPS15) and associated local planning policies were gazetted on 1 December 2011. LPP7 under LPS15 related to The Springs Design Guidelines.
- The gazetted version of LPP7 was however, not the version that was adopted by Council on 26 July 2011, but rather a previous version of the Design Guidelines from 2007.
- Council gave consent to readvertise LPP7 at the OCM of 24 April 2012 with a number of additional minor amendments ([Attachment 1](#)), so that it could be correctly adopted under LPS15.
- LPP7 was advertised from 22 May 2012 until 12 June 2012. Five submissions were received ([Attachment 2](#)).
- It is recommended that Council grant final adoption of LPP7, as detailed in [Attachment 3](#).

LOCATION

LPP7 has been prepared for application to land zoned 'Special Development Precinct-The Springs' under the City's LPS15, as shown as 'Development Area 11' (DA11) in the location plan below.

Item 12.1 Continued



CONSULTATION

LPP7 was advertised from 22 May 2012 until 12 June 2012, in accordance with the provisions of Clause 2.4 of LPS15. The advertised version of LPP7 is contained in [Attachment 1](#).

Five submissions were received, which are summarised in [Attachment 2](#).

STRATEGIC PLAN IMPLICATIONS

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

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

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

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

Objective: Enhance the City's environmental sustainability through the efficient use of natural resources.

Strategy 1: Manage energy use with a view to minimising greenhouse gas emissions.

Strategy 2: Manage water use with a view to minimising consumption.

Item 12.1 Continued

POLICY IMPLICATIONS

Local Planning Policy No 7 (The Springs Design Guidelines)

Design Guidelines for The Springs were included as a supporting local planning policy to LPS15, which were gazetted in conjunction with the Scheme on 1 December 2011. These Design Guidelines apply to The Springs Special Development Precinct.

LPP7 is proposed to be amended, as detailed in this report.

STATUTORY ENVIRONMENT

Metropolitan Region Scheme

The area identified as 'The Springs' is zoned 'Urban' under the Metropolitan Region Scheme (MRS). The land also abuts land reserved for Parks and Recreation (Swan River Foreshore) and Primary Regional Road (Graham Farmer Freeway and Great Eastern Highway).

Local Planning Scheme No 15

The land identified as 'The Springs' is zoned 'Special Development Precinct' under the City's LPS15. The Scheme also identifies The Springs Special Development Precinct as 'DA11', which requires the preparation and adoption of a local structure plan prior to any development or subdivision occurring. A local structure plan for The Springs has been adopted by Council and endorsed by the Western Australian Planning Commission (WAPC).

A local planning policy for The Springs has been adopted by Council having regard to the provisions of LPS15 and The Springs Local Structure Plan. The procedure for making and amending a local planning policy is outlined under clause 2.4 of LPS15.

The Springs Local Structure Plan

The Springs Local Structure Plan was adopted by Council in November 2009 and endorsed by the WAPC in December 2009.

Part 6.4 of the Structure Plan identifies that built form design guidelines are to be prepared for The Springs and adopted as a local planning policy. The Structure Plan provides guidance for each precinct in formulating the design guidelines.

Any Design Guidelines for The Springs must be consistent with the provisions of the Local Structure Plan.

BACKGROUND

The history associated with this item and the need for readoption of LPP7 has been previously detailed in Item 12.5 of the OCM of 24 April 2012.

Item 12.1 Continued

As a matter of confirmation, the additional Amendments to LPP7 are:

- All pages: Remove footer text-‘Draft’.
- Page 2: Update to replace reference to TPS14 with LPS15.
- Page 6-7: Update to replace reference to TPS14 with LPS15.
- Page 11: Include reference to Belmont Forum/Town Centre.
- Page 15: Include reference to Local Planning Policy No11 (LPP11) under LPS15 (Public Art).
- Page 16: Include provisions relating to Plot Ratio.
- Page 19: Clarify building height versus maximum number of storeys to limit anomalies.
- Page 32: Clarifies waste management requirements and considerations for a Waste Management Plan.
- Page 33: Remove reference to The Springs Parking Strategy and Traffic Impact Assessment Report and refer to LPS15 standards for vehicle parking. Provide scope for variations to LPS15 requirements where it can be demonstrated that there is a lesser parking demand than what the Scheme states.
- Page 34: Include LPS15 requirements for end of trip facilities (showers and lockers).
- Pages 42-51: Update DAP tables to:
 - Include notation for Plot Ratio to refer to Clause 5.3.4 of LPS15 which allows plot ratio to be varied at the discretion of Council.
 - Impose maximum plot ratio requirement for Mixed Use lots.
 - Remove development yields.
 - Remove requirement for maximum number of storeys and refer only to maximum height.
 - Change minimum number of 60 and 90sqm units to % rather than specific numbers.
- Update development checklist.
- Other minor textual changes not impacting the intent of the Guidelines.

Item 12.1 Continued

OFFICER COMMENT

The advertising of LPP7 identified two key matters that require further discussion.

Car Parking

One submission raised concerns with the car parking ratio for commercial (office) developments in The Springs being 1:30m² of net lettable area. The submission instead considers that a car parking ratio of 1:40m² of net lettable area for 'office' is more appropriate having regard to the site's location near public transport and the broader vision of The Springs being a transit oriented development (TOD).

Following the finalisation of The Springs Structure Plan, Landcorp advised that in order to promote The Springs as a TOD, they would be seeking significantly fewer car parking bays than what would ordinarily be required under the provisions of the City's Town Planning Scheme. Landcorp's rationale for this was the theory that limiting the availability of car parking would encourage greater use of public transport and non-car modes of transport. The City was supportive of the investigation of alternative car parking standards for development within The Springs; however this support was dependent on Landcorp producing a car parking study and strategy that would identify appropriate car parking ratios for different land uses located in a TOD precinct.

Landcorp progressed this study by engaging the services of a transport engineering consultant, however upon review of the findings, they were not satisfied that the proposed car parking ratios and reduced numbers of on-site car parking bays would be economically viable or attractive to the market. Their research concluded that the City's Town Planning Scheme requirements were in fact consistent with market expectations for the minimum number of on-site car parking bays, and would also not compromise the TOD objectives. On that basis, Landcorp advised that they would prefer that the City apply its Scheme standards for car parking (this was part of the reason for the current revisions to the Design Guidelines), and if individual developments sought a car parking reduction then they could submit development specific justification.

The revised Design Guidelines allow for any proponent to request a car parking variation provided it is supported by a comprehensive car parking report prepared a professional Traffic Engineer. On this basis, there is not considered to be any need to amend the Design Guideline requirements.

Waste Collection

One submission identified some difficulties with the implementation of the waste management provisions of the Design Guidelines (refer to Submission 3 in [Attachment 2](#)). In summary, the submission was concerned that the Design Guidelines required on-site collection of waste, which they consider to be problematic for a number of reasons.

The concerns raised in this submission are noted, albeit that on-site collection waste collection is not intended to be mandatory under the Design Guidelines. The 'Acceptable Development Controls' state that waste collection is to be dictated by an approved Waste Management Plan, which will be considered on a case by case basis.

Item 12.1 Continued

The 'Design Guidance', which refers to the likelihood of the need for on-site collection, is intended purely to assist proponents in working towards a suitable outcome that will satisfy the City and address the contextual constraints that will limit the ability for bins to be collected from the street. It is however, evident that the wording may be confusing for proponents.

On the basis of the above, it is recommended that the Design Guidance be reworded for clarity, as follows:

"Due to the high density of development in The Springs and the provision of extensive on-street parking, waste collection from the street may not be feasible for all developments. The required Waste Management Plan therefore must be prepared to address and identify the most suitable arrangements for waste collection, having regard to:

- Availability of verge space for bin presentation, having regard to number of required bins, on-street car parking, crossovers, verge vegetation and infrastructure, etc).*
- Ability for on-street collection, having regard to on-street car parking, footpaths, bicycle lanes, traffic islands, distance to intersections, etc).*
- Building design, site layout, access and manoeuvrability where collection is proposed to occur on-site.*
- Ability for the City to provide a bulk waste collection system (not verge-side pickup) several times a year.*

The Waste Management Plan for each development will require the endorsement of the City's Manager Health and Ranger Services in consultation with the City's Waste Collection service provider prior to being adopted.

It is recommended that developers contact that City of Belmont Health Services early in the design process to avoid waste collection becoming an afterthought or causing future issues.

On-site composting is also encouraged, where possible, in self-contained composting units as part of the site's facilities.

Note: When a Development Application is being considered, City of Belmont Health Services in conjunction with their waste collection contractors, will assess the Waste Management Plan of the development, including vehicular access and provide feedback if amendments are required".

The updated provisions have been included in [Attachment 3](#).

Other Comments

The submission from Main Roads Western Australia (MRWA) made a number of suggestions on matters contained within the Design Guidelines. Many of the comments made had already been included in the Design Guidelines, whilst a number have been accepted and included in the version that Council is being requested to finally adopt (refer [Attachment 3](#)).

Item 12.1 Continued

Conclusion

Council has previously adopted a substantive review of the Design Guidelines for The Springs and this item has been initiated merely as a matter of process. At the same time, this has presented the opportunity for some minor amendments to be made, which all remain consistent with the previous vision and objectives for The Springs development.

It is considered that the proposed amendments to LPP7–The Springs Design Guidelines (as updated in [Attachment 3](#)) do not dramatically change the intent and objectives of the Design Guidelines that were adopted by Council in July 2011, and final adoption would reaffirm Council's previous resolution prior to LPS15.

It is recommended that Council resolve to grant final adopt of LPP7, as detailed in [Attachment 3](#).

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER RECOMMENDATION

WOLFF MOVED, GODFREY SECONDED, That Council grant final adoption of Local Planning Policy No 7 'The Springs Design Guidelines' as amended and detailed in Attachment 3.

CARRIED 8 VOTES TO 1

Against: Dornford

12.2 RIVERSDALE NORTH DETAILED AREA PLAN (THE SPRINGS SPECIAL DEVELOPMENT PRECINCT)

BUILT BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 4–Item 12.2 refers	<u>Riversdale North Detailed Area Plan</u>
Attachment 5–Item 12.2 refers	<u>Submission Table (Round 1 of Advertising 2011)</u>

Voting Requirement : Simple Majority
Subject Index : 116/077
Location/Property Index : 30-38 and 60 Riversdale Road, Rivervale
Application Index : Nil
Disclosure of any Interest : Nil
Previous Items : Nil
Applicant : Greg Rowe and Associates
Owner : Western Australian Land Authority, S A Lauterbach,
R B Collister and S R Meyer, Active Trade Pty Ltd,
J P Zadnik, Motherwell Properties Pty Ltd
Responsible Division : Community and Statutory Services

COUNCIL ROLE

- ☐ **Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- ☐ **Executive** *The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- ☒ **Legislative** *Includes adopting local laws, 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

For Council to consider approval of a Detailed Area Plan (DAP) for the Riversdale North Precinct in The Springs Special Development Precinct.

Item 12.2 Continued

CONSULTATION

Clause 6.2.15.3 of Local Planning Scheme No 15 (LPS15) states that a proposed DAP is to be advertised for public comment in the following ways:

1. Either (a) notification in a newspaper published and circulating in the Scheme area or
(b) erection of a sign(s) erected in a conspicuous place(s) in the Development Area.
2. Giving written notice to:
 - All owners whose land is within the proposed detailed plan area
 - All owners and occupiers who, in the opinion of the local government, are likely to be affected by the adoption of the proposed DAP
 - Public authorities and other persons that the local government nominates.

The City advertised an earlier version of the Riversdale North DAP from 17 May 2011 until 10 June 2012 (367 letters). Ten submissions were received on that DAP and are summarised in [Attachment 5](#). A copy of individual submissions can be made available to Councillors on request.

In response to advertising, the City (in liaison with the DoP and SRT) requested modifications to the proposed DAP. A revised DAP was submitted to the City on 19 June 2012 ([Attachment 4](#)).

The revised DAP was subsequently advertised from 21 June 2012 until 12 July 2012 (385 letters). At the time of writing this report, no submissions had been received. A copy of any submissions received will be circulated to Councillors before the Ordinary Council Meeting (OCM).

STRATEGIC PLAN IMPLICATIONS

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

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

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

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

Objective: Protect and enhance our natural environment.

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

Item 12.2 Continued

POLICY IMPLICATIONS

Local Planning Policy No. 7 (The Springs Design Guidelines)

The Springs Design Guidelines have been adopted by Council as Local Planning Policy No 7 (LPP7) pursuant to LPS15 (formerly Local Planning Policy No 31 under Town Planning Scheme No 14).

The Springs Design Guidelines have been prepared having regard to the requirements of The Springs Structure Plan and apply to all land within The Springs Special Development Precinct. The exception to this is where a DAP provides for an alternative requirement, whereby the DAP prevails. In this instance, a number of provisions within the Riversdale North DAP intend to override provisions contained within LPP7.

Amendments to LPP7 are being considered by Council under Item 12.1 of this meeting. These amendments have no bearing on the Riversdale North DAP.

STATUTORY ENVIRONMENT

Metropolitan Region Scheme

The Riversdale North precinct is zoned 'Urban' under the Metropolitan Region Scheme (MRS). The land also abuts land reserved for Parks and Recreation (Swan River Foreshore) and Primary Regional Road (Graham Farmer Freeway).

Local Planning Scheme No. 15

The Riversdale North Precinct is zoned 'Special Development Precinct' under LPS15 and is also identified as being part of 'Development Area 11' (DA11).

Clause 6.2.4 of LPS15 states that a structure plan is required to guide the subdivision and development of all land within a 'Development Area'.

In addition to the Clause 6.2.4 of LPS15, Clause 6.2.15 contains provisions relating to the preparation of DAPs. The provisions state that a DAP may be prepared by an owner or a local government where it is desirable to enhance, elaborate or expand on the details or provisions contained within a structure plan for particular lots. The provisions also contain the relevant requirements the preparation, advertising and adoption of a DAP.

Under Clause 6.2.15.6, a DAP is 'deemed to be refused' if it is not determined within 60 days from the date of receipt, unless otherwise agreed in writing between the owner and the local government. The subject DAP has deemed refusal rights, which have not been pursued by the applicant.

Amendment No 2

At the OCM of 28 February 2012, Council resolved to initiate Amendment No 2 to LPS15. The Amendment seeks to identify DA11 as 'Development Contribution Area 1', in which development contributions for infrastructure associated with The Springs development can be levied from benefiting landowners.

Item 12.2 Continued

Amendment No 2 has no specific bearing on the Riversdale North DAP.

The Springs Structure Plan

The Springs Local Structure Plan was adopted by Council in November 2009 and endorsed by the WAPC in December 2009.

Part 6.4 of the Structure Plan states that built form design guidelines are to be prepared for The Springs and adopted as a local planning policy. The Structure Plan provides guidance for each precinct in formulating the design guidelines.

In addition to the preparation of Design Guidelines, Clause 7.4 of the Structure Plan identifies the Riversdale North Precinct as requiring a DAP (approved by the Council and WAPC) prior to subdivision and/or development (except for demolition of existing structures). The Structure Plan states that the DAP must address the following:

- The whole of the precinct or, if the City of Belmont and WAPC agree, a portion of the precinct
- Creation and preservation of significant sight lines (or view corridors) to and from the Swan River
- Overshadowing
- Control of building bulk via setbacks
- Response to topography
- Articulation of podium and tower elements
- Address to the street and public realm.

The subject DAP has been prepared in response to the requirements of the Structure Plan.

Right of Review

Is there a right of review? ☒ Yes ☐ No

Clause 6.2.16.2 of LPS15 states that an owner who has submitted a DAP in accordance with Clause 6.2.15 may make application to the State Administrative Tribunal (SAT) for review of any discretionary decision made by the local government under Clause 6.2.15 of LPS15 in accordance with Part 14 of the *Planning and Development Act 2005*.

Item 12.2 Continued

BACKGROUND

Detailed Area Plans

A DAP is a series of site specific design guidelines that apply to a lot(s) that requires detailed planning, which may be:

- By virtue of its unique characteristics or site constraints (eg size, unusual topography etc) or
- Where there is a need for a specific design guidance required to achieve certain development aspirations (eg a certain type of built form, interface with public realm etc).

DAPs in essence operate by imposing certain development requirements to achieve desired development outcomes. In most circumstances, they are often required under the provisions of a local structure plan and adopted by a local government under their local planning scheme. They are similar to a local planning policy, but have a much greater statutory weight as they are site and context specific.

Requirement for a Detailed Area Plan for Riversdale North

The Riversdale North precinct was identified in The Springs Structure Plan as requiring a DAP because of its location adjacent to Cracknell Park and the Swan River foreshore and the need to ensure that the density of development responds to its context and does not detract from the visual amenity of the locality.

