City of Belmont
ORDINARY COUNCIL MEETING

MINUTES

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25 May 2010

ATTACHMENTS INDEX

ITEM	SUBJECT HEADING	PAGE

CONFIDENTIAL ATTACHMENTS INDEX

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

MINUTES

PRESENT

Cr G Godfrey, Presiding Member	East Ward
Cr P Marks, Deputy Presiding Member	East Ward
Cr C Hanlon	East Ward
Cr R Rossi	West Ward
Cr P Hitt	West Ward
Cr B Martin	West Ward
Cr J Powell	South Ward
Cr B Whiteley	South Ward
Cr S Wolff	South Ward
Cr J Gee	Central Ward
Cr G Dornford	Central Ward

IN ATTENDANCE

Mr S Cole	Chief Executive Officer
Mr R Garrett	Director Corporate & Governance
Mr N Deague	Director Community & Statutory Services
Mr R Lutey	Director Technical Services
Mr J Olynyk JP	Manager Governance
Mr M Ridgwell	Principal Governance & Compliance Advisor
Mr C Philogene	Senior Governance Officer
Ms S Johnson	Governance Officer

MEMBERS OF THE GALLERY

There were 15 members of the public in the gallery and one representative from the press.

1. OFFICIAL OPENING

The Presiding Member opened the meeting at 7.00pm, 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 & LEAVE OF ABSENCE

Nil.

3. DECLARATIONS OF INTEREST

7.03pm The Principal Governance & Compliance Advisor read aloud the declarations of interest.

3.1 FINANCIAL INTERESTS

Nil.

3.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

Name	Item No. & Title
Cr Dornford	12.1 Lot 10 (67) Belgravia Street, Belmont – Change of Use From Light Industry (Photographic Laboratory) to Dry Cleaning Premises.

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

4.1 ANNOUNCEMENTS

The Presiding Member made the following announcement -

The City of Belmont has recently undergone the Management Systems Surveillance Audit by SGS Systems and Services Certifications which revealed no non-conformities and the SGS audit team has recommended that the City's management system certifications be continued.

The comment from the auditors during the Audit Exit Meeting was that they felt the City had really progressed and that everyone that they had dealt with really was on top of their area. This is great feedback as it shows that the organisation is continuously improving and enhancing its systems and really adding value to the way things are done. Our Quality systems are delivering real outcomes that staff, councillors and residents will benefit from.

4.2 DISCLAIMER

7.03pm The Presiding Member advised the following:

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

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

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

Nil.

5. PUBLIC QUESTION TIME

5.1 RESPONSES TO QUESTIONS TAKEN ON NOTICE

5.1.1 Mr R Birch, 195 Knutsford Avenue, Kewdale

The following question was taken on notice at the Ordinary Council Meeting of 27 April 2010. Mr Birch was provided with a response on 3 May 2010. The response from the City is recorded accordingly –

1. Was Council aware of the safety issue of the insufficient lighting for night swimming at the deep end of the pool at the Oasis Centre?

Response

Council was aware that there were some issues with the light fittings over the main pool. However, the centre managers are responsible for the maintenance and replacement of the lighting in the pool area. They are aware of the issues including the lighting level required and are currently working with contractors to have the lighting fully operational.

5.2 QUESTIONS FROM MEMBERS OF THE PUBLIC

7.04pm The Presiding Member drew the public gallery's attention to the rules of Public Question Time as written in the Agenda. In accordance with rule (l), the Presiding Member advised that she had registered two members of the public who had given prior notice to ask questions, these being Mrs Bass and Mr Greenwood.

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

One member of the public gallery stated their intention to ask a question. This was Mr Broinowski.

5.2.1 Mrs M Bass, 77 Keymer Street, Belmont

Mrs Bass asked a range of questions including details on the acquisition of land in Ascot, the current planting of London Plane trees and Councillor Conferences Expenses.

Response

In view of the lack of clarity and wide-ranging nature of the questions asked, both the Presiding Member and the Chief Executive Officer requested Mrs Bass submit her questions in writing to enable comprehensive responses to be given.

Mrs Bass replied that she would not provide the questions. The Presiding Member advised Mrs Bass that if the questions were not submitted in writing to enable accurate responses by Council then she would rule them out of order.

The written questions were not forthcoming and consequently ruled out of order.

5.2.2 Mr R Greenwood, 151 Coolgardie Avenue, Redcliffe

1. What is the current state of the City's Street Tree Policy and has Council taken a step to removing London Plane trees and perhaps replace these trees with other more suitable native trees which will not cause health concerns?

Response

The Presiding Member replied that the Street Tree Policy is currently under review and added that there will be no further planting of London Plane trees in the City. A Council decision was made previously to not remove the existing London Plane trees.

2. Is there anything Council can do to assist, for example send the street sweeper more often?

Response

The Presiding Member replied that the street sweeper was attending to the area more frequently.

Note

The Director Technical Services advised that the City had requested those people who were concerned about health issues to provide the City with information to support their claim. No information was provided that justified a change to the City's view that the trees should remain.

5.2.3 Mr R Broinowski, 66 Armadale Road, Rivervale

1. What has happened about the meeting the City was going to have with ratepayers regarding Coffey Park and community gardens in the area? Will the meeting still go ahead?

Response

The Director Technical Services replied that due to a previous shortage of staff, these meetings had not occurred. However, a vacancy has been filled and the Officer will coordinate the meeting as resources allow.

2. Was it possible to meet the new Crime Prevention Officer and perhaps attend the Neighbourhood Watch Meetings?

Response

The Presiding Member replied that it would be more appropriate to request a meeting with either the Chief Executive Officer or a Director, rather than an individual Officer.

3. Should the City have electronic recordings of meetings, are we being recorded now and are there recordings in the foyer or visual recordings in the building? Mr Broinowski stated that he would be raising the issue with the Minister for Local Government.

Response

The Presiding Member replied that a decision was made at the 23 February 2009 Council Meeting that the Ordinary Council Meeting would not be recorded. It was also advised that there is no audio recording in any form within the Civic Centre; however, there is security video recording in the foyer and on the outside of the building.

4. How many other Councils record Ordinary Council Meetings?

Response

The Presiding Member replied that she was not sure of the number. However, stated that to the best of her knowledge the majority of Local Governments in Western Australia do not audio record their meetings.

Note

As the Presiding Member was about to close public question time, Mrs Donovan stated her intention to ask a question.

5.2.4 Mrs K Donovan, 22 Riverina Drive, Ascot

1. Was Council aware of the drug paraphernalia found in Centenary Park?

Response

The Presiding Member replied that she was not aware of the drug paraphernalia and asked if the matter had been reported to the police. Mrs Donovan replied she had not. The Presiding Member stated that she would obtain the details so that the issue could be followed up.

7.24pm As there were no further questions, the Presiding Member declared Public Question Time closed.

6. CONFIRMATION OF MINUTES / RECEIPT OF INFORMATION MATRIX

6.1 ORDINARY COUNCIL MEETING HELD 27 APRIL 2010

(Circulated under separate cover)

***WOLFF MOVED, POWELL SECONDED*, That the minutes of the Ordinary Council Meeting held on 27 April 2010 as printed and circulated to all Councillors, be confirmed as a true and accurate record.**

CARRIED 11 VOTES TO 0

Note

Cr Dornford stated that he would vote to carry the recommendation, however it would be under duress.

Cr Powell raised a Point of Order, stating that if Cr Dornford was voting in fear or under duress, he should not be voting.

The Chief Executive Officer advised Cr Dornford that he had been given written advice of the City's Standing Orders and process to be followed if he believed there was an inaccuracy in the minutes and that there is nothing preventing him from following the well established process.

6.2 INFORMATION MATRIX FOR THE AGENDA BRIEFING FORUM HELD 18 MAY 2010

(Circulated under separate cover)

***WHITELEY MOVED, HANLON SECONDED*, That the Information Matrix for the Agenda Briefing Forum held on 18 May 2010 as printed and circulated to all Councillors, be received and noted.**

CARRIED 11 VOTES TO 0

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

The Presiding Member was requested by Cr Hitt to read aloud questions which he had submitted before the meeting. The questions and answers are as follows -

1. What is the total overall budget for Council?

Response

The total application of funds including reserve transfers for 2008/2009 was $47,390,215.

2. What percentage of the budget was for Councillors conferences/learning?

Response

The budget for 2008/2009 was $81,000 or 0.17% of the total budget.

3. What percentage was spent 2008 – 2009 for this?

Response

$50,767 or 62.67% of the budget amount was spent.

4. When was the policy on conferences/learning voted on?

Response

It was adopted on 3 April 2007 at the Ordinary Council Meeting (Item 12.5.7).

5. Can you provide the Councillors' names who voted for and against this motion?

Response

The policy was Carried 10 votes to 0. Those Councillors who voted for the policy were Cr Godfrey, Cr Marks, Cr Bass, Cr Rossi, Cr Martin, Cr Whiteley, Cr Powell, Cr Dornford, Cr Brennan and Cr Hitt.

8. QUESTIONS BY MEMBERS WITHOUT NOTICE

Nil.

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

Nil.

10. BUSINESS ADJOURNED FROM A PREVIOUS MEETING

Nil.

11. REPORTS OF COMMITTEES

11.1 STANDING COMMITTEE (ENVIRONMENTAL) HELD 4 MAY 2010

(Circulated under separate cover)

HITT MOVED, WOLFF SECONDED, That the Minutes for the Standing Committee (Environmental) meeting held on 4 May 2010 as previously circulated to all Councillors, be received and noted.

CARRIED 11 VOTES TO 0

12. REPORTS OF ADMINISTRATION

Item 12.4 was withdrawn at the request of Cr Wolff.
Item 12.5 was withdrawn at the request of Cr Wolff.

POWELL MOVED, HITT SECONDED, That with the exception of Items 12.4 and 12.5 which are to be considered separately, that the Officer Recommendations specifically for Items 12.1, 12.2, 12.3, 12.6, 12.7, 12.8, 12.9, 12.10, 12.11, 12.12 and 12.13 be adopted enbloc.

CARRIED BY ABSOLUTE MAJORITY 11 VOTES TO 0

12.1 LOT 10 (67) BELGRAVIA STREET, BELMONT – CHANGE OF USE FROM LIGHT INDUSTRY (PHOTOGRAPHIC LABORATORY) TO DRY CLEANING PREMISES

BUILT BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 1 – Item 12.1 refers	Schedule of Submissions
Attachment 2 – Item 12.1 refers	Photographs of Property
Attachment 3 – Item 12.1 refers	Site and Elevation Plans

Voting Requirement	:	Simple Majority
Subject Index	:	115/001
Location / Property Index	:	Lot 10 (67) Belgravia Street, Belmont
Application Index		87/2010/DA
Disclosure of any Interest	:	Nil
Previous Items	:	Nil
Applicant	:	Peter D Webb and Associates
Owner	:	T Henry and L J Sharp
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, town planning schemes & 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 town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal*

PURPOSE OF REPORT

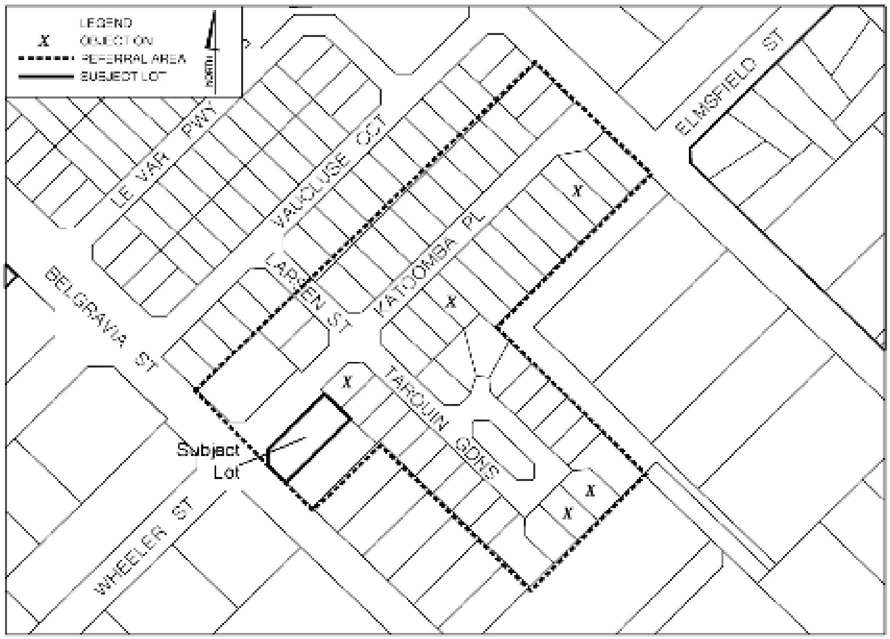
To consider an application for a change of use from Light Industry (Photographic Laboratory) to Dry Cleaning Premises at Lot 10 (67) Belgravia Street, Belmont (refer to Attachment 2 and Attachment 3.

Item 12.1 Continued

SUMMARY AND KEY ISSUES

- The site is zoned mixed business and a dry cleaning premises is a “D” (discretional) use under TPS No. 14.
- The application is required to be determined by the Council as a number of objections have been received from surrounding residents.

LOCATION



CONSULTATION

Category B applications are those that need advertising, additional information, documentation or revisions, approvals from other bodies such as Committees or Council, or are building licences that required a development application. Category B applications may need statutory advertising, referral to neighbours or consideration by Council.

Department of Planning

The proposal was referred to the Department of Planning (DOP) as Belgravia Street is designated ‘Other Regional Road’. The DOP has no objection to the proposal provided that the landowner agrees that any compensation for loss of revenue arising from the change of use will not be sought from Council or the Western Australian Planning Commission (WAPC) when the reserved land is required for upgrading Belgravia Street.

It is considered reasonable to advise the applicant/owner of the future road widening requirement, however the issue of any compensation or not should be addressed at the time the road widening is sought.

Item 12.1 Continued

Submissions

A total of 5 submissions were received from surrounding landowners. A schedule of submissions can be found under Attachment 1 to this report. The submissions relate to concerns raised over potential noise, odours and traffic, all of which have been addressed under the Officer Comment section of this report.

STRATEGIC PLAN IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

Deemed Refusal

Clause 5.5.2 of the City of Belmont Town Planning Scheme No. 14 applies where a landuse is classified as a 'D' or 'S' use under the City of Belmont Town Planning Scheme No. 14 Zoning Table and is subject to advertising requirements detailed in Clause 5.7 of the Scheme. As such, the application is 'deemed to be refused' if it is not determined within a 90 day period.

The only exception to these cases is where there is a written agreement for further time between the applicant and the City of Belmont. In this case, there is no written agreement for the statutory time period to be extended.

The deemed refusal date for this application was the 2 May 2010. Should Council defer this item then the deemed refusal rights will arise before the matter is referred back to Council. It should be noted that additional information together with a noise report was requested on 26 March 2010 and submitted on 21 April 2010.

