



City of Belmont
ORDINARY COUNCIL MEETING
MINUTES
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26 October 2010

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ATTACHMENTS INDEX

- Attachment 1 – Item 12.3 refers
- Attachment 2 – Item 12.4 refers
- Attachment 3 – Item 12.5 refers
- Attachment 4 – Item 12.6 refers

CONFIDENTIAL ATTACHMENTS INDEX

- Confidential Attachment 1 – Item 12.7 refers
- Confidential Attachment 2 – Item 12.7 refers

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

PRESENT

Cr G Godfrey, Mayor	East Ward
Cr P Marks, Deputy Mayor	East Ward
Cr C Hanlon	East Ward
Cr R Rossi	West Ward
Cr P Hitt	West Ward
Cr J Powell	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 K Davidson (<i>dep 7.41pm & did not return</i>)	Manager Health & Ranger Services
Mr M Ridgwell	Principal Governance & Compliance Advisor
Ms S Johnson	Governance Officer

MEMBERS OF THE GALLERY

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

1. OFFICIAL OPENING

The Presiding Member opened the meeting at 7.01pm, welcomed those in attendance and invited Cr Hanlon to read aloud the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers. Cr Hanlon 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.

7.01pm The Manager Governance departed the meeting.

7.03pm The Manager Governance returned to the meeting.

2. APOLOGIES & LEAVE OF ABSENCE

Cr B Martin (Apologies)
Cr B Whiteley (Apologies)

West Ward
South Ward

3. DECLARATIONS OF INTEREST

3.1 FINANCIAL INTERESTS

Nil.

3.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

Name	Item No. & Title
Cr Hanlon	12.2 - Community Infrastructure Project
Cr Gee	12.7 - Community Service Awards 2010 Nominations
Cr Wolff	12.7 - Community Service Awards 2010 Nominations

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

4.1 ANNOUNCEMENTS

Nil.

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

Nil.

5.2 QUESTIONS FROM MEMBERS OF THE PUBLIC

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

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

One further member of the public gallery stated their intention to ask a question, this being Mrs Bass.

5.2.1 Miss L Herring, 7/152 Great Eastern Highway, Ascot

1. The City Councillors sit as the Trustees of Belmont Trust which owns a large area of riverside land opposite Belmont Primary School (sometimes known as the Grove Farm area) that is held in trust "for recreational purposes only" for ratepayers. Can Council advise whether the private developers which claimed an interest in part of the land have yet relinquished that claim?

Response

The Presiding Member stated - no and as the matter is subject to further potential legal resolution, no further response can be provided.

5.2.2 Mr P Oggelsby, 6 Hendra Street, Cloverdale

1. In regards to the Senior Citizens Centre – what are Council's plans and thoughts on rebuilding or repairing the present building?

Response

The Presiding Member stated that the City was unsuccessful in receiving Federal Government grant funding. There has been no definite decision on the future of the Centre, however the best options for the future of the Centre are being investigated.

5.2.3 Mrs M Bass, on behalf of BRRAG, PO Box 73, Cloverdale

1. BRRAG asked Council to budget for a toilet facility in Centenary Park, pointing out that many residents use this park, they come as families for bbq's and to use the childrens' playgrounds, and Council has chosen to ignore the people living around this area by not putting onto their 2010-2011 budget, instead they have built more toilet facilities at Tomato Lake that already had two toilets for the patrons who use this park.

Council needs to prioritise capital works to ensure that all areas in Belmont have adequate money spent on necessary facilities such as this, it is just common sense to recognise that if one park has no facilities, such as toilets, then they should be serviced first before any of our funds are dispensed.

Response

The Chief Executive Officer stated that toilet facilities for Centenary Park had not been allocated for the current budget, however they have been allocated for the forward works budget for future capital works.

2. Bayswater has built gym equipment at Riverside Gardens, this equipment is very popular especially with elderly residents. Could Council get information from Bayswater Council and look at doing a similar recreational facility?

Response

The Director Technical Services stated that Tomato Lake and Hardey Park have been scheduled to have similar gym equipment installed.

3. The Minister for Local Government has asked for a reduction of between six - nine councillors. Why is this Council which is small compared to most Councils, only reducing to nine plus the Mayor, which is ten councillors (as the Mayor is not elected by the people) instead of six. Even with six councillors we are nowhere near the number that Councils like Wanneroo and Stirling have to look after. Cutting down to six would be a huge saving to ratepayers and that should be a councillor's priority.

Response

The Chief Executive Officer stated that a ward boundary review is currently being undertaken, which included public submissions being called for from residents. A report will be submitted to the Ordinary Meeting of Council on 23 November 2010.

4. Why has this Council allowed the massive increase in the Chief Executive Officer wage, when the Premier of State received a \$13,000 increase, small compared to what Council has paid for a Chief Executive Officer that is constantly raising rates, rather than cutting down on wasteful spending? It is time councillors started looking after the interest of residents and have better management of our funds.

Response

The Presiding Member stated that the Chief Executive Officer's Performance Review was approved by Council.

7.15pm 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 28 SEPTEMBER 2010**
(Circulated under separate cover)

OFFICER RECOMMENDATION

POWELL MOVED, GEE SECONDED, That the minutes of the Ordinary Council Meeting held on 28 September 2010 as printed and circulated to all Councillors, be confirmed as a true and accurate record.

CARRIED 9 VOTES TO 0

- 6.2 INFORMATION MATRIX FOR THE AGENDA BRIEFING FORUM HELD 19 OCTOBER 2010**
(Circulated under separate cover)

OFFICER RECOMMENDATION

HITT MOVED, HANLON SECONDED, That the Information Matrix for the Agenda Briefing Forum held on 19 October 2010 as printed and circulated to all Councillors, be received and noted.

CARRIED 9 VOTES TO 0

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

Nil.

