



City of Belmont
ORDINARY COUNCIL MEETING
MINUTES
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24 July 2018

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ATTACHMENTS INDEX

- Attachment 1 – Item 12.1 refers**
- Attachment 2 – Item 12.1 refers**
- Attachment 3 – Item 12.2 refers**
- Attachment 4 – Item 12.4 refers**
- Attachment 5 – Item 12.5 refers**

CONFIDENTIAL ATTACHMENTS

- Confidential Attachment 1 – Item 12.3 refers**
- Confidential Attachment 2 – Item 12.3 refers**

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

MINUTES

PRESENT

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

IN ATTENDANCE

Mr R Garrett	Director Corporate and Governance
Mrs J Hammah	Director Community and Statutory Services
Mr R Lutey	Director Technical Services
Mr J Olynyk, JP	Manager Governance
Mr S Monks	Manager Finance
Ms D Morton	Media and Communications Officer
Mrs M Lymon	Principal Governance and Compliance Advisor
Ms S D'Agnone	Governance Officer

MEMBERS OF THE GALLERY

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

1. OFFICIAL OPENING

7.06pm The Presiding Member welcomed all those in attendance and declared the meeting open.

The Presiding Member read the Acknowledgement of Country.

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

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

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

2. APOLOGIES AND LEAVE OF ABSENCE

Mr J Christie (Apology)

Chief Executive Officer

3. DECLARATIONS OF INTEREST THAT MIGHT CAUSE A CONFLICT

3.1 FINANCIAL INTERESTS

Nil.

3.2 DISCLOSURE OF INTEREST THAT MAY AFFECT IMPARTIALITY

Nil.

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

4.1 ANNOUNCEMENTS

The Presiding Member made the following announcement:

'It is with much regret that I announce this will be the final Council meeting attended by Mr Lutey, Director Technical Services. After 28 years this is certainly a sad occasion and I would like to thank you Mr Lutey for all that you have done.'

In response, Mr Lutey thanked the Mayor and past and present Councillors for the many opportunities that have been provided over his years at the City, and for their support during that time. He wished all Councillors and the City the best for the future.

4.2 DISCLAIMER

7.08pm The Presiding Member drew the public gallery's attention to the Disclaimer.

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

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

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

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

Nil.

5. PUBLIC QUESTION TIME

5.1 RESPONSES TO QUESTIONS TAKEN ON NOTICE

5.1.1 DR D MOSSENSON, 27 CARNARVON CRES, COOLBINIA, ON BEHALF OF ZONIE PTY LTD

The following questions were taken on notice at the 26 June 2018 Ordinary Council Meeting. Dr Mossenson was provided with a response on 13 July 2018. The response from the City is recorded accordingly:

1. During the Ordinary Council Meeting of the City of Belmont held on 27 October 2015 Ms M Elkington asked where she could find the Traffic Modelling Study on the Belmont website. The Manager Infrastructure Development advised that the website would be checked to ensure that the Traffic Modelling Study was available on the website. My search of the City's website does not reveal the location of the study on the site.

Response

The Traffic Assessment Study which was carried out by the Public Transport Authority as part of the Forrestfield Airport Link Project was located on the City's webpage along with many other supporting documents since late 2015. As with all project webpages, the City reassesses and makes changes to make the webpage clearer and more representative of the current works that are occurring for DA6. This 2015 document, which was associated with the Redcliffe Station approval, did not fit into the revised format of the webpage. Notwithstanding, the City is happy to list this within the background information area of the webpage (refer link below).

<http://www.belmont.wa.gov.au/Services/Planning/Pages/DA6Background.aspx>

- 2a. In the Ordinary Council Meeting minutes of 27 February 2018, the Officer of the City of Belmont wrote that the City had undertaken real time traffic monitoring of local roads since Brearley Avenue remained open to First Street in February 2017. Will the monitoring results be made readily available to the ratepayers by posting them on the City's website or does one need to make a request for them to the CEO or appropriate Officer?
- 2c. The Officer stated that the current known rat running via Brearley Avenue, Boulder Avenue, Second Street and Central Avenue will reduce should Brearley Avenue be closed at Great Eastern Highway. Does the City of Belmont have traffic details and research to support such a statement and if so, will it be made available to the public, and if not, why not?

Response

Please find below traffic count information pre and post the partial closure of Brearley Avenue. The traffic counts clearly demonstrate the increase on local roads following the partial closure of Brearley Avenue.

Item 5.1.1 Continued

Count Location	May 2016 - Prior to partial closure of Brearley Avenue: Vehicles/Day	Feb 2017 - Following partial closure of Brearley Avenue: Vehicles/Day
Boulder Ave - First St to Second Ave	406	1362
First St – Brearley Ave to Central Ave	1671	1888
First St – Kanowna Ave to Boulder Ave	1358	1844
Kanowna Ave – First St to Second St	1136	1847

With alternative road access connections to the airport available, there is no reason to believe that traffic volumes in the streets listed above will not return to their previous volumes should Brearley Avenue be closed at Great Eastern Highway.

5.1.2 MR L LOVETT, 242 KOOYONG ROAD, KEWDALE

The following questions were taken on notice at the 26 June 2018 Ordinary Council Meeting. Mr Lovett was provided with a response on 13 July 2018. The response from the City is recorded accordingly:

1. Was an investigation conducted and documented in the City records into the death of the verge tree formerly at 6 Fulham Street? Did the City of Belmont remove the tree and what was the cost of the removal?

Response

The City carried out an inspection of the Queensland Box (*Lophostomen confertus*) at 6 Fulham Street, which was requested by the City's Planning Department, as it had declined significantly throughout the development of the property.

The City's arborist inspected the tree in August 2016 and confirmed:

- **The tree was in permanent decline**
- **The tree expressed the initial symptoms of decline in December 2015, just two months after construction commenced**
- **There are no signs of vandalism, poisoning or other unauthorised interference**
- **The decline is typical of drought-induced deaths from root damage caused by nearby construction activities**
- **The root distribution of a large street tree, particularly on a narrow verge, is asymmetrical. The roots are predominantly on the residential side, where there is uncompacted soil and water, therefore root damage here causes proportionately far greater impact. For example, excavating the adjacent road would have almost no impact because the roots are not on this side.**
- **Such adverse impacts are further exacerbated if the residential root zone (front garden) has been historically irrigated. The sudden loss of a large proportion of the root zone coupled with irrigation (to which the tree had been accustomed) induces an extreme, and often fatal, drought condition.**

Item 5.1.2 Continued

As a result of the tree dying from the construction methods used by the developer, the City requested reimbursement costs for the total value of the tree prior to development and was financially compensated. The tree was then removed by the City in November 2016 for a total value of \$1,171.85 (GST inc).

2. How many verge trees under power lines are pruned annually and how many other verge trees have been pruned for other reasons over the last 6 years?

Response

Financial Year	Powerline Pruning	Non Powerline Pruning
2013	3999	2301
2014	4390	2615
2015	5119	3122
2016	3276	1060
2017	4654	4708
2018	5032	5063

3. How many trees have been removed by the City of Belmont and its subcontractors during the process of road/drainage works and construction of new city facilities?

Response

The City considers its trees as assets and all consideration and care is taken when scoping, designing and the construction of projects is carried out, to protect them as much as possible.

The City's road upgrades involve rehabilitation and resurfacing which apart from some occasional widening is contained between existing kerb lines and generally does not require any tree removal. Where trees may be affected, advice is sought from an arborist on how to protect tree roots. Where excavation could cause damage, alternative treatments can then be considered.

Similarly, when scoping drainage upgrade projects, existing lines are common in the verge and where excavation is required, 'air spading' is used to avoid damage to the tree roots as an alternative method to digging.

Other options to avoid damage to tree roots include consideration of an alternative alignment which may be within the road, the opposite verge or in an adjacent park.

When the City undertakes to provide new facilities and existing trees fall within the proposed building footprint, a survey is conducted to determine the value and health of the trees with some being removed and others relocated to suitable alternative sites.

The potential removal of trees is a consideration during the original assessment of a site for suitability and the resultant planning process.

There may be some limited occasions where trees are removed from the road reserve due to their ongoing damage to infrastructure or if they present a sight line hazard to pedestrians and motorists.

5.1.3 Ms B SCHARFENSTEIN, 140 COOLGARDIE AVENUE, REDCLIFFE

The following questions were taken on notice at the 26 June 2018 Ordinary Council Meeting. Ms Scharfenstein was provided with a response on 13 July 2018. The response from the City is recorded accordingly:

- 1a. Does the City of Belmont have a financial interest or investment in the portion of land currently occupied by the two carriageways of Brearley Avenue and its median strip from Great Eastern Highway to Boulder Avenue West?

Response

The City of Belmont does not have a financial interest or investment in the land currently occupied by the Brearley Avenue carriageway. The land in question is a dedicated road under law that is vested in the State.

- 1b. Is redevelopment of DA6 contingent on redevelopment and return of investment of this portion of land? (Currently the two roads off Brearley Avenue and its median strip from Great Eastern Highway to Boulder Avenue West)

Response

The implementation of the DA6 Vision Plan is contingent on the closure of the Brearley Avenue road reserve. Should the Minister for Transport, Planning and Lands grant the closure of Brearley Avenue, the land comprising the former road reserve becomes unallocated Crown land which can be sold in accordance with Part 6 of the Land Administration Act 1997.

There is no financial incentive for the City to consider purchasing the land, however the State Government's land development agency, Landcorp, may seek to obtain some of the land so as to provide future development sites. The City will advocate for portions of land to be set aside for public open space in accordance with the DA6 Vision Plan.

- 1c. Why can redevelopment of DA6 not commence without redevelopment of this portion of land?

Response

The decision on the closure of Brearley Avenue will significantly affect the planning for public open space in the precinct. The DA6 Vision Plan provides for significant portions of the Brearley Avenue road reserve to form as future public open space to serve the precinct. Should its closure not proceed, the future planning framework will need to make provision for adequate public open space to be provided elsewhere in the precinct.

2. The 2015 DA6 Vision Plan shows multi-storey buildings located over the two train tunnels, which will run directly below what is now the two carriageways of Brearley Avenue. The PTA and Salini Impregilo have indicated that construction of multi-storey buildings over the two train tunnels is contra-indicated. If this is correct why does the Vision Plan propose construction of multi storey buildings over the two train tunnels?

Item 5.1.3 Continued

Response

The DA6 Vision Plan is a conceptual plan outlining the preferred development outcomes for the precinct, and it is not premised on any limitations presented by the construction of the two rail tunnels. These matters, along with other technical requirements, are being investigated through the preparation of the future planning framework for the precinct.

3. In 2015 we were alerted to changes to state legislation that will enable the government to compulsorily acquire private property in the context of redevelopment in a transport node precinct. The Public Transport Authority (PTA) has stated no private property would be resumed in the Redcliffe train station construction zone, but this does not exclude resumption for the purposes of a road network or public open space, as is the case in Forrestfield. On behalf of the Redcliffe DA6 residents, can the City of Belmont categorically state there will be no compulsory acquisition of private property in Redcliffe DA6?

Response

The City cannot confirm with any certainty whether compulsory acquisition of private property will be necessary to facilitate the redevelopment of DA6. The land requirements for the redevelopment of the precinct will become more evident through the preparation of the planning framework for DA6.