Right of Appeal

Is there a right of appeal? ☒ Yes ☐ No

The applicant/owner may appeal a planning approval/planning refusal to the State Administrative Tribunal (SAT) subject to Part 14 of the *Planning and Development Act 2005*. Appeals must be lodged with SAT within 28 days. Further information can be obtained from the SAT website – www.sat.justice.wa.gov.au.

BACKGROUND

Lodgement Date:	22 February 2010	**Use Class:**	Dry Cleaning Premises D
Lot Area:	994m^2	**TPS Zoning:**	Mixed Business
Estimated Value:	NA	**MRS:**	Urban

Item 12.1 Continued

Proposal

The proposed dry cleaning application comprises the following:

- Existing office/warehouse premises are proposed to be retained and refitted and the external facade upgraded (painted and new awnings).
- Dry cleaners to provide collection and delivery dry cleaning service to the hotel industry.
- The business will also offer a retail service however the bulk of the dry cleaning associated with this business is collected and delivered to the site in two delivery vans.
- Hours of operation are 7:00am – 5:00pm Monday to Friday, 7:00am – 3:00pm Saturday and Sunday (excluding deliveries on Sunday).
- Employees comprise 8 staff plus 2 delivery drivers.
- A total of 8 car parking bays are required under TPS No.14. 10 bays provided on site resulting in a 2 car parking bay surplus.
- The car park is to be resealed and the landscaping upgraded.
- One way access is proposed (drive in from Katoomba Place and exit Belgravia Street).
- New signage is proposed which will be dealt with under a separate application.

Power Supply

This site has above ground power. There are power poles located along Belgravia Street.

OFFICER COMMENT

Land use

The proposal is located within the City's Mixed Business zone.

> *"The 'Mixed Business' zone is intended to allow for the development of a mix of varied but compatible business uses such as offices, showrooms, amusement centres, eating establishments and appropriate industrial activities."*

Properties located along Belgravia Street are zoned Mixed Business and comprise a variety of commercial uses such as showrooms, auto electrics and warehousing. The site also abuts the Belgravia Residential Estate. There is an existing 2.0m high solid brick wall to the rear boundary of the site which was a condition of the original residential subdivision approval to provide a buffer between the existing commercial premises within the Mixed Business zone and the Belgravia Residential Estate.

The proposed dry cleaning business is considered to be compatible with the existing commercial uses currently operating along Belgravia Street and therefore comply with the provisions and requirements of the Mixed Business zone.

Item 12.1 Continued

Parking and Access

Parking has been calculated at one bay per $50m^2$ Net Lettable Area (NLA) for the dry cleaning use. The plans show a total of $360.72m^2$ NLA floor space. Accordingly a total of 8 car parking bays are required and 10 car parking bays are proposed. The City's Project Development Engineer has advised that it is not appropriate to take future road widening requirement now and therefore an additional bay can be accommodated on site within the Belgravia Street setback area. This results in a 3 car parking bay surplus with a 2 car parking bay surplus once the road widening goes ahead. In addition should Council support the application it is recommended that the provision of end of trip facilities be required in accordance with the City's Travel Smart initiative to encourage alternative methods of travel.

The proposed crossover location and one way parking access with entry from Katoomba Place and exit Belgravia Street is supported by the City's Project Traffic Engineer. However minor modification to the location of the parallel parking bays is required to ensure compliance with Australian Standards and the City's Technical Services requirements.

Landscaping

The development incorporates landscaping along Katoomba Place. It should be noted that future road widening requirements for Belgravia Street are proposed and will reduce the opportunity for landscaping along that frontage. However, it is considered that this reduction of landscaping will be off - set by the presence of landscaping on Katoomba Place, small sections of landscaping abutting the car parking area and a section of landscaping between proposed car parking bay No. 2 and the existing building.

Noise

The applicant appointed Herring Storer Acoustics (HSA) to undertake an assessment of noise emissions from the proposed dry cleaning business. The assessment concluded that

> *"Noise received at the neighbouring residence would, with enclosure of the steam generator, comply with the requirements of the Environmental Protection (Noise) Regulations 1997 for the hours of operation."*

Recommendations made in the report to address potential noise issues included steam generator (shown as plant room on site plan) to be enclosed, compressor to be located within the enclosure and any gaps between walls and roof are required to be sealed. These would be included as conditions of approval.

The potential noise concerns raised by residents in relation to the rear door have been assessed by HSA. It has been recommended that the door be closed whist any equipment is running and a condition would be applied accordingly.

Odour

The applicant has provided additional information regarding odours, including details of exhaust systems. It was concluded that no ducting out or discharge of any gas or liquid from the dry cleaning machine operation will occur. The City's Environmental Health Officer has confirmed that there is unlikely to be issues relating to odour being emitted from the premises.

Item 12.1 Continued

Waste water

The City's Environmental Officer – Light Industry has assessed the application and requested that plans by a licensed plumber be submitted showing all connection of the dry cleaning operation to sewer or any other disposal method to ensure compliance with the *Environmental Protection (Unauthorised Discharges) Regulations 2004*. Accordingly, should Council support the proposal, this requirement of the Regulations should be flagged as an advice note to the applicant.

Submissions Received

Concerns were raised regarding noise, odour and traffic impact. The noise report submitted by the applicant concludes that the premises subject to the modifications to the steam generator, location of compressor being enclosed and rear door being closed during operation times, will comply with the relevant noise levels assigned under the *Environmental Protection (Noise) Regulations 1997*. However with respect to concerns raised regarding weekend operating times, should Council support the proposal, it is considered reasonable to limit the hours of operation to between 7:00am – 5:00pm Monday to Friday and between 8:00am – 3:00pm Saturday and Sunday.

The information provided regarding processes, chemicals and design of equipment including details of exhaust systems also confirms that it will be highly unlikely that there will be any impact from odours, noise or chemical emissions on the surrounding properties.

With respect to traffic, it is noted that Katoomba Place is one of two entrances to Belgravia Residential Estate from Belgravia Street. Although access to the subject site is from Katoomba Place, given the size of the premises and staff numbers it is considered highly unlikely that traffic generated by the premises would have any impact on the residents of Katoomba Place and Tarquin Gardens or Belgravia Residential estate residents.

Given the above, and that the proposed dry cleaning business is considered to meet the objectives of the Mixed Business zone, the application is supported.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

As of the 1 May 2005, Energy Efficiency requirements were implemented via the Building Code of Australia (BCA) Volume 1 and all commercial buildings need to comply with the 'deemed to satisfy' requirements, or alternatively a compliant Energy Audit Report can be submitted by an accredited person.

SOCIAL IMPLICATIONS

There are no social implications at this time.

Item 12.1 Continued

OFFICER RECOMMENDATION

(A) That Council approve planning application 87/2010 as detailed in plans dated 3 March 2010 submitted by Peter D Webb and Associates on behalf of the owner Theodore Henry and Linton Joseph Sharp for Change of Use from Light Industry (Photographic Laboratory) to Dry Cleaning Premises at Lot 10 (No. 67) Belgravia Street subject to the following conditions/reasons:

1. The stamped and dated plan/plans, as amended by the City and together with any requirements detailed thereon by the City, shall form part of the planning approval issued in respect of the application referred to in this approval.

2 Amended site plan to be submitted modifying dimensions of parallel car parking bays to the satisfaction of the Director Technical Services.

3. Access way and parking bays to be paved and drained in accordance with Council's Engineering Requirements and Design Guidelines. to the statsfaction of the Director Technical Services.

4. Access way for vehicles through the lot to be marked as one way only from the entry at Katoomba Place crossover and exiting at Belgravia Street crossover including a 'No Entry' sign shall be erected on the lot at the Belgravia Street crossover .

5. Stormwater runoff shall be disposed off via connecting to the existing system. All existing drains and sump pits shall be cleaned of debris.

6. A landscaping and reticulation plan for the upgrading of the existing landscaping is required to be submitted within three months of the date of this planning consent for the approval by the Manager Planning Services, the Senior Planning Officer or the Planning Officer. The plan shall show by numerical code, the species, quantity and anticipated mature dimensions of all plant types to be planted.

7. Metropolitan Region Scheme land requirement for future road widening of 2.5 metres wide from the Belgravia St frontage shall be used to provide for overflow car parking.

Item 12.1 Continued

8. The premises are to implement the recommendations in the Herring Storer Consultants acoustic report submitted 21 April 2010. These include but are not limited to:

(a) Steam generator (Plant room) to be enclosed. Walls to be steel frame externally clad with metal deck with internal lining of minimum 13mm thick plasterboard or minimum 9mm thick compressed cement sheeting and R2 insulation in cavity.

(b) Plant room metal deck roof to be a minimum 13mm thick plasterboard ceiling and minimum R2 insulation in cavity.

(c) Plant room entry doors facing the west, with ventilations openings oriented to the west and being via 300mm deep acoustic louvres.

(d) Rear door of the premises is to remain closed during hours of operation.

(e) Compressor is to be located within plant room enclosure.

(f) No noise transmission permitted through the turbo ventilators to be installed on the roof of the premises.

9. Hours of operation limited to between 7am and 5pm Monday to Friday and between 8am and 3pm Saturday and Sunday.

10. All storage to occur within the building. Clause 10.6.2(1) of the City of Belmont Town Planning Scheme No. 14 prohibits external storage in the 'Mixed Business' zone.

11. No loading or unloading of vehicles is to occur that interferes with the parking of vehicles in the car park by visitors and employees. All car parking bays in the car park are to be made available at all times for the parking of vehicles by visitors and employees.

12. The provision of end of trip facilities to the satisfaction of the City's Travel Smart Officer.

(B) That Council advise the applicant of:

1. The requirement to submit plans by a licensed plumber showing any connection of the dry cleaning operation to sewer or any other disposal method to ensure compliance with Environmental Protection (Unauthorised Discharges) Regulations 2004.

2. Belgravia Street is designated 'Other Regional Road' and is subject of a future road widening requirement.

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

12.2 AMENDMENTS TO THE CITY OF BELMONT'S LIST OF STANDARD SUBDIVISION CONDITIONS

BUILT BELMONT

ATTACHMENT DETAILS

Nil.

Voting Requirement	:	Simple Majority
Subject Index	:	115/001
Location / Property Index	:	N/A
Application Index		N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Community and Statutory Services

COUNCIL ROLE

	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, town planning schemes & policies*
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☐	**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 town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal*

PURPOSE OF REPORT

To consider amending condition of subdivision approval S6.2 and deleting advice note SF2.1 from City's List of Standard Subdivision Conditions, and adding the Western Australian Planning Commission's (WAPC) standard condition and advice note in relation to the removal of soakwells and septic tanks to the List of Standard Subdivision Conditions.

Item 12.2 Continued

SUMMARY AND KEY ISSUES

- When making recommendations to the WAPC on applications for subdivision, the City includes conditions of approval from its List of Standard Subdivision Conditions. These conditions are required to be cleared by the City and a recommendation made to the WAPC when the applicant makes an application for Clearance.
- The City's List of Standard Subdivision Conditions includes a condition (S6.2) requiring that:

  > *"All existing buildings and structures on the lots, including soak - wells and septic tanks, shall be removed and the land levelled. The work that is the subject of this condition must be approved by the City prior to an application being made for a building licence."*

  The following footnote relates to the condition (SF2.1):

  > *"The City requires certification from a licensed plumber advising that all septic tanks, soakwells or leach drains and any associated pipe-work have been decommissioned and removed from the site."*

- This condition and footnote differ from the WAPC's standard condition and footnote relating to the removal of septic tanks, in that a licensed plumber is required to certify the removal of the tanks.
- The above requirement for certification from a licensed plumber was introduced by Council upon receipt of Officer advice that this was the best way to ensure the City was not liable for any future damage if septic tanks were not properly decommissioned and removed at the time of subdivision.
- The review of this Standard Conditions was initiated for a number of reasons as summarised below and discussed in more detail in the 'Background' and 'Officer Comment' section of this report:
  - The level of risk associated with abolishing the condition is not considered to be increased by the change, but the Council process would become more streamlined.
  - The current requirements differ from those of the City's Building Department, the requirements of the *Health Act (1974)*, and from those of other Local Governments. Because of this, and the nature of the demolition process, applicants find it difficult to fulfil the requirement.
  - Planning and Building Officers are often required to spend time explaining the requirement to applicants a number of times in the case of each clearance, resulting in delays in the Clearance process, as well as straining Council/applicant relations and strain on Councils resources in the form of Officer's time.

LOCATION

N/A

Item 12.2 Continued

CONSULTATION

Consultation was carried out with the WAPC, the Demolition Industry Association of WA, various Local Governments, as well as internally with the Planning, Building and Health departments.

STRATEGIC PLAN IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

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

BACKGROUND

When application is made to the WAPC for subdivision, the application is referred to the City for comment. When making recommendations to the WAPC on applications for subdivision, the City includes conditions of approval from its List of Standard Subdivision Conditions. These conditions are required to be cleared by the City and a recommendation made to the WAPC when the applicant makes an application for Clearance.

The City's List of Standard Subdivision Conditions includes a condition (S6.2) requiring that:

> *"All existing buildings and structures on the lots, including soak-wells and septic tanks, shall be removed and the land levelled. The work that is the subject of this condition must be approved by the City prior to an application being made for a building licence."*

The following advice note relates to the condition (SF2.1):

> *"The City requires certification from a licensed plumber advising that all septic tanks, soakwells or leach drains and any associated pipe - work have been decommissioned and removed from the site."*

This condition and footnote differ from the WAPC's standard condition and footnote relating to the removal of septic tanks, in that a licensed plumber is required to certify the removal of the tanks. The WAPC standard condition is:

> *"All existing septic sewer systems including all tanks and pipes and associated drainage systems (soakwells or leach drains) and any stormwater disposal systems are to be decommissioned, removed, filled with clean sand and compacted."*

Item 12.2 Continued

The following advice note relates to the WAPC standard condition:

> *"Existing on - site effluent disposal system(s) are to be decommissioned in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Waste) Regulations 1974. A pump out receipt from a licensed liquid waste contractor is to be provided to the Local Government as proof of decommissioning."*

The requirement for certification from a licensed plumber was introduced by Council upon receipt of Officer advice that this was the best way to ensure that there was less risk of the City being found liable for any future damage if septic tanks were not properly decommissioned and removed at the time of subdivision. However, this requirement is more arduous than what is required by the WAPC and the City's Building Department, who only require certification from a licensed demolition contractor.

The Planning Department's current procedure is to issue applicants with a letter at the demolition stage explaining the additional requirement for certification from a licensed plumber. In addition to advising the applicants of this in writing, Planning and Building Officers are often required to have ongoing discussions with applicants throughout the subdivision process to reiterate and explain this requirement. The result of this is a delay in the Clearance process, as well as straining Council/applicant relations and strain on Council's resources in the form of Officer's time.