8. QUESTIONS BY MEMBERS WITHOUT NOTICE

1. Cr Marks asked what the savings would be to the City if Councillor numbers were reduced down to six.

Response

The Chief Executive Officer stated that based on current allowances received by Councillors, the total savings would be approximately \$30,000 per year, at a cost of less than \$2 per resident.

2. Cr Powell asked if the City could officially contact BRRAG to confirm the membership numbers and who have been part of the group for at least the last 12 months.

Response

The Presiding Member replied that the City could write to the Group requesting this information.

3. Cr Dornford and Cr Rossi queried if the City had control over the content of newspaper articles about the City?

Response

The Chief Executive Officer stated that the City can distribute media releases and answer questions from the media but ultimately they are free to publish what they wish.

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

Nil.

12. REPORTS OF ADMINISTRATION

Item 12.1 was withdrawn at the request of Cr Marks.
Item 12.2 was withdrawn at the request of Cr Hanlon.
Item 12.3 was withdrawn at the request of Cr Wolff.

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

CARRIED BY ABSOLUTE MAJORITY 9 VOTES TO 0

12.1 PROPOSED CHANGE OF USE TO INDUSTRY – GENERAL (GLASS RECYCLING FACILITY) – LOT 322 (13) GLASSFORD ROAD KEWDALE

Built Belmont

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil.	

Voting Requirement : Simple Majority
Subject Index : 115/001
Location / Property Index : Lot 322 (13) Glassford Road Kewdale
Application Index : 296/2010/DA
Disclosure of any Interest : Nil.
Previous Items : Nil.
Applicant : Colmax Glass
Owner : CJD Nominees Pty. Ltd.
Responsible Division : Community and Statutory Services

COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council eg. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets*
- Legislative** *Includes adopting local laws, 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 a development application for a change of use to Industry (General) for a Glass Recycling Facility at Lot 322 (13) Glassford Road, Kewdale.

SUMMARY AND KEY ISSUES

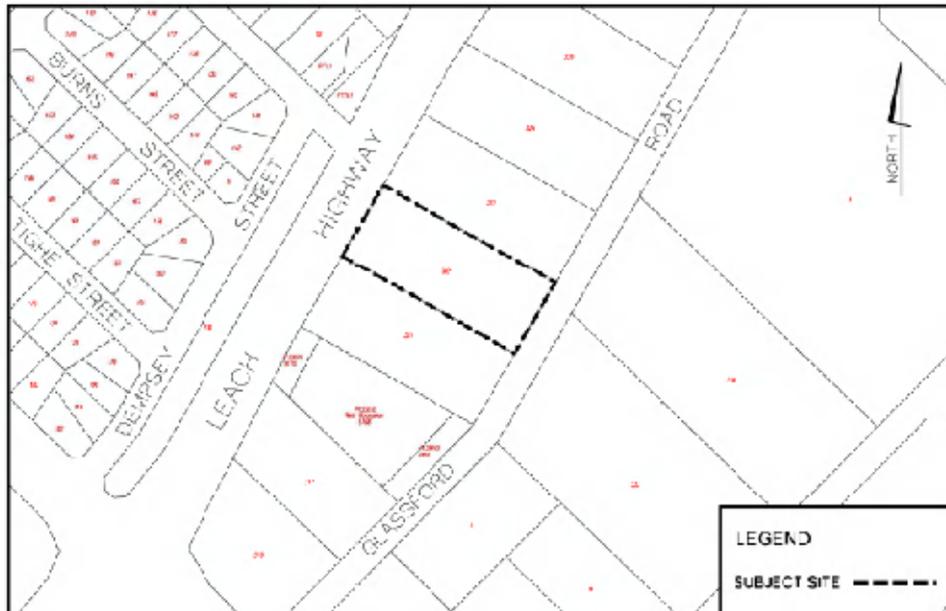
- Council has received a change of use development application for the property at Lot 322 (13) Glassford Road, Kewdale.

Item 12.1 Continued

- The proposal is to change the existing approved use of 'Office and Warehouse' to 'Industry – General' for the purpose of a Glass Recycling Plant. 'Industry – General' is a discretionary use under the City's Town Planning Scheme No. 14 (TPS14).
- The City has identified a number of issues associated with the proposed use that have the potential to cause significant impacts on the amenity of the locality and surrounding land owners. In particular, these concerns relate to noise, dust, odour, waste fluid control, litter and solid waste, and external storage.
- Information provided by the applicant is not currently sufficient to be able to allow the City to be completely satisfied that the proposed use and the identified issues will not have any unreasonable adverse impacts on the precinct and adjoining landowners.
- Subject to appropriate conditions, it is recommended that the use be granted temporary approval so that the use can be monitored prior to any longer term approval being granted.

LOCATION

The subject site is Lot 322 (13) Glassford Road, Kewdale as shown in the location plan below.



Item 12.1 Continued

CONSULTATION

Category C applications are those that need external referrals from third parties, such as the Environmental Protection Authority, Western Australian Planning Commission, Swan River Trust, Heritage Council etc. Category C applications may also require statutory advertising, referral to neighbours or consideration by Council.

Westralia Airports Corporation

The subject lot falls within the Perth Airport Schedule 9 Height Control Zone and was subsequently referred to the Westralia Airports Corporation (WAC) for comment. WAC has advised the following:

1. The proposed use may classify as a 'Controlled Activity' under *Airports Act (1996) Part 12, Division 4, Protection of Prescribed Airspace, Section 182, Controlled Activities*; a structure may be considered as a controlled activity beneath the Perth Airport prescribed airspace if that activity results in air turbulence, emission of smoke, dust or other particulate matter into the prescribed airspace such that it may affect the normal operation of aircraft in this prescribed airspace.
2. The Airports (Protection of Airspace) Regulations 1996, 6A, Level of Air Turbulence: states, "The level of air turbulence for turbulence caused by an emission from a stack or vent is upward vertical velocity of 4.3 metres per second at the point of emission."
3. The maximum allowable height for the building should not exceed 51.5 metres Australia Height Datum. This height must include the provision of aerials, antenna, lightning arrestors or fixtures to be installed on the building either now or in the future.
4. Any cranes used during the construction need to be referred to the Perth Airport Senior Airports Operations Officer 48 hours prior to construction.

