City of Belmont

ORDINARY COUNCIL MEETING

MINUTES

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24 November 2015

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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 L Cayoun	West Ward
Cr P Hitt	West Ward
Cr M Bass	East Ward
Cr B Ryan	East Ward
Cr P Gardner	South Ward
Cr J Powell	South Ward
Cr S Wolff	South Ward

IN ATTENDANCE

Mr S Cole	Chief Executive Officer
Mr N Deague	Director Community and Statutory Services
Mr R Lutey	Director Technical Services
Mr J Olynyk, JP	Manager Governance
Mr J Hardison *(arr 7.12pm)*	Manager Property and Economic Development
Mr S Monks *(dep 7.55pm & did not return)*	Manager Finance
Mrs M Lymon	Principal Governance and Compliance Advisor
Ms D Morton	Media and Communications Officer
Ms S D'Agnone	Governance Officer

MEMBERS OF THE GALLERY

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

1. OFFICIAL OPENING

The Presiding Member opened the meeting at 7.08pm, welcomed those in attendance and invited Cr Wolff to read aloud the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers. Cr Wolff 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 R Garrett (Apology) Director Corporate and Governance

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:

"I am very pleased to advise that at the DA6 Community Forum held last Thursday at Forster Park that was organised by the Local Member Mrs Glenys Godfrey, the Minister for Transport, Dean Nalder announced that he is committed to providing the option for the DA6 residents gaining access to the area via an upgraded Coolgardie Avenue, which includes a signalised right turn ability and for the businesses on Boulder Avenue the Minister is committed to providing them with the left in, left out ability.

With the completion of Gateway WA, an upgraded Fauntleroy Avenue intersection, and now this upgrade to the Coolgardie Avenue intersection with Great Eastern Highway, Main Road's desire to close Brearley Ave can proceed in a more orderly manner.

I would like to thank the Officers who have worked very hard with Main Roads to achieve this outcome and the CEO and Directors who have not only lobbied but advised the Local Member and the Minister's Office about the importance of the Coolgardie Avenue intersection."

4.2 DISCLAIMER

7.11pm The Presiding Member advised the following:

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

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

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

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

Nil.

5. PUBLIC QUESTION TIME

5.1 RESPONSES TO QUESTIONS TAKEN ON NOTICE

Nil.

5.2 QUESTIONS FROM MEMBERS OF THE PUBLIC

7.12pm The Manager Property and Economic Development entered the meeting.

7.12pm The Presiding Member drew the public gallery's attention to the rules of Public Question Time as written in the Agenda. In accordance with rule (l), the Mayor advised that he had registered six members of the public who had given prior notice to ask questions.

5.2.1 Ms A Jones, 17 Green Street, Kewdale

Dogs in the area barking all day. A direct reaction to all the anti-social behaviour. People getting dogs and leaving in backyard, driving us crazy with the barking.

1. What can be done about this?

Response

The Director Community and Statutory Services advised that there have been amendments made to the *Dog Act 1976* which now states that only one independent witness is required to verify a barking dog complaint. Residents wanting to lodge a barking dog complaint should contact the City's Rangers. An independent witness to the barking dog would be required.

Item 5.2.1 Continued

2. Are dogs allowed in pubs and cafes as I suffer allergies? (eg: Belmont Tavern, Sapore, etc.)

The Director Community and Statutory Services advised that he would take the question on notice and follow up with the City's Health Department.

5.2.2 Ms P Fortune, 15 Green Street, Kewdale

1. Walkway between Thompson Place and Armitt Street. Trolleys, beer bottles, household rubbish bins and bushes hanging over from numbers 5 and 7 Armitt Street are enough to poke one's eye out.

Response

The Director Community and Statutory Services advised that this is the first time that he has been alerted to this problem. He took the question on notice to have the matter investigated.

2. Walkway in Peachey Park badly needs lighting. Walking from one side, Kew Street, to the other side is too dark. I am an aged pensioner and when I get the bus to walk home it is dangerous.

Response

The Director Community and Statutory Services advised that he would take the question on notice.

5.2.3 Ms D Little, 15 Green Street, Kewdale

1. I would like to know if and how the Council is working with the Police and State Housing to protect ratepayers from anti-social behaviour, Armitt Street tenants and their unkept houses. Armitt Street at the moment is a mess – why are they not made to clean these houses? My house is being devalued.

Response

The Director Community and Statutory Services advised that the City has been on a crusade for nearly twenty years to reduce the concentration of public housing in Redcliffe, Belmont and Rivervale, which statistically have the greatest concentration of public housing in the City. In addition, all properties owned by the Department of Housing have been reviewed by the City and streets with an excessive presence of public housing have been brought to the attention of the Department of Housing.

The City has limited power in these circumstances, and no control over Department of Housing developments. Department of Housing dwellings are regarded as public work and approvals/permits from the City are not required. The City can only make recommendations to the Department of Housing.

It can be quite exasperating for the City's Health Department and Rangers because they have no power to enforce compliance of legislation on Department of Housing properties.

Item 5.2.3 Continued

The City has been working extremely hard, involving the Local Member of Parliament, who was a former Mayor of the City who is well aware of the issues and of what has been attempted over many years. It is a difficult issue with no easy answers, and the Department does not get support from the Courts.

There is a program of Department of Housing properties being sold.

The City's Community Safety and Crime Prevention teams are doing everything possible and working with the Department of Housing Cannington Regional Office to have appropriate action taken against those tenants who have a record of anti-social behaviour.

The Minister for Housing was present at a Public Housing Forum recently and heard first hand of the issues that the City has been dealing with over many years. The Mayor and the Director Community and Statutory Services highlighted these issues to the Minister and the City will continue to press the point.

Cloverdale has had a reduced presence of public housing. Rivervale is more problematic as many houses there were built in the 1990s.

Residents should contact the Police or the Department of Housing complaints hotline to report any public housing issues and keep emphasising their complaints.

5.2.4 Mr J Barrett, 44 Morago Crescent Cloverdale

7.23pm The Manager Property and Economic Development departed the meeting.

Next door construction site at 42 Morago Crescent Cloverdale - violation/complaints.

- Consistently working outside allowed hours. Sometimes prior to 7am and sometimes on Sundays.
- Occasional noisy radio (scaffolding and brickie sub-contractors).
- Damage to asbestos fence by bobcats and heavy materials dumped against it. One side badly damaged with gaping holes (4 foot wide). One panel missing from back fence and poisonous dust that would affect health.
- No safety net to contain falling materials from scaffolding and work area about 10cm from my pool area. Already one pot plant damaged and one paving brick smashed. Cement deposits on small table beside pool. Some steel wires found in pool.
- Cement mixer very close to my house making my life hell.
- Initially cement trucks using my side of front verge for access. At the moment they are keeping to their side.

1. What will Council do about my complaints? I am suffering stress and fear for my family's health and safety.

7.25pm The Manager Property and Economic Development returned to the meeting.

Item 5.2.4 Continued

Response

The Director Community and Statutory Services advised that it can be very frustrating when inconsiderate building contractors are working near one's property. The City's Health and Building Departments will be made aware of these complaints and will act immediately to get these issues resolved. Mr Barrett will be advised of the outcome.

5.2.5 Ms E D'Addario, 46 Morago Crescent Cloverdale

How will the City of Belmont/Council control the following?

- Notification to building companies regarding the Building Code.
- Notification to building companies regarding building guidelines.
- Notification to building companies regarding site operating hours.
- Notification to building companies regarding signs to be placed on gates.
- Notification to building companies regarding noise levels.
- Notification to building companies regarding verge damage.
- Notification to building companies regarding neighbouring property damage.
- Notification to building companies regarding site rubbish.
- Notification to building companies regarding site urinating on fence.
- Future parking issues/traffic management.
- Garages being converted into accommodation.
- Neighbouring properties privacy due to 3 storey apartments.
- Rubbish bin collection – obstructions by vehicles on road.
- Compensating long-time residents.
- How many more 3 storey apartments are approved.
- Health and safety issues.
- Structural damage to my house due to demolition of properties.

Response

The Director Community and Statutory Services advised that the issue of complaints being made to the Health Department and not being acted upon would be followed up. The Director advised that it would be most unusual for the Health Department not to act immediately on a complaint.

As Ms D'Addario's question covers Health, Building and Planning issues, the Director advised that he would take the question on notice.

5.2.6 Ms J Gee, 44B Treave Street Cloverdale

Ms Gee submitted five questions. Question 3 was ruled out of order in accordance with Rules for Council Meeting Public Question Time, Rule e) being:

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

Questions 1, 2 and 4 were accepted.

1. Glad to see the Councillor question time is back at the beginning. Are there any other changes that residents should know about?

Response

The Presiding Member advised that there are no other changes. An announcement at the 17 November 2015 Agenda Briefing Forum advised that the 'Questions by Member Without Notice' item would return to the beginning of the Agenda.

2. How can you impose that on the Councillors who are here to represent the residents of Belmont? They are the voice of the people and you limit them to one question. What is the Council coming to?

Response

The Presiding Member advised he is happy for questions to be asked, however there must be some urgency to the questions. In the past this rule has not been enforced strictly enough.

The Department of Local Government and Communities have guidelines relating to 'Questions by Members Without Notice' which advise that having this Agenda item is not best practice, and this advice has been taken into account along with the City's *Standing Orders Local Law 2012*. The Department of Local Government and Communities emphasise efficient meetings, focusing on decision making and are not supportive of a 'Questions by Member Without Notice' item on the Agenda.

There are 23 metropolitan band one and two Councils, 16 do not have 'Questions by Members Without Notice' on the Agenda, three have the item at the end of the Agenda, and four Councils, now including Belmont, have the item towards the beginning of the Agenda. Over the four month trial period, City of Belmont Elected Members asked 75 questions. The Council with the next highest amount of questions asked, the City of Swan, asked 35 questions in the same period, which is less than half. In order to bring 'Questions by Members Without Notice' into a reasonable timeframe, the rules must start to be enforced strictly.

Item 5.2.6 Continued

The decision to trial the 'Questions by Members Without Notice' item towards the end of the Agenda was made to allow sufficient time for all Councillors to ask as many questions as they wanted to, however the move was not popular with Councillors. The item has been returned to the front of the Agenda, however the intention and focus of the meeting must be on the Agenda Items and not on 'Questions by Members Without Notice'.

'Questions by Members Without Notice' must be of an urgent nature. An example of an urgent question would be seeking clarification that a statement made at the meeting is correct. Asking questions along the same lines as questions that the public gallery have asked is no longer acceptable.