5.2 QUESTIONS FROM MEMBERS OF THE PUBLIC

7.11pm **The Presiding Member drew the public gallery's attention to the rules of Public Question Time as written in the Agenda. In accordance with rule (I), the Mayor advised that he had registered five members of the public who had given prior notice to ask a questions.**

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

5.2.1 MS B SCHARFENSTEIN, 140 COOLGARDIE ROAD, REDCLIFFE

At the June 2018 Ordinary Council Meeting Cr Rossi advised he provided a report on his and Wilmot Loh's attendance at the 2016 Aerotropolis conference in Singapore to Councillors and Councillor Officers, which he deemed to be highly confidential.

1. Through the Chair, I enquire if the following topics are considered by Cr Rossi as requiring a level of confidentiality that necessitates ratepayers obtaining a Freedom of Information order to access the report that Cr Rossi and Wilmot Loh provided to Council following their attendance at the 2016 Aerotropolis Asia Forum in 2016:
 - a. Determining the key drivers instrumental in the surge of Aerotropolis – Western Sydney Airport project at Badgerys Creek.
 - b. AirportCity strategies: attracting investors and tenants
 - c. Building from ground up as well as from the top down - strategies in Aerotropolis master planning
 - d. Creating exceptional airport communities: a simple answer to a complex question
 - e. From Central City to Aerotropolis: Potentials for Asian Aerotropolis – Case Studies Changi Airport, Singapore
 - f. Assessing the legislation and regulation on height restrictions for high rise building developments
 - g. Urban growth – upgrading and extending rail infrastructure to your airport city, transforming it into a transit development
 - h. Building a Business Case for Greenfield Airport Development: Planning for future growth and demand
 - i. Drawing New Businesses to the Region: Selecting the best mix of developments to boost the value of airport development
 - j. Establishing an intricate network of multi modal transportation to facilitate accessibility and interconnectivity for a well-connected airport city.
 - k. Unlocking Real Estate Strategy: Diversifying portfolio from traditional township and other development concepts to Aerotropolis development
 - l. Creating self-sustaining airport cities – making it attractive for foreign investors
 - m. Calling for Joint Venture and Partnership – Stakeholders Conversation
 - n. All of the above.

Does the City of Belmont still insist ratepayers are not entitled to access the Cr Rossi/Wilmot Loh report on their attendance at the 2016 Aerotropolis? If so, what are the criteria applied to determine the type of information that restricts public access and can ratepayers be provided a copy of such criteria, or is it simply arbitrarily decided?

Response

The Director Community and Statutory Services advised that the question will be taken on notice.

Item 5.2.1 Continued

- 2a. Does the City of Belmont have a record of the volume of water flowing through the southern main drain into DA6 in December 2016, and has it sought to measure the current volume of water in the southern main drain flowing through DA6 to calculate the increased volume created by the reconstructed drain and DFO outflow pipes and therefore anticipate how this volume of water will increase on completion of the Costco complex? If not, why not and will it seek to do so? If not, would it be possible for the City to obtain this information from Water Corporation?
- 2b. The diagram supplied to Councillors this afternoon shows the living stream through DA6. This design shows a significant redirection of this water course. Taking into account the dramatic increase in volume of water created by the reconstruction of the southern main drain and large outflow pipes from DFO and later Costo, what is the estimated cost of redirecting the living stream from its current course to that shown on the DA6 Vision diagram? Will the increased volume of water affect the cost of redirecting the water course, and how will petrochemical and PFAS contaminants from the DFO and Costco sites be removed from the living stream?
- 2c. Will Perth Airport (PAPL), as a major stakeholder in the DA6 and the largest ratepayer of the City of Belmont bear costs associated with the impact of the increased water volume and its contaminants entering into the City of Belmont jurisdiction? Will this subsidise the cost of redirecting the course of the living stream and what percentage of the total cost of redirecting and redesigning the southern main drain to become the living stream will this subsidisation represent?

Response

The Director Community and Statutory Services advised that the questions will be taken on notice.

5.2.2 MR R FOSTER, 140 COOLGARDIE AVENUE, REDCLIFFE

1. The City of Belmont response to a question at the June 2018 OCM says *'the City cannot confirm with any certainty whether compulsory acquisition of private property will be necessary to facilitate the redevelopment of DA6. The land requirements for the redevelopment of the precinct will become more evident through the preparation of the planning framework for DA6'*.

Another City of Belmont response to another question at the June OCM says *'The Chief Executive Officer advised that as Information Forums are confidential meetings, a copy of Cr Rossi's presentation could only be provided to Mr Foster through a Freedom of Information application'*.

The media in the last month has highlighted land acquisitions around the Forrestfield train station. The Aerotropolis agenda is on the City of Belmont's website and outlines roughly in one or two sessions that if residents of a development zone are reluctant to move, acquisition of properties to further the development may be an option.

On several occasions, Mr Mayor, you have said to me that you like to keep matters open and transparent. Why are ratepayers funding these trips for Councillors and City of Belmont staff when there is no visible outcome to ratepayers? And why does it seem to us vocal minority that there is a conspiracy to hide the fact that land acquisitions in the Redcliffe DA6 will occur?

Item 5.2.2 Continued

Response

The Director Community and Statutory Services advised that there is certainly no conspiracy, however due to the several different aspect of the question, it will be taken on notice.

2. On the Brearley Avenue median strip/reserve between Great Eastern Highway and First Street, there is a stand of approximately 25 trees. In the Vision Plan, and I know it's only a vision, this stand of trees disappears and is replaced by the living stream and a road, while the actual Brearley Avenue bitumen is dug up and buildings appear on what was the 4 lanes of bitumen of Brearley Avenue. How does this fit in with the City of Belmont's efforts to retain mature canopy cover when a lot of these trees are considered to be maturing at an age of 60+ years?

Response

The Director Community and Statutory Services reiterated that the Vision Plan is a vision only. While developing the Structure Plan, which will be made available to the public, the City will make every effort to retain as many trees as possible.

3. Is the statement in the current Southern Gazette 'Runway Ready For Take Off' (page 5, reference second paragraph quote '*The report said areas forecast to experience an increase in aircraft noise were not in the City and therefore the location of the proposed new runway was supported*'. Is this an accurate representation of what Council staff have presented in their report? If the statement presented in the article in the Southern Gazette is correct, I must stand here tonight and say I am ashamed to be a resident of Belmont. Is the last paragraph indicative of the attitude of the Councillors' of the City of Belmont?

Response

The Director Community and Statutory Services advised that development of a second runway at Perth Airport has been proposed for many years. The Statutory Planning Policy has carried out forecasts on land use within both the City of Belmont and adjoining local governments, and this includes the second runway. City of Belmont residents have been enduring the noise of the current runway for many years and the policy reflects the future planning of Perth Airport.

5.2.3 DR D MOSSENSON, ON BEHALF OF ZONIE PTY LTD, 24 CARNARVON CRESCENT COOLBINIA

- 1a. Are there any agreements, protocols or understandings between Belmont Council and Perth Airport Pty Ltd (PAPL) that would have the effect of requiring negotiations between the parties prior to any agreement with the State Government and its agencies on any matters arising from proposals to implement any planning or development matter in Development Area 6 (DA6).
- 1b. Are there any existing agreements, protocols or understandings between the State, Belmont City Council and PAPL that preclude or impair full and open consultation with ratepayers and other interested parties regarding the closure of Brearley Avenue and related matters?
- 1c. Are there any agreements between Belmont City Council and PAPL that would tie those parties to common positions with the State government and its agencies in matters related to the closure of Brearley Avenue?
- 1d. Is the City of Belmont currently bound by any undertaking that would preclude it from opposing the closure of Brearley Avenue?

Response

The Director Community and Statutory Services advised that the questions will be taken on notice.

- 2a. Has the City of Belmont sought or been offered by the WA government or its agencies title to any of the land made available by the decommissioning of Brearley Avenue and if so, will the Council provide details of such requests or offers?
- 2b. Has the Council sought or been offered any such land under terms other than payment of the market value?
- 2c. Has the Council sought or been offered the right to on-sell, lease or otherwise further assign control of any such land acquired?
- 2d. Does the Council know if any land made available by the decommissioning of the road will be put to open tender or be dealt with by bilateral agreements?

Response

The Director Community and Statutory Services advised that the questions will be taken on notice.

- 3a. What substantiating evidence can Mr Lutey provide to support his statement that *'there is no reason to believe that traffic volumes in the streets which consist of Boulder Avenue (First Street to Second Street), First Street (Brearley Avenue to Central Avenue), First Street (Kanowna Avenue to Boulder Avenue), and Kanowna Avenue (First Street to Second Street) will return to their previous volumes should Brearley Avenue be closed at Great Eastern Highway'*?
- 3b. Has Mr Lutey or any person at the City of Belmont read the Traffic Analysis report prepared by Shawmac for Main Roads WA which was completed on 27/6/2017?

Response

The Director Technical Services advised that in order to provide an accurate response, the questions will be taken on notice.

5.2.4 MR J GEE, 97 GABRIEL STREET, CLOVERDALE

1. When Councillors discuss electronic recording of meetings in the future, could they please consider bringing it in so that we will have an accurate record in the minutes?

Response

The Presiding Member advised that Councillors have had several discussions on the introduction of electronic recording of meetings in recent times and the subject will be discussed again at a Special Information Forum on Tuesday, 31 July 2018.

5.2.5 MS L HOLLANDS, 2 MILLER AVENUE, REDCLIFFE

According to the budget on the website the Planning Department has a budget of \$240,000 per year of ratepayers' money for legal advice.

Yesterday I received an email from the City in relation to an ongoing matter that I have had difficulty in resolving stating that although *'it has been clarified that legally the executor does not have to sign a planning application, it remains good practice for the City to seek to ensure that an application for development approval of land vested in the executor of a deceased estate is signed by the executor. On that basis the City will continue to seek that such planning applications are signed by an executor unless the beneficiary of a Will refuses to do so in writing.'*

1. On what basis does the City think it has the right to not only get legal advice which costs the ratepayer but to flaunt the legal advice and make their own rules?

Response

The Director Community and Statutory Services advised that the \$240,000 legal costs include a Supreme Court action on a matter being dealt with by the City.

The City certainly takes on board all legal advice received, however certain pieces of legislation can be conflicting. Going to an Executor of an estate is considered best practice and future cases similar to Ms Hollands' will continue to be dealt with in this manner.

2. So the legal advice was not used?

Response

The Director Community and Statutory Services advised that the legal advice received indicated that the City should consider other legislation. The City has not previously dealt with a case of this nature where the Executor has not signed an application.

3. How many times has the City got legal advice and decided not to take it on-board?

Response

The Director Community and Statutory Services advised that it is impossible to answer such an open ended question.

Item 5.2.5 Continued

4. When it is not up to the City to make the legislation only enforce it correctly, who makes the decisions to change the rules to suit themselves, how often does it occur and is this the reason for the poor strike rate of the City when they appear before SAT?

Response

The Presiding Member advised that the City's record at the State Administrative Tribunal (SAT) is actually very good compared to other metropolitan Councils.

The Director Community and Statutory Services advised that referring to strike rates in relation to SAT appeals is indicative that Ms Hollands is misunderstanding the SAT system. SAT's purpose is to resolve issues to produce the best planning outcomes overall, with a large part being mediation. A strike rate of wins and loses is not indicative of how SAT appeals work.