WAC has provided subsequent advice to the City that the following additional information / matters are to be addressed:

- Information relating to the vertical velocity output of the on-site dust collectors. The maximum vertical velocity output deemed acceptable under part 6A (Level of Air Turbulence) of the *Airports (Protection of Airspace) Regulations 1996* is 4.3 metres per second, which is considered a 'low' level.
- Concern regarding potential 'dust plumes' and the effect that these may have on the operations of aircraft and the greater airport.

Main Roads WA

The subject lot abuts Leach Highway classified as a 'Primary Regional Road' under the Metropolitan Region Scheme. The application was referred to the Main Roads Department as the responsible authority for this, road who had no objections to the proposed development, but advised that no access is permitted from Leach Highway to the subject site.

Item 12.1 Continued

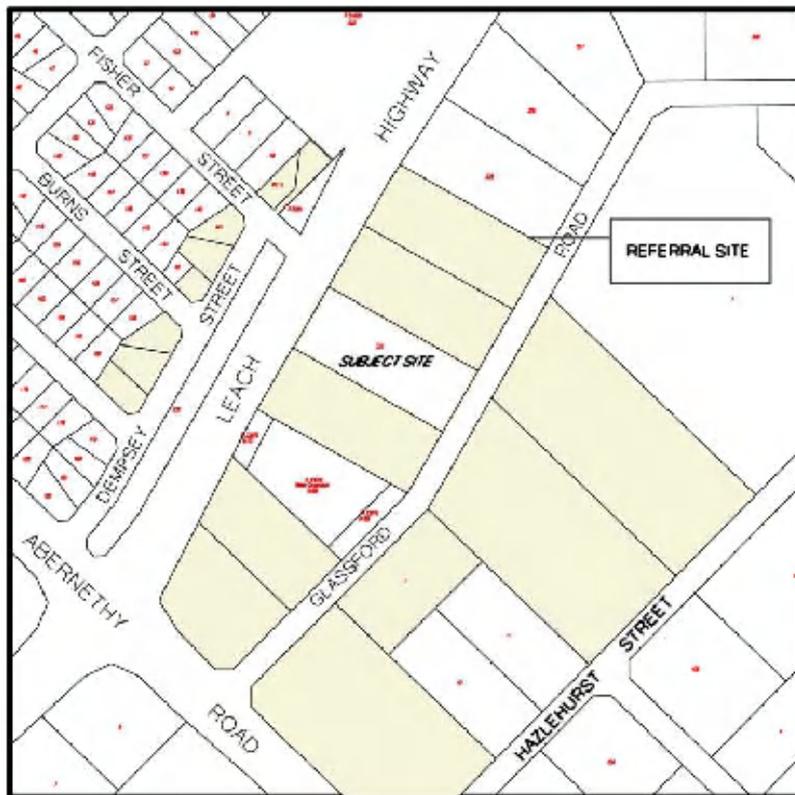
Environmental Protection Authority

The development was referred to the Environmental Protection Authority (EPA) for comments regarding the potential environmental impacts that Council's Officers have identified. At the date of writing of this report, no response has been received.

Adjoining Properties

The application was referred to adjoining properties for comment as per Clauses 6.2 and 5.7 of TPS14. The 21 day referral period concludes on the 25 October 2010. At the date of writing this report, no submissions have been received. Any submissions will be made available to Councillors in a submission table prior to the Ordinary Council Meeting.

The referral area is shown in the diagram below.



Item 12.1 Continued

STRATEGIC PLAN IMPLICATIONS

BUILT BELMONT

OBJECTIVE 1: Achieve a planned City that is safe and meets the needs of the community.

STRATEGY	PURPOSE	OUTCOME	TIMEFRAME
Encourage a wide choice and consistent implementation of development approaches.	Ensure that development within the City is able to meet whole of lifecycle needs for the existing and future community.	A consistent implementation of Local Planning Scheme No. 15 resulting in a high level of confidence in the City's strategic implementation of land use planning principles.	Ongoing.

BUSINESS BELMONT

OBJECTIVE 1: Maximise Business Development Opportunities

STRATEGY	PURPOSE	OUTCOME	TIMEFRAME
Attract and support high quality business development and the sustainable use of land in Belmont, including Perth Airport by providing information and assistance to businesses seeking to establish operations in the City.	The purpose of this strategy is to promote the best use of commercial and industrial land by guiding new or developing businesses to the most appropriate locations or land uses.	There will be Increased congruence between desired land uses as outlined in the Local Planning Scheme No. 15 and actual land use by business and/or industry.	Ongoing.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

Item 12.1 Continued

STATUTORY ENVIRONMENT

Town Planning Scheme No. 14

The subject property is Zoned 'Industrial' under the Metropolitan Region Scheme (MRS) and City's TPS14.

The 'Industrial' Zone is intended to provide for the industrial development of the Kewdale Industrial Estate and the Redcliffe Industrial Estate, in which Council may approve a wide range of industrial activities within this Zone, subject to conditions designed to achieve a high standard of industrial environment.

Clause 10.7 of TPS14 contains the relevant development requirements for the Industrial Zone. In particular, clause 10.7.2(a) states "*No use or other development of land within the Industrial Zone shall cause in the opinion of Council nuisance or annoyance by the way of noise or other emissions beyond the site on which it is conducted*".

A 'Glass Recycling Facility' is classified as 'Industry – General' under TPS14.

Clause 5.7 contains provisions relating to advertising of development applications for a period of 21 days.