Applicants frequently advise the City that they find it difficult or impossible to fulfil this requirement and see it as additional 'red tape' in the development process. This is because demolition contractors (not licensed plumbers) are employed to remove septic tanks. As such a licensed plumber is not on site at the time septic tanks are removed. The applicant then needs to try to find a licensed plumber who is willing to inspect the lot and write a letter stating that they certify that the lot is clear of septic tanks. Applicants consistently advise us that many plumbers are unwilling to do this (as they did not witness the tanks being removed).

OFFICER COMMENT

When reviewing the need for this requirement, consultation was carried out with the WAPC, the Demolition Industry Association of WA, various Local Government authorities, as well as internally with the Planning, Building and Health Departments. The key points from this consultation follow:

- The WAPC advised that their standard condition and advice note reflect their position on how local government should deal with the removal of septic tanks; meaning that the City's requirement is not in line with this.
- The advice received from the Demolition Industry Association was that they do not feel that the requirement is workable, because plumbers are unwilling to certify to the lot being clear of tanks unless they witnessed their removal.
- Generally, the local government authorities consulted make use of the WAPC standard condition. The condition is checked at clearance stage by the Health section of their office, and a pump out receipt and a letter from a demolition contractor or a statutory declaration stating that septic tanks have been removed is accepted as proof.

Item 12.2 Continued

A risk assessment was also carried out as part of the review. The assessment was done on the existing requirement and the proposed changes to the requirement to bring it in line with that of the WAPC. The assessment revealed that current controls are not adequate to prevent the City from experiencing a high level of risk in relation to the potential impacts in the event that an issue arose from a septic tank not being properly removed.

Risk associated with failure to properly decommission and remove septic tanks is simply passed onto the licensed plumber who provides certification, while the City does not have certainty that the tanks have been removed (because the tank's removal is not witnessed); in the event that septics are not properly removed, the plumber may not have the correct level of insurance or may not be operating any longer. Although the risk remains if the proposed changes are adopted, the recommended approach has the advantage of being in line with the advice of the WAPC and standard Local Government practice. It is also important to note that to date, no cases of this nature have occurred and from this it can reasonably be surmised that although the risk is high, the likelihood of it occurring remains low.

The approach taken by the City in dealing with recommending conditions of subdivision to the WAPC and clearing them is not considered appropriate for the following reasons:

- The development process would become more streamlined, as applicants would not have to fulfil an additional requirement not normally associated with demolition or building; and
- Council resources in the form of staff time spent dealing with administrating the requirement could be put to better use; and;
- Although risk is still high in either case, the recommended approach does not increase the likelihood of an issue to with septic tanks not being properly removed occurring and it has the advantage of being in line with the advice of the WAPC and standard local government practice.

Given the above, it is recommended that Council resolve to make amend the City's List of Standard Subdivision by replacing condition S6.2 with the following two WAPC standard conditions:

Condition: *"All buildings, outbuildings and/or structures being demolished and materials removed from [specify particular buildings/structures on which lot]."*

Condition: *"All septic tanks including all tanks and pipes and associated drainage systems (soakwells or leach drains) and any stormwater disposal systems are to be decommissioned, removed, filled with clean sand and compacted.*

This will result in changes to the documentation the applicant is required to provide to the City to satisfy the condition relating to the removal of septic tanks. Rather than certification from a licensed plumber being required, the below proposed standard advice notes would included on any recommendation to the WAPC.

Item 12.2 Continued

These advice notes would provide specific advice to applicants on the information required by the City to clear the condition, being either: written certification from a licensed demolition contractor stating that all septic tanks have been removed and backfilled with clean fill; or; a statutory declaration from the land owner or licensed demolition contractor stating that to the best of their knowledge there are no septic tanks located on the lot, and that they accept the consequences of any risk associated with proceeding with the development.

Advice: *"Existing on - site effluent disposal system(s) are to be decommissioned in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974. A pump out receipt from a licensed liquid waste contractor is to be provided to local government as proof of decommissioning.*

Advice: *"Written certification for the removal of septic tanks and backfill with clean fill is required in the form of either:*

a) Written certification from a licensed demolition contractor stating that all septic tanks including all tanks and pipes and associated drainage systems (soakwells or leach drains) and any stormwater disposal systems have been decommissioned and will be removed and backfilled with clean fill; or

b) A statutory declaration from the land owner or licensed demolition contractor stating that to the best of their knowledge there are no septic tanks located on the lot, and that they accept the consequences of any risk associated with proceeding with the development."

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 12.2 Continued

OFFICER RECOMMENDATION

That Council resolve to make the following changes to the City's List of Standard Subdivision Conditions:

- ***Replace condition S6.2 with the two following WAPC standard conditions:***

  A. Condition: "All buildings, outbuildings and/or structures being demolished and materials removed from [specify particular buildings/structures on which lot]."

  B. Condition: "All septic tanks including all tanks and pipes and associated drainage systems (soakwells or leach drains) and any stormwater disposal systems are to be decommissioned, removed, filled with clean sand and compacted.

- ***Include the following advice notes related to condition B:***

  Advice: "Existing on - site effluent disposal system(s) are to be decommissioned in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974. A pump out receipt from a licensed liquid waste contractor is to be provided to local government as proof of decommissioning.

  Advice: "Written certification for the removal of septic tanks and backfill with clean fill is required in the form of either:

  a) Written certification from a licensed demolition contractor stating that all septic tanks including all tanks and pipes and associated drainage systems (soakwells or leach drains) and any stormwater disposal systems have been decommissioned and removed and backfilled with clean fill; or

  b) A statutory declaration from the land owner or licensed demolition contractor stating that to the best of their knowledge there are no septic tanks located on the lot, and that they accept the consequences of any risk associated with proceeding with the development."

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

12.3 UNDERGROUND POWER PROJECT – BELVIDERE STREET

BUILT BELMONT

ATTACHMENT DETAILS

Attachment No	**Details**
Attachment 4 – Item 12.3 refers	**Underground Power Development Plan – Belvidere Street Belmont**

Voting Requirement	:	Simple Majority
Subject Index	:	124/007
Location / Property Index	:	Belvidere Street (Epsom Avenue to Somers Street)
Application Index	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	12.5 Ordinary Council Meeting held 27 April 2010
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Technical Services

COUNCIL ROLE

	Advocacy	*When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
☒	**Executive**	*The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	**Legislative**	*Includes adopting local laws, town planning schemes & 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 town 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 advise Council of advice received from the Minister for Energy; Training and Workforce Development in response to the City's request for increased funding for the Belvidere Street Underground Power Project.

SUMMARY AND KEY ISSUES

The City has requested additional State Funding towards the Belvidere Street Underground Power Project because of the significant increase in the costs estimated to undertake the works and the impact this would have on the City's ratepayers who would be required to fund the increase.

Item 12.3 Continued

The State contribution to the project has remained at $ 250,000 despite the project cost rising from $ 809,551 to $1,071,770.

The Minister has rejected the City's request for an increase in State funding.

LOCATION

Refer Attachment 4.

CONSULTATION

There has been no consultation in respect of the advice received from the Minister.

STRATEGIC PLAN IMPLICATIONS

Built Belmont

Objective: Maintain public infrastructure in accordance with sound economic practices

Strategy: Implement Streetscape Strategy

Key Actions:

- Submit funding applications to Office of Energy for underground power projects.
- Undertake targeted activities to address: streetscape and amenity issues; marketing/promotional opportunities and safety & security for the local shopping centres.

Objective: Accomplish urban renewal of designated areas to meet the changing needs of the community.

Strategy: Encourage the upgrading and compatible redevelopment of the City.

POLICY IMPLICATIONS

Project is in keeping with the City's Built Belmont Policy BB3 – Streetscape Policy

Underground Power

The systematic replacement of overhead power lines by underground cables or, where this is not feasible, by Aerial Bundled Cables (ABC) is supported and should be progressed wherever possible. At each opportunity, the City of Belmont will make application for funds from the State Government and, based on successful funding applications, will develop a program for the undergrounding of power throughout the City.

Item 12.3 Continued

STATUTORY ENVIRONMENT

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

BACKGROUND

Following consideration of the financial implications of the increase in cost of the Belvidere Street Underground Power Project, a report was submitted to the Ordinary Council Meeting held on 27 April 2010.

The basis of this report was that the State contribution to the project has remained at $ 250,000 despite the project cost rising from $ 809,551 to $1,071,770. This rise has resulted in a rise in the total ratepayer contribution of some $262,219 which will result in residential ratepayer contributions rising from approximately $2500 to $4100 (based on a 5 year payment period). Commercial ratepayers will pay much more and this information was provided in detail prior to Council's consideration of the matter in April 2010.

At the Ordinary Council Meeting held on 27 April 2010, Council resolved:-

That Council:

1. *Supports the Belvidere Underground Power Project but defers making a commitment to proceed with the works until after receipt of advice from the Minister for Energy that the State share of project funds will be significantly increased.*

2. *Re-engages the Premier, Minister for Energy, Treasurer and Local Member regarding project funding and funding for undergrounding power infrastructure in general.*

3. *Seeks EMRC and WALGA support for lobbying the State to provide funds to underground state owned powerlines.*

4. *Reconsiders the matter following receipt of advice from the State regarding the project funding.*

OFFICER COMMENT

Advice has been received from the Minister explaining that undergrounding of power is five times more expensive than replacing overhead systems and that Western Power is required to act in a financially prudent manner. He goes on to say that the only way Western Power can justify undergrounding its overhead infrastructure is if other contribute to the cost and to reiterate that the maximum contribution to Round Four Local Enhancement Projects has been, and will continue to be $250,000.

It is of little consolation but the Government will review the level of State contribution in developing the Round Five Local Enhancement Project guidelines and conduct a public review of the State Underground Power Programme commencing in the second half of 2010.

Item 12.3 Continued

Given the above advice it is clear that the City will not receive any more than the already allocated $250,000 towards the Belvidere Street project.

The options that are now available are to proceed with the project, accepting the $250,000 contribution from the State Government or not undertake the project and continue to lobby the State (directly through WALGA and the EMRC) for increased State contributions in the future. If this lobbying is successful, the project might then be re-submitted to a future programme.

The option to proceed will result in the previously explained higher costs to ratepayers for upgrading State owned infrastructure and is not supported.

FINANCIAL IMPLICATIONS

There will be no financial implications if the project does not proceed. If the City does proceed with the project a $250,000 contribution from the City along with pre-funding arrangements for the contributions by taxpayers who will then repay the City over say a five year period, will need to be included in the 2010/11 budget.

ENVIRONMENTAL IMPLICATIONS

If the project proceeds, there may be some disruption to street tree root systems during the ground boring phase of the installation of underground power, but tree assessments by the City's Arboriculturalist can assist with monitoring of the level of impact. One of the benefits of undergrounding power however will be the reduction of tree pruning which allows for more natural growth and tree formation.

SOCIAL IMPLICATIONS

If the project proceeds, the social implications on affected property owners are:-

- Financial burden on property owners, particularly pensioners as no rebates are available under a Service Charge approach. The cost to rate payers (over a 5 year repayment period) will rise from approximately $ 2500 each under the original estimate to approximately $ 4100 each based on the revised pre-tender estimate.
- Possible increased property values
- Increased visual amenity of streetscape (reduction in number of power poles and lines)
- Improved safety (car vs power pole accidents);Improved power service to community (less likelihood of power outages e.g. from storm damage e.g. fallen trees on power lines)
- Reduction in tree pruning costs (trees under powerlines) and
- Commercial property owners have the ability to on-charge the cost of undergrounding power to lessees or obtain relief through tax benefits.

Item 12.3 Continued

OFFICER RECOMMENDATION

1. ***That because of the increased costs to be borne by the ratepayers in the area of the Belvidere Street Underground Power Project as a result of increased works costs and a fixed contribution by the State, Council not proceed with the project at this time.***

2. ***That Council write to the Minister for Energy; Training and Workforce Development expressing the Council's disappointment at not being able to proceed with the project.***

3. ***That the City provide input into any review of the State Underground Power Programme.***

4. ***That Council consider submitting the Belvidere Street Underground Power Project for future Local Enhancement Project funding provided the cost of the works are more reasonable apportioned between the State and the ratepayers.***

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

12.4 LOCAL CLIMATE CHANGE ADAPTATION PLAN

NATURAL BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 5 – Item 12.4 refers	**City of Belmont Local Climate Change Adaptation Action Plan**

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

COUNCIL ROLE

	Advocacy	*When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
☒	**Executive**	*The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	**Legislative**	*Includes adopting local laws, town planning schemes & 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 town 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 present the draft City of Belmont Local Climate Change Adaptation Action Plan to Council for endorsement.

SUMMARY AND KEY ISSUES

The diverse and varied landscapes, activities and communities of the City are at risk from the impacts of climate change. Scientific modelling indicates that the South West of Western Australia, including the City of Belmont, will continue to be hard hit by forecast reductions in rainfall, increased temperatures and further reductions in surface and groundwater resources

12.4 Continued

To assist with adaptation to the predicted impacts of climate change, the City of Belmont is a participant in the Eastern Metropolitan Regional Council's (EMRC) 'Future Proofing' project.

As part of this project, representatives from the City of Belmont attended two workshops in February 2009, to assist in development of a Regional and Local Climate Change Adaptation Action Plan. The RCCAAP outlines what needs to be done at a regional level to adapt to climate change, while the LCCAAP focuses on actions related to the City's operations, are local in nature and/or partner with the community.

The Local Climate Change Adaptation Action Plan was presented to the Standing Committee (Environmental) meeting on the 4 May 2010, with the following resolution made:

That the Standing Committee (Environmental) recommend that Council adopt the City of Belmont Local Climate Change Adaptation Action Plan as detailed in Attachment 3.

CARRIED 5 VOTES TO 0

LOCATION

N/A

CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

The development of a Local CCAAP relates to the following objectives of the City of Belmont Strategic Plan:

- Achieve excellence in the management and operation of the local government
- Maintain public infrastructure in accordance with sound economic practices
- Use and manage our water resources in a sustainable manner
- Protect and enhance the quality and amenity of our natural environment
- Achieve and maintain an image of Belmont as a great place for 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.

12.4 Continued

BACKGROUND

The diverse and varied landscapes, activities and communities of the City are at risk from the impacts of climate change. Scientific modelling indicates that the South West of Western Australia, including the City of Belmont, will continue to be hard hit by forecast reductions in rainfall, increased temperatures and further reductions in surface and groundwater resources.

To assist with adaptation to the predicted impacts of climate change, the City of Belmont is a participant in the Eastern Metropolitan Regional Council's (EMRC) 'Future Proofing' project. In 2008 the EMRC received funding to undertake a comprehensive risk assessment to identify potential impacts and risks from climate change for the Perth Eastern Region. In addition, actions that could better prepare the Region to adapt to the pressures of climate change were identified. This formed the basis of a Regional Climate Change Adaptation Action Plan (RCCAAP) outlining what needs to be done at the regional level to adapt to climate change.