In finalising The Springs Structure Plan, Council and the WAPC identified that the DAP should address the following matters:

- The creation and preservation of significant sight lines (or view corridors) to and from the Swan River
- Overshadowing
- Control of building bulk via setbacks
- Response to topography
- Articulation of podium and tower elements
- Address to street and public realm.

Given the location and significance of the Riversdale North precinct abutting the Swan River foreshore, The Springs Structure Plan states that the DAP requires approval by both the City of Belmont and WAPC.

Should Council resolve to approve the DAP, it will subsequently be forwarded to the WAPC for their determination.

Item 12.2 Continued

Site Description

The subject site is located on the northern side of Riversdale Road and to the south of the Swan River foreshore, as shown in the aerial photograph below.



The majority of the precinct is vacant, however three existing single residential dwellings currently remain (38 and 40 Riversdale Road and 48 Riversdale Road). Cracknell Park is located centrally within the precinct, and the easternmost site (60 Riversdale Road) is bounded by existing strata development on both sides. These strata complexes are not part of The Springs Structure Plan area, nor the Riversdale North DAP; however have contextual relevance on future development in the precinct.

Land to the immediate south of Riversdale Road is designated in The Springs Structure Plan for a mix of medium to high density residential (R60 to R80). More broadly, The Springs Structure Plan permits other precincts to be developed for a mix of commercial and medium to high density residential land uses (R60 to R250).

Land within the Riversdale North precinct slopes steeply downwards towards the Swan River (south to north).

Progression of the Detailed Area Plan

The applicant submitted a proposed DAP for the Riversdale North precinct on 21 December 2010 following a number of months of discussions.

In short, the first version of the DAP incorporated the following:

- Six development sites (some of the six development sites represent the amalgamation of existing lots)
- Site analysis, including identification of primary and secondary view corridors
- Built form to be contained within a Maximum Building Envelope (MBE) in a podium and tower arrangement, split into three building zones (front, central and rear)

Item 12.2 Continued

- Maximum building height of 14-30 metres (four-nine storeys) in the Front Building Zone, 40 metres (12 storeys) in the Central Building Zone, nine metres (two storeys) in the Rear Building Zone on all sites
- Site four have the ability to achieve an average height of 40 metres between two towers on the same site
- General boundary setback provisions
- Design provisions for Site five to address interface with Cracknell Park
- General overshadowing provisions
- General public realm and interface provisions.

The City's assessment of the DAP at that point in time identified that it was lacking in the necessary detail to support and justify what was proposed, particularly when having regard to the requirements of The Springs Structure Plan.

Additional information was requested from the applicant in February 2011, which generally related to:

- The MBE concept, although supported in principle, was generic across all sites and did not take into account differing site opportunities/constraints, nor consider all of the Precinct objectives contained in the Structure Plan
- Limited rationale and justification relating to the creation and preservation of primary and secondary view corridors/sight lines
- Lack of detailed overshadowing analysis and justification having regard to the proposed heights of buildings
- Concerns regarding the building bulk, in particular through generic setback requirements at all levels
- Concerns regarding discretion to allow portions of the building to project beyond the MBE
- Plot ratio compliance
- Concern regarding the height of buildings and response to topography, in particular the lack of justification for the proposed building heights
- Further detail on articulation of podium and tower elements
- Further detail in relation to visibility of car parking from the public realm.

Discussions between the applicant, the City's Officers and the DoP over the following month resulted in the submission of a revised DAP on 25 March 2011, which represented a comprehensive variation to the previous version.

Item 12.2 Continued

After reassessment of the revised DAP, the City's Officer's (in discussion with the DoP) were still not satisfied that all matters had been adequately addressed. Specific matters of concern were:

- Lack of justification for proposed building heights, particularly Site four which had been increased in height to 16 storeys (average of 12 storeys under previous version)
- Provision to allow the R160 density code as of right, rather than demonstrated compliance with a performance criteria (not supported as it would be contrary to Structure Plan)
- Boundary setbacks reductions from previous version (not supported due to impact on view corridors and building bulk)
- Provision to vary the Dwelling Diversity requirements of The Springs Structure Plan (not supported as WAPC had firmly defended these requirements in the progression of the Structure Plan)
- The MBE prevailing over plot ratio where discrepancies existed, with limited justification in relation to control of building bulk (not supported due to potential building bulk impact on locality)
- Limited overshadowing analysis.

The applicant provided a revised DAP on 29 April 2011.

Although a number of matters remained unresolved after review of the third iteration of the DAP, the City agreed to commence formal advertising. Advertising occurred from 17 May 2011 until 10 June 2011, with 10 submissions received. These submissions are summarised in [Attachment 5](#).

Post advertising, neither the Council's Officers or the DoP were satisfied that the DAP was acceptable enough to make a positive recommendation to Council. The view of both parties was that rather than being a clearly defined set of approved acceptable development standards, the DAP was overly open-ended and incorporated too much discretion, which contradicted the intent of having a DAP. The Council's Officers and the Department were also of the view that many of the provisions were not in keeping with the strategic vision for the precinct, and instead was being used as a means to pursue maximum development potential for landowners rather than responding to the varying site and precinct characteristics.

In summary, the general comments that were conveyed to the applicant were:

- The DAP was not acceptable because the various provisions did not give certainty that the proposed built form would not be bulky, in context with the Swan River foreshore and in context with the surrounding precinct. Instead, the acceptable development criteria appeared to have nominal weight (as the DAP stated that the Development Principles will prevail over the Acceptable Criteria), and that the main decision making should be based on overarching statements that were open to interpretation. This was not considered to be aligned with the City or Department's expectations for a DAP in the Riversdale North precinct.

Item 12.2 Continued

- The consensus from the City and Department was that the DAP was to be a mechanism that provided certainty to all relevant parties as to an acceptable development size, scale and intensity of development that would be site and precinct responsive. The document submitted and advertised did not achieve this to the Council's Officer's satisfaction, and required substantial modifications in order to gain recommended support to Council.

The applicant was provided with a list of required modifications that represented the Council's Officer's final position on the DAP. The applicant was advised that they had the opportunity to consider and respond to the changes before a report was prepared for Council's consideration.

The applicant agreed to these changes, and provided a revised DAP on 19 June 2012.

Current Detailed Area Plan

The fourth and final iteration of the Riversdale North DAP is contained in [Attachment 4](#). The objectives of the Riversdale North DAP are to:

- Act as a mechanism for the establishment of appropriate development standards and design guidance for the Riversdale Road North Precinct
- Maintain visual connections and an appropriate interface between The Springs Special Development Precinct and Swan River
- Maximise passive visual surveillance of public spaces surrounding the Riversdale North DAP
- Minimise overshadowing of development sites and public spaces
- Create buildings that make a positive contribution to the locality
- Develop an easy to understand and implementable planning framework.

The DAP is structured to include an analysis of the site and its context (Part two), which in turn has arrived at a series of development requirements relating to:

- Residential Design Code Designation and Dwelling Mix
- Maximum Building Envelopes and Massing
- Boundary Setbacks
- Building Height
- Plot Ratio
- Access and parking
- Passive Surveillance and the Public Realm
- Overshadowing

Item 12.2 Continued

- Waste Collection
- Acoustic Separation.

Summary of Development Requirements

Residential Design Code Designation and Mix

The DAP states that the base density code for Riversdale North is R100. However, the DAP also states that an increase in density above R100 (up to a maximum density of R160) can be considered subject to compliance with a performance criteria, which are generally:

- Exceptional urban design standard and built form to enhance the streetscape (high quality building materials, architectural detailing, complementary colour scheme, etc)
- Maximises direct winter sunlight and ventilation (for development and also adjoining properties) while maintaining privacy
- No significant overshadowing impact on adjacent properties
- Has a demonstrable amenity of direct benefit to the City of Belmont (eg affordable housing, street art, courtyards, arbors, fountains, street furniture, rooftop gardens, landscaped pedestrian/cyclist corridors or pathways, localised exterior lighting of pathways, textured pedestrian surface treatments, etc)
- Well designed frontages oriented towards Riversdale Road and the Swan River foreshore
- Incorporates sustainability principles
- Has regard for the history associated with the site and incorporates elements which reflect this history (eg public art, photographic displays, creative re-use of existing heritage structures or features, etc).

The above provisions are consistent with Council's expectations for this precinct, having regard to provisions contained in The Springs Design Guidelines.

The DAP also recognises the Structure Plan requirement for a minimum of 15% of dwellings being 60sqm or less in size and a further 15% of dwellings being between 60 and 90sqm in area to encourage dwelling diversity and promote housing affordability.

Maximum Building Envelope

All development is required to be contained within the MBE relevant to each site. In addition to this, the separation between buildings on adjoining sites must also increase as building height increases.

A view corridor has been provided for internally within Site four. The other primary and secondary view corridors have been taken into account with the location of the MBEs.

Item 12.2 Continued

Boundary Setbacks

The required boundary setbacks are provided for within Appendix 1 of the DAP. In general the required setback is a minimum of six metres on side boundaries (across all levels), three metres to Riversdale Road, and 10 metres to the rear boundary. Additional setbacks are provided for specific sites, for example:

- Site four is required to have any development above three storeys in the Front Building Zone set back a minimum of 10 metres from Riversdale Road
- Site five is required to have a minimum setback of two metres from Cracknell Park.

These exceptions are contained in Clause 3.3 and Appendix 1 of the DAP.

Building Height

Building height on each site varies in each of the three building zones, which is reflective of the podium and tower approach to development.

All sites are permitted to have a maximum building height of 40.5 metres (12 storeys) in the Central Building Zone, with the exception of Site one, which has a maximum building height of 31.5 metres (nine storeys).

Building height in the Rear Building Zone is generally restricted to a maximum of three storeys, with scope to increase this to a maximum of four storeys provided development is stepped back from the rear setback line.

Building height in the Front Building Zone varies across all sites, but generally does not exceed three storeys closer than 10 metres to the front boundary.

Plot Ratio

Plot ratio is a critical means of controlling building bulk, as it limits the amount of building floor area permissible. Accordingly, the DAP requires development to meet the plot ratio requirements relevant to the applicable residential density code in the R-Codes. The maximum plot ratio requirement at R100 is 1.25, and at R160 plot ratio should not exceed 2.0.

Notwithstanding the above, Clause 5.3.4 of LPS15 permits the City to grant variations to plot ratio in The Springs Special Development Precinct where the development is in accordance with the character of the locality, having regard to relevant Council policies adopted under the Scheme. This clause is acknowledged in the DAP, however is not as of right.

Vehicle Access, Parking and End of Trip Facilities

Car parking is generally required to be in a location where it is not visible from the street, such as below ground or incorporated into the building design. Visitors parking may be permitted in the Front Building Zone.

Provision is made for the storage of bicycles, motorcycles and scooters.

Item 12.2 Continued

The DAP is silent on the number of car parking bays for individual developments, which means that the provisions of the R-Codes for multiple dwellings will apply.

Passive Surveillance and Public Realm

This design element refers to the requirement for public art (as per Local Planning Policy 11), high architectural design and interface with the street and public open space.

Provisions relating to the treatment of the interface with the Swan River foreshore are also provided, including landscaping, topography and retaining walls, and setbacks of buildings and swimming pools. The provisions in this Design Element have been formulated in consultation with the SRT.

Overshadowing

This design element recognises that The Springs is a high density inner city location and therefore some overshadowing is inevitable. The DAP intends to protect properties on the south of Riversdale Road by imposing a maximum of 50% overshadowing of an adjoining site in mid-winter.

Waste Collection

The Waste Collection provisions of the DAP require a Waste Management Plan to be submitted with every development proposal to the satisfaction of the City's Health Services. Additional requirements for on-site storage and management of waste are included.

Acoustic Separation

The DAP requires noise attenuation measures to comply with the relevant Australian Standards and planning policies.

Appendix 1

Appendix 1 depicts the relevant development standards for each site, including the MBE, building height, setbacks, and vehicle access points.

OFFICER COMMENT

The proposed DAP has been the subject of considerable dialogue and negotiation amongst the Council's Officers, the applicant, the DoP and SRT over a period of 18 months. The length of time deliberating over the content and provisions of the DAP was largely influenced by the earlier versions being drafted with a focus to maximise development opportunities without detailed consideration and analysis of the site and precinct character. In particular, the City and Department were not satisfied that the DAP adequately addressed the precincts relationship with the Swan River setting, the locality and broader Springs development area.

Item 12.2 Continued

The result of the on-going negotiation is the resubmission of a DAP that is considered to recognise the significance of the Riversdale North precinct in a manner that is consistent with the strategic objectives of The Springs Structure Plan. Accordingly, the initial concerns held by Officers of the City, the DoP and SRT are now considered to be adequately addressed to the satisfaction of Council Officers.

The provisions and development requirements contained within the proposed DAP are considered to have the necessary balance to ensure that development at a high density can be undertaken in a manner that does not impose any significant detrimental amenity impact on the locality, adjoining development and the abutting Swan River foreshore. This is considered to be achieved through the combined application of the MBE (including building height and minimum boundary setbacks), density and plot ratio requirements (to limit floor area) as well as building separation distances.

The height of buildings proposed is considered to be acceptable in the context with the precinct, The Springs locality and the broader river setting. The building height is considered to be justified on the basis of the applicable density and strategic intent of the precinct under The Springs Structure Plan, the location of the precinct in relation to the Perth City Centre, public transport and major arterial roads, as well as the high amenity provided by the Swan River setting. It is also expected that the height of buildings will be in context with future high density development in the Burswood Peninsula that will progress over the next decade.

The provisions of the DAP relating to passive surveillance and the public realm interface will also ensure that the design of development will promote a built form that has a relationship with the street, public open space and the Swan River foreshore, in a manner that does not cause detriment to amenity beyond the site itself.

The DAP also recognises the importance of achieving a diversity of dwellings in the precinct, which in turn will encourage housing choice and relative affordability for residents.

Required Modifications

Notwithstanding the support for the DAP, a number of minor modifications are required. These are:

- Updating of Clause 1.4 of the DAP to include 'Waste Collection' and 'Acoustic Separation' in the list of Design Elements.
- For clarity purposes, update Clause 3.4.1 (General Acceptable Development Criteria) by modifying dot point 1 to read as follows:

"Unless otherwise stated, the height of any building and/or structure is not to exceed the upper limit of the Maximum Building Envelope".

Item 12.2 Continued

- For clarity purposes, remove *“The City may approve an additional (fourth) storey in the Rear Building Zone (which would be located outside the MBE) subject to the third and fourth storeys being set back an additional 5 and 10 metres (from the 10 metre rear setback line) respectively”* from Clause 3.7.1 (Passive Surveillance and Public Realm Considerations : General Development Criteria (Foreshore Related Provisions) and insert into Clause 3.4.1 (Building Height and Appearance : General Development Requirements), with the following rewording (for clarity):

“In the Rear Building Zone the decision making authority may approve an additional (fourth) storey (which would be located outside the MBE) subject to the third and fourth storeys being set back an additional 5 and 10 metres (from the 10 metre rear setback line) respectively and there be no adverse visual amenity impact on the Swan River foreshore”.

- For clarity purposes, include an additional development requirement in Clause 3.6.1 (Vehicle Access, Parking and End of Trip Facilities : General Acceptable Development Criteria) as follows:

“The number of car parking bays for dwellings and visitors shall be in accordance with the provisions of Part 7 of the Residential Design Codes (as amended)”.

Conclusion

The proposed DAP is considered to represent an appropriate planning mechanism to guide development of the Riversdale North precinct. The provisions of the DAP will ensure that development is undertaken in a manner that is in context with the locality, The Springs development area and the river setting that can also capitalise on the development potential provided within The Springs Structure Plan.

It is recommended that Council approve the Riversdale North Detailed Area Plan subject to minor modifications, and subsequently forward the DAP to the WAPC for their consideration.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

The provisions of the DAP have formulated in a manner that reflects the precincts location adjacent to the Swan River foreshore.

SOCIAL IMPLICATIONS

There are no social implications at this time.