Clause 5.8 contains provisions relating to matters to be considered by Council when assessing applications including compatibility, amenity, traffic, landscaping and any relevant submissions received.

Schedule 9 of TPS14 identifies that the site is located within the 'Perth Airport Structure Height Control Zone'. The application is therefore required to be referred to Westralia Airports Corporation for comment.

The rear boundary of the subject lot abuts Leach Highway, which is reserved under the MRS as a Primary Regional Road (Category 1). This means that the application is required to be referred to Main Roads Western Australia.

Draft Local Planning Scheme No. 15

Draft Local Planning Scheme No. 15 (LPS 15) and its associated policies were advertised for public comment from 21 May 2010 until 23 August 2010. The City is currently reviewing the submissions received.

Under draft LPS15, there is no proposed change to the zoning of the site, nor the land use classification of the proposed Glass Recycling Facility (Industry - General).

Deemed Refusal

Clause 5.5.2 of the City of Belmont TPS14 applies where a land use is classified as a 'D' or 'S' use under the City of Belmont TPS14 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.

Item 12.1 Continued

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 passed on 10 October 2010 and the applicant already has deemed refusal rights.

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:	12 July 2010	TPS No.14 Zoning:	Industrial
Lot Area:	7658m ²	TPS14 Use Class:	<ul style="list-style-type: none">• Office – D (Existing)• Industry General (Workshop) – D
Estimated Value:	\$50,000	Draft LPS No. 15 Zoning	Industrial
MRS:	Industrial	Draft LPS15 Use Class:	<ul style="list-style-type: none">• Office – X (Existing / Ancillary Use)• General Industry (Workshop) – D

Grant

The proposed Colmax Glass Recycling Facility project has been co-funded by the Western Australian State Government through the WA Waste Authority. A grant of \$1.95 million has been contributed by the WA State Government. In addition, the National Packaging Covenant and Colmax Glass contributed the remainder of the funding to achieve the total balance of \$5.4 million.

Notwithstanding that the proposed land use is yet to be approved, State Environment Minister Donna Faragher officially opened the plant at the subject site on 26 August 2010. Despite the official opening, the applicant has advised that the plant will not commence operating until all relevant approvals have been granted.

Existing Site

The site is currently developed with an existing warehouse building and existing office building. Access is taken solely from Glassford Road, with existing cyclone fencing along the front boundary.

Item 12.1 Continued



The existing warehouse on site was approved in 1974. The office addition was approved in 1990. It is apparent that some structures have been erected or modified without approval of the City.

Existing on-site buildings are intended to remain the same under the proposed land use, however some additional building works will be required. The internal use of the warehouse building will be changed, and two new 'dust collectors' have been installed between the factory and the front office (3m in diameter, higher than peak roof). Additionally, some landscaping is proposed to be removed to allow for vehicle movements within the site. For full details, please refer Site Plan, Floor Plan and Elevations – to be tabled at the meeting.¹ The City recently undertook a site inspection of the subject property, which identified that a number of aspects of the submitted plans were inconsistent with the existing site and proposed alterations to the site and buildings. The City has therefore requested updated development plans, which will be submitted prior to the Agenda Briefing Forum and tabled to Councillors.

Surrounding Land Uses

The site is surrounded by general industrial land uses on the north, south and east. Residential land use exists to the west of the site, with Leach Highway providing physical separation. The nearest residential property is approximately 80 metres from the rear boundary of the subject site.

Proposal

The proposed application is for a 'Glass Recycling Facility' which is classified as 'Industry – General' under the land use definitions of TPS14.

¹ Information was not available at the time the Agenda was printed and will be tabled at the meeting.

Item 12.1 Continued

The proposed use involves:

- Depositing of glass
- Screening of glass
- Drying of glass
- Crushing of glass
- Grading of glass into various sizes
- Collection of final product

The final crushed glass product varies in size, but generally has the consistency of sand. The product is typically used in the manufacture of insulation bats and for sandblasting. These processes will not be occurring on site.

It is estimated that the factory will initially produce 2000 tonnes of product per month, however this could increase to 5000 tonnes per month should the plant reach its full capacity (anticipated full capacity could be reached six months after commencement). The on-site storage capacity of the plant is 300 tonnes.

If approved, the proposed facility will be the first Glass Recycling Facility in Western Australia.

Operational

The use is proposed to operate 24 hours a day for five days per week, with a maximum of three employees being on the site at any one time.

The general process for the plants operation will be as follows (refer to Site Plan and Floor Plan - to be tabled at the meeting²):

- Incoming material will arrive at the site by truck and is to be deposited in the 'Receiving Bunker' inside the awning area.
- The material is run through the 'Main Hopper' (a large mechanical chute), before being screened.
- After screening, the material is run through a series of 'trommels' (a screened cylinder used to separate materials by size), before being further crushed and dried.
- The material then runs through another series of trommels before being further screened and sorted.
- The processed glass is then stored in 'bunkers' inside the building. An overflow 'bunker' appears to be located outside the building.
- Waste collected during the process is deposited separately into the 'waste bin'.
- Larger glass that is ready for collection is deposited in the 'outgoing container' at the rear of the building.

² Information was not available at the time the Agenda was printed and will be tabled at the meeting.

Item 12.1 Continued

- Finer glass is further refined through additional trommels and hoppers, before being packaged into bags for collection from the front section of the building.
- Often, the processed glass may go through the above process multiple times, depending on the required size of the finished product.
- Loading of the final product containers is to be carried at the rear and side of the property during the afternoon and night shifts and will leave the premises on semi-trailer trucks.

Other information provided by the applicant is:

- The only waste generated will be paper and plastic originating from the incoming recycled glass.
- There are no required wash down facilities at the site.
- Most of the incoming material in Kewdale will be processed on a daily basis.
- Material will only be accepted onto the site if there is room in the incoming receiving bay.