The email also stated as follows: 'The City issued the approval for your garage on the basis that you are beneficially entitled to be registered as the owner of the subject portion of the land. In doing so the approval does state that the approval constitutes an approval for planning purposes only and does not permit you to use the land under any statutory law or to enter/access the land as you are not currently registered as the owner of the subject land (and may not be permitted to enter onto the Land to legally carry out the construction of the garage). The issue of a planning approval by the City does not alter the position as to whether you may access the Land for the purposes of carrying out the proposed development. This is why a copy of the approval was sent to the Executor and the other stated beneficiary of the Will.'

6. The application clearly showed the property would be divided into two lots and which lot the proposed garage would be erected on. The Will stated who was the beneficiary of each lot. The City's lawyers advised that I was the owner of the lot which related to the planning application under the Act. So on which piece of legislation, regulations or policy is the Shire seeking to rely on in sending a copy of the approval to both the Executor and more importantly to the other beneficiary. What grounds did the Shire think they had the right to do this and breach the privacy of the applicant?

Response

The Director Community and Statutory Services advised the decision was made on the basis of legal advice received.

5.2.6 MR P HITT, 14 MCLACHLAN WAY, BELMONT

Information gained under the Freedom of Information and various independent sources show groundwater beneath Perth Airport (PAPL) is heavily contaminated with toxic chemicals from the use of obsolete Perfluoralkyls (PFAS) based firefighting foams. It is also noted that the two main drains servicing this area are also holding contaminated water.

This basically means that it flows under the development areas DA6 and DA9. PFAS were present in the earth excavated from tunnelling of the Forrest field Airport Link.

Any contamination of DA6 and DA9 will have huge impacts on the health of the current residents and the potential future development of these sites.

Item 5.2.6 Continued

1. Are the Councillors of the City of Belmont, fully aware of the seriousness of the effects of this issue (ground water pollution)? Have they been fully briefed on the situation by an independent body not in the City's Environmental Team?

Response

The Director Community and Statutory Services advised that the question will be taken on notice.

2. Income from rates from the airport amount approximately 18 percent of the \$62 million that Council received last financial year. Will the Mayor give assurances to the residents and ratepayers of Belmont that the income from one of its major financial contributors will not have an impact on a decision to legally pursue damages from the company that may be deemed to be responsible for contamination of land within the City of Belmont?

Response

The Director Community and Statutory Services advised that rates income and statutory requirements are separate issues and rates income is not a factor when pursuing statutory matters considered by Council.

The Presiding Member advised that contaminated groundwater is the responsibility of PAPL. The City will always take appropriate action to act in the best interests of all ratepayers.

3. Will potential investors or buyers of land in DA9 and DA6 be informed of any contamination of the land within these locations on the land titles, before they purchase such land?

Response

The Director Community and Statutory Services advised that this will be dealt with by the Environmental Protection Authority. The City does follow up and refer issues to appropriate authorities.

4. Since question time is still not being electronically recorded, I ask, will the full preambles to my questions be printed in the Council minutes? This is necessary to accurately place the questions in their correct context. I am sure that the Belmont Council would wish to adhere to the principles of good governance and accurate recording of Council minutes.

Response

The Presiding Member asked Mr Hitt to provide a written copy of his questions.

7.44pm **CAYOUN MOVED, ROSSI SECONDED that question time be extended.**

CARRIED 9 VOTES TO 0

5.2.7 MR R GREENWOOD, 151 COOLGARDIE AVENUE, REDCLIFFE, ON BEHALF OF THE BELMONT RESIDENTS/RATEPAYERS ACTION GROUP (BRRAG) INC.

1. With some 80% unused capacity for the present two existing Perth Airport Pty Ltd (PAPL) runways, and only some 20% of capacity currently being used, why is Council proposing to endorse PAPL's Third Runway Major Development Plan tonight?

Response

The Director Community and Statutory Services reiterated her previous comment that development of the parallel runway at Perth Airport has been proposed for a number of decades. Information contained in the suite of documents developed by the airport substantiates this.

2. A PAPL Major Development Plan that will cause the loss of another 290 hectares of high quality natural bushland and therefore urban forest canopy. Why would we want to endorse that?

Response

The Presiding Member advised that PAPL have planned for the development of a parallel runway for many decades and the City has supported this. The alternative is the cross runway which will result in more noise impacts over the City of Belmont. PAPL will implement offsets of up to 11:1, however as much natural bushland as possible will be preserved.

3. A PAPL Major Development Plan that if implemented will severely impact the most important Aboriginal Heritage (Munday Swamp) on the Swan Coastal Plain, according to Senior Nyungah Aboriginal Native Title Holders if the major development plan is endorsed by Council tonight. Why would we want to endorse that?

Response

The Presiding Member advised the proposed new runway has been relocated further south in order to lessen the impact on Munday Swamp.

4. BRRAG asked a series of questions at the 23 [sic] March 2018 OCM on increase in costings for the now under construction Belmont Community Centre from the \$30 million to \$45 million, to now \$57 million, including interest on \$15 million over twenty years. Is there any reason we have not received a written reply to these questions taken on notice on 23 [sic] March 2018?

Response

The Director Community and Statutory Services advised that the question will be taken on notice and investigated.

5. Could BRRAG be given a breakdown on budget item tonight, Expenditure Operating, Finance Department, Computing Budget YTD \$2.325 million, Actual YTD \$2.119 million, which with some 160 full time equivalent staff this cost equates to around \$13,000 per person per year.

Response

The Director Corporate and Governance advised that the question will be taken on notice and investigated.

5.2.8 MR G SMITH, 15 KENNERLY STREET, CLOVERDALE

1. Regarding Perth Airport's New Runway Project, does the City of Belmont have any jurisdiction over the proposed aviation fire station?

Response

The Director Community and Statutory Services advised the City does not have any jurisdiction over the proposed fire station.

2. PAPL have indicated that they will manage bird and animal habitats that are affected. How will this be done?

Response

The Presiding Member advised that PAPL will apply an appropriate Management Plan for birdlife at the airport, which are a danger to airport traffic.

3. Does the City have any control of what is erected, a small fence for example?

Response

The Presiding Member advised that PAPL can inform the City on their intentions, however the City does not have any jurisdiction over their activities.

4. Does the City get any money from the airport?

Response

The Presiding Member advised that neither the runway nor buildings relating to aircraft activity are rateable. Businesses attached to the airport however, are rateable.

- 7.57pm As there were no further questions, the Presiding Member declared Public Question Time closed.**

6. CONFIRMATION OF MINUTES/RECEIPT OF INFORMATION MATRIX

**6.1 ORDINARY COUNCIL MEETING HELD 26 JUNE 2018
(Circulated under separate cover)**

OFFICER RECOMMENDATION

SEKULLA MOVED, DAVIS SECONDED,

That the minutes of the Ordinary Council Meeting held on 26 June 2018 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 2018
(Circulated under separate cover)**

OFFICER RECOMMENDATION

WOLFF MOVED, POWELL SECONDED,

That the Information Matrix for the Agenda Briefing Forum held on 17 July 2018 as printed and circulated to all Councillors, be received and noted.

CARRIED 9 VOTES TO 0

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

Nil.

8. QUESTIONS BY MEMBERS WITHOUT NOTICE

8.1 RESPONSES TO QUESTIONS TAKEN ON NOTICE

Nil.

8.2 QUESTIONS BY MEMBERS WITHOUT NOTICE

8.2.1 CR POWELL

Cr Powell requested information relating to Ms Hollands' Public Question Time questions, as Councillors are not aware of the full situation. The Presiding Member advised Cr Powell that a written request should be forwarded to the Director Community and Statutory Services who would be happy to provide Councillors with further details.

**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 2018
(Circulated under separate cover)**

OFFICER RECOMMENDATION

WOLFF MOVED, POWELL SECONDED,

That the minutes for the Standing Committee (Environmental) meeting held on 25 June 2018 as previously circulated to all Councillors, be received and noted.

CARRIED 9 VOTES TO 0

**11.2 STANDING COMMITTEE (COMMUNITY VISION) HELD 9 JULY
(Circulated under separate cover)**

OFFICER RECOMMENDATION

SEKULLA MOVED, RYAN SECONDED,

That the minutes for the Standing Committee (Community Vision) meeting held on 9 July 2018 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 Rossi
Item 12.2 was withdrawn at the request of Cr Powell
Item 12.3 was withdrawn at the request of Cr Wolff

DAVIS MOVED, POWELL SECONDED,

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

CARRIED BY ABSOLUTE MAJORITY 9 VOTES TO 0

**12.1 PRELIMINARY DRAFT MAJOR DEVELOPMENT PLAN FOR THE NEW RUNWAY PROJECT
AT PERTH AIRPORT – CITY OF BELMONT SUBMISSION**

BUILT BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 1 – Item 12.1 refers	<u>New Runway Project Preliminary Draft Major Development Plan Summary Document</u>
Attachment 2 – Item 12.1 refers	<u>Draft City of Belmont Submission</u>

Voting Requirement : Simple Majority
Subject Index : 14/010 Airport Developments – Aviation
Location/Property Index : Perth Airport
Application Index : N/A
Disclosure of any Interest : Nil.
Previous Items : N/A
Applicant : Perth Airport Pty Ltd
Owner : Crown Land
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

To consider the *Preliminary Draft Major Development Plan for the New Runway Project at Perth Airport* and for the City to provide a submission to Perth Airport Pty Ltd.

Item 12.1 Continued

SUMMARY AND KEY ISSUES

- Perth Airport Pty Ltd (Perth Airport) is seeking to construct a new runway parallel to the existing main runway. It is proposed that the new runway will become operational between 2023 and 2028.
- Due to the size of the advertised suite of documents, it is not practical to provide all the advertised reports as an attachment. A copy of the advertised summary document is provided as [Attachment 1](#). The entire suite of documents is available at www.newrunway.com.au.
- A review of the Preliminary Draft Major Development Plan has been undertaken and a draft submission (refer [Attachment 2](#)) has been prepared for consideration.
- The Preliminary Draft Major Development Plan is a comprehensive document that outlines the need for a new runway and provides a detailed assessment of the environmental, traffic and heritage implications of the proposal.
- The Preliminary Draft Major Development Plan indicates substantial clearing of vegetation which will impact upon flora and fauna. An offset strategy is proposed by Perth Airport to identify and secure appropriate sites in the Swan Coastal area.
- Aircraft noise in the City of Belmont is forecast to either remain the same or reduce in some areas as a result of the introduction of the new runway.
- It is recommended that Council endorse the comments in the draft submission.

Item 12.1 Continued

LOCATION

Perth Airport incorporates a 2,105 hectare portion of Crown Land situated to the north-east of the Perth Central Business District. The proposed new runway is to be located 2 kilometres to the south east of and parallel to the existing main runway at Perth Airport (refer to Figure 1).