4. What does Council intend doing to curb the increasing parking issues in Belmont arising from all the higher density?

Response

The Director Community and Statutory Services advised that the Western Australian Planning Commission (WAPC) has recently agreed to changes to the Residential Design Codes (R Codes) which will provide for more car parking on site per dwelling. The City has been advocating for these changes for some time. In addition, the City has instigated the 'Belmont on the Move' study, which looks at car parking and transport infrastructure in the area, and is awaiting the results of the study.

5. Which Councillors would entertain making changes to the current Town Planning Scheme?

Response

The Presiding Member advised that Ms Gee would need to ask Councillors this question privately after the meeting.

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

6. CONFIRMATION OF MINUTES/RECEIPT OF INFORMATION MATRIX

6.1 SPECIAL COUNCIL MEETING HELD 19 OCTOBER 2015
(Circulated under separate cover)

OFFICER RECOMMENDATION

WOLFF MOVED, POWELL SECONDED, That the Minutes of the Special Council Meeting held on 19 October 2015 as printed and circulated to all Councillors, be confirmed as a true and accurate record.

CARRIED 9 VOTES TO 0

6.2 ORDINARY COUNCIL MEETING HELD 27 OCTOBER 2015
(Circulated under separate cover)

OFFICER RECOMMENDATION

CAYOUN MOVED, GARDNER SECONDED, That the Minutes of the Ordinary Council Meeting held on 27 October 2015 as printed and circulated to all Councillors, be confirmed as a true and accurate record.

CARRIED 9 VOTES TO 0

6.3 INFORMATION MATRIX FOR THE AGENDA BRIEFING FORUM HELD 17 NOVEMBER 2015
(Circulated under separate cover)

OFFICER RECOMMENDATION

POWELL MOVED, HITT SECONDED, That the Information Matrix for the Agenda Briefing Forum held on 17 November 2015 as printed and circulated to all Councillors, be received and noted.

CARRIED 9 VOTES TO 0

Note

The Presiding Member advised that 'Questions by Members on Which Due Notice Has Been Given (Without Discussion)' and 'Questions by Members Without Notice' have been returned to Item 7 and Item 8 of the Agenda.

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

Note

The Presiding Member advised that the changes in enforcing the 'Questions by Members Without Notice' rules is an attempt to adhere to Department of Local Government and Communities guidelines. The City has not received any complaints from members of the public. Councillors provided a lot of feedback. 'Questions by Members Without Notice' has been returned to its original place in the Agenda, however questions are required to have an element of urgency.

8.2.1 Cr Powell

1. Has the City of Belmont considered making a donation to the Lord Mayor's Distress Relief Fund for the fires burning in the State's south?

Response

The Chief Executive Officer advised that he has delegated authority from Council for donations up to $5,000 and will consider making a donation.

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

Nil.

10. BUSINESS ADJOURNED FROM A PREVIOUS MEETING

Nil.

11. REPORTS OF COMMITTEES

11.1 STANDING COMMITTEE (AUDIT AND RISK) MEETING HELD 26 OCTOBER 2015 (Circulated under separate cover)

OFFICER RECOMMENDATION

WOLFF MOVED, CAYOUN SECONDED, That the Minutes of the Standing Committee (Audit and Risk) meeting held on 26 October 2015 as printed and circulated to all Councillors, be received and noted.

CARRIED 9 VOTES TO 0

11.2 STANDING COMMITTEE (COMMUNITY VISION) MEETING HELD 2 NOVEMBER 2015 (Circulated under separate cover)

OFFICER RECOMMENDATION

CAYOUN MOVED, POWELL SECONDED, That the Minutes of the Standing Committee (Community Vision) meeting held on 2 November 2015 as printed and circulated to all Councillors, be received and noted.

CARRIED 9 VOTES TO 0

11.3 STANDING COMMITTEE (ENVIRONMENTAL) MEETING HELD 16 NOVEMBER 2015 (Circulated under separate cover)

OFFICER RECOMMENDATION

WOLFF MOVED, POWELL SECONDED, That the Minutes of the Standing Committee (Environmental) meeting held on 16 November 2015 as printed and 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 Powell

GARDNER MOVED, WOLFF SECONDED, that with the exception of Items 12.1 which is to be considered separately, the Officer or Committee Recommendations for Items 12.2, 12.3, 12.4, 12.5, 12.6 and 12.7, be adopted en bloc by an Absolute Majority decision.

CARRIED BY ABSOLUTE MAJORITY 9 VOTES TO 0

7.55pm The Manager Finance departed the meeting and did not return.

12.1 PARKING CONCERNS – TIDEWATER WAY, ASCOT

BUILT BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 1 – Item 10.1 refers	Adhoc Parking Letter

Voting Requirement	:	Simple Majority
Subject Index	:	102/004 – Road Complaints 92/005 – Parking Complaints
Location / Property Index	:	Tidewater Way, Ascot
Application Index		N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	Derek Russell
Owner	:	N/A
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

The purpose of this report is to consider correspondence from members of the public received, outlining concerns relating to parking on the verge of Tidewater Way, Ascot.

Item 12.1 Continued

SUMMARY AND KEY ISSUES

On 26 November 2014, a letter was received by the City regarding adhoc parking on the verge outside 19 and 30 Riverina Way and 45 and 51 Tidewater Way. Although the letter refers to it being a petition, it does not meet the requirements to be classified as a petition.

The letter requests that the City installs an additional six on street parking bays adjacent to 19 and 30 Riverina Way, opposite 45 and 51 Tidewater Way, and increase the parking on Waterway Crescent from six bays to eight (refer Attachment 1).

The letter also requests the installation of additional bollards along the verge to prevent cars from continuing to park on the verge.

Officers do not support the proposal of additional on-street parking bays at the proposed locations. An alternative solution installing 'no parking on verge' signs and line marking yellow 'no stopping' lines to deter the adhoc parking is supported.

In the event that signs and line-marking are insufficient, bollards could be installed to act as a physical barrier to prevent the adhoc parking.

LOCATION

The matter relates to the verges adjacent to 19 and 30 Riverina Way, and across the road from 45 and 51Tidewater Way.

Item 12.1 Continued

CONSULTATION

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

STRATEGIC COMMUNITY PLAN IMPLICATIONS

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

Objective: Maintain public infrastructure in accordance with sounds asset management practices.

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

POLICY IMPLICATIONS

BEXB3 Correspondence from Members of the Public

"In regard to petitions (or items of correspondence submitted by multiple correspondents), the City:

- *will promote to the community, guidelines consistent with the City of Belmont Standing Orders Local Law for the submission of petitions*
- *will generally correspond with the petition initiator, expecting that this person (or group) will correspond with all petitioners*
- *will in the case of petitions with a small number of petitioners, endeavour where practicable, to provide individual response to each correspondent."*

STATUTORY ENVIRONMENT

The provision of visitors parking bays for residential developments is regulated at the development assessment stage as per State Planning Policy 3.1 – the Residential Design Codes (The R-Codes) and can be provided on or off-site.

City of Belmont *Standing Orders Local Law 2012* stipulates:

"6.8 Petitions

1. A petition is to –

(a) be addressed to the Mayor;

(b) be made by electors of the district;

(c) state the request on each page of the petition;

(d) contain the name, address and signature of each elector making the request, and the date each elector signed;

Item 12.1 Continued

(e) contain a summary of the reasons for the request; and

(f) state the name of the person to whom, and an address at which, notice to the petitioners can be given.

2. Upon receiving a petition, the local government is to submit the petition to the relevant employee to be included in his or her deliberations and report on the matter that is the subject of the petition, subject to subsection (3).

3. At any meeting, the Council is not to vote on any matter that is the subject of a petition presented to that meeting, unless –

(a) the matter is the subject of a report included in the agenda; and

(b) the Council has considered the issues raised in the petition."

While the correspondence does not meet the requirements of a petition in that it does not meet all of the above criteria, it shall be treated in the same manner.

BACKGROUND

The correspondence received by the City, written by Mr Derek Russell, the owner of 1/51 Tidewater Way, discusses the following:

- The owners of 19 and 30 Riverina Drive, and 45 and 51 Tidewater Way feel the parking immediately adjacent to their properties is insufficient.
- It is noted all properties in question have two car bays each.
- The adhoc parking is occurring on the verge when the on-street bays immediately adjacent are full.
- The owners have called the rangers regarding the matter.
- They are concerned about the safety issues.
- They request the City provides:
  - Additional six parking bays adjacent to 19 and 30 Riverina Drive.
  - Increase the number of bays on Waterway Crescent from six to eight.
  - Install additional bollards.
- They believe the bollards are needed as the additional bays will not solve the problem alone.

It is noted that the letter refers to 38 properties where there are 36. Twenty-six (26) responses supportive of the proposal have been forwarded to the City of Belmont.

Item 12.1 Continued

At the development assessment stage of the affected dwellings, the City determined that there was sufficient parking provided in accordance with the R-Codes as follows:

- **Numbers 19 and 30 Riverina Way** are both single houses with two bays each provided on-site. There is no requirement to provide visitors parking for single houses.

- Twenty-two (22) grouped dwellings were approved at **51 Tidewater Way** by Council at the Ordinary Council Meeting on 24 March 2003 (Item 9.6.8). Each dwelling was provided with two bays on-site.

  Under the R-Codes, the 'acceptable development' required six visitor parking bays on-site. The Council approved a variation to this, allowing two on-site, with four being constructed on Tidewater Way. This variation was considered to meet the 'performance criteria' for off-site parking with the applicant paying a cash-in-lieu contribution for these addition bays as per Condition 17 of the approval.

  This development was therefore deemed to meet the parking requirements. However it is noted that the two on-site visitor's bays are located behind gates and are not visible or obvious from the street.

- The development at **45 Tidewater Way** consists of 12 multiple dwellings. There are 24 bays provided on-site, which equates to two per dwelling with no visitor bays on-site. At the time of approval, this was a shortfall of nine bays. The application was approved by Council at the 27 August 2001 Ordinary Council Meeting (Item 8.6.8) with the shortfall of bays on the condition that the developer pay for the cost of constructing two bays in the street verge.

  The justification provided to Council for the short fall is as follows:

  > *"Two car bays have been provided for each dwelling in the undercroft car-parking area. The 24 bays provided represent a shortfall of nine bays under the requirements of the Residential Planning Codes; however this requirement is excessive because the parking calculation uses the increased plot ratio figures. It is proposed that visitor car parking will be provided as on street embayments immediately adjacent to the development along Tidewater Way"*

  And conditioned as follows:

  > *"12. Two visitor car bays to be provided off-site, designed and constructed to Council's specifications in accordance with the ascot waters requirements, at the cost of the developer."*

OFFICER COMMENT

The letter requests that the City removes the existing verge and street trees to create eight additional bays along Tidewater Way and Waterway Crescent in Ascot Waters. While the Officers understand the frustration that may be caused by the current adhoc parking, the proposal for new bays is considered premature and is not supported for a number of reasons as discussed below.