To consolidate and compliment the work done at the Regional level the City has developed a Local Climate Change Adaptation Action Plan (LCCAAP). While the Regional Plan identifies actions which benefit from a regional approach, the LCCAAP focuses on actions related to the City's operations, are local in nature and/or partner with the community. This will ensure that climate change adaptation is integrated into the day to day planning and risk management activities of the City and its communities.

City of Belmont staff provided input into the development of both the regional and local Climate Change Adaptation Action Plans during two workshops held in February 2009. Attendees included:

- Juan Bernal, Project/ Traffic Officer
- Sarah Christie, Planning Officer
- Nicole Davey, Environmental Coordinator
- Kevin Davidson, Manager- Health & Ranger Services
- Craig Sanders, Parks Coordinator
- Sarah Whittaker / Greg Dally, Risk & Insurance Advisors.

The actions included in the LCCAAP were identified by the above group during the workshops.

The Local Climate Change Adaptation Action Plan was presented to the Standing Committee (Environmental) meeting on the 4 May 2010, with the following resolution made:

That the Standing Committee (Environmental) recommend that Council adopt the City of Belmont Local Climate Change Adaptation Action Plan as detailed in Attachment 3.

<u>CARRIED 5 VOTES TO 0</u>

12.4 Continued

OFFICER COMMENT

The key components of the Local CCAAP include the:

- Vision Statement (Page 8 in Attachment 5)
- Aims and Principles (Page 8 in Attachment 5)
- Priority Risk Areas- Objectives & Actions (Pages 8 to 12 in Attachment 5)

Actions (including timeframe for implementation) have been identified for the ten priority risk areas listed in the table below.

Those actions identified as an 'Immediate Timeframe- 2009/10' have already been included in RMSS; the City of Belmont's Risk Management Software and are in the process of being implemented.

Some actions are reliant on previous implementation of actions within the Regional CCAAP. As such, both documents should be read together.

- Infrastructure Failure
- Impacts on Essential Services (Power Loss and Water Availability)
- Watercourse Damage and Loss
- Increasing Bushfires
- Water Decline and Reduced Water Quality
- Greenhouse Gas Emissions and Related Air Pollution
- Loss of Ecosystems and Provision of Public Open Space
- Decline in Population Health and Displaced Wellbeing
- Economic Challenges and Opportunities
- Changing Leadership and Development Requirements

FINANCIAL IMPLICATIONS

The predicted impacts of climate change facing the City of Belmont in 2030 and 2070 are summarised in Attachment 5. Several of these impacts will have a financial impact on the City of Belmont Council and community.

The following Priority Risk Areas are anticipated to have a negative financial impact on the City of Belmont Council and community:

- Infrastructure Failure
- Impacts on Essential Services (Power Loss and Water Availability)
- Economic Challenges and Opportunities
- Increasing Bushfires
- Changing Leadership and Development Requirements

The implementation of the Local CCAAP will minimise these financial impacts. The cost of implementing the Local CCAAP is minimal, involving primarily Officer Time. The majority of actions included in the plan can be incorporated into existing activities within the Parks & Environment, Planning, Technical Services & Environmental Health areas.

12.4 Continued

ENVIRONMENTAL IMPLICATIONS

The following Priority Risk Areas are anticipated to have a negative environmental impact on the City of Belmont Council and community:

- Watercourse Damage and Loss
- Increasing Bushfires
- Water Decline and Reduced Water Quality
- Greenhouse Gas Emissions and Related Air Pollution
- Loss of Ecosystems and Provision of Public Open Space?

SOCIAL IMPLICATIONS

The following Priority Risk Areas are anticipated to have a negative social impact on the City of Belmont Council and community:

- Water Decline and Reduced Water Quality
- Loss of Ecosystems and Provision of Public Open Space
- Decline in Population Health and Displaced Wellbeing
- Increasing Bushfires.

COMMITTEE RECOMMENDATION

WOLFF MOVED, ROSSI SECONDED, That Council adopt the City of Belmont Local Climate Change Adaptation Action Plan as detailed in Attachment 5.

CARRIED 11 VOTES TO 0

12.5 BUFFER ZONES PLAN

NATURAL BELMONT

ATTACHMENT DETAILS

Attachment No	**Details**
Attachment 6 – Item 12.5 refers	**Wetlands and Waterways Buffer Zone Plan 2011-2016**

Voting Requirement	:	Simple majority
Subject Index	:	30/017
Location / Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	NIL
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Technical Services

COUNCIL ROLE

	Advocacy	*When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
☒	**Executive**	*The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	**Legislative**	*Includes adopting local laws, town planning schemes & policies.*
☐	**Review**	*When Council reviews decisions made by Officers.*
☐	**Quasi-Judicial**	*When Council determines an application / matter that directly affects 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 town 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 present the 'Buffer Zones Plan' to Council for endorsement.

SUMMARY AND KEY ISSUES

As part of the City's Environmental Management System, mowing and use of herbicides and fertiliser have been identified as significant environmental aspects of Council operations.

Item 12.5 Continued

Runoff of fertiliser and lawn clippings into wetlands contribute to algal blooms, while inappropriate use of herbicides can impact on non-target flora and fauna. The risk of these activities resulting in an adverse environmental impact has been assessed as 'Low', due to the current controls in place.

To maintain a 'Low' level of risk, the City of Belmont Environment Plan 2005-10 includes an action 'To develop a plan for the creation of the buffer zones between turf and waterways to minimise fertiliser runoff, and prevent lawn clippings entering waterways' (hereafter referred to as 'Buffer Zones Plan').

The total estimated cost of the buffer zone implementation is $18,940.91 including GST over 5 years.

The Buffer Zones Plan was presented to the Standing Committee (Environmental) meeting on the 4 May 2010, with the following resolution made:

That the Standing Committee (Environmental) recommend that Council endorse the 'Buffer Zones' Plan as detailed in Attachment 2.

<u>CARRIED 5 VOTES TO 0</u>

<u>LOCATION</u>

The creation of buffer zones is proposed at 6 sites, as listed later in the report. These waterways have been identified as having insufficient fringing vegetation cover and are located in close proximity to turf subject to regular fertiliser and herbicide applications. For further detail on the location of the buffer zones at each site, please refer to the attached Buffer Zones Plan.

The social values at each site have been considered in determining the location of buffer zones, to determine the requirement for community consultation and retention of areas with clear views to the water.

<u>PUBLIC CONSULTATION</u>

There has been no specific consultation undertaken in respect to this matter. Consultation will be conducted on an annual basis for each individual site. Obtaining community support for the buffer zones prior to implementation is essential.

Each site has been assessed against the City of Belmont Consultation Assessment Guidelines utilising the Vroom-Yetton Decision Tree Assessment. The outcomes of the assessment for each site are summarised in Table 1 below.

Item 12.5 Continued

Table 1: Consultation Requirements per site

Sites	Assessment Outcome	Consultation Requirements
Belgravia Estate	A- Inform	Inform the public
Belmont Sports and Recreation Centre	No Action	Non Required
Freshwater Lake (Ascot Waters)	D- Involve – Mixed	Inform, consult and involve the public
Hardey / Adachi Park	A – Inform	Inform the public
Norlin Park	No Action	Non Required
Smythe Park	D – Involve Mixed	Inform, consult and involve the public
Tomato Lake	D – Involve Mixed	Inform, consult and involve the public

STRATEGIC PLAN IMPLICATIONS

The progression of the Buffer Zones Plan directly assists in the implementation of the several objectives and targets under the Strategic Plan – "Natural Belmont ".

The plan will ensure our activities meet the Strategic Plan -"Natural Belmont" objectives of:

- Protect and enhance the quality and amenity of our natural environment.
- Minimise pollution of the environment.
- Use and manage our water resources in a sustainable manner.
- Increase community and staff capacity to better protect and manage the natural environment.

In addition, the plan relates directly to Action 1.4 of the City of Belmont Environment Plan 2005-2010, 'To develop a plan for the creation of the buffer zones between turf and waterways to minimise fertiliser runoff, and prevent lawn clippings entering waterways'.

POLICY IMPLICATIONS

The implementation of the plan relates directly to the City of Belmont's Environmental Enhancement Policy (Policy NB3), which is to 'develop a strategy to protect and enhance the natural environment'.

STATUTORY ENVIRONMENT

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

BACKGROUND

As part of the City's Environmental Management System, mowing and use of herbicides and fertiliser have been identified as significant environmental aspects of Council operations. Runoff of fertiliser and lawn clippings into wetlands contribute to algal blooms, while inappropriate use of herbicides can impact on non-target flora and fauna. The risk of these activities resulting in an adverse environmental impact has been assessed as 'Low', due to the current controls in place.

Item 12.5 Continued

To maintain a 'Low' level of risk, the City of Belmont Environment Plan 2005-10 includes an action 'To develop a plan for the creation of the buffer zones between turf and waterways to minimise fertiliser runoff, and prevent lawn clippings entering waterways' (hereafter referred to as 'Buffer Zones Plan').

The buffer zones proposed will consist of a 3m wide strip of local, native, fringing vegetation. This will have additional benefits of providing habitat for native fauna, preventing erosion and sedimentation and nutrient stripping of waterways through establishment of macrophytes (plants growing in the water). In some locations this will also reduce the amount of irrigated turf.

Buffer zones are proposed at six sites, including:

- Belgravia Estate
- Belmont Sports and Recreation Centre
- Freshwater Lake (Ascot Waters)
- Norlin Park
- Smythe Park
- Tomato Lake

The Buffer Zones Plan was presented to the Standing Committee (Environmental) meeting on the 4 May 2010, with the following resolution made:

That the Standing Committee (Environmental) recommend that Council endorse the 'Buffer Zones' Plan as detailed in Attachment 2.

CARRIED 5 VOTES TO 0

OFFICER COMMENT

The Buffer Zones Plan is divided into the following sections, the content of which is summarised below:

Sections 1-3:

- Identification of potential sites for buffer zone creation, current frequency of fertiliser and herbicide applications and ecological and social values.
- Proposed location and linear extent of buffer zones at each site.

Section 4 (Implementation):

- Site buffer construction and local environment constraints, site preparation, species selection
- Site prioritisation based on the number of herbicide and fertiliser applications per year and distance from the Swan River
- Estimated cost of buffer zone creation and cost estimation process
- Proposed time line of implementation including milestones and review stages.

A summary of the Implementation can be seen in Figure 1 over page.

Item 12.5 Continued

The implementation of the Waterways and Wetland Buffer Zone Plan 2011-2016 will be undertaken over five years commencing 2011 and proposed completion in 2016. Figure 1 below illustrates the Milestones of completing the buffer zone plan.

	2011				2012				2013				2014				2015				2016			
	Summer	Autumn	Winter	Spring	Summer	Autumn	Winter	Spring	Summer	Autumn	Winter	Spring	Summer	Autumn	Winter	Spring	Summer	Autumn	Winter	Spring	Summer	Autumn	Winter	Spring
Freshwater Lake (Ascot Waters)	***S**	**S/P**	**P**	**M1**																				
Belmont Sports and Recreation Centre				**S**	**S**	**S/P**	**P**	**M2**																
Tomato Lake								**S**	**S**	**S/P**	**P**	**M3**	**< Possible staging of Tomato Lake >**											
Norlin Park												**S**	**S**	**S/P**	**P**	**M4**								
Belgravia Estate																**S**	**S**	**S**	**M6**					
Smythe																			**M5**	**S**	**S**	**S/P**	**P**	**M7**

S: = Spraying P = Planting

M1: Review of spraying and planting progress of Freshwater Lake; assess survival rates and improvements in implementation including costs and labour. Review costs of Belmont Sports and Recreation Centre as estimated in 2010 for 2012.

M2: Review of spraying and planting progress of Belmont Sports and Recreation Centre; assess survival rates and improvements in implementation of plan including costs and labour. Review costs of Tomato Lake and staging of buffer vegetation and costs as estimated in 2010 for 2013.

M3: Review of spraying and planting progress of Tomato Lake including the staged approach; assess survival rates and improvements in implementation of plan. Review costs of Norlin Park as estimated in 2010 for 2014.

M4: Review of spraying and planting progress of Norlin PARK; assess survival rates and improvements in implementation of plan including costs and labour. Review costs of Belgravia Estate as estimated in 2010 for 2015.

M5: Commence community consultation for the buffer vegetation at Smythe Lake.

M6: Review of spraying and planting progress of Belgravia Estate; assess survival rates and improvements in implementation including costs and labour. Review costs of Smythe Park as estimated in 2010 for 2016. Consider outcomes of M5 consultation in buffer vegetation implementation for Smythe Park.

M7: Review project outcomes, plant survival and possible water quality changes.

Figure 1: Buffer Zone Implementation Estimated Time Line and Milestones

Item 12.5 Continued

FINANCIAL IMPLICATIONS

The total cost of implementing the Buffer Zones Plan is estimated at $18,940.91 including GST, over 5 years (see table 1). The cost based on an average rate of $7.60 per square meter (based on a buffer zone width of 3 metres). This cost includes weed control, supply of plants and terracottem, and labour for planting. The ongoing cost of maintenance activities has not been included. These activities will include weed control, rubbish removal and infill planting. The majority of the sites will be maintained by the City's Environment Crews, placing an additional workload on their existing maintenance schedule. The costs have also been estimated based on undisturbed linear lengths and has not included parts where the 3 metre buffer requires a change in depth to adapt with current landscaping or park amenities (i.e. paths, trees, current planting beds, irrigation boxes, benches etc).

Table 2: Costs per site breakdown of labour and materials

SITE	LABOUR	MATERIALS	TOTAL (EX GST)	TOTAL
Belgravia Estate	$ 359.13	$ 831.57	$ 1,190.70	$ 1,309.77
Belmont Sports and Recreation Centre	$ 218.50	$ 501.37	$ 719.87	$ 791.86
Freshwater Lake	$1,913.50	$ 2,228.44	$ 4,141.94	$ 4,556.13
Norlin Park	$ 395.38	$ 765.07	$ 1,160.45	$ 1,276.50
Smythe Park	$ 716.25	$ 1,787.35	$ 2,503.60	$ 2,753.96
Tomato Lake	$2,136.00	$ 5,366.44	$ 7,502.44	$ 8,252.69
TOTAL	**$5,738.76**	**$11,480.25**	**$ 17,219.01**	**$18,940.91**

ENVIRONMENTAL IMPLICATIONS

The creation of buffer zones will directly improve the City's ability to protect and enhance the natural environment.

Environmental benefits arising from the creation of the buffer zones include;

- Prevention of lawn clippings and fertilisers entering waterways, thereby reducing nutrients inputs that contribute to toxic blue-green algae blooms;
- Prevention of herbicides entering waterways and adversely affecting non-target flora and fauna, in particular frogs;
- Creation of fringing wetlands habitat providing habitat for native birds;
- Potential for further nutrient stripping through establishment of macrophytes (plants growing within waterways);
- Prevention of erosion and sedimentation near waterways;
- Reduction of areas of irrigated turf, eliminating requirement for irrigation (after the first two years of establishment).