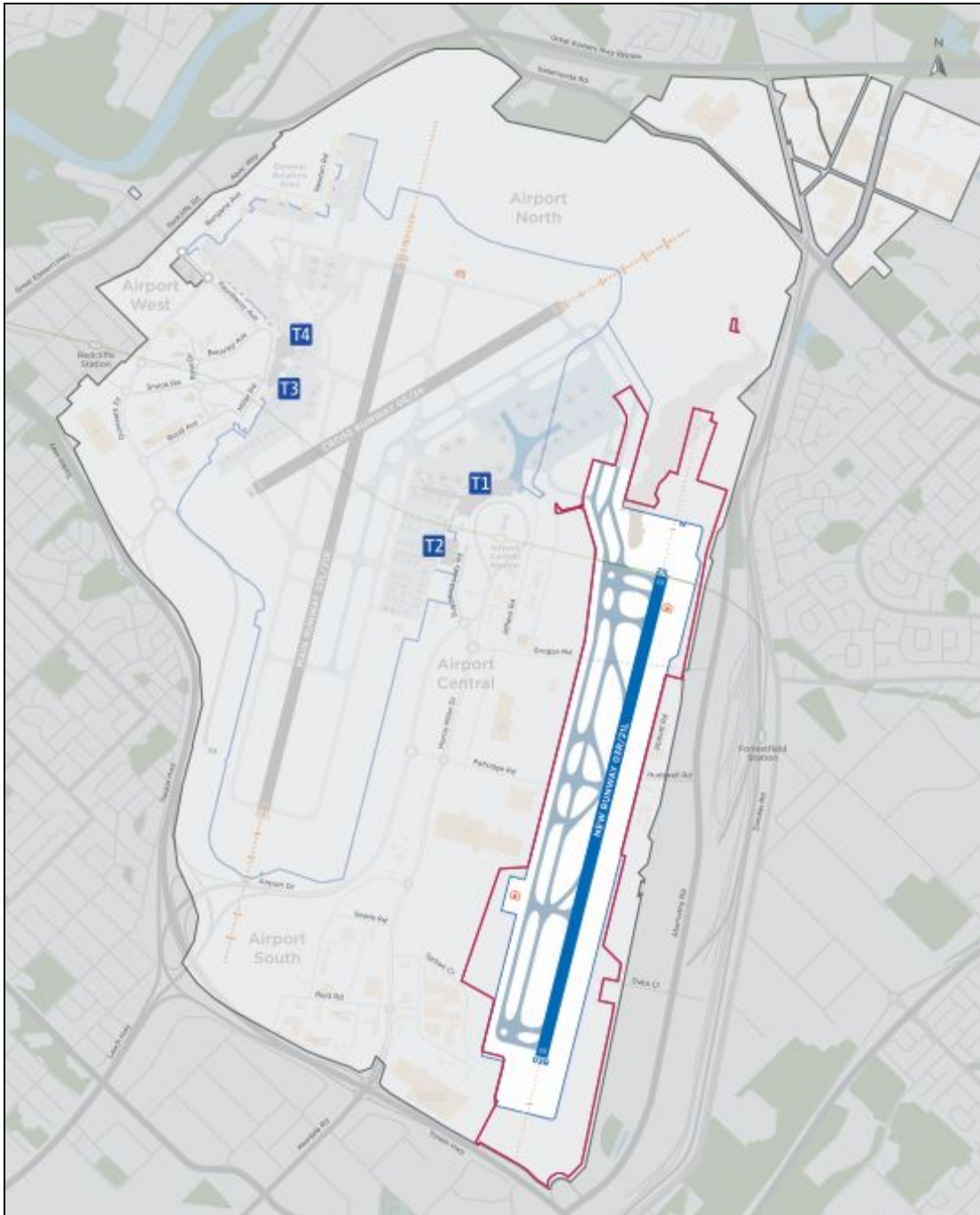


Figure 1 – Location Plan depicting proposed New Runway (source: Perth Airport Preliminary Draft Major Development Plan)

Item 12.1 Continued

CONSULTATION

Perth Airport is undertaking advertising of the Preliminary Draft Major Development Plan for public comment until Friday, 24 August 2018.

Perth Airport is undertaking a range of consultation activities including a dedicated website www.newrunway.com.au as well as providing displays at local shopping centres and community expos around Perth.

Development of a new runway has a significant bearing on a number of areas in the City of Belmont, including environment, employment, traffic and community amenity. It is therefore appropriate for the City to make a submission to Perth Airport.

STRATEGIC COMMUNITY PLAN IMPLICATIONS

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

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

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

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

Objective: Maximise Business Development Opportunities.

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

Strategy: In partnership with Perth Airport Pty Ltd, support the business development of the airport.

POLICY IMPLICATIONS

There are no policy implications associated with this report.

STATUTORY ENVIRONMENT

Land use and development within the Perth Airport are governed by the Commonwealth *Airports Act 1996* (Airports Act).

The Airports Act states that an airport lessee company must not carry out a major airport development unless the development is in accordance with an approved Major Development Plan. The Preliminary Draft Major Development Plan has been prepared in accordance with the requirements for a Major Development Plan as prescribed by the Airports Act.

The Perth Airport estate is predominantly reserved for 'Public Purposes – Commonwealth Government' under the Metropolitan Region Scheme (MRS) and by extension the City of Belmont Local Planning Scheme No. 15 (LPS15).

Item 12.1 Continued

BACKGROUND

Perth Airport are preparing a \$2.5 billion investment program over the next decade to support the consolidation and operations of their landholding. A key component of this program is the construction of the new runway.

The need for a new runway was first identified over 40 years ago by a joint Commonwealth and State Government commission investigating Perth's planning requirements.

The Preliminary Draft Major Development Plan outlines the case for the construction and operation of a new runway at Perth Airport. It has been structured to meet the regulatory requirements of the Airports Act and the *Environmental Protection and Biodiversity Conservation Act 1999* and is presented in four volumes:

- Executive Summary (provides a summary of Volumes A, B and C);
- Volume A: Background and Need;
- Volume B: Environment, Heritage and Traffic Assessment; and
- Volume C: Airspace Management Plan.

Volume A: Background and Need

Volume A provides an overview of the regulatory framework, the site and its history and provides rationale in support of the need for additional runway capacity. It details the options previously considered and outlines the benefits of a new runway at Perth Airport. Details of the works involved in the project are provided along with consultation measures undertaken by Perth Airport.

Need for Additional Runway Capacity

Modelling indicates that an additional runway is needed when the number of flights exceeds 145,000 per year. In 2013, flight numbers at Perth Airport peaked at over 151,000 per year, resulting in significant delays to airlines and passengers which were well publicised at the time. Perth Airport's existing runways still reach capacity during peak periods.

The number of annual flights is predicted to keep growing, and is forecast to reach 172,000 flights by 2025 and 241,000 flights by 2045.

The new runway will allow for both runways to be used independently of one another, and is intended to allow for better management of the air traffic growth that is already occurring, thereby providing improved scheduling, customer service and effectiveness of operations. This will help support local businesses, generate new construction jobs and will enhance the international competitiveness of the State's export industries including resources, tourism, international study and agriculture.

Item 12.1 Continued

Options and Alternatives

As part of the planning for the new runway, several options were identified and assessed. Options included:

- No change – would result in increasing travel delays and growth constraints.
- Increased use of other airports – Jandakot, Cunderdin, Busselton and other regional airfields do not have the runway or terminal infrastructure to support large passenger aircraft types and many are not conveniently located near large population centres.
- Use of Royal Australian Air Force (RAAF) Base Pearce – Operational constraints are posed by the topography of nearby Darling Scarp. In addition, use of the Base is not compatible with existing defence operations.
- A second airport for Perth – Cost constraints and lead time for approvals and construction mean that this is not a viable option to meet the immediate growth needs or forecast demand at Perth Airport.
- Expanding existing runway infrastructure – The Perth Airport Master Plan 2014 considered three runway development options:
 - Extending cross runway 06/24 to the north east from current 2,163m to 3,000m – this would only accommodate an increase in capacity to around 193,000 annual aircraft movements after which a new runway would be needed.
 - Extending main runway 03/21 to the north from the current 3,444m to 3,800m – this would not increase capacity but would cater for larger aircraft.

As a result, the construction of a parallel runway system was the preferred option. Options considering a runway parallel to the existing cross runway were examined however this resulted in issues such as restriction of terminal development, road access impediments as well as conflicts with landing and take-off due to the prevailing winds at Perth Airport.

Project Description and Construction

The new runway is proposed to be constructed parallel to the existing main runway, with a 2 km separation to the south east, so both can be used independently. The new runway will be 3,000 metres long and will require the clearing and development of 293 hectares of land.

It is proposed that the new runway will become operational between 2023 and 2028. The actual year of commencement is dependent upon reaching commercial agreement with airlines and subject to actual demand.

Construction of the new runway will take approximately four to five years, with construction generally taking place between 7am and 7pm, Monday to Saturday. However, to minimise interruption to airfield and aircraft operations there may be a requirement for 24 hour construction activities at certain stages.

Item 12.1 Continued

The new runway will include:

- Site clearance and placement of fill material;
- A new runway 3,000m in length located parallel to the existing main runway;
- Runway shoulders and blast pavements, graded runway strip and runway end-safety areas;
- Associated parallel taxiways, cross taxiways and rapid exit taxiways to provide aircraft taxiing between the runway and terminals;
- Runway and taxiway ground lighting;
- Visual guidance and air navigation systems;
- Ducting systems for communications and power;
- Airside and landside emergency vehicle staging areas;
- Relocation of all affected services such as high voltage power, sewer, potable water;
- Vehicle access road around the perimeter of the new runway area;
- New airside security fence and electronic security system;
- Civil infrastructure for air-services communication, navigation and surveillance facilities;
- Emergency egress point;
- Realignment of Perth Airports two main drainage channels (the northern main drain and southern main drain) to manage stormwater and groundwater flows around the new runway and taxiways and to maintain flood control;
- Provision of Aviation Rescue and Fire Fighting facilities;
- Civil infrastructure associated with the new station such as power ducting, power supply, potable water supply and sewer;
- Re-closure of Grogan Road; and
- Development of an Airspace Management Plan that will cater for the changes to current airspace and flight paths to accommodate operations of the new runway.

Volume B: Environment, Heritage and Traffic Assessment

Volume B provides a detailed assessment of the environmental, heritage and transport implications of the proposed new runway, in terms of:

- Geology and soils
- Hydrology
- Flora and Fauna
- Ground based noise
- Air quality (ground based)
- Landscape and visual
- European and Aboriginal Heritage
- Ground transport

Hydrology

Realignment of the Northern Main Drain is proposed as part of this proposal, and will allow stormwater to continue into Munday Swamp during major rain events.

The drainage realignment for the new runway will help to restore the original water flow of Munday Swamp, meaning water flows can return to a more natural form. "Living Streams" are planned for both the southern and northern main drains. This will result in their open channels mimicking the characteristics of natural streams with bushes, trees and shrubs and in stream vegetation which will allow for groundwater infiltration and carriage of peak flood flows in a natural manner.

Item 12.1 Continued

Flora and Fauna

293 hectares of airport land is proposed to be cleared and developed to accommodate the new runway and associated infrastructure. Prior to clearing commencing, under Part 13 of the *Environmental Protection and Biodiversity Conservation Act 1999* a permit to clear threatened species must be obtained from the Commonwealth Department of Environment and Energy. Perth Airport have advised that they will be seeking this permit parallel to the Major Development Plan process.

Of the 293 hectares to be developed, 129 hectares is vegetation that is identified as being in good to excellent condition. With the extent of clearing proposed, there are identified impacts which include the clearing of:

- Banksia Woodlands of the Swan Coastal Plain Threatened ecological community;
- *Macarthuria keigheryi*;
- *Conospermum undulatum*; and
- Black cockatoo habitat.

To address these impacts, Perth Airport has advised that they will work with the State Department of Biodiversity, Conservation and Attractions and the Commonwealth Department of Environment and Energy to identify suitable offsets. Where bird and animal habitat are affected, an offset strategy will identify and secure appropriate sites elsewhere in the Swan Coastal area, consistent with the Commonwealth's Environmental Offsets Policy (2012).