Development Standards

Car Parking and Vehicle Movements

The required car parking for the proposed use under TPS14 is 43 bays. Forty-three (43) car parking bays have been provided, and the City's Engineering Services have advised that the proposed location and specifications of the bays are acceptable. No end of trip facilities are provided, however these are not explicitly required under TPS14.

Truck manoeuvrability has been considered and is shown on plans (Site Plan – to be tabled at meeting³). Initially, a maximum of eight trucks will visit the site each of the five days (four trucks delivering glass and four trucks collecting processed glass), however the applicant has advised that this could increase to a maximum of 30 trucks per day (15 delivery trucks and 15 removal trucks) if the operation reaches full capacity (anticipated full capacity could be reached six months after commencement).

Noise

The applicant provided an environmental noise assessment report prepared by Vipac, a professional environmental consultant with noise assessment capabilities. The report provided a projected noise impact analysis of the proposed use relative to the nearest adjoining residential property (3 Dempsey Street, Kewdale) and adjoining industrial properties (10, 11 and 15 Glassford Road, Kewdale) and provided a number of recommendations.

In summary, the report identified that the proposed use would exceed the assigned noise levels, as detailed below.

³ Information was not available at the time the Agenda was printed and will be tabled at the meeting.

Item 12.1 Continued

Premises receiving noise	Time of day	Assigned level (db) (dBA)	Predicted Level (dB) (dBA)	Exceedance? (dBA)
NSR (No. 3 Dempsey St)	0700 to 1900 hours Monday to Saturday	54	60	6
	0900 to 1900 hours Sunday and public holidays	49	60	11
	1900 to 2200 hours all days	49	60	11
	2200 hours on any day to 0700 hours Monday to Saturday and 2200 to 0900 hours Sunday and public holidays	44	60	16
No. 10 Glassford Rd	Any time	65	66	1
No. 11 Glassford Rd	Any time	65	78	13
No. 15 Glassford Rd	Any time	65	78	13

The report makes three recommendations to assist with noise mitigation, these being:

- Erect a solid 2.5m high continuous barrier generally along the perimeter of the site;
- Fit noise mitigating roller shutters to the entry and exit points of the semi-enclosed glass recycle area;
- Both of the above roller shutters are to be kept closed when the glass recycling machinery is in operation.

The report concludes that if the above recommendations are implemented, then the assigned noise levels under the *Environmental Protection (Noise) Regulations 1997* will not be exceeded, as such:

Premises receiving noise	Time of day	Assigned level (db) (dBA)	Predicted Level (dB) (dBA)	Exceedance? (dBA)
NSR (No. 3 Dempsey St)	0700 to 1900 hours Monday to Saturday	54	44	No
	0900 to 1900 hours Sunday and public holidays	49	44	No
	1900 to 2200 hours all days	49	44	No
	2200 hours on any day to 0700 hours Monday to Saturday and 2200 to 0900 hours Sunday and public holidays	44	44	No
No. 10 Glassford Rd	Any time	65	63	No
No. 11 Glassford Rd	Any time	65	56	No
No. 15 Glassford Rd	Any time	65	61	No

The City's Health Services have expressed some concern about the accuracy of detail and findings of the submitted report, these being:

1. Lack of information / calculations / modelling that supports the finding that a 2.5m noise screening wall and acoustic roller door modifications will reduce noise to the required levels.

Item 12.1 Continued

2. For a screen wall to be effective, noise emission activities must occur below the wall height. The report lacked information of other potential noise generating activities or scenarios from noise emissions from heights greater than 2.5m, such as truck exhausts, loading, roller door operation, external plant movement in rear yard, other plant/machinery and dumping of glass in containers and bins (note: an increase in height of a noise wall higher than 2.5 metres is generally not supported due to the likely visual amenity impact).
3. No LA_1 and LA_{max} noise parameters have been included for noise peaks. Crushing and unloading of glass is likely to involve frequent short period noise peaks that can have an effect on occupants of noise receiving properties.
4. The information is based on previous noise testing undertaken at the Somersby plant to test worker comfort levels. No detail has been provided about the base data, assumptions, and/or the qualified consultant who undertook the testing.
5. Full disclosure / description of the entire site's normal operations is required to assess noise generated from all indoor and outdoor activities.

In addition to requesting a response from the applicant to the above points, the City requested the provision of a comprehensive operational noise management plan to deal with noise minimisation, prevention of noise spill beyond the site, and complaints handling.

Suggestions provided by the City to assist with minimising noise generation were:

- All loading vehicles and trucks entering the site should be fitted with quieter reverse warning safety systems incorporating the latest technology 'broadband frequency alarms'.
- Proposed roller shutter doors to be acoustically treated and automatically activated when glass recycling machinery operates to limit leakage of noise. These need to be coordinated to ensure no noise escapes from the first plant room out through the unloading bay when the roller shutters are lifted to allow the truck to leave.
- Where possible, sealing any remaining openings and gaps to the buildings that may allow noise to escape.

The applicant's response to the above is included in the Officer Comment section.

Litter and Waste Management

The applicant has advised that because the use is not yet operational, specific arrangements for litter and waste collection have not been finalised. However, the other Colmax plants around Australia typically have a contract with one of the larger waste collection services, such as Veolia. The applicant has advised that typically less than 5% of material received at Colmax sites ends up in landfill.

Item 12.1 Continued

The applicant has advised that there are two waste streams from the glass recycling process:

1. Larger pieces of contaminants (typically paper, plastic bottle tops, corks etc) are screened out by the trommels and screens and sent by conveyor belt directly to a skip bin located at the rear of the factory; and
2. Smaller contaminants (mostly paper) are sucked up by the dust collection system and then conveyed into the skip bin.

Depending on the amount of throughput, it is intended that any waste materials will be directed via conveyer belt to the waste bin at the rear of the site either on a pre-set daily schedule, or on an as required basis. Arrangements will then be made to have the waste deposited in an approved landfill. The skip bins will be kept covered to minimise litter in the yard.