Item 12.2 Continued

OFFICER RECOMMENDATION

WOLFF MOVED, GODFREY SECONDED, That Council:

1. **Approve the Riversdale North Detailed Area Plan as detailed in Attachment 4, subject to the following amendments:**
 - (a) **Update Clause 1.4 (Structure of the DAP: Part 3 Design Elements) by:**
 - **Including the following additional dot point: “Waste Collection”**
 - **Including the following additional dot point: “Acoustic Separation”**
 - (b) **Update Clause 3.4.1 (General Acceptable Development Criteria) by:**
 - **Modifying dot point 1 to read as follows: “Unless otherwise stated, the height of any building and/or structure is not to exceed the upper limit of the Maximum Building Envelope”.**
 - **Including the following additional dot point: “In the Rear Building Zone the decision making authority may approve an additional (fourth) storey (which would be located outside the Maximum Building Envelope) subject to the third and fourth storeys being set back an additional five and 10 metres (from the 10 metre rear setback line) respectively and there be no adverse visual amenity impact on the Swan River foreshore”.**
 - (c) **Update Appendix 1 (Maximum Building Envelope and Massing Diagrams) to depict Part 1(b) of this resolution.**
 - (d) **Update Clause 3.6.1 (General Acceptable Development Criteria) by including the following additional dot point: “The number of car parking bays for dwellings and visitors shall be in accordance with the provisions of Part 7 of the Residential Design Codes (as amended)”.**
 - (e) **Update Clause 3.7.1 (General Acceptable Development Criteria–Foreshore Related Provisions) by removing dot point 13, which reads as follows: “The City may approve an additional (fourth) storey in the Rear Building Zone (which would be located outside the Maximum Building Envelope) subject to the third and fourth storeys being set back an additional five and 10 metres (from the 10 metre rear setback line) respectively”.**
2. **Upon receipt of documentation with above amendments, forward the Riversdale North Detailed Area Plan to the Western Australian Planning Commission for approval.**
3. **Notify all parties who made a submission (in both rounds of advertising) of Council’s resolution.**

CARRIED 8 VOTES TO 1

Against: Dornford

12.3 BELMONT SISTER CITY ASSOCIATION–REVISED MEMORANDUM OF UNDERSTANDING

SOCIAL BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 6–Item 12.3 refers	2012 Memorandum of Understanding

Voting Requirement	:	Simple Majority
Subject Index	:	106/002
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	Item 6.2 Information Strategy/Concept Forum 6 May 2008 Item 12.2.2 Ordinary Council Meeting 17 July 2007 Item 12.8 Ordinary Council Meeting 15 July 2008 Item 5.1 Special Information Forum 25 July 2011 Information Forum 10 July 2012
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Community and Statutory Services

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

To seek Council endorsement of the revised Memorandum of Understanding (MOU) 2012 between the City of Belmont and the Belmont Sister City Association (BSCA).

Item 12.3 Continued

SUMMARY AND KEY ISSUES

The Belmont Sister City Association and Council Officers have been administering the Sister City relationship under the MOU endorsed in 2008.

At the Special Information Forum held on the 25 July 2011, Council supported the development of a new Memorandum of Understanding based on the following principles:

- That a suitable grant to the BSCA be developed providing satisfactory acquittal requirements are met.
- That Council separately fund the cost of the welcome and farewell functions, gifts, the airfare, accommodation and related expenses of the Council Representative and any special events that may arise.
- That the roles and responsibilities of the Council Representative and Chaperone are clarified.

The revised MOU has been drafted around these principles and requires Council endorsement.

LOCATION

N/A

CONSULTATION

The BSCA has been consulted on the proposed MOU with full support.

STRATEGIC PLAN IMPLICATIONS

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

Objective: Ensure access to services and facilities for a changing community.

Strategy: Provide art and cultural opportunities as a means of community engagement and inclusion.

Corporate Key Action: Develop and implement a calendar of activities to engage the wider community in Art and Culture.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

Item 12.3 Continued

STATUTORY ENVIRONMENT

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

BACKGROUND

At the Ordinary Council Meeting (OCM) of the 15 July 2008, there was discussion on the Sister City relationship for the future with decisions made on funding arrangements and approval of the MOU. Council resolved as follows:

“1. Adopt the following option as tabled below:

<i>Financial Year</i>	<i>2008/9</i>	<i>2009/10</i>	<i>2010/11</i>	<i>2011/12</i>
<i>Budget</i>	<i>\$65,284</i>	<i>\$65,284</i>	<i>\$45,284</i>	<i>\$45,284</i>
<i>Comments</i>		<i>One-off increase to original budget to mark Anniversary year</i>	<i>Reduce funding by \$20,000—seek alternative funding source (s) with the Belmont Sister City Association (BSCA) to increase its contribution in fundraising from \$4,500 to \$9,000.</i>	<i>Reduce funding by \$20,000—seek alternative funding source. Review of the BSCA to take place and report presented to Council to consider future support.</i>

- 2. Council communicate with Belmont Sister City Association to undertake discussion to take one chaperone only.*
- 3. Adopt the Communication Structure 2008 as detailed in SB Attachment 8 with the addition that the Tour Leader (member of Council) be included on the Committee with a proxy.*
- 4. That the Memorandum of Understanding (SB Attachment 9) be updated as required reflecting changes in fundraising contributions by BSCA in 2010.*

Note

If Council is putting funds into Sister City, then one Councillor should be on that committee with a proxy. A Councillor should be the Tour Leader. In addition increasing the money to be reimbursed back to Council will help the organisation to become more independent.”

As part of reviewing the 2008 MOU, a number of other requests made from the BSCA where considered at the Special Information Forum held on the 25 July 2011. Council Officers and the BSCA proposed:

- “1. That the two non-resident students as identified in the report, be allowed to participate in the 2011 Belmont Student Delegation.*
- 2. That the increase in the honorarium of the Secretary to \$6,000 be supported to take into account the 2005-06 MOU, which included an increase of \$500 at that time.*

Item 12.3 Continued

3. *That the proposal for a suitable grant to the BSCA be supported provided satisfactory acquittal requirements are met and incorporated in a revised MOU.*
4. *That Council separately fund the cost of the welcome lunch, the airfare, accommodation and related expenses for the tour leader, gifts from the Council to the City of Adachi and special events that may arise and this commitment form part of the new MOU."*

Councillors in attendance supported the proposed notions, subject to the proposed MOU addressing the following:

- *"That a suitable grant to the BSCA be developed providing satisfactory acquittal requirements are met.*
- *That Council separately fund the cost of the welcome and farewell functions, gifts, the airfare, accommodation and related expenses of the Council Representative and any special events that may arise.*
- *That the roles and responsibilities of the Council Representative and Chaperone are clarified."*

Due to the late appointment of the Council Representative for the January 2012 delegation visit to Adachi and to address Risk Management concerns, at the OCM on the 25 October 2011, Council resolved to appoint the Coordinator Leisure, Art and Cultural Services (titled changed to Coordinator Community Wellbeing) to attend the January 2012 tour to provide support to the Chaperone and Council Representative. The participation of the Council Officer as part of the delegation proved to be invaluable. Due to the number of students falling ill, the Council Officer was able to provide support to the Chaperone by remaining with the ill students whilst in hospital. It also allowed up to date communication with the BSCA and parents. This had little effect on the other students who could then continue with planned activities.

OFFICER COMMENT

At the Special Information Forum (SIF) held on the 25 July 2011, the BSCA advised Councillors that as a community group they had the ability to make a dollar go further than local government as they are not constrained by statutory accountability requirements.

Currently, the budget is managed by the City's Coordinator Community Wellbeing whereby all purchases are to be approved by the Officer. The Officer's skills, expertise and time can be more effectively utilised on projects as identified in the City's Corporate Plans.

By providing a grant to the BSCA, it will minimise the amount of administration required from the Officer and provides the BSCA with independence and flexibility. The revised MOU empowers the BSCA as an organisation and enhances decision making, whilst ensuring that both parties are aware of their requirements to achieve the desired outcomes.

Item 12.3 Continued

The new MOU encompasses the feedback received at previous meetings with Council and have been addressed as follows:

Decision Making

The BSCA will now have the authority to make decisions on their operations. These specifically include:

- **Ten Student Positions**
Students who reside in the City of Belmont will be offered positions to participate in the Annual Student Exchange. Should the ten positions not be filled, students who apply that do not reside in Belmont will be considered and approved by the BSCA Committee.
- **Honorarium**
The BSCA Management Committee will determine the honorarium paid for the position. Monies for the position will be derived from grant funds provided by the Council.
- **Fundraising**
Any fundraising carried out by the BSCA will be for their own purposes.
- **Small Function Presentations**
Ticket and Diary Presentations will be organised by the BSCA. The date, invitations, venue, catering and all other associated matters are to be organised and funded by the BSCA.
- **Major Functions**
The welcome and farewell function will be coordinated, hosted and paid for by the City of Belmont in consultation with the BSCA. These funds will be allocated as part of the Council's annual budget process and managed by the appointed City Officer (currently the Coordinator Community Wellbeing).

Funding Arrangement

An annual contribution of \$30,000 will be granted to the BSCA each financial year and will require the association to acquit the funds at the end of each June financial year. Any funds not expended, can be kept by the Association, subject to an explanation on why the funds were not expended and for what purpose the association intends to use the non exhausted funds. Should Council not be satisfied with the Association's reasons for non expenditure, there may be a requirement for non expended funds to be returned to Council. This may lead to a review of the amount of the Council contribution.

Funding will cover all operational costs (but not limited to), rent/lease, photocopying, stationary, advertising, insurance, telephone, travel and equipment. The amount allocated to each activity is to be organised by the BSCA.

Item 12.3 Continued

Specified funds from the grant must be budgeted for by the BSCA as follows:

- **Secretary Honorarium**
The BSCA Management Committee will determine the honorarium paid for the position. Monies for the position will be derived from grant funds provided by the Council.
- **Student Airfare Subsidies**
50% of student airfares are to be funded through the grant.
- **Chaperone Subsidy**
As Chaperones perform a duty whilst on the tour, airfares are fully subsidized through the grant funds.
- **Training/Upgrades in Year One of Funding**
Due to the significant changes in financial structure, a one off contribution to a maximum of \$5,000 will be provided in addition to the \$30,000 in the first year of funding. These allocations of funds are to be spent on software purchases to ensure the BSCA has effective financial tools to administer the funds and to provide any training to committee members to ensure the BSCA's successful operations.

Communication

The appointed Officer will remain as the point of the contact within the organisation. Additional communication means include:

- Annual reporting to Council in August at an Information Forum
- BSCA Committee minutes to be placed on Councillor Portal.

Delegation Roles and Responsibilities

The introduction of a Tour Manager as a permanent role of the delegation has been a result of the need shown on the January 2012 delegation, where half of the students fell ill. In addition to the support the Tour Manager provides by assisting the Chaperone and Council Representative, it is important to ensure that protocols are followed and that there is someone on the tour who has experience in this regard. Adachi also has a similar Officer in this role when visiting Belmont.

The Council Representative (previously titled Tour Leader) will have the following involvement:

- Representing the Council to Council relationship
- Speeches (planned and impromptu)
- Presenting Gifts
- 'Meet and Greet' City Officer Representative, Chaperone, students and families.

The Council Representative will not be responsible for managing students.

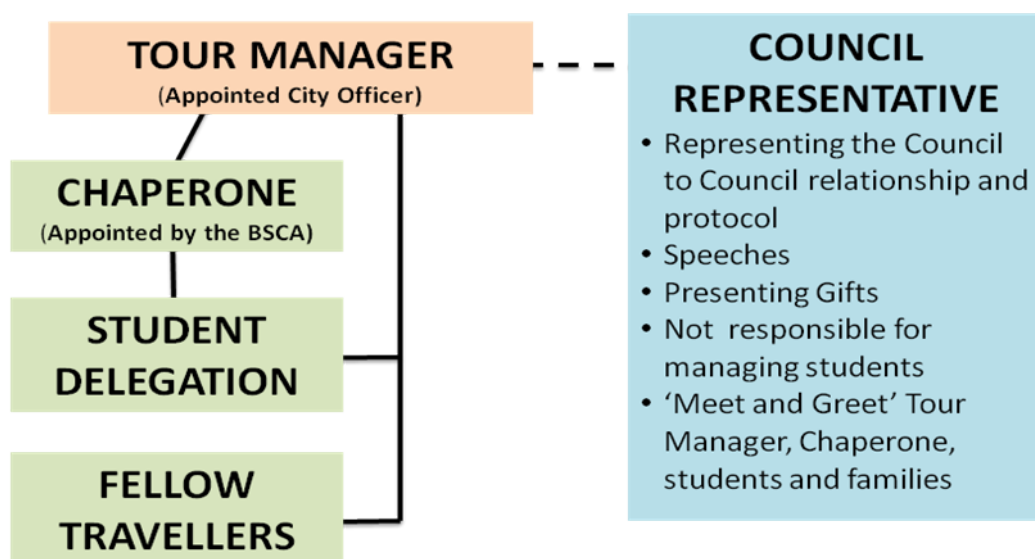
Item 12.3 Continued

The Chaperone will nurture and develop the student delegates, fostering rapport and sense of camaraderie within the group. Chaperones are expected to plan, set goals, program and participate in the activities and preparations of the student delegation.

The Chaperone is expected to work together with the Tour Manager and members of the BSCA. Chaperones are responsible for:

- Ensuring the safe and appropriate conduct by the student delegates
- The welfare, behaviour and presentation of the student delegates
- Being an ambassador for the City of Belmont
- Providing support to the Tour Manager
- Ensuring all medical requirements are followed
- Maintaining high levels of consultation and communication with the BSCA, Tour Manager, students and their families
- Possessing a current Senior First Aid.

A summary of show the relationship between the delegates is shown below:



The revised MOU was considered by Councillors at the Information Forum held on 10 July 2012 where further changes were requested. These changes have been incorporated into the MOU and can be found in [Attachment 6](#).

Item 12.3 Continued

FINANCIAL IMPLICATIONS

The total cost of the program since 2001 varies between \$32,855 (2000-01) and \$83,236 (2004-05 due to 20th anniversary). During the past five years, the average net program cost is shown below:

2006-07 \$41,845

2007-08 \$48,904

2008-09 \$42,575

2009-10 \$46,649

2010-11 \$27,288

It is therefore proposed, that an annual contribution of \$30,000 will be granted to the BSCA each financial year and will require the association to acquit the funds at the end of each June financial year.

Due to the significant changes in financial structure, a one off contribution to a maximum of \$5,000 will be provided in addition to the \$30,000 in the first year of funding. These allocations of funds are to be spent on software purchases to ensure the BSCA has effective financial tools to administer the funds and to provide any training to committee members to ensure the BSCA's successful operations.

Should Council support this financial structure, the budget will need to be amended during the October 2012 budget review process, taking into account funds spent for the current financial year.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are numerous positive social implications for the Sister City Delegation including:

- Cultural awareness development
- Assist in developing community capacity
- Support community groups
- Enhance a sense of community and the image of Belmont
- Supporting the development of new friendships and mutual understanding among young people.

Item 12.3 Continued

OFFICER RECOMMENDATION

That Council:

1. Endorse the 2012 Memorandum of Understanding between the Belmont Sister City Association and the City of Belmont.
2. Grant the Belmont Sister City Association \$35,000 for the 2012-13 financial year and \$30,000 per annum thereafter in accordance with the terms of the Memorandum of Understanding.

AMENDED OFFICER RECOMMENDATION

WOLFF MOVED, POWELL SECONDED, That Council

1. ***Endorse the revised 2012 Memorandum of Understanding between the Belmont Sister City Association and the City of Belmont.***
2. ***Grant the Belmont Sister City Association \$35,000 for the 2012-13 financial year and \$30,000 per annum thereafter in accordance with the terms of the revised Memorandum of Understanding.***

CARRIED 9 VOTES TO 0

Reason

As requested at the Information Forum held on the 10 July 2012, the Item has been reviewed by the City's Legal and Compliance Advisor, whereby the wording has been changed as follows:

Original Clause

This Memorandum of Understanding is governed by the laws of Western Australia.

Amended Clause

This Memorandum of Understanding is governed by and construed in accordance with the laws of Western Australia.

12.4 APPOINTMENT OF SISTER CITY COUNCIL REPRESENTATIVE AND TOUR MANAGER

SOCIAL BELMONT

ATTACHMENT DETAILS

Nil.

Voting Requirement	:	Simple Majority
Subject Index	:	106/004
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	5 March 2002 Administration and Community Services Item 8.51 24 April 2007 Ordinary Council Meeting Item 12.5.8 17 June 2008 Ordinary Council Meeting Item 12.4 23 March 2010 Ordinary Council Meeting Item 12.8 27 April 2011 Ordinary Council Meeting Item 12.6 25 October 2011 Ordinary Council Meeting Item 12.6
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Community and Statutory Services

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> |

Item 12.4 Continued

PURPOSE OF REPORT

To consider the appointment of:

- A Councillor to act in the capacity of the official Council Representative for the Student Exchange program visiting Adachi, Japan from 5 January 2013-12 January 2013 and to act as host for the visiting delegation from Adachi to Perth from 2 August 2012–7 August 2012.
- An Officer to attend the Student Exchange program visiting Adachi, Japan from 5 January 2013-12 January 2013.