During clearing, where possible Perth Airport will apply appropriate management plans and mitigation efforts to minimise impacts to fauna located in remaining habitats adjacent to the runway area. Where species are directly impacted, translocation will occur.

Ground Based Noise

Noise from ground based sources during construction and operation of the new runway will be mostly confined to within the airport estate. Given the size of the landholding, noise impacts to surrounding communities will be naturally mitigated by distance.

Most impacts will be on areas adjoining the eastern boundary of Perth Airport (in the City of Kalamunda), however the noise levels are expected to be relatively low in comparison to other noise associated with the operation of the airport.

Heritage

Two Aboriginal sites will be impacted by the construction and operation of the new runway and its infrastructure, namely Munday Swamp to the north of the new runway (within the City of Belmont) and Poison Gully to the east of the airport estate (within the City of Kalamunda).

In relation to Munday Swamp, it is noted that the proposed new runway has been shortened in length by 800 metres to 3,000 metres, and moved further south in order to preserve the swamp. A small portion of the swamp will be affected by the new runway. Furthermore, realignment of drainage is proposed (see 'Hydrology' section) which will help in restoring the original water flow for Munday Swamp.

No places of European Heritage significance will be impacted.

Item 12.1 Continued

Transport

To assess the impact that the construction of the new runway will have on the road network surrounding the airport, a traffic model was developed showing how the network would perform, both with and without the runway construction. It is noted that during construction there may be temporary disruptions due to construction traffic. This will be addressed via a traffic management plan.

Once the runway is operational, the traffic modelling has determined that there will be an overall minimal increase in road traffic within and around the airport.

It is noted that Grogan Road will be permanently closed as part of this proposal. In support of this, Perth Airport has undertaken a transport assessment which has shown that currently, more than 60% of the traffic on Grogan Road during peak periods is non airport traffic using the road as a shortcut. Furthermore, tunnelling of Grogan Road under the proposed runway would have a cost of approximately \$240 million.

It is noted that access to Abbott Road from Abernethy Road via Grogan Road will remain.

Volume C: Airspace Management Plan

Volume C represents the Airspace Management Plan, providing detail on aircraft noise, air quality (air based), hazard identification and social considerations.

Aircraft Noise

As the new runway has been identified as a requirement for Perth Airport since the 1970s, it has been incorporated in all Australian Noise Exposure Forecast (ANEF) contours prepared since 1985. Specifically, the preferred location running north/south was first published in the Perth Airport Master Plan 1986 supported by the first Australian Noise Exposure Forecast (ANEF) for Perth Airport.

The new runway is consistent with the intent of *State Planning Policy 5.1 Land Use Planning in the Vicinity of Perth Airport (2015)*, given that the new runway has been incorporated in the preparation of the ANEF since 1985 and the endorsed ANEF is referenced in the Policy, forming the basis for the assessment of land use planning decisions within the vicinity of Perth Airport.

The Preliminary Draft Major Development Plan notes that when the new runway opens, exposure to aircraft noise will be unchanged for most metropolitan residents. For some there will be a reduction and for others there will be an increase. Over time, the number of flights will grow over all areas.

Upon opening, operation of the new runway will improve the noise environment for people exposed to aircraft noise, especially in the evening and night periods, due to the spreading of aircraft movements across the parallel runway system.

Item 12.1 Continued

Airspace Management

In addition to physical infrastructure, the New Runway Project also includes the development of the airspace and flight paths to support parallel runway operations. A draft Airspace Management Plan has also been developed in consultation with Airservices Australia, airlines and the Commonwealth Department of Defence. The draft Management Plan outlines the indicative flight corridors and airspace architecture required for safe and efficient operations of a parallel runway system.

Following approval of the Preliminary Draft Major Development Plan, when the final design of infrastructure is complete, the formal airspace detailed design will be completed by Airservices Australia and submitted to the Civil Aviation Safety Authority (CASA) for approval.

Following completion of construction works, the systems and new airfield will be tested and commissioned. Following successful commissioning which may take 6 to 12 months, the new runway will be deemed operational and ready to take regular aircraft operations.

Flight Paths

The opening of the new runway will require new flight paths for aircraft using the new runway as well as changed flight paths on the existing main runway. It is important to note that the actual flight paths have not yet been designed. This process will follow the approval of the Major Development Plan and will commence around three years before the first flight.

Hazards and Risks

It has been identified that a 'hazardous facility' is in close proximity to the new runway, being the BP Fuel Depot at Abernethy Road, Kewdale. A risk assessment was undertaken which determined that the Depot posed a low risk to the operations of Perth Airport and aircraft using the new runway. The risk assessment specific to the BP Fuel Depot (which is south of the new runway and slightly west of the extended centreline) also found there to be a low risk from aircraft operations to the Depot itself.

OFFICER COMMENT

The Preliminary Draft Major Development Plan is found to be a comprehensive document in its analysis of key issues and implications. The Plan provides a detailed assessment of environment, traffic and heritage implications of the proposal. Whilst the proposed new runway will have implications on a State and metropolitan level, the City's submission focuses on issues relevant to the City of Belmont.

In addition to general comments on the Preliminary Draft Major Development Plan, the following specific comments are provided in the draft submission:

Volume A: Background and Need

Section 2 Need for Additional Runway Capacity

The rationale for an additional runway provided in the Preliminary Draft Major Development Plan is supported.

Item 12.1 Continued

Section 5 Consistency with State and Local Government Planning

This section is considered to be a comprehensive outline of the relevant planning considerations throughout the region. In particular the references to State Planning Policies and the City of Belmont's statutory framework are appropriately covered in the Preliminary Draft Major Development Plan.

The submission notes that the legend for Figure 5-3 on page 124 is confusing as it shows 'Agriculture' and 'Rural' land which is not within the City of Belmont and is a similar colour to areas of local and regional open space in the wider locality.

Section 6 Project Description and Construction

It is noted that approximately 1.2 million cubic metres of imported fill will be required to be transported to site over an estimated earthworks period of 16 months. To reduce impact on specific roads, it is recommended that fill is to be sourced from multiple locations.

Section 7 Consultation

Page 190 of Section 7.1 states that Perth Airport engages regularly with the Airport Consultative Environment Sustainability (ACES) Group. The City's Officers are not aware of the New Runway Project being discussed at an ACES Group Meeting or otherwise communicated to group members.

Volume B: Environment, Heritage and Traffic Assessment

Section 9 Geology and Soils

Technical studies have confirmed the existence of acid sulfate soils and soils with high erosion potential as well as contaminants of potential concern to surface and groundwater (per- and poly- fluoroalkyl substances (PFAS)) within the area.

It is noted that firefighting foams containing PFAS were used on the airport estate in the past. PFAS is an emerging substance of international interest as it is resistant to bio-degradation and is persistent in the environment. There is no conclusive information on the effects of PFAS on human health or the environment at this stage. It is acknowledged that Perth Airport is currently in an investigative phase regarding possible impacts consistent with the established national measures. Perth Airport will be responsible for remediation of any identified contamination.

It is anticipated that the Construction Environmental Management Plan will include stringent management and treatment processes to achieve best practice. Future dialogue with Perth Airport on new information emerging from their investigation of management and treatment of PFAS is welcomed.

Section 10 Hydrology

Minimising negative impacts to Munday Swamp (ie: design of the Northern Main Drain to reflect pre-development drainage), and purchase of offsets consistent with Commonwealth and State Policy is supported.

Clarification is needed on whether hydrological modelling suggests any changes to flow rates/volumes exiting the Airport Estate, as a result of the proposed changes to the northern and southern Main Drains.

Item 12.1 Continued

During recent construction of the Living Stream for the Airport Southern Main Drain, a significant amount of sediment was mobilised and transported to the Swan River. This should be addressed in future with adequate controls established prior to the commencement of construction works on the Northern and Southern Main Drains.

Section 11 Flora and Vegetation

Section 11.6.3.2 notes that High Intensity Approach Lighting (HIAL) will be installed within the Munday Swamp heritage area, and that vegetation will need to be removed/trimmed within a 60 metre clearance zone of the masts. The environmental impacts (particularly the potential negative impacts on fauna and vegetation) of the proposed lighting infrastructure are unclear and should be further addressed by the Preliminary Draft Major Development Plan.

Section 13 Ground Based Noise

It is noted that the impact in operational noise on City of Belmont residents is anticipated to be an increase of a few decibels. This is very minor and, depending on the individual may or may not be detected.

In terms of the anticipated construction noise, it is noted that predictions indicate that there should not be any major impact on City of Belmont residents. The contour plots do show construction noise reaching areas of the City however, the predicted levels appear to be low.

Section 15 Landscape and Visual

Under Section 15.3.1.1 'City of Belmont' on page 288, the City of Belmont Landscaping Plan Information Sheet should be dated March 2017 (not December 2014).

Section 16 Heritage

It is noted that although the runway has been shortened and moved further south to reduce impacts upon Munday Swamp (an Aboriginal Heritage site); there are some impacts on a small portion of the Swamp. It is requested that Perth Airport outline what steps will be taken to mitigate impacts along this section.

Section 18 Ground Transport

The Ground Transport section provides a comprehensive and clear outline of transportation issues and actions. The proposal will not impact on City assets or road networks to any major extent.

The new runway dissects Grogan Road. Perth Airport have explored the option of tunnelling Grogan Road under the new runway to continue to provide access to the airport estate via Grogan Road; but this option is cost prohibitive considering that over 60% of traffic during peak hours use Grogan Road as a shortcut and are non-airport related trips. It is appropriate for non-airport related traffic to use the established Abernethy Road/Tonkin Highway network around the airport. Access to Abbott Road from Abernethy Road via the remnant portion of Grogan Road will remain in place. The City supports the shift away from the dominance of private car travel; it is considered that the future rail line will provide a mass transit option for people working within the airport estate.

Item 12.1 Continued

References to the removal of the Brearley Avenue link to Great Eastern Highway in text and mapping are supported as they are consistent with the City of Belmont Development Area 6 Vision.

It is noted that reference to 'Belmont rail station' on page 356 is a typographical error and should be replaced with 'Redcliffe rail station'.

Volume C: Airspace Management Plan

Section 22 Aircraft Noise

As the new runway has been incorporated into Australian Noise Exposure Forecast (ANEF) contours prepared since 1985, the City's LPS15 mapping does not need to be updated as a result of this proposal.

The modelling provided in the report indicates that the aircraft noise impact of the new runway on the City will be similar to what is existing. This seems due to the location of the new runway, east of the existing runway. Hence the noise impacts from the new runway will be more noticeable in areas to the east of the City.

Generally, areas over Belmont, Redcliffe and Rivervale which are currently affected by noise from aircraft using the cross runway are forecast to experience a decrease in aircraft noise. Kewdale and Cloverdale are forecast to maintain the same level of exposure. Areas forecast to experience an increase are not located within the City of Belmont and therefore the location of the proposed new runway is supported.

It is noted that over time, the main flight noise impacts will most likely be due to increased flight numbers. It is also noted that the final flight paths for the parallel runway system have not yet been designed by Airservices Australia.

Section 26 Hazards and Risks

The BP Fuel Depot in Kewdale has been identified as a 'hazardous facility' however after a risk assessment was undertaken it has been deemed to pose a low risk to the operations of Perth Airport. It was also found that there is a low risk from aircraft operations to the Fuel Depot itself. These findings are supported.