Environmental Licensing

The Department of Environment has advised that the proposed use is not classified as a 'Prescribed Premises' under the *Environmental Protection Act 1986* and does not require licensing under Schedule 1 or 2 of the *Environmental Protection Regulations 1987*.

Other Sites

Colmax operates similar glass recycling plants in Victoria (Dandenong), New South Wales (Somersby) and Queensland (Rocklea). Although the specifics of the other plants cannot be used as the basis for determining the subject application, it is reasonable to give consideration to the experiences at these plants to assist in identifying any likely impacts that should be addressed prior to issuing a decision.

The City is aware that Dandenong Colmax plant has been the subject of a number of complaints to the City of Greater Dandenong and Victorian Environmental Protection Agency (EPA) primarily in relation to dust and odour.

Discussions with representatives from the Victorian EPA and the City of Greater Dandenong have advised the following:

Odour

The issue of odour at the Dandenong plant has been prominent. Information obtained by the City advises that most of the glass received at this plant comes from kerbside collections, which means it often arrives wet. It also often contains labels, glue and contents residue.

After being received, the glass is crushed, sieved and fed into a rotary kiln which, depending on how wet the glass may be, gets heated to 70°C or higher. This process can cause the labels, glue and contents residue to become scorched, which can often produce an unpleasant odour. It is this scenario that is identified as the source of the odour complaints received.

Item 12.1 Continued

Colmax was fined by EPA Victoria in May 2010 for failure to comply with a Minor Works Pollution Abatement Notice, which included a requirement to not discharge offensive odours beyond the property boundaries. It is understood that Colmax is appealing this fine.

Advice from EPA Victoria was that Colmax have subsequently assisted the remedy of odour by installing a stack to the exhaust outlet, however it is believed that this has not completely remedied the situation. It has been recommended that an 'after burner' (similar to a combustion chamber) or other additional odour control device/s be included. The matter is still in the process of being resolved.

Dust

According to advice from Victoria, the Dandenong plant has had large quantities of dust emanating from the site. The dust associated with this land use has been reported to be:

- A fluffy fibrous material which comes from the labels; and/or
- A very fine, microscopic glass dust which settles on surfaces internally and externally.

The dust generated from the land use has had significant impacts on surrounding properties by landing on vehicles and buildings, being sucked into plant / machinery (such as spray booths) and being inhaled by employees and nearby residents / workers. The Dandenong experience has been that the dust, once settled, can be near impossible to remove without damaging the surface of what it has landed on (e.g. paintwork on a vehicle).

Advice received about on-site practices at the Dandenong plant was that dust removal occurred primarily through the use of a manually operated hand sweeper. It is apparent that this means is not satisfactory. Advice received confirmed that Colmax allege they have a mechanical sweeper; however it was not operational due to damage from the dust.

EPA Victoria and the City of Greater Dandenong have both stated that dust associated with such a land use is inevitable, however the magnitude of the impacts have primarily been generated by poor work practices, including (but not limited to) product spillage, failure to enclose sections of the site / close doors, inappropriate handling of the end product, and failure to adhere to basic housekeeping procedures.

Noise

Advice received by the City is that no noise complaints have been received in relation to the Dandenong plant. The City does note however that the Kewdale site is considerably closer to residential land uses than other Colmax plants around Australia.

Current Status

Advice received about the Dandenong plant was that Colmax is now operating in "marginal compliance". It is considered by EPA Victoria and the City of Greater Dandenong that the likely causes of the issues that still remain unresolved appear primarily related with the repeated failure of Colmax to properly address relevant problems and take the necessary corrective action.

Item 12.1 Continued

In relation to the above matters, Colmax have advised the following response to the City of Belmont:

- Colmax has previously built and operated five previous plants.
- The Somersby plant (NSW) has had no complaints about noise and odour, and no dust complaints in the past 12 months.
- The Dandenong plant (Victoria) has operated since February 2010. Complaints about odour and dust have been generated by two unreasonable neighbours.
- Colmax acknowledges that dust was initially an issue at Dandenong in the first two months of operation; however the situation has been remedied and is no longer an issue.
- Colmax believes that the odour complaints at Dandenong are unjustified and continues to dispute them with the relevant authorities.
- The Rocklea plant (Queensland) has operated since April 2010 and received no complaints. The absence of complaints relates primarily to the location of the plant and also the advancement of technology / work practices on the site based on lessons learnt from the plants in NSW and Victoria.
- Glass recycling is a unique industry and is vulnerable to complaints to the EPA, Council and Workcover simply because of the fear of the unknown.
- The recycling of glass is an industry in its infancy and continually improving through advanced in-house practices and improved technology.

OFFICER COMMENT

It is evident that the subject land use has the potential to have significant amenity impacts for both the locality and surrounding properties. In making a resolution on the subject application, Council must be satisfied that such matters have been adequately addressed prior to supporting for the land use in the long-term.

A number of matters still remain unclear due to the level and quality of information provided by the applicant. The matters of particular concern to the City are identified below.

Odour

Based on the experiences of other glass recycling plants around Australia, the City has strong grounds to closely scrutinise potential odour issues associated with the proposed land use. Any unpleasant odour emanating from the site has the potential to greatly impact the amenity of the locality and adjoining property occupiers, and hence Council must be completely satisfied that such a concern is adequately addressed.

The applicant considers that City's concerns relating to the potential for odour emanating from the site are misplaced. The basis for this position is:

Item 12.1 Continued

- Colmax insist on handling only dry material (i.e. glass will have generally been compacted into less than 100mm pieces prior to arriving at the site, meaning any residue liquids will have already drained and dried); and
- The 'drying' process on the site is not intended to remove liquids, but rather acts as part of the preparation the glass for the sorting processes and to ensure that there is no remaining moisture.
- Throughput is kept high at all times (i.e. raw material is never left to sit in a bay for any significant period of time, and only two to three days production is stored at any one time).
- The exhaust from the dryer is filtered through the cyclonic 'Bag Houses', which assist in mitigating any odour.
- The need for deodoriser for the product has never been considered, or required, in other plants. It is considered that this may in fact cause issues with liquids or chemical contamination of the final product.