SOCIAL IMPLICATIONS

There are no social implications at this time. The social values of each site have been included in the attached Buffer Zones Plan.

COMMITTEE RECOMMENDATION

WOLFF MOVED, POWELL SECONDED, ***That Council endorse the 'Buffer Zones Plan' as detailed in Attachment 6.***

CARRIED 11 VOTES TO 0

12.6 TENDER 14/2010 – PROVISION OF AUTOMATED PUBLIC TOILET FACILITIES AT TOMATO LAKE

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Confidential Attachment 1 – Item 12.6 refers	Price schedule
Confidential Attachment 2 – Item 12.6 refers	Evaluation matrix

Voting Requirement	:	Absolute Majority
Subject Index	:	114/255 Q04/2010 - Automated Public Toilet – Tomato Lake
Location / Property Index	:	Tomato Lake, Oats Street, Kewdale
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Community & 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, town planning schemes & 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 town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

PURPOSE OF REPORT

To seek Council approval to award Tender 14/2010 – Provision of Automated Public Toilet Facilities at Tomato Lake, Oats Street, Kewdale.

12.6 Continued

SUMMARY AND KEY ISSUES

To seek Council approval to award Tender 14/2010 in accordance with the requirements of the *Local Government Act 1995*.

The tender is for the installation of two new automated public toilet facilities at Tomato Lake in close proximity to the car park, playground and kiosk facilities of Oats Street in Kewdale, one of which must meet all the standards and requirements for disabled persons.

Two sets of tender documents were issued and two tenders were received as follows:

- Landmark Products Limited;
- WC Innovations .

Of the tenders submitted one was conforming and the other was limited in its conformity. However, they were evaluated as per the submitted tender information.

As detailed in Confidential Attachment 2, WC Innovations is the recommended supplier of the automated public toilet facility for the City of Belmont at Tomato Lake.

LOCATION

Tomato Lake, Oats Street, Kewdale

CONSULTATION

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

12.6 Continued

STRATEGIC PLAN IMPLICATIONS

SOCIAL Belmont – “Provide and facilitate leisure and recreation programs and facilities that meet the needs of the community”.

POLICY IMPLICATIONS

Policy Manual, Section 3.57 – Tenders – Calling and Acceptance

STATUTORY ENVIRONMENT

This issue is governed in the main by the *Local Government Act 1995*, in particular Section 3.57 which states that “a local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services”.

BACKGROUND

An invitation to tender for the Provision of Automated Public Toilet Facilities at Tomato Lake was advertised in the West Australian on Wednesday, 21 April 2010, closing on Thursday, 6 May 2010 at 2.00 pm.

OFFICER COMMENT

Price Schedule
The Price Schedule, Confidential Attachment 1, shows the tenderer’s price submission.

Evaluation Criteria
The Evaluation Committee consisted of the Coordinator Purchasing, the Coordinator Building Operations and the Manager Building Services.

The tenders were assessed based on the same selection criteria that was included within the tender, being:

	Criteria	***Weighting***
1.	Experience	25%
2.	Personnel	10%
3.	Company Capacity	15%
4.	Safety	10%
5.	Maintenance / Ongoing Service	10%
4	Price	30%
	Total	**100%**

The Automated Public Toilets (APT) offered by WC Innovations provide a high standard of hygiene and safety for users, and discourages loitering or vandalism. Each unit incorporates a wash down cycle using disinfectant, water sprays and drying fans after a preset number of uses eliminating the need for cleaners to have to visit daily.

12.6 Continued

The facility tendered by Landmark, while featuring some aspects, was limited in its conformity to the specification. Landmark's tendered facility did not have the following: automatic hands free toilet flushing; electrically operated sliding door; no touch buttons for opening and closing the door; automatic locking in the evening and automatic unlocking in the morning; time limited occupation to discourage loitering; automatic washing cycle. This list is an indication only and is not exhaustive.

WC Innovations supplied and installed an APT at Hardey Park in 2008. The work was completed to time and to budget and to the satisfaction of the project manager. As they have the expertise, experience and resources it is recommended that WC Innovations be contracted to complete this project.

FINANCIAL IMPLICATIONS

A sum of $165,000 was approved in the 2009/2010 budget as stage one of a project estimated to cost $265,000. This was reduced to $100,000 in the 2009 October review to reflect likely costs in this financial year. This was to cover the supply of electrical and plumbing services to the site and the first instalment of 25% to the toilet supplier at the time of issuing an order. The total estimated cost has risen to $310,000 due to unforseen costs in Water Corporation headworks charges and an increase in the facility costs. This leaves a balance of $210,000 that will need to be included in the budget for the next financial year to complete the project.

ENVIRONMENTAL IMPLICATIONS

To adopt best environmental management practices throughout the City in order to protect and enhance our natural environment.

The tendered facilities both offer water management features.

SOCIAL IMPLICATIONS

This project fits into the social aspect of the strategic plan by contributing to an environment where residents are safe and feel safe. The ATPs can be set to automatically lock up and unlock at preset times either on an everyday basis or on an individual day basis, the fixture and fittings are stainless steel and are able to withstand extreme vandalism. The facilities offered by WC Innovations has a maximum 10 minute occupation time which discourages people from loitering in the cubicle.

12.6 Continued

OFFICER RECOMMENDATION

1. That tender 14/2010 submitted by WC Innovations for the Provision of Automated Public Toilet Facilities at Tomato Lake as specified for a total sum of $276,013.00 excluding GST be accepted.

2. That the sum of $210,000 be included in the budget for 2010/2011 for the final payments for the supply and installation of the Automated Public Toilet Facilities at Tomato Lake.

****** ABSOLUTE MAJORITY******

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

12.7 STRATEGIC PLAN 2010 - 2015

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 7 – Item 12.7 refers	**Strategic Plan 2010- 2015**

Voting Requirement	:	Simple Majority
Subject Index	:	32/027
Location / Property Index	:	N/A
Application Index		N/A
Disclosure of any Interest	:	Nil
Previous Items	:	12.11, OCM 16 December 2008.
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Corporate & 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, town planning schemes & 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 town 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

Council adoption of the new City of Belmont Strategic Plan 2010-2015.

SUMMARY AND KEY ISSUES

The City's current Strategic Plan has been in place for a period of five years and has over that period undergone a series of administrative reviews. During the latter half of 2009, Officers embarked on a process aimed at developing a new Strategic Plan. The process followed has embraced a range of consultation including:

12.7 Continued

- Community & Families,
- Business,
- Youth,
- Elected Members invitees,
- Elected Members,
- City staff, and
- Consultants.

Further detail of the consultation will be explained within this document. A report is now presented to Council summarising the review process and a range of new objectives and strategies for the City. A revised Vision Statement for the City is also included.

The adopted Strategic Plan will set the direction for the City, at a high level, for the forthcoming five year period. It is the practice of the City each year to undertake an administrative review to adjust, add objectives and strategies and review the progress. This will ensure that goals and targets are being met and relevance to community needs maintained.

LOCATION

N/A.

CONSULTATION

In establishing a new Strategic Plan for the City and to ensure that the important issues from a public perspective are addressed a selection of interest groups were targeted. This selection is by no means an exhaustive list but was seen as a worthy cross section of the community. To assist in the facilitation of workshops Strategic Leadership Consulting P/L, Martyn Healey was engaged.

1. Community & Families

The social aspects of the City, inclusive of families living within Belmont were considered as a vital element requiring consideration in the development of the strategic direction. Some 12 schools within the City were contacted and discussion had with parents managing canteen facilities and other P & C representatives. A workshop involving parents was conducted on 4 December 2009. The table below indicates the summarised results of this workshop. It should be noted that comments from those people in attendance have been categorised to align, as closely as possible, to the Key Result Areas of Social, Business, Natural and Built Belmont.

12.7 Continued

THE BEST THINGS ABOUT THE CITY	THINGS THAT MUST CHANGE
KRA: Social Belmont • All family friendly, great for get together, well maintained. • Rubbish collection – bulk bins and tip pass. • Lots of places for young kids to hang out. • Library offers a lot of activities for all ages. • Large variety of schools, childcare facilities. • Reading Cinemas – nice and close. • Lots of free events, vouchers, opportunity card. • Great to have people from a diverse range of cultures and backgrounds.	**KRA: Social Belmont** • Anti-social behaviour. • Hoons/drugs. • State Housing Quota, lower the % in all suburbs. • Maintain houses. • Dogs barking. • Drug houses. • Need more security - Belmont security need more staff and cars on the street at one time. • Crime Rate - Security cars are good, but may be there aren't enough. New housing developments seem to be a magnet for trouble.
KRA: Business Belmont • What's happening in Belmont. • Shopping Centre. • Range of shops makes it a one stop centre. • Movies/ Medicare. • Block Sizes. • Backyard. • Animals - chooks, dogs etc. • Access to Building Department. Useful having a central hub of facilities – shops, businesses, library, pool etc. It is good to have the little local shops as well as a larger more diverse shopping centre. Affordable housing and a range of block sizes (for its proximity to Perth).	**KRA: Business Belmont** • Bigger blocks. • High density housing – get rid of. • Parking issue on road. • Café's and centres for families to go. • Kooyong Rd needs to be upgraded i.e. Shops. • Stop the sub-division of blocks – keep larger family sized blocks. • Airport.

12.7 Continued

THE BEST THINGS ABOUT THE CITY.	THINGS THAT MUST CHANGE.
KRA: Natural Belmont • Tomato Lake, Volcano Park, Garvey Park. • River. • Great access for water sports. • Great to exercise around. • Very well maintained. • Amount of Parks. • Council gardens always look nice. • Lots of walkways/paths. • It's great to have BBQ's and good play equipment, plus wide open spaces and bike/walking tracks. Generally clean and well maintained. Would be good to have better toilet facilities at some of these parks as they are sometimes too far away). • Good recreational facilities (pool, squash, sporting grounds, skate park). • Programs at the Youth Centre (holidays and during term). • Maintenance of the City surrounds (removal of graffiti and mowing of verges, gardens, and roundabouts).	**KRA: Natural Belmont** • Belmont Oasis needs hydrotherapy pool (heated), needs better young children's pools (more variety). • More public toilets e.g. Volcano Park needs to be cleaned more often. • Cater playgrounds to a broader age range. • Swimming Pool too expensive, poor facilities, inefficiently run. • Sprinklers - Can be inefficient and are sometimes on when it's raining.
KRA: Built Belmont • Access to the City. • Affordable to use taxies from the City to home. • Good public transport. Safe to use by all types. • Close to Airport. • Easy for FIFO families. • Easy to drop off and pick up people. • Easy for people to come up from the country. • Streetscape always neat and tidy. • Signage – street signs, place signs are very clear.	**KRA: Built Belmont** • Parking around schools make better, dangerous. • Road Infrastructure - not able to deal with airport and school traffic (bypassing). • Traffic waiting along Brearley Ave • Lack of parking. • Speeding. • Footpaths - Many areas are not serviced by footpaths. • Parking and pedestrian crossings near schools – not enough.

12.7 Continued

2. Business

Business groups within the City are considered as another key stakeholder. The Belmont Business Advisory Group (BBAG) was contacted and a workshop conducted on 21 October 2009.

BBAG members were advised in advance that the workshop would focus on a range of questions, including:

- the things participants most liked about the City of Belmont,
- the things that must stay the same,
- the things that must change,
- the things that will change whether we like it or not.

It should be noted that comments from those people in attendance have been categorised to align, as closely as possible, to the Key Result Areas of Social, Business, Natural and Built Belmont. Following are the main aspects from this workshop:

KRA: Social Belmont

Participants considered that **security is currently good** and they particularly valued the security patrol service. If properly managed, security need not be a problem in the future.

KRA: Business Belmont

i It was foreshadowed that major **increases in population and density** would force a transformation of the urban landscape. The time had come for some determined, long-term strategic planning that fully prepared for, and took decisions about the future. These decisions might be for some quite radical changes.

During this discussion, participants highlighted the possibility of the City eventually becoming a mass of high density dwellings.

ii Participants were prompted to consider if an entertainment district was needed in the City. Initially, the response to this was 'luke-warm', but the group developed the notion that a 'Mindarie style' development on the river would become a significant community amenity and would make the river much more accessible.

iii One participant suggested a future opportunity would be the provision of **convention venues** within the City.

KRA: Natural Belmont

Nil.

12.7 Continued

KRA: Built Belmont

i The congestion of major roads was recognised as an impediment to achieving the required increases in population density and a problem for business now in terms of:

- logistics
- employees getting to work.

The capacity of Great Eastern Highway was singled out for particular criticism, though the proposition that all the other MRWA roads bounding the City were currently unacceptably congested at peak times.

ii Participants considered that public transport was currently inadequate and represented a major problem particularly for younger employees getting to work.

There is a need to address the current issues and also develop strong strategies for reinforcing the public transport system including rail and possibly river ferries.

This issue is also influenced by traffic congestion.

iii The increased population and poor public transport also contribute to **high demand for parking**. One participant noted that at peak times it is not possible to park in the main shopping centre car park.

Brief mention was made of the increases in car ownership per household and even per person.

KRA: Business Excellence

Nil.

3. Youth

The youth aspect of the City was considered another important component, especially from a long term investment perspective. It was felt that the engagement of the Belmont City College Youth Council was an appropriate consultative group having representation from Year 8 to 12. A workshop was conducted on 17 November 2009.

Twelve students, across a range of ages, participated in small teams to answer the same questions as had been used in previous consultation workshops:

- the things participants most liked about the City of Belmont,
- the things that must stay the same,
- the things that must change,
- the things that will change whether we like it or not.

12.7 Continued

It should be noted that comments from those people in attendance have been categorised to align, as closely as possible, to the Key Result Areas of Social, Business, Natural and Built Belmont. Following are the main aspects from this workshop:

KRA: Social Belmont

i **Local entertainment and recreation** is highly valued and improvements were generally sought. Ranking highly were:

- festivals – of which the group wanted more
- the cinema
- Belmont Oasis
- sporting facilities
- Belmont Forum Shopping Centre (see next bullet point)

The river was also mentioned (and some students said they regularly swam in the river).

The skate-park was not used by the students in the group. It was supported as a facility, but some believed it should be moved away from line-of-sight from the college because it was a place where truants collected. The idea of the move was not to protect the truants – the students appeared to be offended by truants being visible from the school and thought that this was wrong.

ii The **Belmont Forum Shopping Centre** qualified both as a place for recreation (e.g. shopping) and a meeting place. It was clear that this combination meant that the centre and the activity within it are an integral part of their community. The group generally considered the shopping centre to be tired and in need of improvement. Having a second storey was a popular idea.

It was in discussing the shopping centre that the more general observation was made that there should be more places that were aimed at, and suitable for teenagers. This discussion included the notion that maybe some places could be for adults during the day and teenagers in the evening – including a coffee shop.

iii The **library** was widely supported as a positive attribute and one that must be retained.