Summary

Planning for a new runway has been underway for over 40 years and the proposed new runway is consistent with the approved Perth Airport Master Plan 2014. The Perth Airport Master Plan 2014 proposed the construction of the new runway as a preferred option to increase the capacity of Perth Airport and proposed that the new runway was required in the short term.

It is noted that the proposed new runway will result in benefits including improved efficiencies for airlines and passengers which is expected to have a flow on effect both locally and state wide. This must be balanced against the fact that there will be significant clearing of vegetation as a result of this proposal. Perth Airport's commitment to undertake offset measures in accordance with State and Commonwealth legislation provides the City with assurance that the loss of vegetation will be suitably addressed whilst accommodating the need for additional runway capacity. In terms of aircraft noise, modelling indicates that some parts of the City will experience a decrease in noise with others to experience no change.

Item 12.1 Continued

The Preliminary Draft Major Development Plan provides a comprehensive analysis of the key issues and implications of the proposed runway and the City's draft submission provides general and specific comment in support of the proposal.

On the basis of the above, it is recommended that Council endorse the submission on the Preliminary Draft Major Development Plan for the New Runway Project at Perth Airport and forward a copy to Perth Airport by the closing date of 24 August 2018.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

The environmental implications of the proposed New Runway are outlined within the Preliminary Draft Major Development Plan and include impacts on drainage flows, flora and fauna. Perth Airport have provided justification through the technical reports in support of the Preliminary Draft Major Development Plan.

SOCIAL IMPLICATIONS

The Preliminary Draft Major Development Plan for the New Runway Project at Perth Airport seeks to provide social benefit through improvements in connectivity between business, tourism and employment. The social impact on local residents needs to be carefully balanced with the benefits associated with the ongoing operation and expansion of the Perth Airport.

OFFICER RECOMMENDATION

That Council endorse the submission on the Preliminary Draft Major Development Plan for the New Runway Project at Perth Airport contained within [Attachment 2](#) and advise Perth Airport Pty Ltd accordingly by the closing date of 24 August 2018.

Item 12.1 Continued

ALTERNATIVE COUNCILLOR MOTION

ROSSI MOVED, WOLFF SECONDED,

That Council:

1. ***Endorse the submission on the Preliminary Draft Major Development Plan for the New Runway Project at Perth Airport contained within [Attachment 2](#) subject to modification to Page A42, dot point 2, to include the section detailed in red and delete the section shown with a strikethrough below:***

The new runway dissects Grogan Road. Perth Airport have explored the option of tunnelling Grogan Road under the new runway to continue to provide access to the airport estate via Grogan Road; but this option is cost prohibitive considering that over 60% of traffic during peak hours use Grogan Road as a shortcut and are non-airport related trips. **Notwithstanding that, the City acknowledges the concerns of the Cities of Swan and Kalamunda and the Shire of Mundaring regarding the 40% of traffic which does use Grogan Road for access into the airport. It is appropriate for non-airport related traffic to use the established Abernethy Road/Tonkin Highway network around the airport.**

Access to Abbott Road from Abernethy Road via the remnant portion of Grogan Road will remain in place. The City supports the shift away from the dominance of private car travel; it is considered that the future rail line will provide a mass transit option for people working within the airport estate.

2. ***Advise Perth Airport Pty Ltd of the submission by the closing date of 24 August 2018.***

CARRIED 9 VOTES TO 0

Reason:

To acknowledge the importance of Grogan Road for surrounding Councils

12.2 FORMAL ADOPTION OF THE 2018-2019 ANNUAL BUDGET

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 3 – Item 12.2 refers	<u>Draft Annual Budget 2018-2019</u>

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

COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg: adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, 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 formal adoption of the 2018-2019 Budget in the prescribed manner.

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

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.

Item 12.2 Continued

LOCATION

Not applicable.

CONSULTATION

The advertising of 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 specific policy implications associated with this report.

STATUTORY ENVIRONMENT

In accordance with Section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996* as amended, the 2018-2019 Budget is presented in the prescribed manner for formal adoption. The Statutory Budget has been prepared incorporating the principles of the Australian Accounting Standards.

BACKGROUND

In accordance with Section 6.2 of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* as amended, the 2018-2019 Budget is presented in the prescribed manner for formal adoption. The Statutory Budget (refer [Attachment 3](#)) has been prepared incorporating the principles of the Australian Accounting Standards and Council's accounting policies.

The City 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 payments, in both the West Australian and the Southern Gazette newspapers and invited submissions to be lodged prior to 4.00pm on Monday, 23 July 2018. At the time of writing this report no submissions had been received and any that are will be tabled at the meeting.

Item 12.2 Continued

OFFICER COMMENT

The adoption of the 2018-2019 Budget in the prescribed manner is the culmination of an extensive process that commenced in February 2018. 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 and plans. This ensures that Council's assets are improved, maintained and replaced at the appropriate time, thus assisting with the management of long-term financial responsibilities.

The preparation of the 2018-2019 Budget has again highlighted how challenging 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 2018-2019 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 undergone a final review to ensure the Council's fees and charges are reviewed and reported through the Budget process.

Landgate 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.

Council has three differential rates being Residential, Commercial and Industrial. Council must also set a minimum payment for each rating category that cannot be charged on more than 50% of the total properties for any rate category ie: Residential, Commercial or Industrial.

As was reported during the rate setting budget process, a balanced budget has been achieved with a 1.47% increase in the rate yield (an increase of the Rate in the Dollar of 1.5%). As reported in the 26 June 2018 Ordinary Council Meeting Rate Calculations report, the Consumer Price Index (CPI) for Perth is forecasted to be 1.50% during 2018-2019. The Western Australian Local Government Association (WALGA) Local Government Cost Index (LGCI) is forecasted to be 1.80% during 2018-2019.

The budget allows for rubbish charges/fees to increase in line with associated costs (ie: 5.0% increase) in 2018-2019 resulting in the (base) rubbish charge increasing from \$293.30 to \$313.32. Rubbish charges/fees increased in line with CPI in 2017-2018 and did not increase at all in the two years prior so they have remained very stable and well below CPI collectively in recent years. The significant increase in sanitation costs in 2018-2019 relates to waste disposal costs that comprise 50% of total sanitation costs.

As rubbish charges are a fee for service and aim to cover costs only, any surplus funds from this service are transferred to the Waste Management Reserve.

It is 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 1.50%, although electricity costs are forecasted to increase by 3.3% and salary related costs (Wage Price Index) 1.75%. As the latter is heavily influenced by the private sector an index of 2.50% has been used for the 2018-2019 budget (the Fair Work Commission has recently announced a 3.5% increase to minimum wages).

Item 12.2 Continued

A balanced budget has been achieved with only a minor increase in the rate yield. This continues the strategy of increasing rates in line with relative forecasted price indices and sufficiently to offset the budget deficit. This strategy is supported by a thorough review of expenditure budgets with a zero based budget being the starting point for the Rate Setting Budget. The budget is a key component in the Integrated Planning and Reporting process and enables Council to financially resource key actions as identified in the Corporate Business Plan. This ensures budgets remain focused on the community's needs. Expenditure efficiency measures as supported by Councils Purchasing Policy are also considered and factored into the budget process.

The adoption of the Budget in the prescribed manner ends the 2018-2019 Budget process and enables Council to issue the 2018-2019 rate notices in mid-August 2018.

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 2018-2019 financial year.

It is also pleasing to note that Council has again been able to maintain its Budget timetable as was adopted at the 27 February 2018 Ordinary Council Meeting, 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.

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 associated with this report.

SOCIAL IMPLICATIONS

There are no social implications associated with this report.

Item 12.2 Continued

OFFICER RECOMMENDATION

POWELL MOVED, ROSSI SECONDED,

That Council

1. **Adopt the 2018-2019 Statutory Budget as contained in [Attachment 3](#) which includes:**
 - **Statement of Comprehensive Income by Program**
 - **Statement of Comprehensive Income by Nature and Type**
 - **Statement of Financial Position**
 - **Statement of Cash Flows**
 - **Rate Setting Statement**
 - **Supporting notes, tables and other information.**
2. **That the following general rates be endorsed for rate setting purposes that equate to a 1.50% increase in the rate in the dollar.**

Rate	Cents in the Dollar
Residential	5.2423
Commercial	6.1639
Industrial	6.1807

3. **That the following minimum payments that result in a 1.2%, 1.6% and 1.5% increase for Residential, Commercial and Industrial respectively be endorsed.**

Rate	\$
Residential	825
Commercial	975
Industrial	995

4. **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.**
5. **That Council offer the following instalments for payment of Council Rates:**
 - a) **Single payment (all charges)**
 - b) **Two equal instalments (all charges); or**
 - c) **Four equal instalments (all charges)**
in accordance with Section 6.45 of the Local Government Act 1995.
6. **That in accordance with Section 6.45 of the Local Government Act 1995, Council imposes a \$20.00 Administration Fee for all instalment options (excluding registered pensioners/seniors).**
7. **That in accordance with Section 6.45 of the Local Government Act 1995, Council imposes the maximum instalment interest rate allowable. This is currently 5.5% and is applicable to the four instalment option.**

Item 12.2 Continued

- 8. That in accordance with Section 6.51 of the Local Government Act 1995, Council imposes the maximum penalty interest rate allowable. This is 11% and is applicable to overdue rates (including alternate arrangements).**
- 9. 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).**
- 10. 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.**
- 11. That the following Rubbish Charges be endorsed that equate to a 5.0% increase:**
 - a) \$313.32 per annum for one full service which includes a 240 litre cart removed weekly, 240 litre cart for recyclables removed fortnightly and up to 4 bulk bins per annum**
 - additional full service = \$313.32**
 - additional service rubbish = \$219.33**
 - additional service recycling = \$109.66**
 - b) \$422.99 per annum for non-rateable properties for one full service which includes a 240 litre cart removed weekly, 240 litre cart for recyclables removed fortnightly and up to four bulk bins per annum (\$313.32 for additional services)**
 - c) Exempted Commercial and Industrial properties = \$109.66**
 - d) R80 and above coded multi-residential properties (excludes flexible coded) = \$219.33 per unit.**
- 12. That a Swimming Pool Levy for mandatory inspections is set at \$14.60 per annum.**
- 13. Note that in accordance with Section 6.36 of the Local Government Act 1995, the Director Corporate and Governance has advertised the proposed differential rates in the dollar for the statutory 21 day period.**

CARRIED BY ABSOLUTE MAJORITY 9 VOTES TO 0

12.3 QUOTATION Q09/2018 – CONSTRUCTION OF UNDERPASS APPROACH, SURREY ROAD, RIVERVALE

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Confidential Attachment 1 – Item 12.3 refers	<u>Quotation Q09/2018 Evaluation Matrix</u>
Confidential Attachment 2 – Item 12.3 refers	<u>Quotation Q09/2018 Price Schedule</u>

Voting Requirement : Absolute Majority
Subject Index : 135/2018-09
Location/Property Index : N/A
Application Index : N/A
Disclosure of any Interest : Nil.
Previous Items : N/A
Applicant : N/A
Owner : N/A
Responsible Division : Technical Services

COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- Legislative** *Includes adopting local laws, 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 award Quotation Q09/2018 – Construction of Underpass Approach, Surrey Road, Rivervale.