SUMMARY AND KEY ISSUES

- The Student Exchange program seeks to provide young people who reside in the City of Belmont the opportunity to develop their cultural awareness and friendships with other young people in Adachi. Students participate in home hosting, language lessons, school visits, fundraising activities and public relations.
- Nine students have applied to participate in the 2012-13 delegation which indicates on-going interest in the program. Many are from the Belmont City College.
- As part of risk management, and protocol management, in 2012 Council authorised the Coordinator Community Wellbeing (previously known as the Coordinator Leisure, Art and Cultural Services) to attend the Belmont Student Exchange to Adachi, Japan. This proved to be successful.
- Council need to consider the appointment of its official Council Representative for the 2013 Student Exchange to Adachi, Japan.

LOCATION

N/A

CONSULTATION

Officers are in constant liaison with the Belmont Sister City Association and the Adachi Tourism and Exchange Section concerning delegation dates, itinerary and numerous other aspects associated with the annual Student Exchange between the two Cities.

STRATEGIC PLAN IMPLICATIONS

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

Objective: Ensure access to services and facilities for a changing community.

Strategy: Provide art and cultural opportunities as a means of community engagement and inclusion.

Item 12.4 Continued

Corporate Key Action: Develop and implement a calendar of activities to engage the wider community in Art and Culture.

POLICY IMPLICATIONS

Council Policy BEXB11B requires all overseas travel to be authorised by the Council.

STATUTORY ENVIRONMENT

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

BACKGROUND

Council previously resolved (on 11 April 1989) that:

“Council’s representative for Sister City Student Exchange visits each year should be an Elected Member. In order to promote the ideals and objectives of the Sister City Exchange, a different Elected Member be selected each year. In the event that no Elected Member is able to participate in an exchange visit, then an officer may be considered.”

Tour Leaders for the last several student exchanges have been:

1989 Cr M Blair	1990 Cr D Ferguson
1991 Cr R Belton	1992 Cr D Powell
1993 Cr E Teasdale	1994 Cr C Rich
1995 Cr M Godsell	1996 Cr L Coops
1997 Cr A Richardson	1998 Cr D Symonds
1999 Cr A Murfin	2000 Cr R Swann
2001 Cr G Godfrey	2002 Deferred to January 2003
2003 Cr J Powell	2004 Delegation cancelled
2005 Cr G Grant	2006 Cr B Martin
2007 Wendy Parsons (Officer)	2008 Cr B Martin
2009 Cr Steve Wolff	2010 25 th Anniversary
2011 Cr J Gee	2012 Cr J Powell

The 2004 Student delegation was cancelled as a result of a low response rate from students, which was thought to be due to the emergence of the SARS epidemic throughout Asia and China and the perceived level of safety for global travel.

In 2010, the City of Belmont with the Special Ward of Adachi celebrated their 25th anniversary of the signing of the agreement that affiliated them as Sister Cities. To celebrate this occasion, a citizen’s delegation took place accompanied by the City of Belmont Mayor and the Chief Executive Officer.

Item 12.4 Continued

In previous occasions the delegation comprised of:

- Tour Leader
- One Chaperone
- Up to ten students.

In 2011, the appointed Councillor at the time (Councillor Hanlon) did not contest her position at election time, resulting in the appointment of Council Powell two and half months out from the tour.

To ensure the management of the ongoing protocol remains with the City and as part of risk management, it was recommended that a Council Officer who was fully conversant with Sister City arrangements participate in the delegation. This position provided support to Councillor Powell and the Chaperone. The following recommendation was resolved:

“That Council authorise the Coordinator of Leisure, Art and Cultural Services to attend the January 2012 Belmont Student Exchange to Adachi, Japan.”

OFFICER COMMENT

The appointment of a Council Representative is to represent in an official and protocol capacity for the Student Exchange program visiting Adachi, Japan from 5 January 2013-12 January 2013 and to act as host for the visiting delegation from Adachi to Perth from 2 August 2012-7 August 2012.

The 2012-13 Belmont Delegation is made up of:

- Chaperone—Debra Walter
- Fellow travellers—Sue Smith and Linda Oversby
- Nine students.

As part of developing the new Memorandum of Understanding, the Council Representative will have the following involvement:

- Representing the Council to Council relationship
- Speeches (planned and impromptu)
- Presenting Gifts
- ‘Meet and Greet’ the City Officer representative, chaperone, students and families.

The Council representative will not be responsible for managing students.

Item 12.4 Continued

The participation of the Council Officer as part of the delegation proved to be invaluable. In 2011, due to the number of students falling ill, the Council Officer was able to provide support to the Chaperone by remaining with the ill students whilst in hospital. It also allowed up to date communication with the Belmont Sister City Association and parents. This had little effect on the other students who could then continue with planned activities.

The Belmont Sister City Association and Adachi have both commented how fortunate the delegation was to have this resource available and again, it is logical to have Council's Officer who has been an integral part of developing the new Memorandum of Understanding and is familiar with the Sister City arrangements to participate in the tour. This is best achieved by the Coordinator Community Wellbeing (previously known as the Coordinator Leisure Art and Cultural Services) participating in this delegation. This position will provide support to the Council representative and chaperone.

FINANCIAL IMPLICATIONS

Council allocates, via the annual budget process, funds to provide airfare, accommodation and minor expenses as follows:

- Student Delegation-50% airfare contribution
- Chaperone-100% airfare contribution
- Council Representative–100% full airfare/accommodation/sundry (meals/incidentals).

Additional costs for the Council Officer are estimated to be approximately \$1,500-\$2,000 which includes airfares and sundry expenses. The Officer has advised that she is prepared to take advantage of home hosting if available which will result in a cost saving of approximately \$1,500.

Expenditure is currently in line with the proposed 2012-13 budget, however if there are any significant financial issues that need to be addressed following all income and expenditure being accounted for, then it will be referred to the October 2012 and March 2013 Budget Review.

The expected Council Representative costs are anticipated to be in the vicinity of \$3,500 which includes airfares, accommodation and sundry expenses.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

Item 12.4 Continued

SOCIAL IMPLICATIONS

There are numerous positive social implications for the Sister City Delegation including:

- Cultural awareness development
- Assist in developing community capacity
- Support community groups
- Enhance a sense of community and the image of Belmont
- Supporting the development of new friendships and mutual understanding among young people.

Note

The Chief Executive Officer called for nominations to the position of Council Representative.

Cr Marks was put forward as the only nominee.

The Chief Executive Officer confirmed the appointment of Cr Marks as the Sister City Council Representative.

OFFICER RECOMMENDATION

POWELL MOVED, WOLFF SECONDED, That Council:

- 1. Appoint Councillor Marks or Nominee as the official Council Representative to represent the City of Belmont at the January 2013 Belmont Student Exchange to Adachi, Japan and to act as host for the visiting delegation from Adachi from 2 August 2012-7 August 2012.***
- 2. Authorise the Coordinator of Community Wellbeing to attend the January 2013 Belmont Student Exchange to Adachi, Japan.***

CARRIED 9 VOTES TO 0

12.5 ADOPTION OF 2011-12 DIFFERENTIAL RATES

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 7–Item 12.5 refers	<u>Ministerial Approval Quashed Rates</u>

Voting Requirement	:	Absolute Majority
Subject Index	:	98/015–Levy Differential Rating
Location/Property Index	:	NA
Application Index	:	NA
Disclosure of any Interest	:	NA
Previous Items	:	NA
Applicant	:	NA
Owner	:	NA
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

To adopt a budget for other circumstances in accordance with Section 6.3 and impose new rates in accordance with Section 6.32(3)(b) of the *Local Government Act 1995* (the Act) due to the City's general rates being quashed by the State Administrative Tribunal (SAT) on 29 June 2012.

Item 12.5 Continued

SUMMARY AND KEY ISSUES

The City of Belmont introduced a Marina Differential Rate in the 2006-07 financial year in accordance with a lease agreement between the City and Ascot Fields Nominees Pty Ltd. The lease required the establishment of a rate in the dollar set at 50% of the Commercial Differential Rate in the dollar during the first fifteen (15) years of the lease agreement.

The Department of Local Government (DLG) has recently identified an inconsistency with the Act in relation to this rate for the 2011-12 financial year and has made a successful application to SAT to have the rates quashed. The City is now required by the Act to re-impose the rates following the receipt of Ministerial Approval to do so.

LOCATION

N/A.

CONSULTATION

Officers of the City have undertaken substantial consultation with the Department of Local Government (DLG) and the State Solicitors Office (SSO) in conjunction with McLeods Solicitors (McLeods).

STRATEGIC PLAN IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

Section 6.33 of the Act stipulates the requirements for the imposition of differential general rates. Section 6.33(3) states:

- “(3) In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.”*

Item 12.5 Continued

Section 6.82 of the Act provides:

“6.82. General review of imposition of rate or service charge

- (1) Where there is a question of general interest as to whether a rate or service charge was imposed in accordance with this Act, the local government or any person may refer the question to the State Administrative Tribunal to have it resolved.*
- (2) Subsection (1) does not enable a person to have a question relating to that person’s own individual case resolved under this section if it could be, or could have been, resolved under section 6.76.*
- (3) The State Administrative Tribunal dealing with a matter referred to it under this section may make an order quashing a rate or service charge which in its opinion has been improperly made or imposed.”*

Section 6.32(3)(b) requires a local government to levy a new rate where one has been quashed:

6.32. Rates and service charges

- (3) A local government—*
 - (b) is to, after a court or the State Administrative Tribunal has quashed a general valuation, rate or service charge, impose* a new general rate, specified area rate or service charge.*

**Absolute majority required.*

Section 6.3 provides for the adoption of a budget for other circumstances:

“6.3. Budget for other circumstances

A local government is required to prepare and adopt a budget in a form and manner similar to the annual budget with such modifications as are necessary to meet the case—*

- (a) where required to do so in consequence of the quashing of—*
 - (i) a general valuation; or*
 - (ii) a rate or service charge,**by a court or by the State Administrative Tribunal; or*
- (b) if, at any time after the imposition of rates in a financial year it intends to impose a supplementary general rate or specified area rate for the unexpired portion of the financial year.*

**Absolute majority required.”*

Item 12.5 Continued

BACKGROUND

As part of a review of local government compliance for the 2011-12 financial year, the DLG has identified a number of local governments which had shortcomings in relation to the levying of rates for the year. This affects some twenty two (22) local governments in total. The City of Belmont was identified as one of these local governments due to an oversight in obtaining Ministerial approval prior to levying a differential rate in excess of twice that of the lowest differential rate.

Initial advice from DLG requested that the City make application for a Governor's Order which would rectify the problem. Council resolved to undertake this process at Item 14.1 of its 25 October 2011 Ordinary Council Meeting. Upon contacting the DLG to arrange for this request to be lodged, the City was advised that this advice was incorrect and that the City would not be able to resolve the issue in this manner. DLG requested we await further advice.

In November 2011, the DLG advised the City that the Minister had decided that the appropriate action was to apply to the State Administrative Tribunal (SAT) under Section 6.82 of the Act to have the 2011-12 rates quashed. In addition, substantial discussions were held between City officers and DLG in an attempt to come to a solution which would have less apparent impact on the City and its rate payers. The DLG was not prepared to amend their approach. At this point, legal advice was sought from McLeods as to the most appropriate way to deal with this matter.

Subsequent discussions with McLeods presented an alternative solution in accordance with Section 6.39(2) of the Act whereby the rate record may be amended. Council resolved its position on this matter at Item 14.1 at its 27 March 2012 Ordinary Council Meeting.

Despite the City already resolving to correct the rate record (Item 14.1 Ordinary Council Meeting 27 March 2012); the Minister has pursued the action through SAT to have the 2011-12 general rates quashed.

Ongoing negotiations by McLeods with the DLG and SSO have resulted in the DLG providing a series of recommended actions to resolve (as far as possible) the rating problems of all local governments involved. The solution for the City of Belmont is the simplest solution provided by the DLG, which, following the rates being quashed, requires the City to obtain the relevant Ministerial Approval and then adopt a budget in the same form as the Annual Budget for 2011-12 in accordance with Section 6.3 of the Act. No substantial changes are required, and the rates are to be simply re-imposed as per the original 2011-12 Annual Budget. Once this is adopted, no further action is necessary for the 2011-12 financial year.

The City has elected not to contest this action directly as the resolution to this issue is relatively simple.

Item 12.5 Continued

OFFICER COMMENT

The SAT issued directions quashing the City of Belmont's general rates on 29 June 2012. Immediately this occurred, the City lodged application to the Minister for approval to impose differential general rates in accordance with the City's 2011-12 Annual Budget, to be tabled as the Budget in accordance with Section 6.3 of the Act to which this report refers. Ministerial approval has been received and is included at [Attachment 7](#).

The adoption of the 2011-12 Budget (which is available on the City's website and portal) and the associated imposition of the rates resolves all issues associated with the problems imposing the original 2011-12 differential rates. As there are no changes to the rates levied, there is no impact on rate payers and therefore there is no requirement for any further action by the City in relation to the 2011-12 financial year.

Council should note that in adopting the 2012-13 Annual Budget, Ministerial Approval is not required as the Marina differential rate has been set at the same level as the Commercial differential rate.

FINANCIAL IMPLICATIONS

There is no direct financial implication in relation to this report other than legal costs incurred to ensure an appropriate resolution to the problem.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

Item 12.5 Continued

OFFICER RECOMMENDATION

That Council

1. ***Notes that the State Administrative Tribunal has quashed the general rate imposed on 19 July 2011 in accordance with Section 6.82 of the Local Government Act 1995, as the City of Belmont had not obtained Ministerial approval for:***
 - a) ***The Commercial general rate under Section 6.33(3) of the Act which was more than twice the lowest general rate.***
 - b) ***The Industrial general rate under Section 6.33(3) of the Act which was more than twice the lowest general rate.***
2. ***Adopts a Budget for 2011-12 in accordance with Section 6.3 of the Act, in the same form and manner as the Annual Budget adopted at the Ordinary Council Meeting held on 19 July 2011 (recorded as Item 10.1 and included as Attachment 1 to the minutes of that meeting, and Tabled herewith).***
3. ***Notes that the Ministerial approval required for the Commercial and Industrial general rates has now been obtained and in accordance with Section 6.32(3)(b) of the Act, imposes the following general rates and minimum payments:***
 - a) ***GRV Rates***

<i>Residential Rate</i>	<i>5.1706</i>
<i>Commercial Rate</i>	<i>5.9979</i>
<i>Industrial Rate</i>	<i>6.0237</i>
<i>Marina Rate</i>	<i>2.9989</i>
 - b) ***Minimum Payments***

<i>Residential Minimum</i>	<i>\$710</i>
<i>Commercial Minimum</i>	<i>\$840</i>
<i>Industrial Minimum</i>	<i>\$855</i>
<i>Marina Minimum</i>	<i>\$590</i>
4. ***Notes that resolutions two (2) and three (3) above validate the general rate and minimum payments imposed for 2011-12 and as the amount yielded by the general rate to cover the budget deficiency of \$33,824,655 is unaltered, there is no effect on rate payers.***

ABSOLUTE MAJORITY REQUIRED

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

12.6 REVIEW OF THE CITY OF BELMONT POLICY MANUAL 2012

BUSINESS BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 8–Item 12.6 refers	<u>City of Belmont Policies for Review 2012</u>

Voting Requirement : Absolute Majority
Subject Index : N/A
Location/Property Index : N/A
Application Index : N/A
Disclosure of any Interest : N/A
Previous Items : Item 12.9, Ordinary Council Meeting
22 November 2011
Applicant : Not Applicable
Owner : City of Belmont
Responsible Division : Corporate and Governance

COUNCIL ROLE

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

PURPOSE OF REPORT

To seek Council's endorsement of the reviewed, amended and newly proposed policies for the City of Belmont.

Item 12.6 Continued

SUMMARY AND KEY ISSUES

A major review of policies contained in the Policy Manual occurred in November 2011. Prior to undertaking the review of each policy, a review was carried out on the overall format and structure of the policy template, and how the review period for each policy was determined. Each policy was assigned a review schedule date which was evaluated in line with a risk classification system utilised by the City as part of its Risk Management Strategy. Policies were given a specified review period ranging from annual review to every four years.

This current review is a review of all policies that were classified as requiring an annual review, with the addition of any other policies which required review due to operational reasons.

LOCATION

N/A.

CONSULTATION

Consultation was held with relevant internal staff including members of the Belmont Leadership Team (BLT).

STRATEGIC PLAN IMPLICATIONS

A review of the City of Belmont policies will assist in achieving objectives in the Strategic Community Plan.