Item 12.1 Continued

Provision of Parking under the R-Codes

The provision of parking was assessed and deemed appropriate at the development assessment stage for all the dwellings affected.

Under the 2010 and current R-Codes, the development at 45 Tidewater Way would have been considered to have a surplus of six bays. This is based on the current requirement of 1.25 per dwelling, and one visitor bay per four dwellings, totalling 15 private bays and 4 visitor bays. All of the bays for 45 Tidewater Way are located behind secure gates.

Availability of Street Parking within Ascot Waters

Ascot Waters has ample on street parking bays to cope with visitors and overflow. Specifically 43 parking bays are located within 200 metres of 45 and 51 Tidewater Way as shown below (Figure 1). These on-street bays are located adjacent to single dwellings which all have a minimum of two bays on-site for private use. Therefore this additional parking is available for visitors to the residential area.

From a review of Nearmaps it would appear that there are generally bays available within 200 metres of 45 and 51 Tidewater Way.

If Council were to endorse the apparent shortfall of bays in front of the subject properties rather than assess the supply and availability of bays in the precinct as a whole, the City could lose large portions of verge, soft landscaping and street trees, impacting the amenity of the area.

Figure 2

Item 12.1 Continued

Urban Forest Strategy

The proposal includes the removal of street trees and green infrastructure to provide additional bays. This conflicts with the objectives of the Urban Forest Strategy which has been adopted by Council.

The objectives of the Urban Forest strategy include:

- *"Recognise the urban forest canopy as a tangible asset which requires ongoing asset management and protection."*

- *"Identify, utilise and enhance available space for the planting of appropriate tree species within the City to allow the advancement of the urban forest's canopy coverage."*

The Urban Forest Strategy discusses the importance of retaining street trees, canopy coverage and green infrastructure and states:

> *"The value of canopy cover and the urban forest should be recognised as paramount to the liveability of urban environments. Without an urban forest, the hard constructed nature of the built environment contributes to the deterioration of the communities occupying them, and in turn diminishes a community's identity, health and quality of life."*

The retention of existing streets trees and green infrastructure should be a priority as they influence local microclimates and reduce daily maximum temperatures. Green infrastructure and canopy coverage should also be recognised as supporting elements in achieving other objectives, such as water quality improvement, drainage and permeability, biodiversity conservation and general aesthetics. This is particularly relevant considering the supply and available of on-street bays in the vicinity.

Street trees and green landscaping are also important in supporting healthy lifestyle choices and improving community wellbeing. The Urban Forest strategy identifies 'green infrastructure' as an enabler for improved health and wellbeing by increasing the likelihood of residents engaging in physical activities including cycling and walking, increasing social cohesion and sense of place, and increasing the sustainability communities and urban environments.

Not only would the provision of additional bays involve removing existing street trees and green landscaping (a tangible asset that requires protection), it would reduce the opportunity for additional street trees in the future.

Parking Infringements

Parking infringements in the City of Belmont are a complaint driven process. From the figures provided by the Rangers Department it is possible to see that there have been relatively few complaints in relation to the adhoc parking on Tidewater Way received by the City.

	2014	2015
Tidewater Way	19	13
Rowe Avenue, Rivervale	191	46
Tanundra Drive, Rivervale	99	25

Item 12.1 Continued

It can also be concluded that the issuing of parking tickets has worked as a deterrent of adhoc parking occurring in other areas of Belmont.

Supporting the formalisation of additional on-street parking would set an undesirable precedent in the City with the potential for mass paving of verges in residential areas. It is also noted in the correspondence, that it is believed even with the additional parking bays, people will still park on the verge, and so additional bays would not solve the problem.

Option 1 – Provide Parking

This is not support by the Officers and is considered premature.

Option 2 – Line marking and Signs

The installation of 'no parking on verge' signs and line-marking yellow 'no stopping' lines would act as a deterrent.

This option has minimal financial implications or impact on the amenity and green infrastructure. This is the current preferred option.

Option 3 – Additional Bollards

In the event that the line-marking and signs are not sufficient, the installation of additional bollards as a physical barrier could be considered.

It is estimated that 77 bollards would be required for the area requested in the correspondence to Council, shown in blue below (Figure 2).

Figure 3

Item 12.1 Continued

Currently within Ascot Waters there are blue square wooden bollards (below left), with an alternative solution being recycled plastic bollards (below right).

The existing wooden bollards are no longer stocked by the supplier but can be sourced on request. The supplier has advised they would *"definitely be higher than $130 each"* plus the protective sleeve and installation. In comparison, the recycled plastic bollards are about $50 each.

A staged approach is recommended with the installation of no parking signs and line-marking to deter adhoc parking from continuing to occur adjacent to 19 and 30 Riverina Way. If the signs and line-marking do not improve the situation, bollards can be installed as a physical barrier to prevent parking on the verge and encourage the visitors to park in the bays available on nearby streets.

FINANCIAL IMPLICATIONS

Bollards

The supply and installation of recycled plastic bollards is estimated to be between $20,000–$22,000. This is based on an estimate of 77 bollards required to section off the verge that is subject to the adhoc parking. The number of bollards may be reduced were existing street trees and existing physical features assist in stopping cars from mounting the verge, and where yellow 'no stopping' lines are located around the street corners.

Bays

The estimated cost for installation of eight bays is $52,000 at $6,500 per bay.

This cost is for the provision of parking bays only and does not include the lost assets including street trees and green infrastructure, or the reduced opportunity for more street trees in the future.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

Item 12.1 Continued

OFFICER RECOMMENDATION

That:

1. Council resolve to endorse the installation of no parking signs and line-marking.

2. Officers monitor the effectiveness of the no parking signs and line-marking.

3. The author of the correspondence be advised of the outcome.

Note

Cr Powell put forward the following Alternative Councillor Motion.

ALTERNATIVE COUNCILLOR MOTION

POWELL MOVED, ROSSI SECONDED, That:

1. Council resolve to endorse the installation of no parking signs and line-marking, where applicable.

2. Officers monitor the effectiveness of the no parking signs and line-marking.

3. Five car-parking bays be constructed in the road reserve opposite units 51 and 45 Tidewater Way.

4. The construction of the bays mentioned in recommendation 3 are financed from the Municipal Fund and subject to approval at the March 2016 Budget Review.

5. The author of the correspondence be advised of the outcome.

Reason

To correct the parking problem in Tidewater Way, Ascot

CARRIED 8 VOTES TO 1

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

12.2 FORMAL ADOPTION OF THE ANNUAL REPORT 2014-2015

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 2 – Item 10.2 refers	**City of Belmont Annual Report 2014-2015**

Voting Requirement	:	Absolute Majority
Subject Index	:	32/001 – Operational/Strategic Planning-Originals
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Corporate and Governance

COUNCIL ROLE

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

PURPOSE OF REPORT

To adopt Council's Annual Report for 2014-2015.

SUMMARY AND KEY ISSUES

The statutory Annual Report is prepared to advise the Community on the activities of the local government and includes the audited Annual Financial Report. The Annual Report also contains an overview of the Plan for the Future. The Annual Report is to be presented to the Annual Electors Meeting that must be conducted prior to the 31 December of the financial year being reported on, however, if the Auditor's Report is not available in time for acceptance by 31 December, then it must be accepted within two months of receiving the Auditor's Report.

Item 12.2 Continued

LOCATION

N/A.

CONSULTATION

No public consultation was considered to be required in respect to this matter. The Annual Financial Report and Audit Report have been considered by the Audit and Risk Committee.

STRATEGIC COMMUNITY PLAN IMPLICATIONS

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

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

Section 5.53(1) of the *Local Government Act 1995* prescribes that a Local Government must prepare an Annual Report and Section 5.53(2) prescribes what must be contained within the Annual Report.

Section 5.54 of the *Local Government Act 1995* prescribes that the Annual Report be accepted by the Local Government by 31 December after that financial year however, if the Auditor's Report is not available in time for acceptance by 31 December, then it must be accepted within two months after the receipt of the Auditor's Report.

Section 5.55 of the *Local Government Act 1995* prescribes that local public notice is to be given as soon as practicable, as to the availability of the Annual Report after its acceptance by the Local Government.

Section 29(2) of the *Disability Services Act 1993* requires a Local Government with a Disability Services Plan to report via its Annual Report on the implementation of this Plan.

Principle 6 of the State Records Principles and Standards 2002 (*State Records Act 2000)* requires that the City's Annual Report include evidence on the efficiency and effectiveness of the City's Record Keeping Plan, training and induction programs.

Section 94 of the *Freedom of Information Act 1992* requires the City to provide an "Information Statement" that outlines the structure of the City, access to information and a range of other information. The City provides details of our "Information Statement" in our Annual Report.

Item 12.2 Continued

BACKGROUND

The local government is required to prepare, adopt and advertise its Annual Report, prior to the Elector's Meeting. The Annual General Meeting of Electors is scheduled to take place at 7.00pm on Wednesday, 16 December 2015.

OFFICER COMMENT

The Annual Report contains:

- Reports from the Mayor and Chief Executive Officer together with reports from individual Committee Presiding Members
- A copy of the Financial Statements including the Auditor's Report
- An overview of the Plan for the Future
- Report on City's Disability Services Plan achievements
- Details of the City's Freedom of Information Act - Information Statement
- Report on the status of the City's Record Keeping Plan.

In accordance with the City's Policy BEXB11B, a table is included which discloses the total expenditure on Professional Development activities by Councillors for the year being reported on. The listed expenditure does not include Council Nominated Professional Development and Authorised Travel as defined in the policy.

A copy of the Annual Report has been provided (refer Attachment 2) and a final "published" version will be circulated to all Councillors when they become available.

The official published copy of the Annual Report will be available for members of the public at the Electors Meeting and includes a complete Annual Financial Report, however a copy will be made available for public inspection as soon as practicable following Council's resolution on this report.

Council is also advised that arrangements have been made for the appropriate advertising to be carried out once the Annual Report has been accepted.

FINANCIAL IMPLICATIONS

There are no significant financial implications evident at this time other than the costs associated with publication of the Annual Report and statutory advertising.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

Item 12.2 Continued

OFFICER RECOMMENDATION

That:

1. Council accept the 2014-2015 Annual Report as included in Attachment 2.

2. The availability of the Annual Report is advertised in accordance with Section 5.55 of the Local Government Act 1995.

3. The Annual Report be available for distribution to members of the public at the Annual Meeting of Electors on Wednesday, 16 December 2015 and a copy be available for inspection by the public as soon as practicable after this meeting.