12.7 Continued

KRA: Business Belmont

i Views about **housing options** were traditional, with many expressing a desire to always live in the kind of house-with-garden that they have now.

Again, some emphatic comments were made, e.g:

- "Shouldn't let blocks of land become concrete blocks with bulk houses on them."

ii There was strong (unprompted) support for the **racing industry** from a few individuals who either had some connection with it or, indeed, owned a horse.

Interestingly, as their conversations on this issue progressed, there seemed to be broader support for greater visibility of the industry and more of a 'horse' or 'racing' flavour to the City of Belmont. For instance, some noted that the City did not have a single horse-related shop.

iii The proximity of the **airport** was well liked, simply because many appeared to travel extensively.

KRA: Natural Belmont

i The retention of **parks, public-open-space** and 'greenery' in general was an imperative for the group with strong views being expressed. Parks were talked **of as a place for activity and play**, rather than as meeting places. To this end, some wanted a greater diversity of activity and noted that playgrounds were designed for very young children - maybe some kind of activity hardware could be provided for teenagers. There was even a request for swings that were big enough for teens.

Some comments on open space were either emphatic or specific, e.g.:

- "Don't cut down <u>any</u> trees. – Keep greenery."
- "Don't build on parks!"
- "Keep that bushland on Alexander Road."

KRA: Built Belmont

i. The group considered **public transport** to be very good.

KRA: Business Excellence

Nil.

12.7 Continued

4. Elected Member Invitees

Apart from specific sessions with Elected Members there was an opportunity provided for all elected members to invite their own guests. A workshop was conducted on 6 October 2009 with approximately 30 guests attending. The diversity of those in attendance was large and included elderly citizens, young people, business professionals, community and family minded people to those from culturally diverse backgrounds.

It should be noted that comments from those people in attendance have been categorised to align, as closely as possible, to the Key Result Areas of Social, Business, Natural and Built Belmont. The table below indicates the summarised results of this workshop.

THE BEST THINGS ABOUT THE CITY.	THINGS THAT MUST STAY THE SAME.
KRA: Social Belmont • Multiculturalism. • Belmont is Community. • Most ages catered for – facilities for seniors, youth, retirement village. • Reasonably quiet. • Good schools and Council has a good relationship with schools. • Community spirit – all residents, facilities. • Schools – 7 Primary, Belmont City College. • Library – wonderful for residents/internet access/kids corner. • Playgroups – for children and parents respite. • Movies – keeping residents in our area. • Security – “Eye on Street” safety/security. • Churches – working together for our community. • Community Groups – youth/senior/City City March/RSL/Rotary/Probus.	**KRA: Social Belmont** • The good relationship with schools – principals monthly meeting. • Community spirit. • Services not to be reduced. • Security. • Maintain Aussie lifestyle – sporting healthy lifestyle.

12.7 Continued

<table>
<tr><th>THE BEST THINGS ABOUT THE CITY.</th><th>THINGS THAT MUST STAY THE SAME.</th></tr>
<tr><td>

KRA: Business Belmont

- Friendly small shops, strip shopping.
- Extremely convenient.
- Mixed community, high rise, low rise, business, and shops.
- 10% Perth Room Nights, manufacture, employment jobs available, wholesale.
- Racing precinct.
- Proximity to everything else.
- It has everything, lots of opportunity.
- Airport and rail, lots of potential for development.
- Historical precinct of 1867 Ascot Racing.
- Good mix of housing, affordable to expensive.
- Closeness to the City/airport – easy access by train, bus and car and for specialists.
- Great shopping –The Forum and medical facilities e.g. Rotary Market.
- Proximity to industry for employment – racing, and factories.
- Locality to CBD.
- City of Opportunity – forward thinking/planning.
- Belmont is unique – horse, airport precinct, com and residential.
- Mix of commercial and residential.
- Regional shopping centre and cinema.
- Older suburbs, larger blocks, property value, good mix of development potential.

</td><td>

KRA: Business Belmont

- Racing precinct must remain.
- Recreational facilities.
- Mixture of community – mixed housing principal.
- Business/industry/community mix.
- User friendly to home based business.
- The commitment to provide for its residents – not eroded or handed over to private companies, link up to outside groups.
- The good mixture of housing – block sizes.
- Commercial rents to be fair & reasonable.
- Maintain good balance on standard of Dev. Residential Housing.
- Price wise – affordable and higher $.
- Racing industry to stay.

</td></tr>
</table>

12.7 Continued

<table>
<tr><th>THE BEST THINGS ABOUT THE CITY.</th><th>THINGS THAT MUST STAY THE SAME.</th></tr>
<tr><td><u>KRA: Natural Belmont</u>
River.
Parklands, green open spaces.
Recreational activities.
Parks and gardens – number, the condition and are well used.
Closeness to the river, although we don’t use it enough.
Swan River – heart of the city/recreation/river activities.
Skate Park – keep kids off streets, keeps active and fit teenagers.
Swimming Pool – all ages/keep active/keep healthy.
Wonderful walks – keeping residents healthy and happy.
Volcano Park – safe/clean/accessible.
Good amenities for kids – BBQ facilities, playground, skate park.
River – recreational and lifestyle – bike paths, fishing, skiing, kayaking, walking – must stay.</td><td><u>KRA: Natural Belmont</u>
Not one square % metre of public open space less – protect green space.
Embargo development on public open space – streetscape.
Sports and rec clubs.
Sporting facilities.
Parks – access to river.
Clean healthy river.</td></tr>
<tr><td><u>KRA: Built Belmont</u>
Ease of access.
Transport, access Hwy’s Freeways.
Good bus service from the central area.
Transport – process to the whole of Perth/suburbs.
Belmont is centrally located – access to Hwys good, major roads good.</td><td><u>KRA: Built Belmont</u>
Good public transport.</td></tr>
<tr><td><u>KRA: Business Excellence</u>
Council offices centrally located – JP’s, Library HAAC Services, and Seniors Centre.</td><td><u>KRA: Business Excellence</u>
User friendly and open Council.
Vision of Council.
No Council unification = to stay Belmont.</td></tr>
</table>

12.7 Continued

THINGS THAT MUST CHANGE.	THINGS THAT WILL CHANGE ANYWAY.
KRA: Social Belmont • Schooling must increase/assist numeracy/literacy further. • Community facilities/community support for volunteer groups. • Security/family – more strategic partnerships with local Gov/State /Fed. Dept. • More resident input. • More facilities for various age groups – places for youth to meet/new seniors centre/community centre – aging population urgent. • Community art/Performing Art Centre. • More police presence. • Internet availability. • More cafes along foreshores.	**KRA: Social Belmont** • Aging population – urgent need for facilities. • Anti social behaviour. • Growth of aboriginal families. • Multicultural society.
KRA: Business Belmont • Medical facilities must be increased – indigenous support improved. • Support for small business must increase. • Better local signage. • More retirement villages – not lifestyle villages. • Aircraft ETD ETA to be staggered /reduce noise pollution. • Reduction - in public housing. • Need to utilize blocks better. E.g. use the front yard to build on. Creating courtyards for safety, which makes a better use of the block, underground parking. • A civic/ social area for coffee shops/ meeting places/ nightclubs/ new museum.	**KRA: Business Belmont** • Airport development – increased population to Perth. • Increase in land prices – urban infill development – prox to CBD, Freeways/Hwys. • Population density. • Air traffic – increase/ planes/ cars. • Use of alternative energy in homes. • Medical advances for aged. • Home based services will increase (requirements). • Housing density. • Cost of living. • ¼ acre block.

12.7 Continued

THINGS THAT MUST CHANGE.	THINGS THAT WILL CHANGE ANYWAY.
KRA: Natural Belmont • Access to river improved. • Streetscape improvement. • Environment friendly housing. • Better use of river locations especially parking for people to use. • More playgrounds for children – large ticket items e.g. Volcano Park. • Continuous dual use paths on river. • More public bins, toilets.	**KRA: Natural Belmont** • Residents to become more concerned with environment – solar/native bush/pollution.
KRA: Built Belmont • Roads and Hwys and traffic must improve/reduce red tape. • The upgrade of Gt. Eastern Hwy and Orrong Rd. • Industrial Commercial areas need more parking. Needs to be reworked. • Underground road to the airport or access roads for businesses so they don't use Horrie Miller Drive. • Underground power. • Street lighting.	**KRA: Built Belmont** • Roads getting busier – increased FIFO activity (fly in/fly out). • Vehicle types/numbers. • Increase in traffic – congestion.
KRA: Business Excellence • Belmont Race Course to our Council.	**KRA: Business Excellence** Nil.

The City also gathers an array of data though the annual survey process undertaken by Catalyse P/L. This data assists with the establishment of this plan and supports the annual review process, which is an important aspect for maintaining focus on the strategic direction for the City.

Officers were of the view that the consultation process undertaken was beneficial and productive in terms of setting the new objectives and strategies for the City. It is perhaps with some confidence now that Council can consider the new plan as one reflective of the current desires of the community. It is proposed that upon adoption of the new Strategic Plan, all those who participated will be invited to a small function whereby the results of their efforts will be presented and again the City's thanks for their input expressed.

12.7 Continued

STRATEGIC PLAN IMPLICATIONS

The new Strategic Plan considers objectives and strategies to ensure the best possible alignment to the Key Result Areas, as well as being refined to clearly represent the direction for the organisation in the forthcoming years.

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. However, the adoption of the new Strategic Plan will form the basis of the Plan for the Future, a statutory requirement of the *Local Government Act 1995* and budget process.

BACKGROUND

The current City of Belmont Strategic Plan 2006-2010 was adopted by Council in July 2005. During each year of this plan an administrative review has been undertaken to ensure the plan accurately reflects the strategic direction required for the City.

The new Strategic Plan 2010 – 2015 is a complete review of the strategic direction for the City including consultation of various interest groups. Officers presented to Elected Members at various workshops and ISCF's the detail of formulated objectives and strategies and this report is now the formalisation phase prior to moving onto the integration of the new objectives and strategies to within the Corporate Plan.

The City will continue to use the Catalyse Survey results on an annual basis and other data obtained to populate the tables measuring Community and Wellbeing Satisfaction, Social, Business, Natural and Built Belmont. The Strategic Plan was formulated through various workshops, meetings and presentations. The Strategic Plan sets the direction that Council will take and management will follow at the City of Belmont.

The Strategic Plan will see a range of more detailed planning activities occur during the implementation and amendment of the Corporate Plan and the establishment of detailed strategies including:

• Asset Management Strategy • Customer Focus Strategy • Streetscape Strategy • Environmental Strategy • Safety and Security Strategy • Business Strategy	• Commercial Strategy • Local Housing Strategy • Open Space Strategy • Heritage Strategy • Crime Prevention Strategy • Land Asset Management Plan etc.

Performance benchmarks have been set that would indicate particular achievement toward various strategies within the Strategic Plan for the community and will provide for efficient and effective Local Government. As required the Chief Executive Officer (CEO) has instigated the review process for the Corporate Plan with the organisation.

12.7 Continued

The CEO has engaged his Executive and Management teams together with the organisation to facilitate the review process.

OFFICER COMMENT

The Strategic Plan sets the direction that Council will take, and management will follow, in the City of Belmont. It establishes objectives, strategies to achieve them and measurable performance outcomes to enable Council and the Community to review progress.

The City values of teamwork, leadership, integrity, innovation and people focus are part of the Strategic Plan as they will guide the attitudes and behaviours of the organisation.

The framework of the plan has been built around four cornerstones including Social Belmont, Business Belmont, Natural Belmont and Built Belmont. These four key result areas will be delivered through Business Excellence.

The format of the Strategic Plan incorporates measurable targets for each Key Result Area (KRA). These targets are delivered throughout the document on a year by year basis and incorporated into the plan during each review process. Each KRA is then detailed through objectives and strategies.

Vision

As part of the review process the Rubis Group P/L, Laraine Wheller, was engaged to undertake a review of the City's current Vision and how this was placed in regard to the outcomes received through the community consultation phase of the Strategic Plan. The City's current vision is quite lengthy and potentially antiquated:

"We have a vision of Belmont as a place to which the community aspires; a City that is attractive, safe, healthy and prosperous and fulfils the aspirations of the community, a place that encourages a wide range of lifestyles living harmoniously, where human activities enhance rather than degrade the natural and built environment; where citizens and local businesses can grow socially, culturally and economically; a place that our next generation will be pleased to inherit, a place known as a City of Opportunity."

A number of workshops with Elected Members were conducted. The key objectives of these being:

- To guide Council in developing a clear strategic ***Focus*** for the City
- To facilitate the development of a new ***Vision*** for the City of Belmont
- To ***validate*** the City's key Strategies and Plan against the new Vision

The result being a shortened and modernised version:

"The City of Belmont will be home to a diverse and harmonious community, thriving from the opportunities of our unique, riverside City."

12.7 Continued

The format of the Strategic Plan presents a clear and accountable direction for Council and the organisation that can be measured. The implementation of the Strategy Manager software across the organisation has provided a valuable tool for management to utilise in the control and reporting of the Strategic Plan. The ongoing annual review will enable further engagement across the organisation and is an opportunity to make the necessary adjustments that ensures the document maintains life and relevance both from a community and organisational perspective.

The implementation of Strategy Manager has also focussed Officers on performance measures by ensuring indicators and key actions can actually be measured effectively and data is available to measure.

This Strategic Plan will enable Elected Members to be more aware of the progress of KRA's and in turn be better prepared to inform members of the community of the City's progress.

The Strategic Plan 2010 -2015 as presented is considered to be an accurate reflection of community and Council aspirations and will assist in achieving the City's proposed new Vision.

Attachment 7 is the City of Belmont Strategic Plan 2010 – 2015.

FINANCIAL IMPLICATIONS

The Strategic Plan provides the overall framework for the Council's Budget. The completion of the new plan is timely in regard to the budget process.

There will continue to be strong links developed between the City's Strategic Plan and budget which will result in more accountability in Council's budget process that in turn will result in greater efficiency. The Strategic Plan will form the basis of the Plan for the Future, a statutory requirement of the *Local Government Act 1995* and budget process.

ENVIRONMENTAL IMPLICATIONS

There are numerous references to the environment in the Strategic Plan that will see the City's Environmental Plan delivered.

SOCIAL IMPLICATIONS

There are numerous references to the social aspect in the Strategic Plan that will see a range of Plans delivered.

OFFICER RECOMMENDATION

That the City of Belmont Strategic Plan 2010 -2015 included under Attachment 7 of the 25 May 2010 Council Agenda be adopted.