Item 12.3 Continued

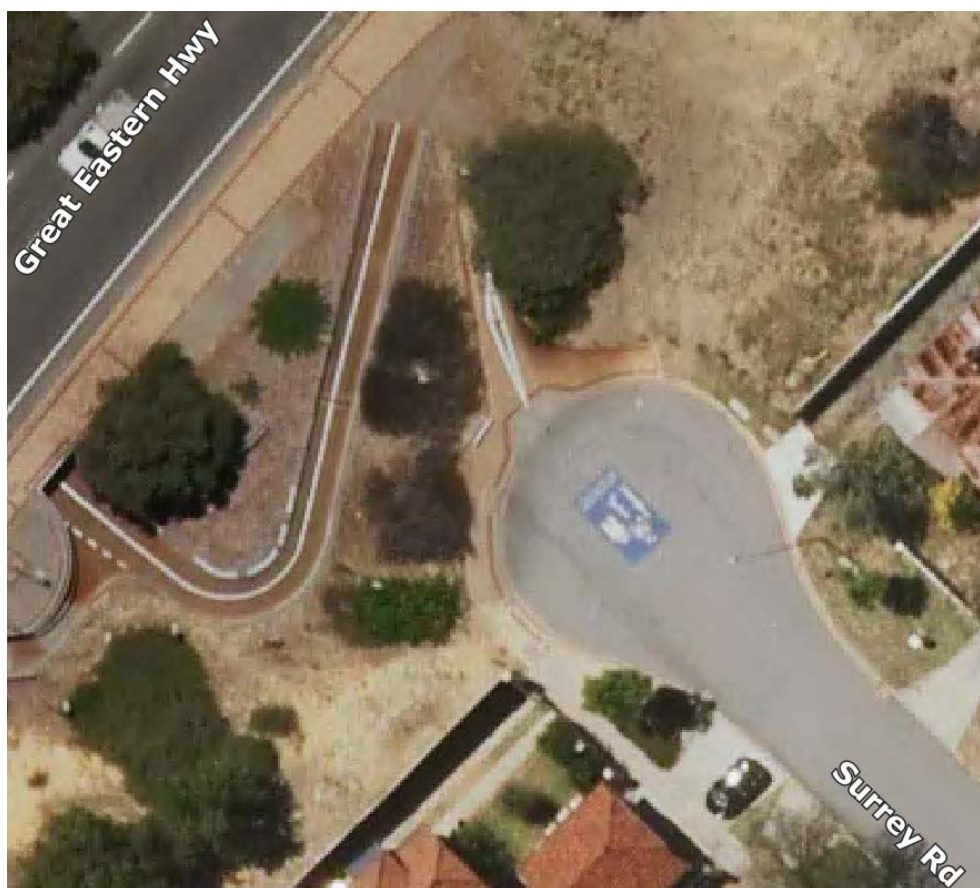
SUMMARY AND KEY ISSUES

This report outlines the process undertaken to invite and evaluate quotations and includes a recommendation to award Quotation Q09/2018 in accordance with the requirements of the *Local Government Act 1995*.

The contract is for the construction of site works, retaining walls, roadworks, concrete works and landscaping together with lighting and irrigation system installations to enhance the Great Eastern Highway underpass approach at the end of Surrey Road, Rivervale, making it easier to access and providing a more attractive and safer environment.

LOCATION

North west end of Surrey Road, Rivervale.



CONSULTATION

The upgrade of the underpass was included in the project consultation at the commencement of the Bike Boulevard project. The upgrade of the approach to the underpass is considered a significant improvement to the area.

Whilst the approach area is managed by the City of Belmont the land owner is Main Roads Western Australia (MRWA). Ongoing discussion has been undertaken with MRWA and Department of Transport.

Item 12.3 Continued

Porter Consulting Engineers were appointed to prepare the specifications for the Request for Quotation documents and will also manage the contract once it has been awarded.

STRATEGIC COMMUNITY PLAN IMPLICATIONS

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

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

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

Corporate Key Action: Implement the Travel Smart Plan 2017-2021.

These works will enhance the safety and accessibility of the underpass and link to Surrey Road Bike Boulevard.

POLICY IMPLICATIONS

There are no policy implications associated with this report.

STATUTORY ENVIRONMENT

This issue is governed in the main by *the Local Government (Functions and General) Regulations 1996*, in particular Regulation 11(2) (b) which states that "Tenders do not have to be publicly invited according to the requirements of this Division if the supply of the goods or services is to be obtained through the Council Purchasing Service of Western Australian Local Government Association (WALGA)".

BACKGROUND

Under the *Local Government Act 1995*, tenders do not have to be publicly invited if the supply of the services is to be obtained through the WALGA Preferred Supplier Program. WALGA has established a panel for Pavement, Kerbing and Streetscape Construction and the following five members of this panel were invited to submit a quotation:

- Densford Civil Pty Ltd
- Downer Infrastructure
- Dowsing Group
- Griffin Civil
- WCP Civil Pty Ltd.

Item 12.3 Continued

Responses were received from:

- Densford Civil Pty Ltd
- Dowsing Group
- WCP Civil Pty Ltd.

OFFICER COMMENT

The Evaluation Committee consisted of the Manager Works, Manager Design and Assets, Coordinator Design and TravelSmart Officer.

The tenders were assessed on the same selection criteria included with the tenders, being:

	CRITERIA	WEIGHTING
1	Experience	15%
2	Company Capacity	15%
3	Methodology	10%
4	Safety	20%
5	Price	40%
	TOTAL	100%

Porter Consulting Engineers were also asked to provide a review of the quotations received and noted that the submissions did not appear to have any particular points of concern although Densford Civil proposed an alternative retaining wall construction methodology utilising reconstituted limestone blocks as the main mass of the wall with the Keystone facing course.

WCP Civil has provided a quality submission which has detailed the works methodology and reflects the scope of works. They have provided several clarifications, the majority of which are commentary on the latent conditions and are not expected to significantly impact on the cost of the works. Some of these, such as requesting use of a vacant block as a laydown location for plant and material from the landowner, will not be finalised until the contract negotiation stage.

The Evaluation Matrix (refer [Confidential Attachment 1](#)) identifies WCP Civil as the recommended supplier.

FINANCIAL IMPLICATIONS

The quoted prices as set out in [Confidential Attachment 2](#) – Price Schedule have come in higher than the pre-tender estimate of \$450,000. Porter Consulting Engineers has identified the main cost difference is the cost to construct the Keystone retaining wall to match the existing wall. As this is a proprietary wall system not regularly installed in the Perth metro area the installation costs were higher than anticipated. Porters do not consider changing the design of the wall to be a viable option as this would significantly alter the aesthetics by introducing two types of wall finishes to the underpass.

Item 12.3 Continued

As the land is owned by the State Government the works are to be fully funded by the Department of Transport. The Department of Transport are aware of the contract sum along with the potential for some additional minor logistical costs and have issued an assurance that they intend to proceed with the completion of this project. It is important for some negotiations to be carried out prior to the finalisation of the cost to determine the final contract and funding cost for the Department of Transport.

Any further variations that arise are to be fully explored, considered and justified by the contract superintendent prior to being submitted for approval. There is no financial impact for the City.

This project was intended to be commenced during 2017-2018 with the balance being carried out in 2018-2019. At the time the 2018-2019 budget was prepared some assumptions were made and \$250,000 was included to complete the works based on the projected expenditure for the underpass which was still subject to final design and the subsequent tender process.

The total amount available for this stage of the project is \$461,123 and with the contract sum being \$532,568 an additional amount of \$71,445 will be included in the October budget review along with matching income of \$532,568 from the Department of Transport.

The Department of Transport have paid the City a progress payment of \$426,300 for the Surrey Road Underpass project in the 2017-2018 financial year. The balance of the project funding will be paid as acquitted.

ENVIRONMENTAL IMPLICATIONS

The Local Bike Plan 2013-2018 identified Surrey Road as an alternative route for cyclists linking the Perth CBD and Burswood with the Welshpool/Kewdale employment areas and recommended improvements to be made to the route to make it more bike friendly. This supports the TravelSmart Plan's objective to increase sustainable travel and its correlation with the following sections of the City of Belmont Environment and Sustainability Strategy 2016-2021:

- Community awareness, engagement and behaviour change
- Prevention of pollution and environmental degradation
- Resource use, waste and carbon emissions.

SOCIAL IMPLICATIONS

The upgrade of the underpass approach at the end of the Surrey Road Bike Boulevard will improve the area, creating an environment where cyclists and pedestrians will feel safe and thereby contribute to the City's objective to encourage a high standard of community health and wellbeing.

Item 12.3 Continued

OFFICER RECOMMENDATION

WOLFF MOVED, POWELL SECONDED,

That Council:

- 1. Accept the submission by WCP Civil Pty Ltd for Quotation Q09/2018 - Construction of Underpass Approach, Surrey Road, Rivervale for the sum of \$532,568.29 excluding GST as the most advantageous and thus enable negotiations to proceed.***
- 2. Authorise the Chief Executive Officer to undertake negotiations with WCP Civil Pty Ltd, as the preferred respondent and approve any cost increases for unforeseen works associated with the completion of the construction detailed in the project scope, to a total value not exceeding 10% of the contract price.***
- 3. Note that should any variations exceeding 10% of the contract value be necessary, formal approval would be required by the Department of Transport in consultation with the City.***
- 4. Delegate authority to the Chief Executive Officer to accept the quotation and finalise the contract with WCP Civil Pty Ltd subject to satisfactory negotiations, as noted in part 2 above.***
- 5. Authorise the inclusion of the final costing in the 2018-2019 Budget through the October 2018 Budget Review.***

CARRIED BY ABSOLUTE MAJORITY 8 VOTES TO 1

*For: Bass, Cayoun, Davis, Marks, Powell, Ryan, Sekulla, Wolff
Against: Rossi*

12.4 ACCOUNTS FOR PAYMENT – JUNE 2018

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 4 – Item 12.4 refers	Account for Payment – June 2018

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

COUNCIL ROLE

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

PURPOSE OF REPORT

Confirmation of accounts paid and authority to pay unpaid accounts.

SUMMARY AND KEY ISSUES

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

Item 12.4 Continued

LOCATION

Not applicable.

CONSULTATION

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

STRATEGIC COMMUNITY PLAN IMPLICATIONS

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

POLICY IMPLICATIONS

There are no policy implications associated with this report.

STATUTORY ENVIRONMENT

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

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

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

BACKGROUND

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

OFFICER COMMENT

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

Municipal Fund Cheques	787780 to 787802	\$226,682.52
Municipal Fund EFTs	EF056265 to EF056766	\$6,314,675.39
Municipal Fund Payroll	June 2018	\$1,529,221.09
Trust Fund EFTs	EF056360 to EF056361	\$81,061.06
Total Payments for June 2018		\$8,151,640.06

A copy of the Authorised Payment Listing is included as [Attachment 4](#) to this report.

Item 12.4 Continued

FINANCIAL IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

SOCIAL IMPLICATIONS

There are no social implications associated with this report.

OFFICER RECOMMENDATION

That the Authorised Payment Listing for June 2018 as provided under [Attachment 4](#) be received.

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

12.5 MONTHLY ACTIVITY STATEMENT AS AT 30 JUNE 2018

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 5 – Item 12.5 refers	<u>Monthly Activity Statement as at 30 June 2018</u>

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

COUNCIL ROLE

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

PURPOSE OF REPORT

To provide Council with relevant monthly financial information.