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

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

12.3 QUOTATION 21/2013 – FINANCIAL AUDIT SERVICES

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Nil.

Voting Requirement	:	Absolute Majority
Subject Index	:	135/2013-Q21
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	Item 12.3 Ordinary Council Meeting 25 March 2014
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 recommend the extension of Quotation 21/2013 – Financial Audit Services for a further one year extension to concurring partners Patrick Warr and Michael Hillgrove of Grant Thornton Audit Pty Ltd.

SUMMARY AND KEY ISSUES

To recommend the extension of Quotation 21/2013 – Financial Audit Services for a further one year.

Item 12.3 Continued

LOCATION

N/A.

CONSULTATION

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

STRATEGIC COMMUNITY PLAN IMPLICATIONS

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

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

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

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

Section 7.3 of the *Local Government Act 1995* states –

"7.3. Appointment of auditors

(1) A local government is to, from time to time whenever such an appointment is necessary or expedient, appoint a person, on the recommendation of the audit committee, to be its auditor.*

** Absolute majority required.*

(2) The local government may appoint one or more persons as its auditor.

(3) The local government's auditor is to be a person who is —

(a) a registered company auditor; or

(b) an approved auditor."

BACKGROUND

The City's Standing Committee (Audit and Risk) reviewed the proposed evaluation criteria at its meeting of 28 October 2013 and an Invitation to Quote for the provision of Financial Audit Services was emailed through the WALGA eQuotes system on Friday, 15 November 2013, closing on Tuesday, 3 December 2013.

Item 12.3 Continued

Following the evaluation process the Officers' recommendation was adopted by the Standing Committee (Audit and Risk) at its meeting of 25 February 2014 before going to the Ordinary Council Meeting held 25 March 2014.

Council awarded the tender for the provision of Financial Audit Services to concurring partners Patrick Warr and Michael Hillgrove of Grant Thornton Audit Pty Ltd to cover two financial years ending 30 June 2015 with the option to extend for a further one year. The contract term would have been for three years with a two year extension but was reduced due to local government reform.

OFFICER COMMENT

The current auditor, Patrick Warr of Grant Thornton Audit Pty Ltd, has been performing to a satisfactory standard, completing audits and producing reports as required. Officers recommend extending the contract for Quotation 21/2013 – Financial Audit Services for a further one year being the year ending 30 June 2016.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

COMMITTEE RECOMMENDATION

1. That Council approve the extension of the current arrangements with concurring partners Patrick Warr and Michael Hillgrove of Grant Thornton Audit Pty Ltd for a further one year commencing 4 January 2016.

2. That the Coordinator Contracts and Tenders advise the Contractor by letter of the decision to extend the contract under the same terms and conditions as Quotation 21/2013 for the provision of Financial Audit Services for an amount of $20,500 (excluding GST).

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

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

12.4 CHIEF EXECUTIVE OFFICER'S SYSTEMS AND PROCEDURES REVIEW: *LOCAL GOVERNMENT (AUDIT) REGULATIONS 1996*, REGULATION 17

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 3 – Item 10.4 refers	**Policy Manual Extract**
Attachment 4 – Item 10.4 refers	**Terms of Reference – Business Improvement Team**

Voting Requirement	:	Simple Majority
Subject Index	:	19/003
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil.
Previous Items	:	OCM 25 November 2014 – Item 12.8
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.*
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PURPOSE OF REPORT

To provide Council with information and seek endorsement of the various systems and procedures to demonstrate compliance with Regulation 17 of the *Local Government (Audit) Regulations 1996.*

Item 12.4 Continued

SUMMARY AND KEY ISSUES

The Chief Executive Officer (CEO) has an obligation to review certain systems and procedures relevant to risk management, internal control and legislative compliance. This is required to be completed every two years.

This compliance obligation was inserted within the *Local Government (Audit) Regulation 1996* in February 2013, with the inaugural report endorsed by Council at its meeting of 25 November 2014.

At the 25 November 2014 Ordinary Council Meeting, Council endorsed the inaugural report and noted that future reviews undertaken by the CEO will be conducted on a rolling cycle. This 2015 review will focus on internal control and legislative compliance, and the 2016 review will focus on risk management.

Information that supports the systems and procedures for the two targeted elements of Regulation 17 under review in 2015 is significant. This report will make reference to not all but some of the key representations and the supporting evidence.

LOCATION

N/A.

CONSULTATION

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

STRATEGIC COMMUNITY PLAN IMPLICATIONS

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

Objective: 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 and ensure decision making is supported by effective information and knowledge management.

POLICY IMPLICATIONS

Council has in place a number of policies that support the intent of this regulation which are relevant to internal control and legislative compliance. These policies include:

BEXB31 Compliance Management

Policy Objective

The City of Belmont recognises that its organisational value of INTEGRITY is a prerequisite to the City being able to act to achieve its Vision.

Item 12.4 Continued

The objective of this policy is to provide a framework that supports the City in identifying, applying and monitoring compliance requirements across the City's activities and services.

BEXB38 Business Improvement Policy

Policy Objective

The City of Belmont will be recognised as a leader in business improvement by demonstrating responsible stewardship of our operations in Local Government.

Refer Attachment 3 for an extract of the Policy Manual.

STATUTORY ENVIRONMENT

Regulations 16 and 17 of the *Local Government (Audit) Regulations 1996* state:

"16. Audit committee, functions of
An audit committee —

(c) is to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to —

(i) report to the council the results of that review; and

(ii) give a copy of the CEO's report to the council.

[Regulation 16 inserted in Gazette 31 Mar 2005 p. 1043; amended in Gazette 8 Feb 2013 p. 867.]

17. CEO to review certain systems and procedures

(1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —

(a) risk management; and

(b) internal control; and

(c) legislative compliance.

(2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.

(3) The CEO is to report to the audit committee the results of that review.

[Regulation 17 inserted in Gazette 8 Feb 2013 p. 868.]"

BACKGROUND

The Standing Committee (Audit and Risk) is to consider the CEO's reviews of the appropriateness and effectiveness of the local government's systems and procedures in regard to risk management, internal control and legislative compliance and report to Council the results of those reviews. The Department of Local Government and Communities (DLGC) has produced an Operational Guideline (No. 9 – Revised September 2013) addressing audit in local government. This Operational Guideline outlines issues that should be considered as part of this review.

Item 12.4 Continued

Internal Control

Internal control is a key component of a sound governance framework, in addition to leadership, long-term planning, compliance, resource allocation, accountability and transparency. Strategies to maintain sound internal controls are based on risk analysis of the internal operations of a local government.

An effective and transparent internal control environment is built on the following key areas:

- integrity and ethics
- policies and delegated authority
- levels of responsibilities and authorities
- audit practices
- information system access and security
- management operating style and
- human resource management and practices.

Internal control systems involve policies and procedures that safeguard assets, ensure accurate and reliable financial reporting, promote compliance with legislation and achieve effective and efficient operations and may vary depending on the size and nature of the local government.

Aspects of an effective control framework will include:

- delegation of authority
- documented policies and procedures
- trained and qualified employees
- system controls
- effective policy and process review
- regular internal audits
- documentation of risk identification and assessment and
- regular liaison with auditor and legal advisors.

The following are examples of controls that are typically reviewed:

- separation of roles and functions, processing and authorisations
- control of approval of documents, letters and financial records
- comparison of internal data with other or external sources of information
- limit of direct physical access to assets and records
- control of computer applications and information system standards
- limit access to make changes in data files and systems
- regular maintenance and review of financial payments and reconciliations and
- comparison of the result of physical cash and inventory counts with accounting records.

Item 12.4 Continued

Legislative Compliance

The compliance programs of a local government are a strong indication of attitude towards meeting legislative requirements. Audit committee practices in regard to monitoring compliance programs typically include:

- Monitoring compliance with legislation and regulations.
- Reviewing the annual Compliance Audit Return and reporting the review to Council.
- Staying informed about how management is monitoring the effectiveness of its compliance and making recommendations for change as necessary.
- Reviewing whether the local government has procedures for it to receive, retain and treat complaints, including confidential and anonymous employee complaints.
- Obtaining assurance that adverse trends are identified and review management's plans to deal with these.
- Reviewing management disclosures in financial reports of the effect of significant compliance issues.
- Reviewing whether the internal and/or external auditors have regard to compliance and ethics risks in the development of their audit plan and in the conduct of audit projects, and report compliance and ethics issues to the audit committee.
- Considering the internal auditor's role in assessing compliance and ethics risks in their plan.
- Monitoring the local government's compliance frameworks dealing with relevant external legislation and regulatory requirements.
- Complying with legislative and regulatory requirements imposed on audit committee members, including not misusing their position to gain an advantage for themselves or another or to cause detriment to the local government and disclosing conflicts of interest.

The Standing Committee (Audit and Risk) plays a key role in assisting and guiding the local government to fulfil its commitment to good governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, legislative compliance, ethical accountability and the internal and external audit functions.

The Standing Committee (Audit and Risk) is to consider the CEO's reviews (Regulation 17) of the appropriateness and effectiveness of the local government's systems and procedures in regard to risk management, internal control and legislative compliance and report to the Council the results of those reviews.

No Committees of Council have delegated authority from the Council and consequently undertakes a review and advisory function with recommendations made to Council for formal decisions. No committee can be given a management function where the Act and Regulations make the CEO specifically responsible. Where the local government is assigned the function through the legislation, the Standing Committee (Audit and Risk) may have a role unless the function has been delegated to the CEO by the Council.

Item 12.4 Continued

OFFICER COMMENT

Internal Control

The internal control aspects for a broad and diversified business such as local government are extensive. All of the aspects mentioned by the DLGC are deployed by the City; delegation of authority, documented policies and procedures, trained and qualified employees, system controls, effective policy and process review, regular internal audits, documentation of risk identification and assessment, and regular liaison with the auditor and legal advisors.

In addition to the above aspects and one which distinguishes the City from many other local governments is its commitment to quality and continuous improvement through the use of various International and Australian Standards and the Australian Business Excellence Framework.

These tools have assisted the City to design, implement and monitor a Business Management System placing the City in the top performing local governments in Western Australia.

The Business Improvement Team (BIT) is primarily responsible for maintaining certification in ISO9001 Quality Management Systems, AS4801 Occupational Health and Safety Management Systems and ISO14001 Environmental Management Systems. Refer Attachment 4 for the Terms of Reference for the Business Improvement Team.