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

12.8 REQUEST FOR RATES EXEMPTION – ADVOCARE 190 ABERNETHY ROAD, BELMONT

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Nil

Voting Requirement	:	Simple Majority
Subject Index	:	98/008 – Rate Exemption Request
Location / Property Index	:	1/190 Abernethy Road, Belmont
Application Index	:	Nil
Disclosure of any Interest	:	Nil
Previous Items	:	Nil
Applicant	:	Advocare Incorporated
Owner	:	Valetta Pty Ltd
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, town planning schemes & 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 town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

PURPOSE OF REPORT

To consider the request for rate exemption on unit 1 only at 190 Abernethy Road, Belmont.

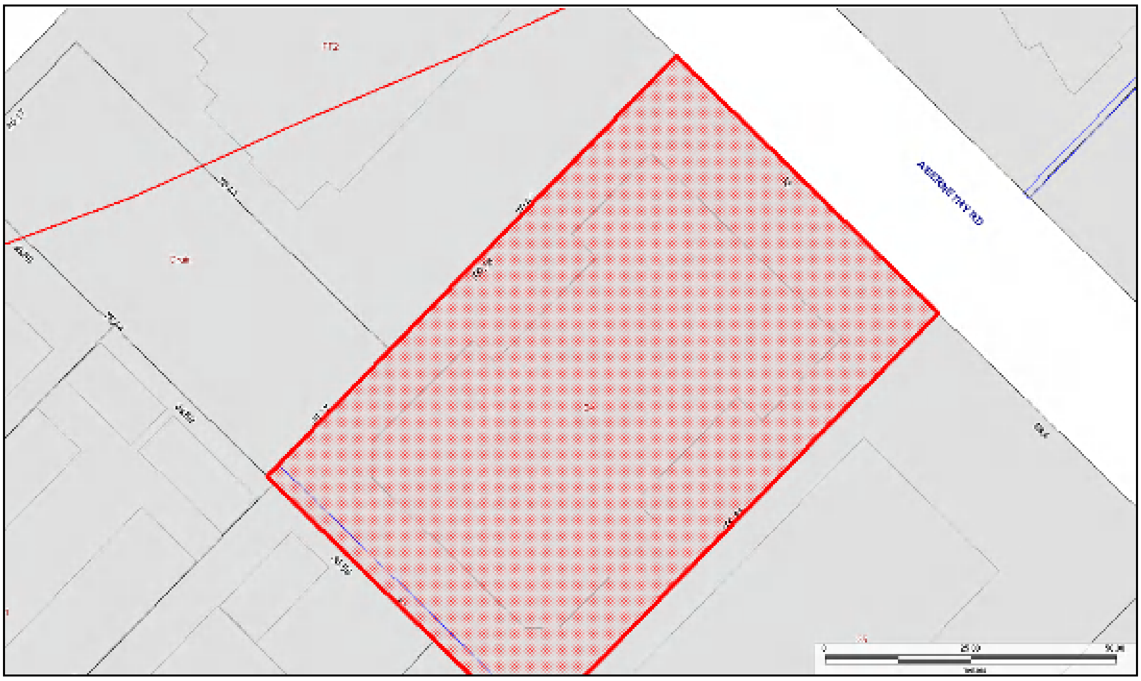
SUMMARY AND KEY ISSUES

Request for rate exemption for Advocare Incorporated under section 6.26 (2)(g) and Section 6.53 of the *Local Government Act 1995*.

12.8 Continued

LOCATION

Lot 34 on Diagram 77075 known as 190 Abernethy Road, Belmont (Unit number one only in a complex of seven non strata units).



CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

There are two sections of the Local Government Act that apply.

1. Section 6.26 of the *Local Government Act 1995* states:

Except as provided in this section all land within a district is rateable land.

12.8 Continued

(2) The following land is not rateable land

(g) land used exclusively for charitable purposes;

Section 6.53 of the *Local Government Act 1995* states:

Land becoming or ceasing to be rateable land:

Where during a financial year –
(a) land that was not rateable becomes rateable land; or
(b) rateable land becomes land that is not liable to rates, the owner of that land
(c) is liable for rates proportionate to the portion of the year during which the land is rateable land; or
(d) is entitled to a refund of an amount proportionate to the portion of the year during which the land is not rateable land, as the case requires.

BACKGROUND

Advocare is a not for profit independent organisation providing essential advocacy services to older people living in residential aged care facilities and older people who receive or are eligible to receive community care services at their own home under the Home and Community Care services (HAAC).

The organisation's aim is to prevent abuse of the elderly and to both protect and empower the elderly and vulnerable members of our community by providing support, advocacy, information on their rights and sources of help, awareness and education of the wider community.

OFFICER COMMENT

As part of the exemption request, Council has received a copy of the relevant sections of the lease, the Advocare Constitution and the Notification of Endorsement for Charity tax concessions issued by the Australian Taxation Office.

FINANCIAL IMPLICATIONS

Section 6.53 of the *Local Government Act 1995*, defines the property as being non rated effective from the date of the lease or 1 July of the year the application is being made.

As the unit is part of a non strata complex, the City is liaising with the Valuer General's Department to ascertain the Gross Rental Valuation on this individual unit. Once that information is received, the loss of revenue for the 2009/2010 rating year can be determined.

The Fire Services Levy is still applicable to the property as a whole and is required to be paid in full and the payment forwarded to the Fire and Emergency Services Authority as per the current legislative requirements.

12.8 Continued

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

Advocare is an organisation that has been leasing this property in the City since August 2007 and is supporting the elderly in need within the community.

OFFICER RECOMMENDATION

That unit one within the complex of seven units known as (Lot 34 on Diagram 77075) 190 Abernethy Road, Belmont, be granted rate exemption under Section 6.26(2) (g) and Section 6.53 of the Local Government Act 1995 effective from 1 July 2009.

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

12.9 REQUEST FOR RATES EXEMPTION – GOOD SAMARITANS - 8/199 ABERNETHY ROAD, BELMONT

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Nil.

Voting Requirement	:	Simple Majority
Subject Index	:	98/008 – Rate Exemption Request
Location / Property Index	:	8/199 Abernethy Road, Belmont
Application Index	:	Nil
Disclosure of any Interest	:	Nil
Previous Items	:	Nil
Applicant	:	Good Samaritan Industries
Owner	:	Carrooda Pty Ltd and Sansom Nominees Pty Ltd
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, town planning schemes & 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 town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

PURPOSE OF REPORT

To consider the request for rate exemption on unit 8 only at 199 Abernethy Road, Belmont.

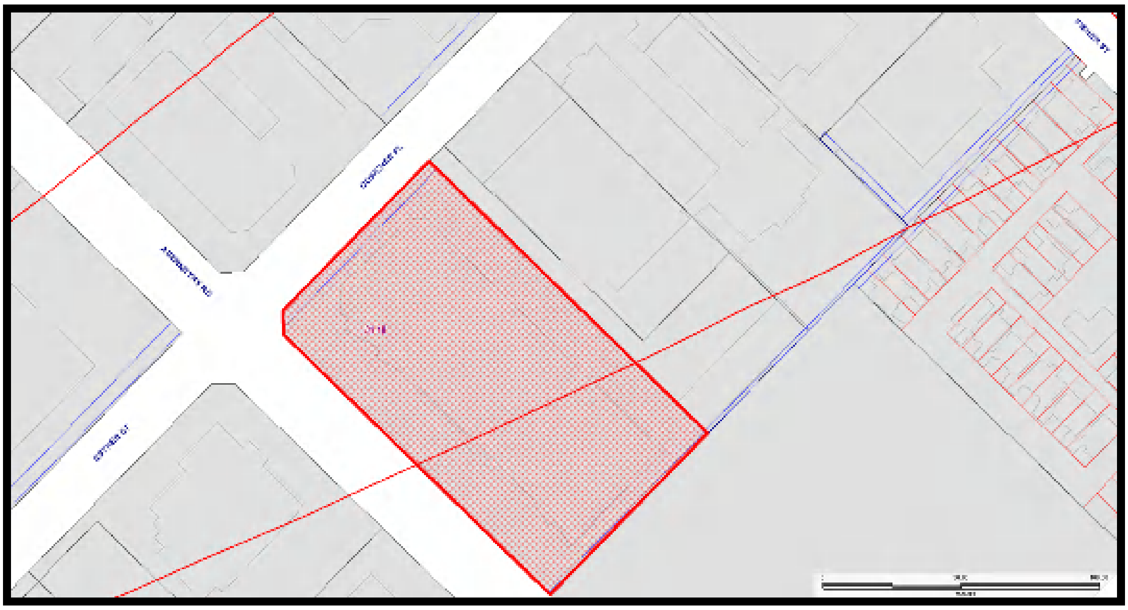
SUMMARY AND KEY ISSUES

Request for rate exemption for Good Samaritan Industries under section 6.26 (2)(g) and Section 6.53 of the *Local Government Act 1995*.

12.9 Continued

LOCATION

Lot 5 on Diagram 75378 known as 199 Abernethy Road, Belmont (Unit number eight only in a complex of eleven non strata units).



CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

There are two sections of the Local Government Act that apply.

1. Section 6.26 of the *Local Government Act 1995* states:

" Except as provided in this section all land within a district is rateable land.

(2) The following land is not rateable land

(g) land used exclusively for charitable purposes;"

12.9 Continued

2. Section 6.53 of the Local Government Act states:

“Land becoming or ceasing to be rateable land:

Where during a financial year –

> *(a) land that was not rateable becomes rateable land; or*
> *(b) rateable land becomes land that is not liable to rates, the owner of that land,*
> *(c) is liable for rates proportionate to the portion of the year during which the land is rateable land; or*
> *(d) is entitled to a refund of an amount proportionate to the portion of the year during which the land is not rateable land,*
> *as the case requires”*

BACKGROUND

Good Samaritan Industries is a body incorporated under the provisions of the Uniting Church in Australia and exists to provide employment choices for people with disabilities. The Mission contributes to enabling staff to achieve independence, self worth, dignity and acceptance into society. Good Samaritan Industries is also a registered charity and a registered not-for-profit organisation.

The unit at 199 Abernethy Road, Belmont has been occupied by the organisation since June 2009 as a retail store.

OFFICER COMMENT

As part of the exemption request, Council has received a copy of the relevant sections of the lease, the Good Samaritan Industries Constitution, Notification of Endorsement for Charity tax concessions issued by the Australian Taxation Office. Also received is the Charitable Collections Licence.

In addition, as the principal use of the premises is a “retail store”, further legal investigation was undertaken to clarify the appropriateness of granting an exemption for charitable purposes. Officers are satisfied that there is sufficient legal precedent to justify the granting of an exemption in this case.

FINANCIAL IMPLICATIONS

Section 6.53 of the *Local Government Act 1995*, defines the property as being non rated effective from the date of the lease or 1 July of the year the application is being made.

As the unit is part of a non strata complex, the City has liaised with the Valuer General’s Department to ascertain the Gross Rental Valuation on this individual unit. The loss of revenue for the 2009/2010 rating year is $6,039.25.

The Fire Services Levy is still applicable to the property as a whole and is required to be paid in full and the payment forwarded to the Fire and Emergency Services Authority as per the current legislative requirements.

12.9 Continued

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

The Good Samaritan Industries use the facilities to train and employ people with disabilities which enables them to achieve independence, self worth, dignity and acceptance in the wider community.

OFFICER RECOMMENDATION

That unit eight (Lot 5 on Diagram 75378) known as 199 Abernethy Road, Belmont be granted rate exemption under Section 6.26(2)(g) and Section 6.53 of the Local Government Act 1995 effective from 1 July 2009.

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

12.10 ACCOUNTS FOR PAYMENT – APRIL 2010

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	**Details**
Attachment 8 – Item 12.10 refers	**Account for Payment – April 2010**

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

COUNCIL ROLE

	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, town planning schemes & 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 town 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*.

12.10 Continued

LOCATION

N/A

CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

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

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

BACKGROUND

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

OFFICER COMMENT

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

Municipal Fund Cheques	781861-781945	423,726.94
Municipal Fund EFTs	EF012321-EF012705	2,459,634.57
Trust Fund Cheques	905308-905309	33,061.27
Trust Fund EFT	EF012381	2,587.50
Payroll Payments		991,434.79
Total Payments for April 2010		**3,910,445.07**

12.10 Continued

A copy of the Authorised Payment Listing is included as Attachment 8 to this report.

FINANCIAL IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER RECOMMENDATION

That the Authorised Payment Listing for April 2010 as provided under Attachment 8 be received.

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

12.11 MONTHLY ACTIVITY STATEMENT AS AT 30 APRIL 2010

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 9 – Item 12.11 refers	**Monthly Activity Statement as at 30 April 2010**

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 & 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, town planning schemes & 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 town 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.

12.11 Continued

LOCATION

N/A

CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

Key Result Area: Business Excellence

“Improve knowledge management and ensure organisational compliance to statutory record keeping obligations”.

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 was amended as at 1 July 2005 to require a Statement of Financial Activity reporting on the sources and applications of funds for that month. A quarterly or tri-annual statement is no longer required under the amended Regulation.

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.

Indicate the appropriate statutory environment implications if required.

BACKGROUND

The *Local Government (Financial Management) Regulations 1996* require that financial statements are presented on a monthly basis to Council. In October 2008, Council adopted 10 percent of the budgeted closing balance as the materiality threshold.

12.11 Continued

OFFICER COMMENT

The Statutory Monthly Financial Report is to consist of a Statement of Financial Activity reporting on sources and applications of funds 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.

The amendment to the Regulations has fundamentally changed the reporting structure which has been used to 30 June 2005, as it now requires reporting of information consistent with the "cash" component of Council's budget rather than being "accrual" based. The monthly Statement of Financial Activity now ties in more closely with the Management Report provided to Council quarterly.

The monthly financial report is to be accompanied by:-

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

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

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

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

In order to provide more details regarding significant variations as included in Attachment 9 the following summary is provided.

Report Section	***YTD Budget***	***YTD Actual***	***Comment***
Applications of Funds – Capital			
Financing Activities	166,862	364,273	Loan repayment budgeted in May 2010.
Belmont HACC Services	140,980	28,216	Ascot Transport bus not yet purchased.
Road Works	3,831,243	4,050,580	Some projects slightly ahead of schedule.
Operations Centre	1,027,780	798,831	Purchase of chargeable plant behind budget schedule.
Building Operations	565,720	357,130	Projects are expected to meet the annual budget.
Applications of Funds – Operating			
Computing	1,050,648	911,178	Software PC & Business Applications not yet purchased.
Executive Services	1,217,365	1,044,579	Salary related costs below budget.
Records Management	464,065	372,013	Salary related costs below budget.
Property & Economic Development	1,144,881	437,072	Contribution to public open space subject to sale of Orana Park.