POLICY IMPLICATIONS

Council's adoption of the reviewed, amended policies will necessitate amendment to the current City of Belmont Policy Manual.

STATUTORY ENVIRONMENT

The *Local Government Act 1995* provides the basis for many of the City's policies, therefore consistency with this legislation has been reflected in the review, assessment and amendments proposed.

BACKGROUND

In November 2011, a major review of policies contained in the Policy Manual was undertaken. The review period for each policy was evaluated in line with a risk classification system utilised by the City as part of its Risk Management Strategy. Each policy was assigned a risk rating. The risk rating for each policy determines how often each individual policy should be reviewed. This results in the requirement for fewer policies being reviewed annually.

Item 12.6 Continued

OFFICER COMMENT

As a result of the policy review, a number of minor amendments were identified.

Whilst each Division was responsible for reviewing policies within their operational responsibility, the task of coordinating and compiling the revised Policy Manual was undertaken by the Governance Team.

A number of policies relating to the Community and Statutory Services division are for review by the Standing Committee (Community Capacity) on 16 July 2012 and will be presented to the Ordinary Council Meeting on 28 August 2012 for consideration.

The table below provides details of the status of each policy reviewed, with all changes shown in [Attachment 8](#) to the report:

POLICY	RECOMMENDATION	OFFICER COMMENT
BEXB11A Elected Members Fees, Allowances and Support	Retain	No changes required
BEXB11B Elected Member Professional Development and Authorised Travel	Retain	No changes required
BEXB20 Gratuity Payments and Gifts to Staff	Amend	Updated to reflect Consumer Price Index (CPI) rates at December 2011
BEXB21 Occupational Safety and Health	Retain	No changes required
BEXB22 Collection of Rates	Amend	Minor wording amendments
BEXB32 Decision Making Policy	Amend	Minor wording amendments
BEXB35 Investment of Funds	Amend	Changes to approved investment types table
SB8 Communication and Consultation–Community and Stakeholders	Amend	Changes to reflect amended City of Belmont Consultation and Engagement Strategy
NB1 Environmental Purchasing Policy	Amend	Minor wording amendments
NB3 Environmental Enhancement Policy.	Amend	Minor wording amendments

Item 12.6 Continued

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

Those policies which have environmental implications are aimed at improving the City's ability to protect and enhance the natural environment.

SOCIAL IMPLICATIONS

A number of policies are aimed at supporting community groups, ensuring community access to required services and facilities, assisting in developing community capacity, enhancing a sense of community and the image of Belmont and contributing to an environment where residents are safe and feel safe.

OFFICER RECOMMENDATION

That Council:

1. ***Adopt the policy amendments outlined within Attachment 8, specifically in reference to the following policies:***

- ***BEXB20 Gratuity Payments and Gifts to Staff***
- ***BEXB22 Collection of Rates***
- ***BEXB32 Decision Making Policy***
- ***BEXB35 Investment of Funds***
- ***SB8 Communication and Consultation–Community and Stakeholders***
- ***NB1 Environmental Purchasing Policy***
- ***NB3 Environmental Enhancement Policy***

2. ***Retain the policies outlined within this report, specifically in reference to the following policies:***

- ***BEXB11A Elected Members Fees, Allowances and Support***
- ***BEXB11B Elected Member Professional Development and Authorised Travel***
- ***BEXB21 Occupational Safety and Health***

<i>**ABSOLUTE MAJORITY REQUIRED**</i>
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***OFFICER RECOMMENDATION ADOPTED EN BLOC –
REFER TO RESOLUTION APPEARING AT ITEM 12***

12.7 ACCOUNTS FOR PAYMENT-JUNE 2012

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 9—Item 12.7 refers	Accounts for Payment-June 2012

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

COUNCIL ROLE

- | | | |
|-------------------------------------|-----------------------|---|
| <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 12.7 Continued

LOCATION

N/A.

CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

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

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

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

BACKGROUND

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

OFFICER COMMENT

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

Municipal Fund Cheques	784182-784237	\$389,784.94
Municipal Fund EFTs	EF022850-EF023358	\$3,480,754.94
Municipal Fund Payroll	June 2012	\$1,150,061.45
Trust Fund Cheques	905368	\$1,871.36
Trust Fund EFTs	EF022976	\$5,919.08
Total Payments for June 2012		\$5,028,391.77

Item 12.7 Continued

FINANCIAL IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER RECOMMENDATION

That the Authorised Payment Listing for June 2012 as provided under Attachment 9 be received.

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

12.8 MONTHLY ACTIVITY STATEMENT AS AT 30 JUNE 2012

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 10–Item 12.8 refers	<u>Monthly Activity Statement as at 30 June 2012</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 : N/A
Previous Items : N/A
Applicant : N/A
Owner : N/A
Responsible Division : Corporate and Governance

COUNCIL ROLE

- ☐ **Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- ☒ **Executive** *The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- ☐ **Legislative** *Includes adopting local laws, 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.

Item 12.8 Continued

LOCATION

N/A.

CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

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* require that financial statements are presented on a monthly basis to Council. Council has adopted ten percent of the budgeted closing balance as the materiality threshold.

OFFICER COMMENT

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

Item 12.8 Continued

- 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:

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

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

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

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

In order to provide more details regarding significant variations as included in [Attachment 10](#), the following summary is provided.

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.

Please note that the 30 June 2012 Financial Report is still to be updated for year end accounting adjustments. The main adjustments include June ABC allocations, reserve transfers, expenditure accruals, salary accruals and leave accruals.

Report Section	YTD Budget	YTD Actual	Comment
Expenditure–Capital			
Computing	520,900	374,846	Anticipated reduction in expenditure although invoices are outstanding.
Transfer to reserve	6,187,442	0	Reserve journals yet to be processed.
Crime Prevention and Community Safety	450,000	380,776	Anticipated reduction in expenditure although invoices are outstanding.
Belmont HACC Services	151,391	29,200	Fleet purchase on order yet to be received.
Orana Aged Housing	63,003	0	Reserve journals yet to be processed.

Item 12.8 Continued

Report Section	YTD Budget	YTD Actual	Comment
Gabriel Gardens	73,726	0	Reserve journals yet to be processed.
Faulkner Park Retirement Villa.	122,126	3,550	Reserve journals yet to be processed.
Grounds Operations	1,700,166	1,187,007	There will be a carry forward of projects although the variance largely relates to outstanding invoices.
Road Works	4,971,195	4,500,328	Expected to be \$400k below budget once outstanding invoices are processed.
Streetscapes	342,000	128,415	Variance largely relates to Kooyong Rd project that is to be carried forward.
Footpath Works	602,240	539,580	Variance largely relates to outstanding invoices.
Operations Centre	1,179,761	1,013,761	Fleet and Plant on order yet to be received.
Building Operations	3,386,702	2,524,487	Expected to be \$200k below budget once outstanding invoices are processed.
Technical Services	332,968	268,742	Fleet purchase to be carried forward.
Expenditure—Operating			
Finance Department	1,618,228	1,563,916	ABC allocations yet to be processed.
Computing	1,617,506	1,422,992	Anticipated reduction in expenditure although invoices are outstanding.
Marketing and Communications	1,279,029	1,135,751	Employee related costs are below budget.
Insurance	916,922	855,569	Variance relates to an outstanding invoice.
Executive Services	1,610,809	1,373,017	Employee, legal and ABC costs are below budget.
Records Management	629,605	522,367	Employee related costs below budget.
Human Resources	1,060,735	928,616	Employee related and Consulting costs below budget.
Governance	2,704,644	2,324,957	ABC allocations yet to be processed.
Belmont Trust	150,000	16,740	Legal and Consulting costs below budget.
Rates	1,910,771	1,824,828	ABC allocations yet to be processed.
Belmont Community Watch	685,382	586,769	Variance largely relates to outstanding June invoices.
Crime Prevention and Community Safety	477,717	376,849	Alarm Assist costs less than expected.
Health	924,403	798,282	Employee related costs below budget.
Community Services	606,907	483,935	Consulting costs below budget.

Item 12.8 Continued

Report Section	YTD Budget	YTD Actual	Comment
Belmont HACC Services	2,162,201	2,088,198	ABC allocations yet to be processed.
Youth Services General	793,676	725,383	Contractor costs outstanding for June.
Sanitation Charges	4,479,962	3,989,438	Anticipated reduction in expenditure although invoices are outstanding.
Ruth Faulkner Library	1,814,777	1,575,745	Building maintenance, Local History project and ABC costs lower than budget.
Community and Recreation Service	772,075	578,280	Variance predominately due to the 'Healthy Communities Initiative' program with remaining funds to be used in 2012-13.
Building-Active Reserves	544,445	435,315	Anticipated reduction in expenditure although invoices are outstanding.
Grounds Overheads	1,355,847	1,207,530	Employee related costs and ABC allocations lower than budget.
Road Works	951,382	1,055,860	Road sweeping costs are above budget.
Streetscapes	1,407,077	1,163,815	Anticipated reduction in expenditure although invoices are outstanding.
Grounds Operations	124,856	59,057	Ascot Waters Marina maintenance costs less than budget.
Building Control	1,058,844	980,887	ABC allocations yet to be processed.
Building Operations	460,729	397,567	Anticipated reduction in expenditure although invoices are outstanding.
Public Works Overheads	1,282,625	1,350,542	Employee related costs are higher than budget.
Plant Operating Costs	805,771	897,830	Fuel and staff costs are higher than budget.
Technical Services	1,875,312	1,757,753	Employee related and ABC costs are lower than budget.
Other Public Works	917,911	752,239	Variance mainly relates to outstanding street lighting invoices.
Revenue-Capital			
Insurance	(147,137)	(0)	Reserve journals yet to be processed.
Belmont Trust	(1,876,364)	(1,717,081)	Reserve transfers are lower than anticipated.
Property and Economic Development	(1,945,000)	(735,000)	Land Sales for the year are less than budget.
Town Planning	(139,000)	(16,636)	Budget allowed for receipt of a development contribution (Springs) which did not eventuate.

Item 12.8 Continued

Report Section	YTD Budget	YTD Actual	Comment
Technical Services	(179,050)	(49,050)	Reserve journals yet to be processed.
Grounds Operations	(504,016)	(301,555)	Swan River Foreshore Erosion grant prepaid.
Road Works	(994,504)	(642,642)	RTR grants will be lower than budget
Streetscapes	(109,005)	(54,004)	Reserve journals yet to be processed.
Operations Centre	(1,128,352)	(396,244)	Reserve journals yet to be processed.
Grounds Operations	(68,513)	(0)	Reserve journals yet to be processed.
Building Operations	(1,966,372)	(1,730,139)	Contribution outstanding (SES Building) and reserve journals yet to be processed.
Revenue–Operating			
Finance Department	(1,616,347)	(1,454,791)	ABC cost recovery allocation yet to be processed.
Computing	(1,570,344)	(1,296,577)	ABC cost recovery allocation yet to be processed.
Records Management	(602,605)	(483,697)	ABC cost recovery allocation yet to be processed.
Human Resources	(1,087,235)	(851,512)	ABC cost recovery allocation yet to be processed.
General Purpose Income	(580,742)	(972,990)	Financial assistance grant 50% prepaid.
Financing Activities	(1,977,205)	(1,614,984)	Results do not include interest accrued on bank deposits.
Faulkner Park Retirement Villa.	(200,000)	(105,165)	Total unit sales were less than expected.
Town Planning	(823,627)	(766,645)	Application fees are less than budget.
Road Works	(409,009)	(723,804)	Financial assistance grant 50% prepaid.
Streetscapes	(210,433)	(107,184)	Outstanding contribution for verge maintenance.
Public Works Overheads	(1,236,710)	(1,435,029)	Relates to higher than expected recovery of overheads.
Plant Operating Costs	(1,194,978)	(1,136,965)	Plant utilisation recovery lower than budget.
Technical Services	(424,098)	(368,187)	ABC cost recovery allocation yet to be processed.

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.

Item 12.8 Continued

Reconciliation of Nett Current Assets to Statement of Financial Activity		
Current Assets as at 30 June 2012	\$	Comment
Cash and investments	34,390,337	Includes municipal, reserves and deposits
-less non rate setting cash	(23,011,001)	Reserves and deposits held
Receivables	2,214,688	Rates levied yet to be received and Sundry Debtors
-less non rate setting receivables	(386,666)	ESL levied and GST payable
Stock on hand	218,064	
Total Current Assets	13,425,422	
Current Liabilities		
Creditors and provisions	(5,476,633)	Includes deposits
-less non rate setting creditors and provisions	2,016,297	ESL, GST and deposits held
Total Current Liabilities	(3,460,336)	
Nett Current Assets 30 June 2012	9,965,086	
Nett Current Assets as Per Financial Activity Report	9,965,086	
Less Restricted Assets	(572,454)	Unspent grants held for specific purposes
Less Committed Assets	(8,853,679)	All other budgeted expenditure
Estimated Closing Balance	538,953	

FINANCIAL IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

Item 12.8 Continued

OFFICER RECOMMENDATION

That the Monthly Financial Report as at 30 June 2012 as included in Attachment 10 be received.

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

12.9 FORMAL ADOPTION OF THE 2012-13 ANNUAL BUDGET

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 11–Item 12.9 refers	Draft Annual Budget 2012-13

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

To seek Council's formal adoption of the 2012-13 Budget in the prescribed manner.

To report to Council on any submissions following the advertising of Council's intended differential rates in the dollar.

Item 12.9 Continued

SUMMARY AND KEY ISSUES

The City's Budget must be adopted in the prescribed manner. The attachments accompanying this report are in fact the Budget presented in the prescribed manner. The adoption of the Budget enables the rates to be levied and Budget information to be distributed to the organisation.

LOCATION

N/A.

CONSULTATION

The advertising of Council's Plan for the Future and Council's intention to levy differential rates and the invitation to make submissions, is designed to fulfil the consultation process required by the *Local Government Act 1995*.

STRATEGIC PLAN IMPLICATIONS

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

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

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

The Budget provides the financial framework to enable the objectives and outcomes of the Strategic Plan to be achieved.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

In accordance with Section 6.2 of the *Local Government Act 1995* and Part three of the *Local Government (Financial Management) Regulations 1996* as amended, the 2012-13 Budget is presented in the prescribed manner for formal adoption. The Statutory Budget has been prepared incorporating the principles of the Australian Accounting Standards.

Item 12.9 Continued

BACKGROUND

In accordance with Section 6.2 of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* as amended, the 2012-13 Budget is presented in the prescribed manner for formal adoption. The Statutory Budget (refer [Attachment 11](#)) has been prepared incorporating the principles of the Australian Accounting Standards and Council's accounting policies.

Council has, in accordance with Section 6.36 of the *Local Government Act 1995*, advertised its intention to levy differential rates and the applicable rates in the dollar, together with minimum rates, in both the West Australian and the Southern Gazette newspapers and invited submissions to be lodged prior to 4.00pm on 23 July 2012. At the time of writing this report no submissions had been received and any submissions made by the required date will be tabled at the meeting for consideration.

Council also, in accordance with Section 5.56 of the *Local Government Act 1995* and *Regulations 19C and 19D*, prepared and advertised a Plan for the Future. At the Council meeting held 26 June 2012, Council adopted its Plan for the Future and advertised that adoption accordingly. As part of the consultation process for the Plan for the Future, the Plan was advertised and submissions were invited. At the time of writing this report no submissions had been received and any submissions made by the required date will be tabled at the meeting for consideration.

OFFICER COMMENT

The adoption of the 2012-13 Budget in the prescribed manner is the culmination of an extensive process that commenced in February 2012. There are a number of statutory processes that are required and have been met, ensuring that certain factors of the Budget are put into the public arena.

The Budgets for service delivery and infrastructure maintenance, together with the extensive Capital Works Programme, have been developed within previously adopted strategies. This ensures that Council's assets are maintained and replaced at the appropriate time, thus assisting with the management of long-term financial responsibilities. Future budgets will continue their focus on building reserves for major infrastructure replacement.

The preparation of the 2012-13 Budget has again highlighted how difficult it is to try and meet all of the community's expectations, contain compliance costs and keep the rate increases at a reasonable level. The 2012-13 Budget has however, achieved all of these factors due to prudent budgeting and continued growth in the City's rate base.

The Fees and Charges Schedule has under gone a final review to ensure the Council's fees and charges are reviewed and reported through the Budget process.

Landgate (formerly Valuer General's Office) sets the Gross Rental Values (GRV) and Council determines the rate in the dollar. The GRV is multiplied by the rate in the dollar, to give the total rates payable.