To achieve this, the BIT plays a primary role in leading, training and developing individuals and teams, in establishing, developing and implementing key operational functions and drivers within a Business Excellence framework. This includes but is not limited to: Continuous Improvement Teams, Australian Business Excellence Framework (ABEF), continual improvement, customer service, operational innovations and upgrades, etc.

Through this, the Business Improvement Team is committed and responsible for driving a Business Excellence culture within the organisation; to achieve a culture where Quality, Safety, Environmental and Risk Management become the philosophies for individual employees and is embedded in the City's Strategic Community Plan. Some examples that drive internal control are:

1. Business Management System.

   The City's Business Management System (BMS) forms the foundation for organisational process control within a well-structured documentation model. The system adopted by the City is certified by SGS Australia Pty Ltd in conformance to the Standard requirements of ISO9001 Quality Management Systems, AS4801 Occupational Health and Safety Management Systems and ISO14001 Environmental Management Systems.

   The formal review of the Business Management System from both internal and external system audits forms a quantitative measure of the systems acceptability and conformity.

   The BMS is integrated into the City's electronic document control system Enterprise Content Management (ECM) to ensure overall integration and control of organisational systems and resources.

Item 12.4 Continued

2. Documented Procedures.

The City uses internal controls for documented procedures in the BMS to achieve the following:

- Ensure compliance with policies, plans, procedures, laws and regulations.
- Ensure the efficient, economical and effective use of resources.
- Enable the accomplishment of established objectives and goals for operations or programs.

Clarity and continuity in the operation of any internal control is achieved by documenting the controls appropriately. Appropriate documentation has the effect of clarifying the control activity and creating the appropriate control environment by improving the awareness and actions of staff.

Each procedure documents the responsible staff and all documents in the BMS are reviewed within a standardised three year period. New or amended control documentation follow a clearly defined approval process to ensure all relevant staff are aware of the new or amended control and have been appropriately trained in its application.

Retention of documents resulting from the operation of a control is essential to not only provide evidence of its existence and operation but also to provide a trail in the vent of a breakdown of the control. The City has an over-arching System Procedure to instruct staff in the retention of records in addition to process steps about retaining records in individual documented processes.

3. Reports.

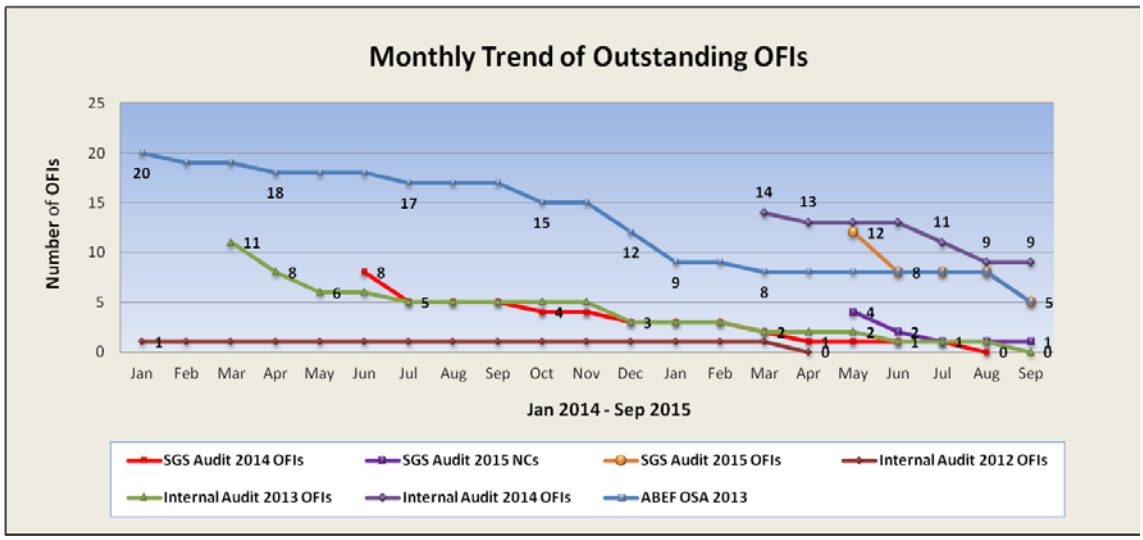
Reports provide an overview of how the City is progressing in terms of performance and control of the Quality, Safety and Environmental Management Systems and the BMS for the period under review.

The following sample reports provide the progress and status updates for activities such as opportunities for improvement (OFI) identified from the City's Internal and SGS Audits, the Australian Business Excellence Framework's Organisational Self-Assessment (OSA) and the management of documented processes and procedures using the System Improvement Requests (SIR) as per the City's Business Management System framework. The OFI items are reported to the Executive at bi-monthly Business Improvement Team meetings until they are closed out.

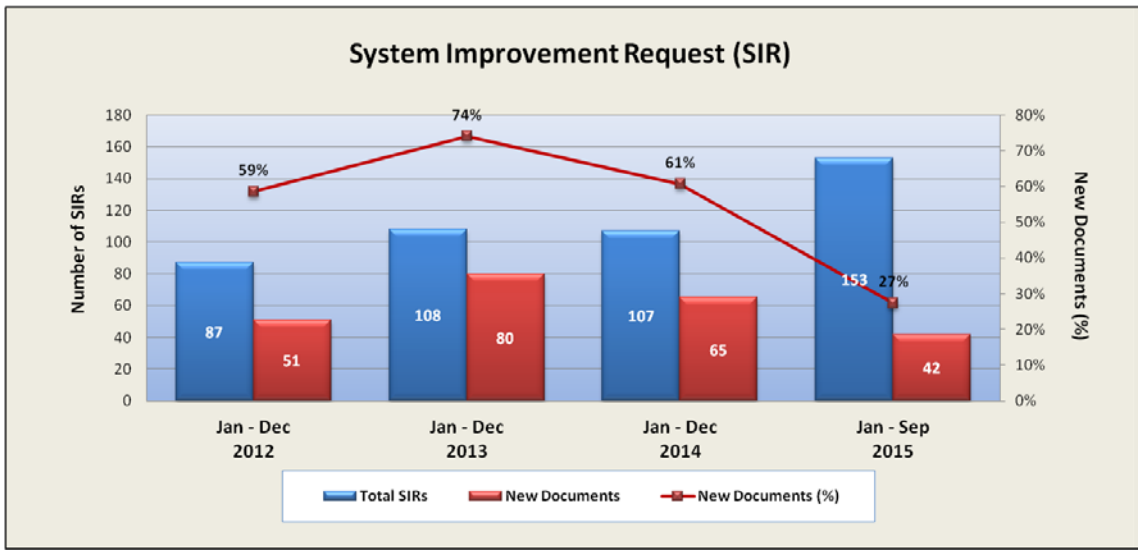
The results of the 2015 SGS Audit were presented to the 27 July 2015 Standing Committee (Audit and Risk) meeting.

Item 12.4 Continued

3.1 Internal and SGS Audits and OSA – Opportunity For Improvement (OFI)



3.2 Documentation of Processes and Procedures – SIR Submission



Item 12.4 Continued

4. Performance Management Review

The Performance Management Review (PMR) is a monthly meeting of the Senior Management Team and at the end of each quarter includes the entire management team. The purpose of the PMR is to consider information both of a strategic and operational nature so as to ensure that the organisation is effective, efficient, legislatively compliant, risk controlled and meeting the required objectives of a best practice local government.

A typical agenda may include such items as:

KEY TREND CHARTS	
Recruitment and selection	Youth Centre attendances
Terminations	Youth Centre outreach work
Staff availability (trend)	Library statistics
Terminations/total staff	Number of planning applications lodged
Employee opinion survey	Value of planning applications lodged
Staff development reviews	Number of building applications approved in Belmont
Full time equivalents	Value of building works approved in Belmont
Rehabilitation and return to work programmes	Building maintenance expenditure
Occupational Safety and Health training and development	Building projects expenditure
Capital grant/contribution income	Building capital works expenditure
Operating grant/contribution income	Public art status report
Infrastructure expenditure to rate revenue	Media and communications
Capital/operations ratio	Technical Services update
Wages/salaries margin	Assets report – paths
Rates outstanding by period	Assets report – drainage
Divisional financial analysis	Assets report playgrounds
Strategic Community Plan and Corporate Business Plan	Assets report – Public Open Space and irrigation
Business Improvement report	Reactive maintenance
Emergency Management update	Assets report - buildings
Belmont HACC services programme statistics	Assets report – public art
Youth Centre contacts	

The table below contains a sample of the key documents utilised in delivering internal controls for the City. It is by no means reflective of all supporting documentation.

Document Title	Document Title
Policy BEXB38 Business Improvement	SP22 Training and Competency
SP01 Data Analysis	Audit Plan 2015
SP02 Audit of BMS	Business Management System Manual
SP08 Document Control	BMS Documentation Structure and Definition
SP13 Legal and Compliance Requirements	City of Belmont Values

Item 12.4 Continued

SP14 Management Review	Continuous Improvement Management System
SP15 Strategic Community Plan	Customer Complaint Management Procedure
SP17 Records Management	Customer Focus Plan 2014-2017
SP21 System Improvement Requests	Customer Focus Strategy
Customer Service Charter	PM Internal Audit Evaluation Process
Decision Making Structure – Meeting Cycle	PM Business Excellence OSA Process
Delegated Authority Register	PM SIR Creation and Submission
ECM Guidelines	PM Develop and Maintain Policies
Continuous Improvement Process and Manual	PM Standard Monthly Finance Reports
Information Knowledge Management Strategy	PM Receipting Payments
IT Security Policy	PM Provide Purchasing Services
Process Management Strategy	PM Petty Cash
Public Interest Disclosure Procedures	PM Bank Reconciliations
Record Keeping Plan	PM Investments
Human Resources Policy Manual	PM Manage Recruitment
PM Manage Records	WI Submitting New Documents on Belnet
PM Process Tender Documents	WI RMSS Compliance Manager Audit Guide
PM Process Legal Documents	WI Conducting Internal Audit of BMS
PM Manage FOI Applications	WI Strategic Policy Development
PM Document Box Audits	WI Vital Records
PM Manage Staff Development Reviews	WI Retention and Disposal
PM Manage Payroll	WI Staff Development Reviews
PM Internal Audit Report Preparation	WI Recruitment and Selection

(SP = System Procedure, PM = Process Map, WI = Work Instruction, RMSS = Risk Management and Safety System, ECM = Enterprise Content Management, SIR = System Improvement Request, OSA = Organisational Self-Assessment, FOI = Freedom of Information)

Legislative Compliance

The legislative requirements for local government extend into hundreds of statutes, regulations, policies and guidelines etc. set down by all levels of government. This responsibility requires significant effort and sound systems to be implemented in order to address these many requirements.