12.11 Continued

Report Section	YTD Budget	YTD Actual	Comment
Crime Prevention & Comm Safety	470,155	291,960	CCTV and Alarm Assist projects commenced later than anticipated. Salary related costs are also below budget.
Belmont HACC Services	1,576,211	1,360,926	Salaries and related costs below budget.
Grounds Operations	3,050,471	2,921,477	Slight timing issue with some projects.
Streetscapes	1,077,888	794,217	Street Tree Maintenance works commenced later than anticipated.
Public Works Overheads	790,725	988,102	Insurance premium fully recognised and an over-estimation of time supervisors allocate to jobs.
Other Public Works	1,214,642	1,085,642	PTA project below budget.
Sources of Funds – Capital			
Property & Economic Development	(2,899,840)	(849,476)	Proposed land sale and loan draw down not yet occurred.
Operations Centre	(401,090)	(198,636)	Sale of Plant & Fleet behind budget schedule.
Sources of Funds – Operating			
Computing	(1,129.674)	(1,080,474)	ABC cost recovery lower due to lower costs.
Rates	(28,934,919)	(30,565,807)	Airport rates higher than anticipated which includes back rates.
Financing Activities	(535,556)	(1,398,722)	Interest on investments held in reserve significantly higher than anticipated.
Grounds Overheads	(1,100,781)	(1,221,841)	Recoveries higher than anticipated.
Road Works	(329,287)	(233,297)	Grant funding not yet received.
Other Public Works	(832,339)	(941,686)	Reimbursements for private works higher than anticipated.

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

Reconciliation of Nett Current Assets to Statement of Financial Activity		
Current Assets as at 30 April 2010	**$**	**Comment**
Cash and investments	20,966,765	Includes municipal, reserves & deposits
- less non rate setting cash	-10,800,628	Reserves and deposits held
Receivables	4,208,848	Mostly rates levied yet to be received
- less non rate setting receivables	-238,723	ESL levied and GST payable
Stock on hand	237,608	
Total Current Assets	**14,373,870**	
Current Liabilities		
Creditors and provisions	-4,230,591	Includes deposits

12.11 Continued

Reconciliation of Nett Current Assets to Statement of Financial Activity		
- less non rate setting creditors & provisions	2,178,207	ESL, GST and deposits held
Total Current Liabilities	**-2,052,384**	
Nett Current Assets 30 April 2010	12,321,486	
Nett Current Assets as Per Financial Activity Report	12,321,486	
Less Restricted Assets	**-938,849**	Unspent grants held for specific purposes
Less Committed Assets	**-10,495,637**	All other budgeted expenditure
Estimated Closing Balance	**887,000**	

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.

OFFICER RECOMMENDATION

That the Monthly Financial Reports as at 30 April 2010 as included in Attachment 9 be received.

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

12.12 LATE ITEM - SUPPLY, DELIVERY AND REGISTRATION OF ONE 3 TONNE CREW CAB TRUCK WITH OPTIONAL TRADE IN OR OUTRIGHT SALE

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Confidential Attachment 3 – Item 12.12 refers	**Comparison of Trucks Offered**
Confidential Attachment 4 – Item 12.12 refers	**Evaluation Scorecard**

Voting Requirement	:	Simple Majority
Subject Index	:	135/009
Location / Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Technical Services

COUNCIL ROLE

	Advocacy	*When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
☒	**Executive**	*The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	**Legislative**	*Includes adopting local laws, town planning schemes & 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 town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

PURPOSE OF REPORT

To seek Council approval to purchase one Three Tonne Crew Cab Truck, Three Way Tipping with a One Tonne Crane with the optional trade in or outright sale of one Mitsubishi Canter FE649 Crew Cab Three Way Tip Truck with One Tonne Kevrek Crane.

12.12 Continued

In accordance with the 2009/10 Delegations Register, Clause 09/10 DA06 – Disposal of Assets, Council approval is required for the disposal of plant and assets with a depreciated value of more than $25,000.

To accept tenders for annual supplies of a routine operational nature within the budget amount and where the tender is for no greater than 5 years and no more than $250,000 per annum.

SUMMARY AND KEY ISSUES

To seek Council approval to purchase one Three Tonne Crew Cab Truck, Three Way Tipping with a One Tonne Crane with the optional trade in or outright sale of one Mitsubishi Canter FE649 Crew Cab, Three Way Tip Truck with One Tonne Kevrek Crane in accordance with the requirements of the *Local Government Act 1995.*

Three quotations were received as follows:

Skipper Trucks
WA Hino
Major Motors

All three organisations offered a trade in and WA Hino also made a submission for the outright purchase of the old truck.

LOCATION

N/A

CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

Policy Manual Section BEXB28 – Purchasing.

STATUTORY ENVIRONMENT

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

12.12 Continued

BACKGROUND

The West Australian Local Government Association (WALGA) has established a preferred supplier panel for the Supply and Delivery of Trucks and Associated Equipment. This arrangement gives Local Governments direct access to the market without the cost or risk of independently tendering for suppliers as this function has been undertaken on their behalf by WALGA. However, the Local Government still has an obligation under the *Local Government Act 1995* to advertise a public tender for the disposal of property and this was advertised by WALGA, on behalf of the City of Belmont, in the West Australian on Wednesday, 10 March 2010 closing on Wednesday, 17 March 2010.

Quotations were sought from three of the panellists for the purchase of the new truck, each supplier offering a different make and model. City of Belmont fleet staff and operators inspected the trucks offered in order to assess their suitability and quality.

OFFICER COMMENT

Evaluation of the trucks offered was undertaken by the Coordinator Contracts & Tenders, the Coordinator Fleet and Plant and the Parks Technical Officer. The evaluation panel visited all the suppliers to assess the trucks. A summary of the vehicles offered is detailed in Confidential Attachment 3 and the evaluation scorecard in Confidential Attachment 4.

All suppliers offered the same body, manufactured by P & G Body Builders, so the evaluation was based on the features of the crew cab.

The Fuso Canter offered by Skipper Trucks has good storage cabinets under the rear seat of the cab and access for the daily oil checks, etc is convenient. The visibility from the cab is good and it has the lowest turning circle. Evaluation of the price was based on the purchase price only and does not reflect the trade in price, although the trade in was the highest offered. The truck also has a known history of strong resale value. As the highest scorer on the evaluation matrix, Skipper Trucks is the recommended supplier.

FINANCIAL IMPLICATIONS

	Expenditure	**Income**	**Net Changeover**
Budget	$68,000	$25,000	$43,000
Actual	$84,309	$27,185	$57,124
Variance	**($16,309)**	**$2,185**	**($14,124)**

The trade in price is better than expected, however the net changeover is over budget. The extra funds are available from the Plant Reserve Account.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

12.12 Continued

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER RECOMMENDATION

That the quotation submitted by Skipper Trucks for the supply, delivery and registration of a Mitsubishi Fuso Canter FE84DEWSRFAB crew cab with a three way tipping body and one tonne crane as specified for the cost of $84,309.00 excluding GST less $27,185.00 excluding GST for the trade-in of one Mitsubishi Canter FE649 Crew Cab with three way tip truck and one tonne crane as specified for a net cost of $57,124.00 excluding GST be accepted as the most advantageous.

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

12.13 LATE ITEM - SUPPLY, DELIVERY AND REGISTRATION OF ONE 8 TONNE FLAT TRAY WATER TRUCK WITH OPTIONAL TRADE IN OR OUTRIGHT SALE

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Confidential Attachment 5 – Item 12.13 refers	**Comparison of Trucks Offered**
Confidential Attachment 6 - Item 12.13 refers	**Evaluation Scorecard**

Voting Requirement	:	Simple Majority
Subject Index	:	135/010
Location / Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	N/A
Responsible Division	:	Technical Services

COUNCIL ROLE

	Advocacy	*When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
☒	**Executive**	*The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
☐	**Legislative**	*Includes adopting local laws, town planning schemes & 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 town planning applications, building licences, applications for other permits / licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

PURPOSE OF REPORT

To seek Council approval to purchase one 8 Tonne Flat Tray Water Truck with optional trade in or outright sale of one Hino Ranger 8Z 2002 Flat Tray Truck.

In accordance with the 2009/10 Delegations Register, Clause 09/10 DA06 – Disposal of Assets, Council approval is required for the disposal of plant and assets with a depreciated value of more than $25,000.

Item 12.13 Continued

SUMMARY AND KEY ISSUES

To seek Council approval to purchase one 8 Tonne Flat Tray Water Truck with optional trade in or outright sale of one Hino Ranger 8Z 2002 Flat Tray Truck in accordance with the requirements of the *Local Government Act 1995.*

Three quotations were received as follows:

Skipper Trucks
WA Hino
Major Motors

All three organisations offered a trade in and WA Hino and Allied Plant also made submissions for the outright purchase of the old truck.

LOCATION

N/A

CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

Policy Manual Section BEXB28 – Purchasing.

STATUTORY ENVIRONMENT

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

BACKGROUND

The West Australian Local Government Association (WALGA) has established a preferred supplier panel for the Supply and Delivery of Trucks and Associated Equipment. This arrangement gives Local Governments direct access to the market without the cost or risk of independently tendering for suppliers as this function has been undertaken on their behalf by WALGA.

Item 12.13 Continued

However, the Local Government still has an obligation under the *Local Government Act 1995* to advertise a public tender for the disposal of property and this was advertised by WALGA, on behalf of the City of Belmont, in the West Australian on Wednesday, 10 March 2010 closing on Wednesday, 17 March 2010.

Quotations were sought from three of the panellists for the purchase of the new truck, each supplier offering a different make and model. City of Belmont fleet staff and operators inspected the trucks offered in order to assess their suitability and quality.

OFFICER COMMENT

Evaluation of the trucks offered was undertaken by the Coordinator Contracts & Tenders, the Coordinator Fleet and Plant and the Traffic Management Supervisor (formerly Leading Hand Asphalt). The evaluation panel visited all the suppliers to assess the trucks. A summary of the vehicles offered is detailed in Confidential Attachment 5 and the evaluation scorecard in Confidential Attachment 6.

All the trucks offered are capable of performing the work role for this operation. However, Skipper Trucks have offered the highest trade in price and thereby giving the best value for money. As the highest scorer on the evaluation matrix, Skipper Trucks is the recommended supplier.

FINANCIAL IMPLICATIONS

	Expenditure	**Income**	**Net Changeover**
Budget	$130,000	$40,000	$90,000
Actual	$127,580	$56,400	$71,180
Variance	**$2,420**	**$16,400**	**$18,820**

The trade in price offered for the existing truck has brought the net changeover cost well under budget, allowing the City to replace the water tank, pump and all fittings and still remain under budget.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

Item 12.13 Continued

OFFICER RECOMMENDATION

That the quotation submitted by Skipper Trucks for the supply, delivery and registration of a Mitsubishi Fuso Fighter 10.0 FM65FH2RFAA flat tray water truck with new water and fuel tanks as specified for the cost of $127,580.00 excluding GST less $56,400.00 excluding GST for the trade-in of one Hino Ranger 8Z 4x4 2002 (Model GT1JHLA) flat tray truck with water tank, pump and fittings but excluding storage containers as specified for a net cost of $71,180.00 excluding GST be accepted as the most advantageous.

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 COUNCILLOR MOTION – AMENDMENT TO BEXB 11 – COUNCIL MEMBER SUPPORT – COUNCIL TO APPROVE CONFERENCES AND SEMINARS

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 10 – Item 13.2 refers	**Current Policy BEXB 11 – Council Member Support**

Voting Requirement	:	Simple Majority
Subject Index	:	35/001 – Functions / Courses – Councillor Attendance
Location / Property Index	:	N/A
Application Index	:	N/A
Disclosure of any Interest	:	Nil
Previous Items	:	OCM – 28/04/09 – Item 12.10
Applicant	:	Cr Hitt
Owner	:	N/A
Responsible Division	:	Chief Executive's Office

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, town planning schemes & 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 town 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

On the 28 April 2010 a Notice of Motion was received from Cr Hitt in regards to modifying Council Policy BEXB 11 – Council Member Support, in particular for Elected Members Conferences and Seminars to now be approved by Council.

Item 13.2 Continued

SUMMARY AND KEY ISSUES

Current Council Policy prescribes the amount of money set aside for Elected Member Training & Development, and the Council Administration informs Elected Members via the Councillor Portal of those conferences, seminars and training days that are available.

When an Elected Member seeks to attend a Conference / Seminar then a request is made in writing to the Mayor on the required form which outlines their reasoning to attend and its relevance to their role. The Mayor will then consider the request, and if approval is not granted then there is scope for Councillors to seek Council's further consideration on the matter.

This Councillor Motion would require Elected Members to submit a request to Council, which in-turn will require Council's consideration prior to registration to attend any conference or seminar.

LOCATION

N/A

CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

There are no Strategic Plan implications evident at this time.

POLICY IMPLICATIONS

Should Council resolve to adopt the Councillor Motion then an amendment to Council Policy BEXB 11 – Council Member Support (Refer to Attachment 10) would be required.

STATUTORY ENVIRONMENT

Section 2.10 of the *Local Government Act 1995* states that the role of councillors includes;

"A councillor —

(a) represents the interests of electors, ratepayers and residents of the district;

(b) provides leadership and guidance to the community in the district;

(c) facilitates communication between the community and the council;

Item 13.2 Continued

(d) participates in the local government's decision-making processes at council and committee meetings; and

(e) performs such other functions as are given to a councillor by this Act or any other written law."

In order to perform these roles it is important for Councillors to be knowledgeable about the various issues affecting Local Government, as greater comprehension will lead to improved decision making capabilities.

COUNCILLOR COMMENT

Councillors that wish to attend conferences relevant to council business, should have their application for funding/expenses to attend such conferences approved at a full council meeting'. The change would make Council procedures more transparent and Councillors more accountable to its residents.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

Note

Cr Hitt stated his reasons for submitting the Councillor Motion.

His Motion states that Councillors who wish to attend conferences relevant to Council business should have their application for funding/expenses to attend such conferences approved at a full Council meeting.

He addressed questions from Councillors raised at the Agenda Briefing Forum of 18 May 2010, including concerns raised by Councillors of the ethos of Neighbourhood Watch.

Cr Hitt tabled several documents in respect to Councillor Electoral Flyers promoting greater accountability and the level of public information available over the internet in respect to an individual's property details.

Item 13.2 Continued

COUNCILLOR RECOMMENDATION

HITT MOVED, DORNFORD SECONDED, That Council Policy BEXB 11 – Council Member Support, be amended to read as follows;

11. Budget *and Approval* for Professional Development

    This policy establishes a limit for travel, accommodation and registration expenses for conferences. Council Member request/s will require *approval by Council for* attendance at conferences each year up to the set budget amount. A Council Member may agree to fund any short fall in conference expenses where attendance at a conference would exceed the set budget amount.

LOST 3 VOTES TO 8

For: Hitt, Dornford, Hanlon
Against: Godfrey, Gee, Marks, Martin, Whiteley, Powell, Wolff, 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 8.16pm.

MINUTES CONFIRMATION CERTIFICATION

The undersigned certifies that these minutes of the Ordinary Council Meeting held 25 May 2010 were confirmed as a true and accurate record at the Ordinary Council Meeting held 22 June 2010:

Signed by the Person Presiding: ____

PRINT name of the Person Presiding: ____________________________________