Item 12.9 Continued

Council has four differential rates being Residential, Commercial, Industrial and Marina. The fourth differential rate was introduced in 2006-07 to satisfy the requirements of an existing lease for Ascot Waters. In accordance with the Deed of Lease between the City of Belmont and Ascot Fields Nominees Pty Ltd, there is a provision to apply rates to the Marina Development, specifically the area of the pontoons and pens. The lease specifies that there is a rating concession applicable:

"Fifty percent (50%) of the Lessor's commercial rates in the dollar on gross rental value during the initial fifteen (15) years of the term and thereafter at the Lessor's commercial rate."

Council must also set a minimum rate for each rating category that cannot be charged on more than 50% of the total properties for any rate category ie Residential, Commercial, Industrial or Marina.

As was reported during the rate setting budget process, a balanced budget has been achieved with a 3.0% increase in the rate in the dollar and minimums, although the latter is subject to \$5 rounding adjustment. The rubbish service costs are increasing by \$17.50 to \$267.50 (7.00%), predominantly due to collection costs and waste disposal costs increasing by up to 3.4% and 12.5% (7.1% Carbon Tax, 5.4% other charges) respectively. As rubbish charges are a fee for service and cover costs only the City is forced to increase rubbish service charges in line with cost pressures.

The Consumer Price Index (CPI) for the Perth metropolitan area for the 12 months ended 31 March 2012 was 1.9%. The WA Local Government Association (WALGA) Local Government Cost Index (LGCI) to the same period was 3.3%. Local government needs to be careful using only CPI as a guide to increase costs, as the LGCI better reflects the types of goods and services that a local government purchases.

The latest WALGA economic forecast projects the Consumer Price Index to be 3.5% for the 2012-13 budget period which is less than the forecasted LGCI forecast of 4.0%.

Wages growth is currently 4.5% on average in Western Australia and is forecasted to increase at the same rate in 2012-13.

It is therefore important for Council to adopt a Budget that takes account of any inflationary factors. The Draft Budget has been prepared adopting a responsible approach to rate increases and operating expenditures, but still delivering some major projects. This Budget has used an average growth factor of approximately 3.0%; although utility costs have increased up to 12% and salary related costs 4.0%. It should be noted however, that each line item was budgeted on an individual basis rather than applying a flat percentage increase.

The adoption of the Budget in the prescribed manner ends the 2012-13 Budget process and enables Council to issue the 2012-13 rate notices in mid August.

The whole Budget process has been an organisational team effort, involving a large number of officers throughout the organisation to ensure the City's strategic direction is maintained. Councillors have also participated through the Information Forum and Briefing process together with direct contact with all Senior Managers, resulting in a sound and responsible Budget for the 2012-13 financial year.

Item 12.9 Continued

It is also pleasing to note that Council has again been able to maintain its Budget timetable as was adopted in February, ensuring that all its statutory obligations are adhered to and a sound budget is adopted in a timely manner.

The draft document has been included for Council's information however, it should be treated as a draft, as final checking and formatting is still required to ensure a professionally printed final document. Financial information contained within the document is not subject to any change.

It should also be noted that the Accounting Equipment Reserve has been more accurately renamed as the Information Technology Reserve. The purpose of this Reserve continues to support replacement and enhancement of Council's core business hardware and software requirements

FINANCIAL IMPLICATIONS

The Annual Budget provides the financial framework for the Council to provide the necessary resources to fulfil its strategic objectives, fulfil its statutory and compliance obligations and enhance the Community and its assets in accordance with Council's Vision for the City of Belmont.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

DORNFORD MOVED, HITT SECONDED, that the City of Belmont Standing Orders be temporarily suspended in order to allow a member to speak more than once.

LOST 7 VOTES TO 2

Against: Marks, Godfrey, Bass, Martin, Rossi, Wolff, Powell

Item 12.9 Continued

OFFICER RECOMMENDATION

ROSSI MOVED, MARTIN SECONDED, That Council

1. Adopt the 2012-13 Statutory Budget as contained in Attachment 11 which includes:

- **Statement of Comprehensive Income**
- **Statement of Financial Position**
- **Statement of Cash Flows**
- **Rate Setting Statement**
- **Supporting notes, tables and other information.**

2. Adopt the following Rate Setting charges and information:

a) That the following general rates be imposed for rate setting purposes that equate to a 3.0% increase in the total rate levy.

Rate	Cents in the Dollar
Residential	5.3257
Commercial	6.1778
Industrial	6.2044
Marina	6.1778

b) That the following minimum rates be imposed that result in a 3.5%, 3.0% and 2.9% increase for Residential, Commercial and Industrial respectively. The Marina (Boat Pens) has been adjusted to be consistent with the Commercial minimum.

Rate	\$
Residential	735
Commercial	865
Industrial	880
Marina	865

c) That in accordance with Section 6.47 of the Local Government Act 1995 and the requirements of the lease, Council offers a 50% concession for Ascot Waters Marina that the Marina rate is applicable to.

d) That in accordance with Section 6.46 of the Local Government Act 1995, Council offers a 5% discount to ratepayers who pay the full amount owing within 35 days of issuing the rate notice.

e) That in accordance with previous practice, Council continues to offer incentive prizes for payment of rates within 35 days of issuing the rates notice.

f) That Council offer the following instalments for payment of Council Rates:

- **Single payment (all charges)**
- **Two equal instalments (all charges)**
- **Four equal instalments (all charges).**

in accordance with Section 6.45 of the Local Government Act 1995.

Item 12.9 Continued

- g) That in accordance with Section 6.45 of the Local Government Act 1995, Council imposes a \$20 Administration Fee for all instalment options and also imposes a 5.5% instalment interest rate.***
- h) That in accordance with Section 6.51 of the Local Government Act 1995, Council imposes an 11% penalty interest rate for overdue rates (including alternate arrangements).***
- i) That Council continue to offer arrangements to ratepayers suffering hardship in accordance with Council's Policy relating to the payment of rates and in accordance with Section 6.49 of the Local Government Act 1995. (In general, this will only apply to single residential property, owner/occupier).***
- j) That the payments in lieu of rates received by Council continue to be rated at the Commercial Differential Rate in the dollar on Gross Rental Values.***
- k) That the following Rubbish Charges be imposed that equate to a 7.0% increase:***

\$267.50 per annum for one 240 litre cart removed weekly

- additional full service=\$267.50***
- additional service rubbish=\$187.25***
- additional service recycling=\$93.63.***

\$361.13 per annum for non rateable properties for one 240 litre cart removed weekly (\$267.50 for additional services)

Exempted Commercial and Industrial properties=\$93.63

R80B and above coded multi-residential properties=\$187.25 per unit.

- l) That a Swimming Pool Levy be charged to owners of Swimming Pools within the Municipality at a rate of \$12.50 per annum.***
- 3. That in accordance with Section 6.36 of the Local Government Act 1995, note that the Director Corporate and Governance has advertised the proposed differential rates in the dollar for the statutory 21 day period.***

<i>**ABSOLUTE MAJORITY REQUIRED**</i>
--

CARRIED 6 VOTES TO 3

Against: Bass, Hitt, Dornford

**12.10 NATURAL DISASTER RESILIENCE PROGRAM GRANT—EMERGENCY
PREPAREDNESS AWARENESS FOR CULTURALLY AND LINGUISTICALLY DIVERSE
COMMUNITIES AND CHILDCARE SERVICE PROVIDERS**

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 12—Item 12.10 refers	<u>Natural Disaster Resilience Program Guidelines</u>

Voting Requirement	:	Absolute Majority
Subject Index	:	57/030
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Technical Services and Community and Statutory Services

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

The purpose of this report is to seek Council approval to make funds available to fulfil the City's co-contribution commitments detailed in an application submitted for the Natural Disaster Resilience Program (NDRP), should the City be successful for the projects submitted for grant funding.

Item 12.10 Continued

SUMMARY AND KEY ISSUES

The City of Belmont-Town of Victoria Park Local Emergency Management Committee has identified several vulnerable groups within the community that will greatly benefit from community education programs to raise their awareness of how to be prepared for emergencies, such as natural disaster events.

The City of Belmont is applying for funding under the NDRP for two projects which aim to raise emergency preparedness awareness within culturally and linguistically diverse communities and child care service providers residing or servicing the Belmont community.

The key issues relating to this project are:

- Local Government's role and responsibilities in preparing our community for emergency events such as natural disasters
- Local Government meeting the community's needs for their recovery after a natural disaster event.

LOCATION

N/A

CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

There are currently no Strategic Community Plan implications evident which directly relate to Emergency Management. However, there are objectives which generally meet the goals of these two projects.

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

- | | |
|-------------------|---|
| Objective: | Develop community capacity and self reliance. |
| Strategy: | Create the means for people from culturally and linguistically diverse backgrounds to participate in a full range of activities and Council processes. |
| Strategy: | Council adopt a 'whole of community' inclusive approach, emphasising the intrinsic value of committing time and resources to relationship building amongst Council and the community. |

Item 12.10 Continued

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

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

Strategy: Ensure effective communication and consultation with the community and other stakeholders.

Corporate Key Actions: Review Communications and Consultation Plan.

POLICY IMPLICATIONS

SB SOCIAL BELMONT

SB1 COUNCIL AUTHORITY TO APPLY FOR GRANTS

Policy Objective:

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

Policy Statement:

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

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

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

Bullets one and two above are applicable and Council's approval to accept the projects detailed in this report is sought should either one or both applications be offered a grant.

STATUTORY ENVIRONMENT

- *Emergency Management Act 2005*
- State Emergency Management Plans ie Westplan Welfare
- State Emergency Management Policy 2.5–Emergency Management in Local Government Districts.

Item 12.10 Continued

- This project will also meet and support the objectives of the *Natural Disaster Resilience Partnership Agreement* by:
 - enhancing the City of Belmont community's resilience to natural disasters through mitigation works, measures and related activities that contribute to safer, sustainable communities better able to withstand the effects of disasters, particularly those arising from the impact of climate change.
- This project will meet and support the objectives of the role of local government in the *National Strategy for Disaster Resilience* by:
 - having effective arrangements in place to inform people about how to assess risks and reduce their exposure and vulnerability to hazards
 - having clear and effective education systems so people understand what options are available and what the best course of action is in responding to a hazard as it approaches
 - supporting individuals and communities to prepare for extreme events.

BACKGROUND

As mentioned previously, the City of Belmont-Town of Victoria Park Local Emergency Management Committee has identified various vulnerable groups within the community.

In the 2011-12 NDRP, the City and the Town were successful with their joint application to raise emergency preparedness awareness with small business owners and seniors, people with disability and their carers. These projects are underway with completion anticipated by March 2013 and funded in the ratio of 25% by City of Belmont, 25% by Town of Victoria Park and 50% by NDRP Grant.

This latest grant application is specifically aimed at the City of Belmont's community and seeks to extend the emergency preparedness awareness program to two additional vulnerable groups.

CaLD Communities

The City has identified from data contained in the 2006 Australian Bureau of Statistics Census, the City of Belmont has some 8,940 (or 29.5% of the total Belmont population) migrants and refugees living within the local government area. More recent data from the Department of Immigration and Citizenship's on-line Settlement Reporting Facility <http://www.immi.gov.au/settlement> has indicated that between 4 June 2006 and 4 June 2012, a further 3,746 migrants/refugees have settled into the Belmont community, bringing the total to 12,686 migrants/refugees.

Item 12.10 Continued

Other research has identified that countries of origin for these CaLD groups are Afghanistan, Burma (Myanmar), China, Eritrea, Ethiopia, India, Indonesia, Iraq, Malaysia, Somalia, Sudan, and Vietnam.

It should be noted that the City will be able to obtain an updated assessment of the diverse cultural groups residing in the local government area as the 2011 census data has been published since the close of grant applications.

Child Care Service Providers

Child care services within the City fall into the following categories:

- Child Day Care Centres (five)
- Family Day Care Services (between four and 17, four known to the City but 17 licensed with the Department of Communities)
- Out-of-School-Hours Child Care (two)
- Youth Engagement (one) ie PCYC livALIVE.

Although there is some regulation under licensing requirements with the Department of Communities to have emergency plans in place, these do not necessarily cover off-site evacuation and the effort and resources (eg transport) that may need to be employed to undertake an evacuation of children and support staff.

OFFICER COMMENT

This project is solely for the City of Belmont and targets two of the most vulnerable groups within the City of Belmont's local community and will involve:

- the development and distribution of a brochure written in the five most common languages other than English spoken in Belmont, to provide pertinent emergency preparedness awareness raising information to CaLD communities
- delivery of the Australian Red Cross Rediplan program to child care service providers.

The development and distribution of the brochure will provide the information needed by CaLD groups:

- to introduce the City of Belmont and what its role is in assisting the community in a natural disaster event eg where the City's Relocation Centres are located
- to give examples of what the major types of natural hazards are to the Belmont community eg severe storm, flood, earthquake
- to introduce the basic premises of emergency management ie planning, preparedness, response and recovery
- to provide information on what to do in a natural disaster and what to expect

Item 12.10 Continued

- to seek to encourage readers to learn more.

The delivery of the Australian Red Cross' RediPlan program and emergency starter kits will raise attention to the need for emergency planning and preparedness for operators of Child Care Centres, Family Day Care Services, Out-Of-School-Hours Care Services and Youth Engagement Services. These groups have been identified by the City as highly vulnerable and require an emergency preparedness awareness program which would include the delivery of the Australian Red Cross' RediPlan Program i.e. seminar/s and material detailing:

- how to become informed
- how to make a plan
- where the City's Relocation Centres are located
- the supply of a starter Emergency Kit and identification of other items they may wish to include.

FINANCIAL IMPLICATIONS

Due to the timing of the issue of this grant opportunity, these projects are currently unbudgeted. However, should the application be successful, there is an opportunity at the October Budget Review to source funds for any anticipated expenditure to be incurred for the 2012-13 financial year. It is anticipated, if funding is approved, that only a small proportion of the anticipated costs will be expended prior to the end of 2012-13 financial year and the more significant expenditure to occur early in the 2013-14 financial year.

The Conditions of the Grant (refer [Attachment 12](#)) are that the NDRP will fund up to 50% of each approved project. The financial implications to the City, if it accepts the grant funding, will be:

NDRP Project	City's Contribution	NDRP Grant Funds	Total Project Cost
Emergency Preparedness Awareness Raising for CaLD Communities and Child Care Service Providers	\$10,651.04	\$10,651.02	\$21,302.06
Project Contingency	\$ 1,500.00		

The project contingency amount of \$1,500.00 would be set aside and used only to cover any unforeseen project costs eg additional brochure translation costs.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

Item 12.10 Continued

SOCIAL IMPLICATIONS

The social implications of being able to provide community education programs such as Emergency Preparedness Awareness Raising for CaLD communities and child care service providers are the ability to:

- support community resilience, self-support and reduce mortality
- provide effective community recovery coordination and management
- meet local government's obligations under the Commonwealth's National Disaster Resilience Strategy
- meet local government obligations under the *Emergency Management Act 2005* and the State and District Welfare Plans
- provide effective community recovery coordination and management.

OFFICER RECOMMENDATION

Should the City of Belmont's application for grant funding under the 2012-13 Natural Disaster Resilience Program be successful, that Council:

- 1. Authorise the Chief Executive Officer to accept the Natural Disaster Resilience Program grant funding.***
- 2. Allocate an amount of \$12,500 towards emergency preparedness awareness raising for culturally and linguistically diverse communities and child care service providers be approved to be partially funded at the October budget review.***

ABSOLUTE MAJORITY REQUIRED

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

**12.11 NATURAL DISASTER RESILIENCE PROGRAM GRANT–EMERGENCY POWER
GENERATOR PROJECT**

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 12–Item 12.11 refers	<u>Natural Disaster Resilience Program Guidelines</u>

Voting Requirement	:	Absolute Majority
Subject Index	:	57/030
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Technical Service/Community and Statutory Services

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

The purpose of this report is to seek Council approval to make funds available to fulfil co-contribution requirements for the Building Community Resilience–Emergency Power Generator Project, should the City be successful in attracting grant funding under the Natural Disaster Resilience Program (NDRP).

Item 12.11 Continued

SUMMARY AND KEY ISSUES

The City of Belmont is applying for funding under the NDRP for the purchase of two 80kVA mobile generators. The generators and associated cabling and connectors are designed to connect to modified switchboards at the City of Belmont Emergency Co-ordination Centre (City of Belmont Operations Centre) and two of the City's welfare centres (Redcliffe Community Centre and the Rivervale Community Centre).

The key issues relating to this project are:

- Local Government's role and responsibilities in preparing our community for emergency events such as natural disasters
- Local Government meeting the community's needs for their recovery after a natural disaster event.