1. Compliance Management Plan

   The City's Compliance Management Plan sets out the essential elements of the City's compliance program. The Compliance Management Plan is used to meet the organisation's structural, operational and maintenance requirements and is formatted to reflect Australian Standard 3806-2006 Compliance Programs and aims to:

   - Prevent, and where necessary, identify and respond to, breaches of law, regulations, codes or organisational standards
   - Promote the City's organisational value of Integrity (to act in an honest, professional, open and accountable manner)
   - Assist the City in remaining a good corporate citizen.

Item 12.4 Continued

The City is committed to an operational environment that rigorously supports the organisation in achieving the highest standards in compliance. This is supported by the:

- City of Belmont Policy Manual
- Code of Conduct
- ISO9001 Quality Management Systems, AS4801 Occupational Health and Safety and ISO14001 Environmental Management Systems designed to include specific compliance requirements within processes
- Deployment of the Australian Business Excellence Framework and Guidelines
- Strategic Community Plan 2012-2032 (Currently under review)
- Corporate Business Plan 2015-2019
- Compliance Management Policy (BEXB31)
- Standing Committee (Audit and Risk).

The City's organisational structure supports the delivery of professional advice and support for compliance matters, through the Governance Section. This section is led by the Manager Governance, who has appropriate status and authority to lead and direct the organisation in compliance matters.

The Governance Section has responsibility for the City's Business Management System, which incorporates delivery of compliance requirements throughout the organisation. The City's Business Management System provides Process Owners the mechanism to record succinct details of compliance within Process Maps and outline greater detail in subsequent Work Instructions.

The Business Management System is easily accessible to employees via the City's intranet, Belnet, which also provides access to supplementary information (legislation, policies, codes, industry and organisational standards).

Outsourcing of City activities and therefore the relevant compliance matters are identified, monitored and reported on via the City's Contract Management Process.

The Business Management System is subject to continuous review by Process Users and Owners who are supported with appropriate training and exposure to ensure understanding of their compliance responsibilities.

2. <u>Compliance Accountability Listing</u>

The City maintains a Compliance Accountability Listing, which is a comprehensive list of all identified compliance requirements.

Each compliance influence captured within this listing is assigned to a Compliance Driver. This Officer is identified as the individual within the organisation with sufficient relevant experience and knowledge of that compliance document and who has an appropriate level of authority. This officer is subsequently responsible for actively monitoring and responding to any changes arising from this driver.

Item 12.4 Continued

Appropriate responses to changes arising from compliance accountability listings require officers to test for impact on the City's Business Management System and, by using the BMS System Procedures, engage Process Owners to review existing BMS documents.

Where review (or testing) of the Business Management System fails to identify an existing BMS document that supports a Compliance Accountability Listing item, the relevant officer must identify and ensure that the relevant Manager progresses the development of any necessary new BMS documents. Authorising Officers for new and changes to BMS documents are required to critically review and 'sign off' each process for compliance with the Compliance Accountability influences.

This management approach proactively influences the development of the City's processes and practices to ensure they are continually developed and improved to meet compliance requirements.

3. Department of Local Government and Communities – Statutory Compliance Audit Return

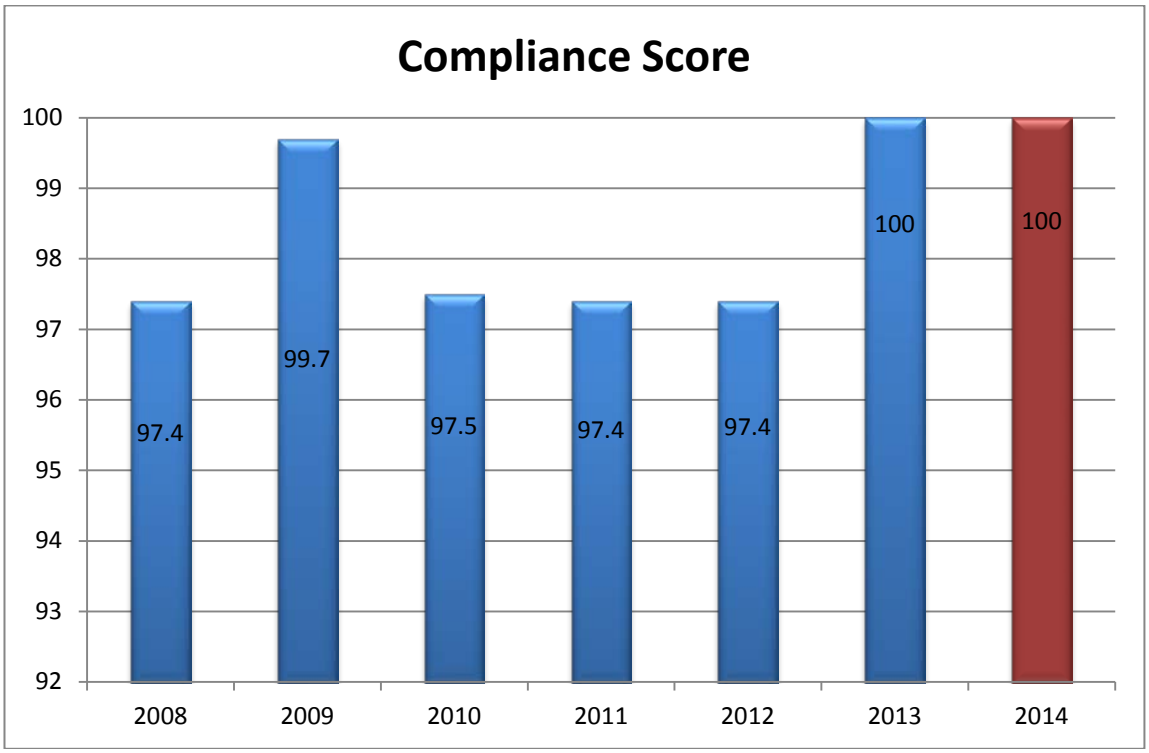
It is a requirement of the *Local Government Act 1995* that a Statutory Compliance Audit Return (CAR) is completed by 31 March of each year. The DLGC provided a set of questions in early January 2015. It should be noted that the City's 2013 and 2014 compliance scores were 100%.

The elements tested for the 2014 DLGC CAR are represented below:

Compliance Area	Full Compliance	Non-Compliance
Commercial Enterprises by Local Government	5	0
Delegation of Power/Duty	13	0
Disclosure of Interest	16	0
Disposal of Property	2	0
Elections	1	0
Finance	15	0
Local Government Employees	5	0
Official Conduct	6	0
Tenders for Providing Goods and Services	15	0

Item 12.4 Continued

City of Belmont Annual Compliance Audit Return Compliance Rates.



The Standing Committee (Audit and Risk) considered the findings of the Compliance Audit Return at its meeting of the 23 February 2015 and Council subsequently at the 24 March 2015 meeting confirmed these findings.

4. Department of Local Government and Communities – Compliance Reviews

The DLGC review all Statutory Budgets, Budget Reviews and Annual Financial Reports to ensure they comply with the *Local Government Act 1995* and relevant regulations. Items of non-compliance are reported to the Chief Executive Officer and depending on the severity of the non-compliance could result in further action.

Relevant sections from the *Local Government Act 1995* and associated regulations have been extracted to formulate a comprehensive compliance checklist that is used to ensure non-compliance issues are mitigated.

5. External Audit

Section 7.2 of the *Local Government Act 1995* requires that "the accounts and Annual Financial Report of a local government for each financial year are audited by an auditor appointed by the local government." This comprises the external audit of the Annual Financial Report and interim audit. The interim audit in particular reviews (predominantly finance related) internal controls and legislative compliance.

Item 12.4 Continued

The Annual Financial Report has more of a focus on compliance with Australian Accounting Standards. Audit Reports are then presented to the Standing Committee (Audit and Risk) before being reported to Council.

The interim audit includes the following areas:

- Purchasing
- Payments and Creditors
- Rate Receipts and Rate Debtors
- Receipts and Sundry Debtors
- Bank Reconciliations
- Payroll
- General Accounting and IT General Controls
- Investments
- Minutes
- Property, Plant and Equipment and Infrastructure.

Items raised that could be improved upon (including areas of non-conformance) are identified in the Auditors report and monitored on a monthly basis by the Business Improvement Team to ensure they are actioned. They are also reviewed by the auditors in subsequent audits.

6. Investment Compliance

On a monthly basis the City's independent investment advisor (CPG Research and Advisory Pty Ltd) reviews the City's investment portfolio. This includes measuring the portfolio's credit quality, counterparty exposure and maturity profile to ensure compliance with both the City's Investment Policy (BEXB35 – Investment of Funds) and the *Local Government (Financial Management) Regulations 1996.* The results of this monthly review have not identified any matters of non-conformance.

7. Financial Management Review

Section 5(2)(c) of the *Local Government (Financial Management) Regulations 1996* requires the Chief Executive Officer (CEO) to undertake a review of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every four financial years) and report to Council the results of those reviews.

The Financial Management Review was undertaken by the City's external auditors and the results reported to the Standing Committee (Audit and Risk) on 23 February 2015 and subsequently endorsed by Council on 24 March 2015. There were no issues raised as a result of the review.

The table below contains a sample of the key documents utilised in delivering legislative compliance to the City. It is by no means reflective of all supporting documentation.