The above information provided by the applicant is noted. However, the experience from the Dandenong plant clearly indicates that odour impacts, if not appropriately addressed and managed, are a realistic possibility.

In order to be completely satisfied that appropriate measures are in place to prevent odour occurring and responding to odour issues, the City has requested an 'Odour Control Management Plan' for review. The applicant has however advised they do not consider it necessary to have a specific odour control management plan, because of their belief that, in ordinary operations, the plants do not generate any discernible odour.

Noise

Irrespective of the type of land use, industrial activities that occur for 24 hours a day have the potential to have a noise impact, especially if located within close proximity of residential land uses. Noise impacts are most relevant during night-time hours, when the assigned levels under the *Environmental Protection (Noise) Regulations 1997* are more stringent.

As the subject use intends to operate for 24 hours a day, involves processes associated with the crushing / breaking of large volumes of glass, and involves the delivery and collection of materials by trucks, the amenity impacts from any noise generated must be given close consideration.

As discussed, an environmental noise assessment was provided by the applicant, which concluded that the assigned noise levels under the *Environmental Protection (Noise) Regulations 1997* would not be exceeded if certain action was taken. The City did however, have concerns with some of the findings and conclusions of the report.

The applicant's response to the City's request was simply that noise is not an issue and that a noise complaint has never been received at any of the Colmax plants in other States. The following is a summary of the points raised by the applicant:

Item 12.1 Continued

- The only equipment the Colmax recycling plants that has a measurable noise level independent of the rest of the plant is the dust collector/s ('Bag House'). In Kewdale these are located at the front of the plant, furthest from the residential area across Leach Highway to the rear.
- The noise generated by the 'Breaker' cannot be measured until it operates. Notwithstanding this, the breaker will only be used during the first part of the operation which will occur during the day shift (not outside hours).
- There are several feeders in the plant which may occasionally generate a very low noise. The model and operation of the 'Feeders' at Kewdale will however be different from the other Colmax plants.
- The Kewdale plant has a single large screw compressor which is almost silent in comparison to the smaller piston compressors used in the other Colmax plants.
- The conveyor belts at Kewdale are the same as in the other Colmax plants, and are typically not audible at a distance of more than 2-3 metres away.
- There is no other piece of equipment in the plant that will generate significant noise.
- The other Colmax plants are on much smaller sites and cannot be heard operating at the front gate. There have never been noise complaints at any Colmax plant, all of which frequently run 24 hours a day, seven days per week.

The information provided by the applicant is noted, however does not directly respond to the City's request for information. In particular, a noise management strategy has not been submitted.

Should the use commence operating, separate compliance with the *Environmental Protection (Noise) Regulations 1997* will be required. Notwithstanding this, a land use should not be supported if it cannot be reasonably demonstrated that noise will comply with the regulations.

Dust

Dust generation has been identified as one of the primary compliance issues for the Colmax glass recycling plant at Dandenong in Victoria. The experience from the Dandenong plant was that dust has in the past caused particular nuisance to adjoining properties.

With the above in mind, the City requested a 'Dust Management Plan' to address measures for on-site dust minimisation, on-site dust suppression / containment, and complaints handling.

In responding to this request, the applicant did not submit a 'Dust Management Plan', but rather provided the following supporting information:

Item 12.1 Continued

- Colmax is an industry leader in dust management around Australia, developing effective solutions for preventing impacts of dust.
- Colmax intends to implement the following solutions:
 - Installation of two Controlled Environment 10/109 cyclonic 'Dust Collectors' ('Bag House') with a capacity of 27,000CFM (these have already erected at the front of the building).
 - Installation of wind shields on the legs of the dust collectors to prevent any dust / particles becoming airborne in high winds.
 - Final glass products will be substantially larger than that generated by other plants.
 - Daily use of dust sweepers to contain surface dust on site.

The applicant has advised that the primary means for limiting the impacts of dust is appropriate prevention mechanisms within the building itself, as dust will be an issue for employees first (occupational safety and health requirements to monitor air quality and worker comfort) before it impacts adjoining properties. The applicant believes that in complying with the occupational safety and health requirements, the impact of airborne particles on surrounding properties will be minimal.

Although the applicant has given some indication that dust can be appropriately mitigated and is no longer an issue in Dandenong, this remains untested for this proposal. It is also apparent from the Dandenong plant that many of the internal work practices to contain dust are clearly ineffective, and as such the application should not be supported without a clear management strategy in place.

Litter and Waste

Given the nature of the use, it is noted that non-glass and waste materials will inadvertently arrive at the site. The arrival of non-glass and waste materials at the site does not represent a major concern for the City in considering the land use, however, ineffective storage, disposal and management of such materials has the potential to become a major compliance and amenity issue, as has been the experience with other similar land uses in the Kewdale industrial area.

The information that has been provided by the applicant gives an indication of how litter and waste will be managed on site, albeit that these arrangements are not finalised.

Should the application be supported, an appropriately worded condition should be implemented to ensure that waste and litter are managed effectively on the site.

Outdoor Storage

The City has expressed concern to the applicant about the apparent likelihood of glass materials / product being stored external to the buildings. The applicant has advised that all materials associated with the site will be stored internally; however site inspection indicates that some 'Bunker' areas are located externally.

Item 12.1 Continued

Outdoor storage in the Industrial Zone can be permitted provided that it is adequately screened from the street and public view by a closed wall or fence. However, in this situation, outdoor storage is considered inappropriate, particularly due to concerns of dust and odour.