LOCATION

N/A

CONSULTATION

No community consultation was required for this project due to community expectation that local government will be able to provide fully functioning Response and Recovery Coordination Centres and Welfare Centres during times of emergency.

STRATEGIC PLAN IMPLICATIONS

There are currently no Strategic Community Plan implications which directly relate to Emergency Management. However, there are objectives which generally meet the goals of this project.

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

Objective: Develop community capacity and self reliance.

Strategy: Council adopt a 'whole of community' inclusive approach, emphasising the intrinsic value of committing time and resources to relationship building amongst Council and the community.

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

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

Strategy: Ensure that the organisation's capacity and capability meets strategic, customer and operational needs.

Item 12.11 Continued

POLICY IMPLICATIONS

SB SOCIAL BELMONT

SB1 COUNCIL AUTHORITY TO APPLY FOR GRANTS

Policy Objective:

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

Policy Statement:

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

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

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

Bullet points one and two above are applicable and Council approval is sought to accept the project detailed in this report should the grant funding submission be successful.

STATUTORY ENVIRONMENT

- *Emergency Management Act 2005*
- State Emergency Management Plans
- State Emergency Management Policy 2.5–Emergency Management in Local Government Districts.
- This project will also meet and support the objectives of the *Natural Disaster Resilience Partnership Agreement* by:
 - enhancing the City of Belmont community's resilience to natural disasters through mitigation works, measures and related activities that contribute to safer, sustainable communities better able to withstand the effects of disasters, particularly those arising from the impact of climate change.
- This project will meet and support the objectives of the role of local government in the *National Strategy for Disaster Resilience* by:
 - supporting individuals and communities to prepare for extreme events.

Item 12.11 Continued

BACKGROUND

Since inception, the City of Belmont-Town of Victoria Park Local Emergency Management Committee (LEMC), has been working towards increased community resilience against assessed risks.

In 2009, the LEMC completed a review of local emergency management arrangements and identified a shortcoming in the ability of the two local governments, along with welfare and recovery agencies to perform their roles and duties should mains power be lost. This project seeks to address the City of Belmont's ability to perform its role and duties in the event of mains power being lost.

As a Council with key state infrastructure, including the international and domestic airports and the Kewdale intermodal rail freight terminal, a large scale natural disaster has the potential to have significant impact on these transport hubs and subsequently the greater Perth City community. Primarily, demand for welfare and evacuation centres would be significantly increased. As an example, Perth Airport identifies the City's Welfare Centres as evacuation points if evacuation of the airport (staff, airline personnel and passengers), is required.

OFFICER COMMENT

The generators sought for this project are designed to provide the Emergency Co-ordination Centre and Welfare Centres with sufficient capacity to meet key electrical power requirements in the event of a disaster.

The generators would remove an existing total dependency on local hire companies for mobile power, providing a flexible yet cost effective solution to emergency power generation.

FINANCIAL IMPLICATIONS

Due to the timing of this grant funding opportunity, the project is currently unbudgeted. However, should the application be successful, there is opportunity during the October Budget Review to source funds for any anticipated expenditure in the 2012-13 financial year.

The Conditions of the Grant (refer [Attachment 12](#)) state that the NDRP will fund up to 50% of each approved project.

The financial implications to the City if it accepts the grant funding will be:

NDRP Project	City's Contribution	NDRP Grant Funds	Total Project Cost
Building Community Resilience- Emergency Power Generator Project	\$31,712	\$41,070	\$82,140
Project Contingency	\$ 7,278		
In kind – supervision, documentation, operational procedures, budget monitoring and administration	\$2,080		
TOTAL	\$41,070	\$41,070	\$82,140

Item 12.11 Continued

The project contingency amount of \$7,278 would be set aside and used only to cover any unforeseen project costs.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

The social implications of being able to provide generator power to the City of Belmont Emergency Co-ordination Centre (City of Belmont Operations Centre), and two of the City's welfare centres are the ability to:

- support community resilience
- provide effective community recovery coordination and management
- meet local government's obligations under the Commonwealth's National Disaster Resilience Strategy, and
- meet local government obligations under the *Emergency Management Act 2005* and the State and District Welfare Plans.

OFFICER RECOMMENDATION

Should the City of Belmont's application for grant funding under the 2012-13 Natural Disaster Resilience Program be successful, that Council:

- 1. Authorise the Chief Executive Officer to accept the Natural Disaster Resilience Program grant funding.***
- 2. Allocate an amount of \$39,000 towards the Building Community Resilience-Emergency Power Generator Project at the October budget review.***

ABSOLUTE MAJORITY REQUIRED

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

12.12 FUTURE INVOLVEMENT IN THE CARBON NEUTRAL PROGRAM

NATURAL BELMONT

ATTACHMENT DETAILS

Nil.

Voting Requirement	:	Simple Majority
Subject Index	:	31/065
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	Works and Technical Services 11 October 2004 Item 10.4.1 Ordinary Council Meeting 26 October 2004 Item 11.1.2 Standing Committee (Environment) 25 June 2012 Item 11.1
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Technical Services

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

To present alternative options to Council regarding future involvement in the Carbon Neutral Program.

Item 12.12 Continued

SUMMARY AND KEY ISSUES

The City of Belmont has undertaken annual tree planting at Garvey Park as part of the Carbon Neutral Program since 2005. The intent of these plantings has been to offset Council's light vehicle fleet emissions.

In 2012 the City was advised that due to the ineligibility of public land for lodgement of carbon rights or carbon covenants, the trees could not be referred to or claimed as offsets (either accredited or non-accredited) but instead represent voluntary planting. As such, the City's future involvement in the Carbon Neutral Program requires review.

Various options were presented at the Standing Committee (Environmental) meeting on 25 June 2012, with the following recommendation made:

"MARKS MOVED, HITT SECONDED, That Council endorse progression of Option 4 as of 2012-13, to set aside a designated carbon sequestration planting site within the City each year as an alternative to involvement in the Carbon Neutral Program. "

LOCATION

N/A

CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

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

Objective 1: Protect and enhance our natural environment.

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

POLICY IMPLICATIONS

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

STATUTORY ENVIRONMENT

The *Carbon Rights Act 2003 (WA)* relates to the creation and effect of certain interests in land in relation to the effects of carbon sequestration from, and carbon release to, the atmosphere, and for related matters.

Item 12.12 Continued

BACKGROUND

At the Ordinary Council Meeting held on 26 October 2004, Council resolved to adopt the following recommendation of the Works and Technical Services Committee:

“That:

- 1. Council adopt the Carbon Neutral program to offset vehicle CO₂ emissions for its entire passenger vehicle fleet.***
- 2. Funding of \$9,165 for implementation of the program in 2004/2005 be referred to the REPOL committee through the October budget review process noting that funds may be available from the School Beautification Program (905.007.279).***
- 3. Funding for the Carbon Neutral program be included in the preparation of future budgets and presented to Council for consideration through that process.”***

From 2005 to 2011, 11,731 trees were planted as part of the Carbon Neutral Program in addition to understorey species purchased separately by the City. Planting of 900 trees annually is required to sequester the equivalent amount of carbon generated as a result of light vehicle fleet emissions.

The total cost of the project is approximately \$9,600 per year, which includes labour, site preparation and purchase of trees and understorey seedlings. The current cost for 900 trees through Carbon Neutral is \$2,970 (GST exempt), equivalent to \$3.30 per seedling. This is significantly higher than the direct purchase cost of \$1.25 per seedling (GST exclusive) from the nursery.

In 2012, the City enquired about the required timeframe for protection of these trees to ensure this information would be captured in the Garvey Park Master Plan. Carbon Neutral advised that due to the ineligibility of public land for lodgement of carbon rights or carbon covenants, the trees could not be referred to or claimed as offsets (either accredited or non-accredited) but instead represent voluntary planting. As such, the City's future involvement in Carbon Neutral requires review.

Carbon Neutral also provided a Carbon Carrying Assessment which summarises the estimated carbon sequestration of the trees over time. The largest proportion of sequestration occurs within the first 30 years of establishment.

OFFICER COMMENT

The following options were presented at the Standing Committee (Environmental) meeting on 25 June 2012:

- Option 1: Cease involvement in the Carbon Neutral Program
- Option 2: Continue with current voluntary planting arrangement as part of the Carbon Neutral Program

Item 12.12 Continued

- Option 3: Alter involvement in the Carbon Neutral Program to the purchase of offsets, with trees to be planted in the wheatbelt at a site protected under the *Carbon Rights Act 2003*
- Option 4: To set aside a designated carbon sequestration planting site within the City each year as an alternative to involvement in the Carbon Neutral Program.

The Committee made the following recommendation:

“MARKS MOVED, HITT SECONDED, That Council endorse progression of Option 4 as of 2012-13, to set aside a designated carbon sequestration planting site within the City each year as an alternative to involvement in the Carbon Neutral Program.”

Option 4 is the preferred option in the short term, with future planting sites identified at the Garvey Park created wetland and Garratt Road Bridge-Ascot Foreshore for the next five years (2013-17). The number of trees established annually would sequester the equivalent amount of carbon generated as a result of light vehicle fleet emissions.

There may be potential for future sites to include plantings undertaken as part of the Urban Forest Policy (currently under development), as there is no requirement for trees to consist of native species. Should the City be unable to identify suitable sites post 2017, Option 3 could then be progressed.

The benefits of Option 4 include:

- A saving of \$1,947 per year due to the lower cost of purchasing trees directly from the nursery, in comparison to purchasing through Carbon Neutral
- Continued localised carbon sequestration and revegetation within the City
- Continued involvement of City of Belmont staff in a carbon sequestration Corporate planting day.

A shortcoming of this option is the inability to refer to or claim the plantings as offsets. A new name will also have to be developed for planting sites which does not refer to Carbon Neutral or carbon offsets.

FINANCIAL IMPLICATIONS

The financial implications of each option, in comparison to current expenditure, are outlined below:

- Option 1: A saving of \$9,600 per year
- Option 2: No change from current cost of \$9,600 per year
- Option 3: A saving of \$6,630 per year due to elimination of costs associated with labour, site preparation and purchase of understorey plants
- Option 4: A saving of \$1,947 per year due to lower cost of purchasing trees directly from the nursery, in comparison to purchasing through Carbon Neutral.

Item 12.12 Continued

ENVIRONMENTAL IMPLICATIONS

The direct environmental implications associated with each option, is as follows:

- Option 1: 900 less trees and 1,100 less understorey plants established per year
- Option 2: No change from current situation
- Option 3: No change from current situation, although seedlings would be established outside of the City of Belmont and the understorey plants (1,100 seedlings) may not necessarily be planted
- Option 4: No change from current situation.

SOCIAL IMPLICATIONS

There are no social implications at this time.

COMMITTEE RECOMMENDATION

That Council endorse progression of Option 4 as of 2012-13, to set aside a designated carbon sequestration planting site within the City each year, as an alternative to involvement in the Carbon Neutral Program.

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

12.13 GARVEY PARK FORESHORE STABILISATION-SECTION 3

NATURAL BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 13–Item 12.13 refers	<u>Garvey Park Foreshore Stabilisation Concept Plan</u>

Voting Requirement : Simple Majority
Subject Index : 30/015
Location / Property Index : N/A
Application Index : N/A
Disclosure of any Interest : Nil
Previous Items : Ordinary Council Meeting - 11 March 2008 Item 12.4.2
Applicant : N/A
Owner : N/A
Responsible Division : Technical Services

COUNCIL ROLE

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

PURPOSE OF REPORT

To seek Council approval to accept funding from the Swan River Trust in 2012-13 for progression of foreshore stabilisation at Garvey Park-Section 3.

Item 12.13 Continued

SUMMARY AND KEY ISSUES

In 2008 a concept plan was developed for stabilisation of the Garvey Park foreshore (Ecoscape & MP Rogers, 2008). The concept plan divided the area into four sections, as per [Attachment 13](#).

Proposed works for Section 3 include an upgrade of the existing kayak club beach, installation of a new beach, alteration to the lawn terrace to improve access and installation of rock groynes on either side of the two beaches. The estimated cost to implement these works in the 2008 concept plan was \$1,341,000 (ex GST), excluding any upgrade of the jetty or universal ramp.

A Business Case for the project was endorsed by Council at the Ordinary Council Meeting on 11 March 2008. Detailed designs for Section 3 including construction drawings and technical specifications were developed by MP Rogers in 2009.

Due to the high cost of implementing works at Section 3, it has not been feasible to implement works without obtaining a significant contribution from grant funding.

Garvey Park Section 3 has recently been identified by the Swan River Trust as the seventh highest priority site for stabilisation works within the Riverpark. The Trust has subsequently contacted the City, advising of the potential to provide 50% funding to progress with this project over multiple financial years. A figure of \$400,000 has been mentioned for 2012-13 but there has been no formal offer.

As this information became available after the completion of the draft budget, the City has not budgeted for this project in 2012-13. As per Council Policy SB1: Council Authority to Apply for Grants, Council approval is required prior to the City accepting grants that require an unbudgeted co-payment of funds.

It is proposed that up to \$100,000 be allocated in the 2012-13 October Budget Review to engage a coastal engineer to review the detailed design and construction drawings to ensure they meet current requirements, undertake soil testing to determine presence of acid sulphate soils and waste classification of soil to be excavated, and provision of an updated opinion of probable costs. Significant funding will then be required in 2013-14 and 2014-15 to implement the project, as follows:

Stabilisation works:

	City of Belmont	External funding	
2012-13	\$50,000	\$50,000	
2013-14	\$750,000	\$750,000	
2014-15			
TOTAL	\$800,000	\$800,000	\$1,600,000

Floating jetty:

	City of Belmont	External funding	
2013-14 and 2014-15	\$125,00-\$175,000	\$125,00- \$175,000	\$250,000- \$350,000

Item 12.13 Continued

LOCATION

Lot 604 (55) Fauntleroy Avenue, Ascot.

CONSULTATION

Community and stakeholder consultation was undertaken based on concept designs for foreshore stabilisation in 2008, with feedback received from the Ascot Kayak Club, Disability Access and Inclusion Group and the general community via a site meeting.

Indigenous consultation was also undertaken and Section 18 Department of Indigenous Affairs approvals granted in 2008 based on the concept designs.

Additional community consultation will be required given the time that has elapsed since the original consultation. There are also additional park user groups and stakeholders with whom consultation is required.

STRATEGIC COMMUNITY PLAN IMPLICATIONS

This project relates to the following components of the Strategic Community Plan:

Natural Belmont

Objective 1: Protect and enhance our natural environment.

Strategy: Engage State and Federal government to enable effective management of the Swan River foreshore and water quality through adequate funding and support.

POLICY IMPLICATIONS

The City has not budgeted for this project in 2012-13. As per Council policy, the acceptance of Swan River Trust funding requiring an unbudgeted co-payment of funds requires Council approval.

SB1-Council Authority To Apply For Grants

POLICY DETAIL

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

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

Item 12.13 Continued

STATUTORY ENVIRONMENT

N/A

BACKGROUND

The Garvey Park foreshore area (S.37) is listed as a Priority One site for riverbank and shoreline works in the *Swan and Canning Rivers Foreshore Assessment and Management Strategy* (Swan River Trust 2008). Garvey Park is also listed as Priority Two for vegetation replenishment (V.22)

In 2008 a concept plan was developed for stabilisation of the Garvey Park foreshore, extending from the Coolgardie Living Stream to Hilton Grove (Ecoscape & MP Rogers, 2008). The concept plan divided the area into four sections, as per [Attachment 13](#).

Section 3 relates to the area in front of the kayak club, extending from the boundary with Section 4 (recent works) and the existing jetty. Proposed works included an upgrade of the existing kayak club beach, installation of a new beach, alteration to the lawn terrace to improve access and installation of rock groynes on either side of the two beaches. The estimated cost to implement these works in the 2008 concept plan was \$1,341,000 (ex GST), excluding any upgrade of the jetty or universal ramp.

A Business Case for the project was endorsed by Council at the Ordinary Council Meeting on 11 March 2008, with the following recommendation made:

“12.4.2 Proposed Restoration Works for Garvey Park Foreshore, Redcliffe

WOLFF MOVED, WHITELEY SECONDED, That Council:

- 1. Endorse the Business Case as attached in NB Attachment 5 for the development of Garvey Park Foreshore Restoration and that officers progress this scheme.*
- 2. Authorise the Parks, Leisure and Environment Manager to incorporate the required funding within the City's Draft Parks Leisure and Environment - Parks Construction Budgets for the financial years of 2008/2009, 2009/2010 and 2010/2011.*
- 3. Pursuant to Clause 9.10 of the City of Belmont District Planning Scheme No 14, authorise the Director-Community & Statutory Services or the Manager-Planning Services, to assess and approve the planning and development application outlined above under delegated authority.*
- 4. Include the leaseholder of the new kiosk at Garvey Park and the Kayak Club as additional stakeholders to consult, along with those already mentioned in the Business Case for the development of Garvey Park Foreshore Restoration.*

CARRIED BY ABSOLUTE MAJORITY 11 VOTES 0”

Since endorsement of the Business Case, works have been implemented at Hilton Grove (Section 1) in 2008-09 to 2011-12 and Section 4 (2011-12). Detailed designs for Section 3 including construction drawings and technical specifications were developed by MP Rogers in 2009.