Document Title	Document Title
Policy BEXB31 Compliance Management	PM Develop or Major Review of Strategic Community Plan
Policy BEXB16 Legal Representation for Council Members and Employees	PM Manage Local Laws

Item 12.4 Continued

Policy BEXB 27 Financial Management – Major Land Transactions	PM Manage Internal Accountability
Policy BEXB28 Purchasing	PM Tender Process
Policy BEXB 29 Organisational Record Keeping	WI Standing Committees – Meeting Preparation, Agenda and Minute Production
SP13 Legal and Compliance Requirements	WI Special Council Meeting – Meeting Preparation, Agenda and Minute Production
SP15 Strategic Community Plan	WI Ordinary Council Meeting – Meeting Preparation, Agenda and Minute Production
SP16 Procurement	WI Information Forum – Meeting Preparation, Agenda and Minute Production
SP17 Records Management	WI Agenda Briefing Forum – Meeting Preparation, Agenda and Minute Production
Strategic Community Plan 2012-2032	WI Councillor Workshops
Corporate Business Plan 2015-2019	WI Receiving Served Legal Documents
Standing Orders Local Law 2012	WI Disruptive Behaviour at Council Meetings
City of Belmont Code of Conduct	WI Annual Electors Meeting – Meeting Preparation, Agenda and Minute Production
Compliance Management Plan	WI Notification of Gifts/Hospitality
Compliance Accountability Listing	WI Compliance Accountability Listing
Compliance Calendar	WI Appointment of Authorised Officers
Delegated Authority Register	WI Administer the use of the Common Seal
Freedom of Information Guidelines	WI Tenders Stage 1 Plan and Specify
Public Interest Disclosure Procedures	WI Tenders Stage 2 Invite, Receive and Check
PM Manage External Accountability	WI Tenders Stage 3 Assess and Select
PM Manage Delegations and Authorisations	WI Tenders Stage 4 Award Contract and Update Records
PM Manage Decision Reviews	WI Belmont Trust – Meeting Preparation, Agenda and Minute Production
PM Manage Compliance Calendar	WI Review and Disposal of Electoral Material
PM Develop and Manage Compliance Management Plan	WI Representing the City in Court Proceedings
PM Compliance Audit Return	WI Manage Primary/Annual Returns
PM Audit Planning and Management	WI Manage Delegated Authority Review
PM Administer Local Government Postal Elections	WI Manage Compliance Audit Return
PM Manage Strategic Community Plan	WI Manage Code of Conduct
PM Manage Corporate Business Plan	WI Manage Compliance Calendar
PM Develop and Maintain Policies	

(SP = System Procedure, PM = Process Map, WI = Work Instruction, RMSS = Risk Management and Safety System, ECM = Enterprise Content Management, SIR = System Improvement Request, OSA = Organisational Self Assessment, FOI = Freedom of Information)

Item 12.4 Continued

The City also undertakes operational risk comparisons from time to time to assess the City's operations in comparison with reports from DLCG inquiries, Corruption and Crime Commission (CCC) reports and other relevant reports.
A recent report assessed the City's operations in comparison with risks noted in a CCC report on Misconduct Risk in Local Government Procurement. This operational comparison was presented to the 27 July 2015 Standing Committee (Audit and Risk) and subsequently endorsed by Council at the 25 August 2015 Ordinary Council Meeting.

Investigations by the CCC into procurement related misconduct in local government resulted in eleven risks being noted where situations have led to misconduct in the cases investigated. These risks in relation to the processes at the City have been audited for compliance and then risk assessed.

This operational comparison has reinforced the need to continually audit, review and update processes and documentation to reflect the City's ongoing commitment to business excellence and risk management in all areas of its operations. The results of this operational comparison reflect the strength and sophistication of the City's internal control and legislative compliance processes and procedures.

A presentation was made to the Standing Committee (Audit and Risk) at its meeting of 26 October 2015, outlining the Chief Executive Officer's Systems and Procedures Review.

A series of questions were asked and responded to as follows:

- This report provides information on the appropriate and effective measures the City undertakes in relation to Regulation 17 requirements. Non-conformances and Opportunities for Improvement (OFI) are identified and then rectified.

- OFIs are assessed, costs to implement versus the return and benefits to the community are determined, and then decisions are made whether or not to implement changes.

- The process is evaluated, appropriateness is assessed and all decision making is documented to record the entire process.

- Assessment of the appropriateness and effectiveness of processes and procedures is ongoing.

- Exit interviews with the external auditors provide an opportunity to assess the appropriateness and effectiveness of procedures and the audit process.

- The results of the external audit undertaken by SGS Australia were reported to the 27 July 2015 Standing Committee (Audit and Risk) meeting. This report shows the level of approach undertaken.

- Actions that do not add value are not implemented, however there are statutory and other requirements that may not add value, but are appropriate and undertaken because there is a requirement to do so.

- The Australian Business Excellence Framework has been utilised by the City for approximately 11 years. In that time there have been significant changes to the way things are done.

Item 12.4 Continued

- The usefulness of the Business Excellence approach was underlined during preparations for local government reform. Gaps identified during this time were assessed and analysed in line with the continuous improvement process that is ongoing at the City.

- The Business Improvement framework is particularly effective in assisting new staff to become productive.

- Critical processes and procedures are documented in Process Maps and Work Instructions. The auditors then test the Process Maps and Work Instructions for compliance with current procedures.

- The Business Management System (BMS) is constantly being updated; there is the confidence in the system that the current document is correct.

- The BMS is a work in progress that is under constant review.

- These systems and procedures allow the City to deliver outcomes in a cost efficient, effective way.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

Item 12.4 Continued

COMMITTEE RECOMMENDATION

1. That the Chief Executive Officer's review, as outlined in the above report, addressing the requirements of Local Government (Audit) Regulations 1996, Regulation 17:
"CEO to review certain systems and procedures
(1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to –
(a) risk management; and
(b) internal control; and
(c) legislative compliance."
is endorsed.

2. That Council note that this 2015 review undertaken by the Chief Executive Officer provides information on the various internal control and legislative compliance systems and procedures that demonstrate compliance with Regulation 17 of the Local Government (Audit) Regulations 1996.

3. That Council note that the 2016 review undertaken by the Chief Executive Officer will provide information on the various risk management systems and procedures that demonstrate compliance with Regulation 17 of the Local Government (Audit) Regulation 1996.

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

12.5 AUDIT PLAN 2016

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 5 – Item 10.5 refers	**Proposed 2016 Audit Plan**
Attachment 6 – Item 10.5 refers	**2015 Audit Plan**

Voting Requirement	:	Simple Majority
Subject Index	:	19/003 Audit and Risk Schedule
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil.
Previous Items	:	OCM 25 November 2014 – Item 12.7
Applicant	:	N/A
Owner	:	City of Belmont
Responsible Division	:	Corporate and Governance

COUNCIL ROLE

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

PURPOSE OF REPORT

To seek Council endorsement of the City's 2016 Audit Plan (refer Attachment 5).

SUMMARY AND KEY ISSUES

The City of Belmont conducts and undertakes a range of audit activities.

The City has developed a coordinated approach to these audit activities, the activities are managed year to year by an Audit Plan. The adopted 2015 Audit Plan is attached for reference (refer Attachment 6).

Item 12.5 Continued

LOCATION

N/A.

CONSULTATION

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

STRATEGIC COMMUNITY PLAN IMPLICATIONS

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

Objective: Apply sound and sustainable business management principles.

Strategy: Ensure competitive and sustainable financial performance through effective modelling, financial management and reporting practices which underpin capacity building.

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

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

POLICY IMPLICATIONS

The adoption of the Audit Plan is supported by Council Policies BEXB31 Compliance Management and BEXB38 Business Improvement.

STATUTORY ENVIRONMENT

Section 7.2 of the *Local Government Act 1995* requires the City to conduct annual financial audits.

Regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996* requires the Chief Executive Officer (CEO) to *"undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and no less than once in every four financial years) and to report to the local government the results of those reviews.*

Regulation 14 of the *Local Government (Audit) Regulations 1996* requires that a compliance audit for the period 1 January to 31 December is completed each year in a form approved by the Minister.

Under the International Quality Management Standard ISO 9001:2008 Quality Management Systems (scheduled to be replaced by ISO 9001:2015) the City is required to conduct a program of internal audits.

Item 12.5 Continued

BACKGROUND

A presentation was made to the 26 October 2015 Standing Committee (Audit and Risk) meeting on the City's progress in respect of the 2015 Audit Plan (refer Attachment 6) and the proposed 2016 Audit Plan (refer Attachment 5).

OFFICER COMMENT

The 2016 Audit Plan is based on:

- Internal audit best practice
- Statutory audit requirements
- The integration of the internal audit approach with other management system initiatives being produced by the City (such as Quality Assurance, Risk Management and Process Mapping)
- The need to support the City's chosen governance approach
- The requirement to provide a comprehensive solution that can be undertaken with existing resources.

A presentation was made to the 26 October 2015 Standing Committee (Audit and Risk) meeting on the City's progress in respect of the 2015 Audit Plan (refer Attachment 6) and the proposed 2016 Audit Plan (refer Attachment 5).

A series of questions were asked and responded to as follows:

- The external recertification audit was conducted in May 2015 due to local government reform considerations.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

COMMITTEE RECOMMENDATION

That Council endorse the City of Belmont 2016 Audit Plan as outlined in Attachment 5.

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

12.6 ACCOUNTS FOR PAYMENT – OCTOBER 2015

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 7 – Item 10.6 refers	Accounts for Payment – October 2015

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

COUNCIL ROLE

☐	**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

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.*

LOCATION

N/A.

Item 12.6 Continued

CONSULTATION

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

STRATEGIC COMMUNITY PLAN IMPLICATIONS

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

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

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

> *"If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared:*
>
> *(a) the payee's name*
> *(b) the amount of the payment*
> *(c) the date of the payment*
> *(d) sufficient information to identify the transaction."*

BACKGROUND

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

OFFICER COMMENT

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

Municipal Fund Cheques	786587 to 786627	$202,249.01
Municipal Fund EFTs	EF040978 to EF041434	$7,542,248.46
Trust Fund EFTs	EF040975 to EF040977	$52,403.27
Municipal Fund Payroll	October 2015	$1,472,750.92
Total Payments for October 2015		$9,269,651.66

FINANCIAL IMPLICATIONS

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

Item 12.6 Continued

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER RECOMMENDATION

That the Authorised Payment Listing for October 2015 as provided under Attachment 7 be received.

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

12.7 MONTHLY ACTIVITY STATEMENT AS AT 31 OCTOBER 2015

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 8–Item 10.7 refers	**Monthly Activity Statement as at 31 October 2015**

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

COUNCIL ROLE

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

PURPOSE OF REPORT

To provide Council with relevant monthly financial information.

SUMMARY AND KEY ISSUES

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

LOCATION

N/A.

Item 12.7 Continued

CONSULTATION

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

STRATEGIC COMMUNITY PLAN IMPLICATIONS

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

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

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

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

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

BACKGROUND

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

OFFICER COMMENT

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

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

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

Item 12.7 Continued

The monthly financial report is to be accompanied by:

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

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

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

****Based on a materiality threshold of ten per cent of the budgeted closing balance as previously adopted by Council*.

In order to provide more details regarding significant variations as included in Attachment 8 the following summary is provided.