SUMMARY AND KEY ISSUES

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

Item 12.5 Continued

LOCATION

Not applicable.

CONSULTATION

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

STRATEGIC COMMUNITY PLAN IMPLICATIONS

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

POLICY IMPLICATIONS

There are no policy implications associated with this report.

STATUTORY ENVIRONMENT

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

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

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

BACKGROUND

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

OFFICER COMMENT

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

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

Item 12.5 Continued

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 e.g. tied grants.*

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

In order to provide more details regarding significant variations as included in [Attachment 5](#) the following summary is provided.

Please note that the 30 June 2018 Financial Report is still to be updated for end of year accounting adjustments. The main adjustments include June ABC allocations, reserve transfers, expenditure accruals, salary accruals and leave accruals.

Report Section	Budget YTD	Actual YTD	Comment
Expenditure - Capital			
Computing	387,669	69,405	Business Applications and hardware purchases were re-budgeted in 2018-2019.
Transfer To Reserve	9,855,060	Nil	Reserve transfers will occur once all 2017-2018 accounting adjustments are finalised.
Governance	64,083	6,940	Purchase of fleet delayed due to usage being less than anticipated.
Property and Economic Development	382,500	20,000	Had allowed for the sale of land with the income to be transferred to Trust (Public Open Space). The sale had not occurred at 30 June 2018 due to delays in State Government agencies.
Financing Activities	238,134	1,091,522	The self-supporting loan for the SES building was paid out early at the request of the Department of Fire and Emergency Services (DFES).
Faulkner Park Retirement Village	229,480	Nil	Reserve transfers are outstanding.
Town Planning	395,338	544,962	Relates to development contribution income from the Springs that has been received on behalf of and on paid to Landcorp.
Grounds Operations	2,245,765	1,375,807	Although Parks Constructions jobs are under budget it is anticipated that the full budget will be required to finalise those jobs with any unspent funds to carry over into next financial year.

Item 12.5 Continued

Report Section	Budget YTD	Actual YTD	Comment
Road Works	7,302,332	5,084,331	Much of the variance relates to the fully funded Surrey Rd Bike Boulevard. The 'net' underspend on roads is expected to be approximately \$0.6M once all costs are recognised.
Streetscapes	158,893	65,455	The variance largely relates to the bus shelter repair/replacement program undertaken as required.
Footpath Works	753,000	570,301	The program has been completed within budget with the variance expected to be \$0.14M once all costs are recognised.
Drainage Works	1,089,849	663,644	Variance mainly relates to sub-soil pipe upgrades that have been delayed due to Watercorp approvals with the final variance expected to be \$0.4M.
Operations Centre	1,468,752	693,944	Plant purchases are well below budget due to the usage/condition of the current plant being better than anticipated.
Building Control	116,913	44,951	Purchase of fleet delayed due to usage being less than anticipated.
Building Operations	5,468,172	3,419,051	The variance will be negligible once June costs for the new community centre are accrued.
Technical Services	193,464	126,509	Purchase of fleet delayed due to usage being less than anticipated.
Expenditure – Operating			
Finance Department	2,045,440	1,971,176	Variance primarily due to Activity Based Costing (ABC's) allocations for June that are outstanding and will be updated once all operating costs for the 2017-2018 financial year are finalised.
Computing	2,325,598	2,119,569	Consulting, minor equipment and Business Application costs are under budget.
Marketing and Communications	1,089,317	1,013,058	Variance mainly relates to outstanding ABC's.
Reimbursements	262,000	135,566	Internal wage allocations to be finalised.
Executive Services	1,808,904	1,582,587	Variance mainly relates to employee costs and outstanding ABC's.
Chief Executive Officer	893,052	840,233	Consulting costs are under budget.
Human Resources	1,346,157	1,262,791	Consulting costs are under budget.
Governance	3,959,524	3,462,088	Variance mainly relates to outstanding ABC's.
Belmont Trust	75,000	2,800	Legal and consulting costs are under budget although this has a nil net impact on Municipal funds.
Accommodation Costs	636,678	563,814	Variance relates to outstanding invoices.
Rates	2,491,750	2,411,130	Variance mainly relates to outstanding ABC's.
Belmont Community Watch	1,332,755	1,148,869	Variance relates to outstanding invoices.
Rangers	961,631	806,975	Employee costs are under budget.

Item 12.5 Continued

Report Section	Budget YTD	Actual YTD	Comment
Health	1,290,551	1,182,279	Variance mainly relates to employee costs and outstanding ABC's.
Aboriginal Strategies	255,091	190,433	Employee and agency costs are under budget.
Community Services	924,104	834,604	Variance mainly relates to employee costs and outstanding ABC's.
Community Lifestyle and Learning	369,967	286,056	Employee costs are under budget.
Belmont HACC Services	2,808,135	2,448,727	Internal cost allocations and ABC's are under budget.
Town Planning	3,479,097	3,007,048	Employee and consulting costs are under budget.
Sanitation Charges	6,052,980	5,386,482	Variance relates to outstanding invoices.
Marketing and Communications	749,550	661,598	Printing costs are currently under budget.
Ruth Faulkner Library	2,362,503	2,222,360	ABC's, Consulting (Local History Project) and power costs are under budget.
Community Wellbeing	1,030,652	851,958	Public art and project management costs are currently under budget.
Building - Active Reserves	783,314	711,485	Equipment maintenance and lighting costs are currently under budget.
Grounds Operations	5,285,944	4,988,990	Employee and consulting costs are currently above budget.
Grounds - Active Reserves	1,084,236	1,177,801	Maintenance costs for Forster (unplanned tree removals and additional turf reinstatements) and Redcliffe Parks (additional turf renovation costs) were above budget.
Streetscapes	1,575,610	1,489,193	Variance relates to general tree planting costs although there were other tree planting costs coded to respective NSRF projects.
Building Control	1,302,326	1,142,238	Variance mainly relates to employee costs and outstanding ABC's.
Building Operations	959,401	907,676	Variance mainly relates to outstanding ABC's.
Public Works Overheads	1,520,745	1,464,970	Variance mainly relates to outstanding ABC's.
Plant Operating Costs	1,133,834	1,043,509	Employee related and fuel costs are under budget.
Technical Services	2,594,134	2,362,397	Employee and ABC costs are under budget.
Other Public Works	866,100	792,996	Variance relates to outstanding invoices.
Revenue - Capital			
Transfer To Reserve	(305,000)	Nil	Reserve transfers will occur once all 2017-2018 accounting adjustments are finalised.
Chief Executive Officer	(120,983)	(30,000)	Outstanding reserve transfers.
Governance	(115,163)	Nil	Outstanding reserve transfers.
Belmont Trust	(84,052)	(9,960)	Outstanding reserve transfers.
Property and Economic Development	(3,539,089)	(3,150,000)	The sale of one lot of land is still pending.

Item 12.5 Continued

Report Section	Budget YTD	Actual YTD	Comment
Financing Activities	(94,204)	(937,592)	The self-supporting loan for the SES building was paid out early at the request of DFES.
Belmont HACC Services	(123,157)	(65,318)	Outstanding reserve transfers.
Ascot Close Housing	(107,552)	Nil	Outstanding reserve transfers.
Wahroonga Housing	(65,786)	Nil	Outstanding reserve transfers.
Town Planning	(397,916)	(495,418)	Relates to development contribution income from the Springs that has been received on behalf of and on paid to Landcorp.
Grounds Operations	(360,676)	(136,136)	Outstanding reserve transfers.
Road Works	(3,295,570)	(1,768,101)	Although there are road grants still to be recognised in 2017-2018 the variance mainly relates to the Surrey Rd Bike Boulevard which is offset by the capital expenditure variance for this project.
Operations Centre	(1,210,732)	(238,789)	Income from plant replacement is well under budget but the variance mainly relates to outstanding reserve transfers.
Building Operations	(15,285,750)	(15,032,273)	Outstanding reserve transfers.
Public Works Overheads	(66,567)	Nil	Outstanding reserve transfers.
Revenue - Operating			
Finance Department	(2,045,009)	(1,854,490)	Variance relates to outstanding ABC's.
Computing	(2,384,140)	(2,019,784)	Variance relates to outstanding ABC's.
Records Management	(818,580)	(723,111)	Variance relates to outstanding ABC's.
Human Resources	(1,377,191)	(1,177,183)	Variance relates to outstanding ABC's.
Accommodation Costs	(649,081)	(508,994)	Variance relates to outstanding ABC's.
General Purpose Income	(391,680)	(665,346)	Financial Assistance Grant 50% prepaid in 2017-2018.
Financing Activities	(1,865,824)	(1,216,356)	Will be slightly better than budget once year-end accruals are finalised.
Belmont HACC Services	(2,815,359)	(2,716,784)	Variance relates to outstanding internal recoveries.
Orana Aged Housing	(103,000)	Nil	Outstanding net rent income yet to be accrued.
Gabriel Gardens	(92,000)	Nil	Outstanding net rent income yet to be accrued.
Town Planning	(1,389,578)	(1,151,424)	Variance mainly relates to outstanding ABC's.
Road Works	(254,592)	(699,870)	Financial Assistance Grant 50% prepaid in 2017-2018.
Plant Operating Costs	(1,770,095)	(1,569,661)	Plant recoveries are currently under budget.
Technical Services	(444,821)	(353,807)	Variance relates to outstanding ABC's.
Other Public Works	(50,000)	(156,211)	Private works income is above budget.

Item 12.5 Continued

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

Reconciliation of Nett Current Assets to Statement of Financial Activity		
Current Assets as at 30 June 2018	\$	Comment
Cash and investments	79,761,579	Includes municipal and reserves
- less non rate setting cash	(45,912,333)	Reserves
Receivables	2,075,720	Rates levied yet to be received and Sundry Debtors
ESL Receivable	(174,343)	ESL Receivable
Stock on hand	215,202	
Total Current Assets	35,965,825	
Current Liabilities		
Creditors and provisions	(10,823,183)	Includes ESL and deposits
- less non rate setting creditors and provisions	3,285,975	Cash Backed LSL, current loans and ESL
Total Current Liabilities	(7,537,207)	
Nett Current Assets 30 June 2018	28,428,618	
Nett Current Assets as Per Financial Activity Report		
Nett Current Assets as Per Financial Activity Report	28,428,618	
Less Restricted Assets	(868,620)	Unspent grants held for specific purposes
Less Committed Assets	(16,259,998)	All other budgeted expenditure
Estimated Closing Balance	11,300,000	

FINANCIAL IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

SOCIAL IMPLICATIONS

There are no social implications associated with this report.

OFFICER RECOMMENDATION

That the Monthly Financial Reports as at 30 June 2018 as included in [Attachment 5](#) be received.

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

13. REPORTS BY THE CHIEF EXECUTIVE OFFICER

13.1 REQUESTS FOR LEAVE OF ABSENCE

Nil.

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil.

15. CLOSURE

There being no further business, the Presiding Member thanked everyone for their attendance and closed the meeting at 8.29pm.

MINUTES CONFIRMATION CERTIFICATION

The undersigned certifies that these minutes of the Ordinary Council Meeting held 24 July 2018 were confirmed as a true and accurate record at the Ordinary Council Meeting held 28 August 2018:

Signed by the Person Presiding: _____



PRINT name of the Person Presiding:

PHILIP MARKS

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