Item 12.13 Continued

Due to the high cost of implementing works at Section 3, it has not been feasible to implement works without obtaining a significant contribution from grant funding. In 2010 and 2011 the City submitted several grant applications through the Regional and Local Community Infrastructure Program and Regional Development Australia Fund, which were unsuccessful.

Garvey Park Section 3 has recently been identified by the Swan River Trust as the 7th highest priority site for stabilisation works within the Riverpark. The Trust has subsequently contacted the City, advising of the potential to provide funding to progress with this project. As the total Riverbank budget is approximately \$1 million per year, they would be unable to provide 50% funding within one financial year however a contribution could be made over multiple financial years. A figure of \$400,000 has been mentioned for 2012-13 but there has been no formal offer.

OFFICER COMMENT

In order to progress this project, an initial 'project development' phase is required to re-consult with key stakeholders and review the detailed design and construction drawings to ensure they meet current requirements. It is proposed that this is undertaken in 2012-13, along with acid sulphate soils and waste classification sampling, development of a current opinion of probable costs for implementation and application for Swan River Trust permit approval.

This will allow sufficient time for on-ground works to commence in spring-summer 2013-14, possibly being staged over two financial years.

FINANCIAL IMPLICATIONS

The estimated cost to implement stabilisation works at Section 3 in the 2008 concept plan was \$1,341,000 (ex GST), excluding any upgrade of the jetty or universal ramp. This is likely to have increased to \$1,500,000 as a result of CPI increases. Riverbank could potentially fund 50% of this cost (\$750,000), with the remaining \$750,000 to be funded by the City. The estimated cost of a floating jetty is an additional \$250,000 to \$350,000 (dependent upon design, construction materials, location and composition of the riverbed) which is unlikely to be funded by Riverbank; however there may be a possibility for part funding with the Recreational Boating Facilities Scheme grant funding in February 2013.

Anticipated expenditure for 2012-13 is up to \$100,000, of which 50% will be funded by the Swan River Trust. This includes the cost for review of the detailed designs and construction drawings, soil testing and provision of an estimate of probable costs.

The City has not included this project in the draft Annual Budget for 2012-13, as the provision of Swan River Trust funding was unexpected. If approval is given to progress, the project will be included at the October Budget Review.

Item 12.13 Continued

A summary of the required City of Belmont contribution is as follows:

Stabilisation works:

	City of Belmont	External funding	
2012-13	\$50,000	\$50,000	
2013-14	\$750,000	\$750,000	
2014-15			
TOTAL	\$800,000	\$800,000	\$1,600,000

Floating jetty:

	City of Belmont	External funding	
2013-14 and 2014-15	\$125,00-\$175,000	\$125,00-\$175,000	\$250,000-\$350,000

ENVIRONMENTAL IMPLICATIONS

There will be no change to the environmental values of Section 3 as a result of this project.

SOCIAL IMPLICATIONS

Implementation of this project will result in an enhanced recreational use of the area, with improved access to the lawn terraced area, upgrade to the kayak club beach and creation of the second 'fishing & wading' beach.

OFFICER RECOMMENDATION

That Council:

- 1. Authorise the Chief Executive Officer to accept the Swan River Trust grant funding towards foreshore stabilisation of Garvey Park Section 3.***
- 2. Note that an unbudgeted City of Belmont contribution of 50% of the estimated \$100,000 would be required to be addressed at the October Budget Review.***
- 3. Note that as an ongoing project, a significant contribution would be required in 2013-14 and 2014-15 to implement the works.***

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

12.14 TWO RIVERS CATCHMENT GROUP INCORPORATED COMMUNITY REPRESENTATIVE

NATURAL BELMONT

ATTACHMENT DETAILS

Nil.

Voting Requirement	:	Simple Majority
Subject Index	:	30/005
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	Nil
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Technical Services

COUNCIL ROLE

- | | | |
|-------------------------------------|-----------------------|---|
| <input checked="" 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 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

To nominate Councillors for consideration by the Two Rivers Catchment Group Incorporated Committee (Two Rivers Catchment Group), to fill the vacant position of City of Belmont community representative and their proxy.

Item 12.14 Continued

SUMMARY AND KEY ISSUES

The Two Rivers Catchment Group operates within part of the Local Government areas of Canning, Belmont, Gosnells, Kalamunda, South Perth and Victoria Park that fall within the catchment of the Swan and Canning Rivers. The aim of the group is to achieve integrated catchment management that supports clean waterways and healthy ecosystems.

The Two Rivers Catchment Group has recently contacted the City to request a Councillor nomination to fill the place of City of Belmont community representative on the Committee.

At the Standing Committee (Environmental) meeting held on 25 June 2012, several Councillors expressed an interest in the position. As such, an item has been prepared to nominate a Councillor representative and proxy for consideration by the Two Rivers Catchment Group to fill the vacant position.

LOCATION

N/A

CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

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

Objective 1: Protect and enhance our natural environment.

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

POLICY IMPLICATIONS

The item relates to Policy BEXB8-Appointment as Committee Members, Representatives and Delegates.

STATUTORY ENVIRONMENT

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

Item 12.14 Continued

BACKGROUND

The Two Rivers Catchment Group has recently contacted the City to request a Councillor nomination to fill the place of City of Belmont community representative on the Committee. The Coordinator Environment or the Environmental Supervisor (proxy) currently attend as the City of Belmont's Local Government representative.

The Committee meets every two months (February, April, June, August and October) on the second Wednesday of the month. Meetings commence at 7.00pm and generally run until 8.30pm, with supper provided. The location is rotated between the Town of Victoria Park, City of South Perth, City of Canning and City of Belmont.

Council's nomination is to remain valid until such time as the Councillor resigns from the position, or until October 2013, when Council considers appointments to Committees and other Groups after the 2013 Local Government Elections.

OFFICER COMMENT

The Catchment Group provides several benefits to the City of Belmont, facilitating partnership projects and increasing the potential to obtain grant funding by demonstrating community support for on-ground environmental or conservation works.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

Note

The Chief Executive Officer called for nominations to the position of City of Belmont Community Representative. One nomination was received, being from Cr Wolff.

The Chief Executive Officer called for nominations to the position of City of Belmont Community Representative Proxy. One nomination was received, being from Cr Marks.

The Chief Executive Officer confirmed the appointments.

Item 12.14 Continued

OFFICER RECOMMENDATION

POWELL MOVED, MARTIN SECONDED,

1. *That Cr Wolff be nominated for the position of City of Belmont community representative on the Two Rivers Catchment Group Incorporated Committee.*
2. *That Cr Marks be nominated for the position of Proxy City of Belmont community representative on the Two Rivers Catchment Group Incorporated Committee.*
3. *That Council notes that the nominated Councillors will be required to complete a membership application form for approval by the Two Rivers Catchment Group Incorporated Committee, who will then consider their appointment to the vacant positions.*

CARRIED 9 VOTES TO 0

12.15 LATE ITEM: GREAT EASTERN HIGHWAY/BRIGHTON ROAD ENTRY STATEMENT

BUILT BELMONT

<u>Attachment No</u>	<u>Details</u>
Attachment 14–Item 12.15 refers	Graphic of Proposed Project Entry Statement

Voting Requirement	:	Simple Majority
Subject Index	:	102/015 Great Eastern Highway Upgrade
Location/Property Index	:	Corner Great Eastern Highway and Brighton Road (Main road reserve)
Application Index	:	N/A
Disclosure of any Interest	:	Nil.
Previous Items	:	Nil.
Applicant	:	City East Alliance (CEA)
Owner	:	Main Roads WA (MRWA)
Responsible Division	:	Technical Services

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

For Council to endorse the MRWA/CEA combined public art and entry statement incorporating the City of Opportunity Logo and Brand proposed for Great Eastern Highway at Brighton Road.

Item 12.15 Continued

SUMMARY AND KEY ISSUES

The road widening required for the Great Eastern Highway (GEH) upgrade project necessitated the removal of the City's existing entry statement located on the Great Eastern Highway road reserve at Brighton Road.

The CEA undertook to replace and upgrade the entry statement within the public artwork at the intersection as the entry to both the City and the project.

The design has been viewed, but not endorsed by Council.

LOCATION



CONSULTATION

The CEA has run an ongoing project consultation process, including consideration of the entry statement design, through the Community Reference Group (CRG), on which the City has representatives, and has also made two presentations to Council Information Forums. In addition, there have been discussions between the CEA and City staff.

STRATEGIC PLAN IMPLICATIONS

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

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

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

Item 12.15 Continued

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

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

BACKGROUND

In about 1997, the City installed six entry statements using the City of Opportunity Logo and Brand to help build and enhance the “City of Opportunity” brand first launched by the City in 1995. In recent years, the City has considered enhancements to the entry statements including huge arches above the “Men” and different wall combinations.

The huge arches were both excessively large at some 30 metres high and excessively expensive at about \$150,000 each. They were not progressed.

The two different walls, one grey and angular and the other multi-coloured and more “organic” were presented to Information Forums in October 2010 and May 2011 and opinion on them was divided to the extent that there was no consensus as to a preferred design. The notes of the May 2011 Information Forum illustrates several matters that were considered relevant to the meeting including:

- That road works on Great Eastern Highway were about to commence and that other road works (GEH Stage II and Perth Gateway) would remove other entry statements in coming years and that changing the design of the entry statements should wait until these major road works were completed.
- As the entry statements are a City asset and can be considered part of the City’s history, maintenance measures to protect the steel, such as repainting, is an important investment.
- Suggested works included replacement/rendering of the walls, removing landscaping to reduce bore staining, improving lighting and raising the “Men” onto plinths to give them greater impact.

Councillors were provided a briefing on the progress of the entry statements (amongst other elements of the GEH upgrade project) at the Information Forum held on 13 March 2012. The presentation explained the key themes of the design development as:

- Creation of a feature area to beginning of alignment
- Wagyl and form of the Swan River
- Native colourful ground covers and shrubs
- Incorporation of the City of Opportunity figures.

Item 12.15 Continued

Notes from the meeting state:

- *“A 3D image of the Belmont Entry Statement was shown. The design is still being worked on (referring to the cross-section of the hoops and landscaping-the design of the “Men” was already complete-Director Technical Services) and work is continuing with the fabricators. Bore water will still be used around the entry statements; however, the aluminium design should prove more durable (than the steel men or steel hoops-Director Technical Services). Entry statements will probably be left to the end of the project to construct”.*

Councillors were provided with a further briefing on the progress of the entry statements at the Information Forum held on 12 June 2012 and notes of the meeting note:

- *“Tenders had been advertised for the construction of the entry statements and changes to the design now will hold up the process of installing the entry statement as programmed in November/December 2012.*
- *There was some concern from Councillors that they had not been given more opportunity for input into the design before the works were tendered.*
- *Coloured 3D images would be provided. (These were distributed to Councillors on the evening of Tuesday, July 17, 2012 and are attached to this item).”*

OFFICER COMMENT

Since 1995 the City has invested heavily in both time and money in the “City of Opportunity” brand and the “Opportunity Man” logo is an important, integral and recognisable element of that brand. In turn, the City’s entry statement, the City of Opportunity Logo and Brand (the Belmont Men), are a unique and highly visible manifestation of the “City of Opportunity” brand. It is consistent with the branding of the City’s buildings, parks, vehicles, promotions, etc.

Corporations with highly recognisable brand logos such as the McDonalds “arches”, the Qantas “kangaroo” and literally scores of others have not reached their level of recognition by changing their brand logos every few years. McDonald’s arches became their logo in 1962, the Qantas flying kangaroo has been a feature of the airline’s logo since 1947 and the Coca-Cola “script” logo has been there since 1886. These corporations see the value in building on a well established and recognisable brand.

The City is clearly nowhere near the league of these corporations for brand recognition, but the recognition we do have among local and state governments and the business, development and wider communities is significant and needs to be protected and enhanced to build on our past investment in it.

In working with the CEA to develop the Brighton Road entry statement, City staff have been very mindful of all earlier discussions about entry statements. For example, in 2010 and 2011 and even earlier, Councillors considered alternative entry statements and in 2011, recognised that the entry statements would be removed by future road works, including the upgrade of GEH which was, at that time, about to commence.

Item 12.15 Continued

Councillors further commented that a new design should only be considered when the GEH and Gateway projects were completed. These expressed views, together with the Councillors recognition that the men were part of the City's history and suggestions that they should be enhanced and upgraded with new walls, lighting and an improved presence (raised on plinths) led directly to the much larger brushed aluminium "men" positioned in a prominent, well lit position, in front of a new wall and complimented by the extensive GEH project entry artwork.

Given the long history of the entry statement discussions and the lack of any adverse comments by Councillors about the combined entry statement at the Information Forum prior to June 2012 or by members of the CRG, it is hoped that Councillors can understand how the new GEH project entry statement incorporating the City of Opportunity Logo and Brand has been progressed in good faith by the City's Officers to its current position.

Main Roads WA are well advanced with the design and procurement of their elements of the entry statements (ie everything except the City of Opportunity Logo and Brand) and intend to complete the installation of the elements relevant to the highway upgrade project in November or December 2012 as previously advised. Their preference is to include the City's elements of the entry statement but their works can proceed with or without the "men".

FINANCIAL IMPLICATIONS

The City has spent approximately \$8,000 on the structural design. Inclusion of the City of Opportunity Brand in the proposed manner would cost an additional \$25,000 approximately.

The CEA are meeting all other costs to construct the entry statement, including the installation of the men and providing lighting to them.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

The inclusion of City of Opportunity Logo and Brand in the entry statement will continue to enhance the recognition of the City and its vision, values and strategic intent in the wider community.

OFFICER RECOMMENDATION

That Council endorse:

1. The Main Roads Western Australia/City East Alliance public art and project entry statement proposed for Great Eastern Highway at Brighton Road.
2. The incorporation of the City of Opportunity Logo and Brand into this combined entry statement as illustrated in Attachment 14.

Item 12.15 Continued

Note

Cr Wolff put the following motion.

ALTERNATIVE COUNCILLOR MOTION

WOLFF MOVED, ROSSI SECONDED, That Council:

- 1. *Endorse the Main Roads Western Australia/City East Alliance public art and project entry statement proposed for Great Eastern Highway at Brighton Road.***
- 2. *Not endorse the incorporation of the City of Opportunity Logo and Brand into Main Roads' public art and project entry statement, as illustrated in Attachment 14.***

CARRIED 9 VOTES TO 0

Reason

The Main Roads' public "art and project entry statement" is a fitting statement highlighting Main Roads' long awaited and much welcome upgrade of this section of Great Eastern Highway.

As no City of Belmont entry statement design has as yet been agreed to by Council, there should be no incorporation of the City of Opportunity Logo and Brand (as illustrated in Attachment 14) into the Main Roads' public "art and project entry statement".

13. REPORTS BY THE CHIEF EXECUTIVE OFFICER

13.1 REQUESTS FOR LEAVE OF ABSENCE

Nil.

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

7.58pm The Presiding Member advised that in accordance with Section 5.23(2)(b) of the Local Government Act 1995, if there were any questions or debate on Confidential Item 14.1 Presentation of 2012 Opportunity Awards-Confidential Matter in accordance with *Local Government Act 1995* Section 5.23(2)(b) then Council will need to go behind closed doors.

As there were no questions or debate on this item, the meeting did not proceed behind closed doors.

14.1 PRESENTATION OF 2012 OPPORTUNITY AWARDS-CONFIDENTIAL MATTER IN ACCORDANCE WITH *LOCAL GOVERNMENT ACT 1995* SECTION 5.23(2)(b)

[Confidential Attachment 1-Item 14.1 refers](#)

(Circulated Under Separate Cover)

OFFICER RECOMMENDATION

GODFREY MOVED, ROSSI SECONDED, That Council endorse the recipient of the 2012 Opportunity Awards as identified in the report and that the nomination remain confidential until presented at the Mayoral Dinner scheduled for 6 October 2012.

CARRIED 9 VOTES TO 0

7.59pm The Principal Governance and Compliance Advisor read aloud the resolution.

15. CLOSURE

There being no further business the Presiding Member closed the meeting at 8.00pm.