Report Section	YTD Budget	YTD Actual	Comment
Expenditure – Capital			
Financing Activities	234,456	Nil	Loan repayments are due next month.
Road Works	1,762,696	1,298,616	Projects are generally tracking well with invoices paid one month in arrears.
Operations Centre	471,056	307,050	Variance mainly relates to plant currently on order.
Technical Services	131,092	45,984	Variance relates to fleet currently on order.
Expenditure – Operating			
Computing	718,900	794,903	Annual software licence fees have been paid in full for 2015-2016.
Human Resources	511,851	430,989	Employee related costs are below budget.
Governance	1,131,731	1,019,464	Activity Based Costing (ABC's) allocations are below budget.
Financing Activities	64,986	Nil	Self-supporting loan repayment is due next month.
Building - Active Reserves	233,516	178,338	Building maintenance costs are below budget.
Grounds - Active Reserves	359,669	269,220	Invoices (contractors) are paid one month in arrears.
Streetscapes	338,623	261,520	Variance mainly relates to street tree watering programs that have yet to start.
Revenue – Capital			
Road Works	(95,000)	Nil	Budget spread issue regarding the receipt of road grants.
Revenue – Operating			
Computing	(731,060)	(794,903)	ABC recoveries are above budget.
Accommodation Costs	(217,275)	(268,435)	ABC recoveries are above budget.
Public Works Overheads	(654,961)	(494,702)	Overhead recoveries are below budget.
Plant Operating Costs	(550,049)	(396,934)	Plant recoveries are below budget.
Other Public Works	(11,167)	(66,890)	Private works reimbursement income is above budget.

Item 12.7 Continued

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

Reconciliation of Nett Current Assets to Statement of Financial Activity		
Current Assets as at 31 October 2015	**$**	**Comment**
Cash and investments	66,058,302	Includes municipal and reserves
- less non rate setting cash	(34,837,757)	Reserves
Receivables	13,462,559	Rates levied yet to be received and Sundry Debtors
ESL Receivable	(2,453,700)	ESL Receivable
Stock on hand	236,086	
Total Current Assets	**42,465,491**	
Current Liabilities		
Creditors and provisions	(9,759,979)	Includes ESL and deposits
- less non rate setting creditors and provisions	5,302,608	Cash Backed LSL, current loans and ESL
Total Current Liabilities	**(4,457,371)**	
Nett Current Assets 31 October 2015	38,008,120	
Nett Current Assets as Per Financial Activity Report	38,008,120	
Less Restricted Assets	(347,093)	Unspent grants held for specific purposes
Less Committed Assets	**(37,161,027)**	All other budgeted expenditure
Estimated Closing Balance	**500,000**	

FINANCIAL IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

Item 12.7 Continued

OFFICER RECOMMENDATION

That the Monthly Financial Reports as at 31 October 2015 as included in Attachment 8 be received.

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

13. REPORTS BY THE CHIEF EXECUTIVE OFFICER

13.1 REQUESTS FOR LEAVE OF ABSENCE

Nil.

13.2 NOTICE OF MOTION (CR BASS) – PUBLICATION OF BELMONT BUSINESS ADVISORY GROUP (BBAG) MINUTES

BUSINESS BELMONT

ATTACHMENT DETAILS

Nil.

Voting Requirement	:	Simple Majority
Subject Index	:	32/022 – Notice of Motion
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil.
Previous Items	:	Nil.
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	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.*
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PURPOSE OF REPORT

The purpose of this report is to consider a Notice of Motion prepared by Councillor Bass regarding the publication of BBAG meeting minutes on the City of Belmont website.

Item 13.2 Continued

SUMMARY AND KEY ISSUES

Councillor Bass has submitted a Notice of Motion seeking a report to be presented to the 24 November 2015 Ordinary Council Meeting for Council to consider publishing the minutes of BBAG meetings on the City of Belmont website.

LOCATION

N/A.

CONSULTATION

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

STRATEGIC COMMUNITY PLAN IMPLICATIONS

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

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

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

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

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

BACKGROUND

A Notice of Motion by Councillor Bass reads as follows:

> *"Motion:*
>
> *The City of Belmont publish the minutes of the meetings of the Belmont Business Advisory Group on the Council website.*
>
> ***Reason:***
>
> *To improve transparency for the public in relation to input by the committee regarding issues of town planning and property development within Belmont."*

Item 13.2 Continued

OFFICER COMMENT

The Belmont Business Advisory Group (BBAG) is a volunteer group of local business champions who meet bi-monthly at the City of Belmont to discuss matters of importance to the business community. The group provide an informed, experienced and insightful approach to Belmont issues and have contributed to the development of council policy such as Local Planning Scheme 15.
BBAG is responsible for representing the position of the local business community on any issue that may affect the viability of business and accordingly to communicate with any person, organisation or the media as considered appropriate.

BBAG is responsible for considering, commenting on and responding to issues relevant to the business community as referred to the advisory group by the Council or issues relevant to the Council, which may include but are not limited to the following:

- Future town planning and land use
- Traffic and transport
- Rates and charges
- Promotion
- Enhancing business confidence
- Attraction of businesses
- Compliance and enforcement
- Security and safety.

BBAG is to take a leadership role in exploring, discussing and seeking potential solutions to identified problems and enhancing the opportunities so that not only business owners in the City of Belmont benefit, but all ratepayers, residents and visitors to the City.

The BBAG Terms of Reference state that membership of the Advisory Group will be by invitation from either the City of Belmont or the BBAG. Traditionally, BBAG has invited two representatives of the City of Belmont Council onto the advisory group. At present, the Council representatives to BBAG are the Mayor, Cr Phil Marks and Cr Bernie Ryan.

There are a number of requirements of BBAG members which include:

- All members of the Advisory Group may be asked to perform research, tasks and assume responsibility as required.
- All new members must be endorsed by a majority vote of the existing Advisory Group.
- The Chairperson shall be nominated by representatives of the Advisory Group. Nothing shall prevent an individual being elected to Chairperson on successive occasions.
- The Deputy Chairperson shall be decided upon by the members of the Advisory Group.
- All members of the Advisory Group who are present at a meeting are entitled to vote. Ex-Officio members of the Advisory Group are not permitted to vote (City Officers). Elected Members may be invited by the Chairperson to attend meetings. However, they are not entitled to a vote.
- BBAG may establish a process for seeking information from prospective members to satisfy the advisory group that prospective members will both bring value to the group and appropriately represent the Belmont business community and/or related business support organisations.

Item 13.2 Continued

The City provides administrative support to BBAG and records 'Notes' of BBAG meetings. These meeting notes are then distributed to BBAG members.

BBAG is an advisory group to and for the Council of the City of Belmont, and as such the Council are unable to direct BBAG to take any actions. It is proposed that the publication of BBAG meeting notes on the City of Belmont website is put to the next meeting of BBAG (scheduled for February 2016) for a decision from BBAG to be made.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

COUNCILLOR RECOMMENDATION

That the City of Belmont publish the minutes of the meetings of the Belmont Business Advisory Group on the Council website.

Reason:

To improve transparency for the public in relation to input by the committee regarding issues of town planning and property development within Belmont.

Note

Cr Rossi suggested an amendment to Cr Bass which was agreed to by herself and Cr Hitt.

AMENDED COUNCILLOR RECOMMENDATION

BASS MOVED, HITT SECONDED,

That the City of Belmont ask the Belmont Business Advisory Group to allow their minutes/notes to be published on the Councillor Portal.

Reason:

Belmont Business Advisory Group is an independent group to the City responsible for the production of their own minutes of meetings and therefore the City can only request a copy for publication to the Portal.

CARRIED 9 VOTES TO 0

13.3 NOTICE OF MOTION (CR BASS) – DISCONTINUATION OF THE PROPERTY ALERT SERVICE

BUSINESS BELMONT

ATTACHMENT DETAILS

Nil.

Voting Requirement	:	Simple Majority
Subject Index	:	32/022 – Notice of Motion
Location/Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil.
Previous Items	:	Nil.
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	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

The purpose of this report is to consider a Notice of Motion prepared by Councillor Bass regarding the discontinuation of the City's free Property Alert Service.

SUMMARY AND KEY ISSUES

Councillor Bass has submitted a Notice of Motion seeking a report to be presented to the 24 November 2015 Ordinary Council Meeting for Council to consider ceasing to offer it's free Property Alert Service to property agents and developers highlighting property development opportunities in Belmont.

Item 13.3 Continued

LOCATION

N/A.

CONSULTATION

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

STRATEGIC COMMUNITY PLAN IMPLICATIONS

In accordance with the Strategic Community Plan Key Result Area: Business 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: Enhance the relationship and interaction with existing business entities within the City.

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

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

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

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

BACKGROUND

A Notice of Motion by Councillor Bass reads as follows:

> *"Motion:*
>
> *That the City of Belmont cease offering it's free Property Alert Service to property agents and developers highlighting property development opportunities in Belmont.*

Item 13.3 Continued

Reason:

To reduce the risk of any potential conflict of interest between property developers and the Council and better utilise council resources."

OFFICER COMMENT

The Property Alert! Business Service is a communication tool to local property agents and developers highlighting opportunities in Belmont. Businesses can use the service to locate, relocate or grow their business. They can do this by indicating their requirements and interest to lease or buy a property and contacting the City's Property and Economic Development Team. Information on the Property Alert! Service is provided on the City of Belmont website.

The Property Alert! Service has been in place for a number of years and was created in response to the requirements of the Strategic Community Plan:

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.

The Property Alert! Service includes a database of all property agents and developers which is maintained by the City. Businesses looking to locate, relocate or grow their businesses contact the City and indicate their property requirements and interest. The City facilitates this request by utilising their database and enquiring if any appropriate properties are available. This is a confidential service, and if an appropriate property is located the City will provide the details of the interested business to the property agent. No negotiation is undertaken by the City on behalf of either the business or the property agent.

The City receives positive feedback on the Property Alert! Service and those who have utilised the service advise that is it a great tool for attracting business to Belmont.

The Property Alert! Service is utilised approximately three to four times per year and there is minimal staff time and resources required to provide this service.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

Item 13.3 Continued

COUNCILLOR RECOMMENDATION

That the City of Belmont cease offering it's free Property Alert Service to property agents and developers highlighting property development opportunities in Belmont.

Reason:

To reduce the risk of any potential conflict of interest between property developers and the Council and better utilise council resources.

Note

Cr Gardner suggested an amendment to Cr Bass which was agreed to by herself and Cr Hitt.

AMENDED COUNCILLOR RECOMMENDATION

BASS MOVED, HITT SECONDED,

That the free Property Alert Service be referred to the next available Information Forum.

Reason

To better inform Councillors of this service.

CARRIED 8 VOTES TO 1

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

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil.

15. CLOSURE

There being no further business the Presiding Member closed the meeting at 8.42pm.

MINUTES CONFIRMATION CERTIFICATION

The undersigned certifies that these minutes of the Ordinary Council Meeting held 24 November 2015 were confirmed as a true and accurate record at the Ordinary Council Meeting held 15 December 2015.

Signed by the Person Presiding: _____

PRINT name of the Person Presiding: Philip Marks