In the event that the application is supported, it is recommended that outdoor storage be not permitted on the site. Any areas of the site to be used for storage should be fully enclosed.

Land Use

While the City is supportive of land uses that are of environmental benefit, it is clearly evident that a glass recycling facility has the ability to have detrimental impacts on the surrounding properties and wider locality.

Although the applicant has provided a certain level of information to address these points, it is difficult to measure the extent of any impacts and how satisfactory the resolution mechanisms will be. It is evident that with appropriate management of the operational aspects of the proposed plant, such matters could be easily dealt with. However, without the provision of factual, consistent information from the applicant, this is difficult.

Options for Council

In considering the subject application, Council has four options.

Option 1 – Refuse Application

Based on the level and quality of information provided, Council may choose to refuse this application.

Although the City has concerns about the potential amenity impacts generated by the proposed use, at this stage there are too many unknown factors to provide a solid basis to refuse the use without the use being operational. Should the use commence operating, it may be immediately clear that there are little (if any) significant amenity impacts, and is in fact an appropriate and complementary use in the industrial zone.

On this basis, Option 1 is not recommended.

Option 2 – Approve Application

The City has the option to approve the application based on the information provided, subject to certain conditions, in order to attempt to address potential amenity impacts. Such conditions could include (but are not limited to):

Item 12.1 Continued

- Limited hours of operation.
- Limiting hours when trucks may enter / exit the site.
- Specifying maximum assigned noise levels generated from the site, subject to on-going noise monitoring.
- Prior to commencement of the use, the provision of a management plan/s that address noise, odour, dust and waste management, etc.
- The building to be completely enclosed.
- All processing components to be undertaken within the fully enclosed building.
- No outdoor storage / operations being permitted (aside from loading and unloading of trucks).

Notwithstanding the above conditions, any aspect of the use would still be required to fulfil their obligations under separate legislation, such as the *Environmental Protection (Noise) Regulations 1997*.

The difficulty for Council in pursuing Option 2 is that many of the City's concerns remain untested and there are many unknowns associated with the use. This makes the implementation and on-going compliance of conditions problematic. As the use would be untested, such an approach may also result in some conditions being too onerous to make the use practical, or not adequate enough to prevent amenity impacts on surrounding properties.

On this basis, Option 2 is not recommended.

Option 3 – Defer Application

Council may choose to defer the application pending the provision of further information that addresses the matters of concern raised in this report.

Option 3 is sound in principle, as this would allow for the Council to give formal direction to the applicant to provide and disclose all information associated with the land use. Notwithstanding this, even with extra time, the applicant may not be able to provide adequate information that can completely satisfy the City's concerns, as the full extent of impacts may not be known until the use commences. It is also noted that because the application has deemed refusal rights, delaying determination may result in review by the State Administrative Tribunal.

Option 3 is therefore not recommended.

Option 4 – Temporarily Approve Application

To allow for 'testing' of the use prior to issuing a permanent approval of the use, Council has option to provide approval on a temporary basis.

Option 4 represents a sound way of dealing with an application with many unknown factors. The benefit of this option would be that any emissions generated by the use could be accurately confirmed prior to Council contemplating any long-term approval. Temporary operation of the use may also assist in identifying other relevant matters that had not been considered as part of this application.

Item 12.1 Continued

Similar to Option 2, the temporary approval could also include restrictions on certain aspects of the land use, which could be relaxed or increased depending on the findings of/ the trial period.

If it is found that the amenity impacts are too significant, then any subsequent application can be refused until it can be clearly demonstrated that such impacts can be appropriately addressed.

It is considered that a three month temporary approval period would be an appropriate timeframe to trial the proposed use. As part of the trial, it is suggested that restrictions can be placed on the use similar to those identified under Option 2, including (but not limited to):

- Limited hours of operation.
- Limiting hours when trucks may enter / exit the site.
- Specifying maximum assigned noise levels generated from the site, subject to on-going noise monitoring.
- Prior to commencement of the use, the provision of a management plan/s that address noise, odour, dust and waste management, etc.
- The building to be completely enclosed.
- All processing components to be undertaken within the fully enclosed building.
- No outdoor storage / operations being permitted (aside from loading of trucks).

As with Option 2, any aspect of the use would still be required to fulfil their obligations under separate legislation, such as the *Environmental Protection (Noise) Regulations 1997*.

This option has been discussed with the applicant, who has advised that they would be satisfied with a three month temporary approval to demonstrate that the use will not have any amenity impacts.

It is considered that Option 4 represents a fair outcome for not only the City and the applicant, but also any potentially affected landowners. The use would have the opportunity to be trialled and any relevant impacts accurately determined to allow for an informed decision to be made after the conclusion of the temporary approval period.

Having regard to the above, Option 4 is recommended.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

The subject use has the potential to have environmental implications such as dust, odour and noise. These matters have been discussed in previous sections of this report.

No advice has been received by the applicant as to any green rating assessment.

Item 12.1 Continued

SOCIAL IMPLICATIONS

There are no social implications at this time.

OFFICER RECOMMENDATION

That Council approve planning application 296/2010/DA as detailed in amended plans dated 14 October 2010 submitted by Colmax Glass on behalf of the owner CJD Nominees for a Change of Use to Glass Recycling Facility at Lot 322 (No. 13) Glassford Road, Kewdale 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. Approval of the use is limited for 90 calendar days from the first day of operation.
3. The hours of operation of the use are limited to 7:00am until 7:00pm.
4. The use is not permitted to operate on Sunday's or Public Holidays.
5. All buildings on the site are to be fully enclosed, except to the extent to which they provide access to and from the building for persons and/or vehicles, provided that the entry / exit points remain closed whilst machinery, plant and equipment are operating.
6. All glass processing operations, other than truck loading, are to occur internally within the buildings on the site.
7. All storage of materials, plant, equipment and product is to occur within the building. No outdoor storage is permitted.
8. The applicant submitting a detailed 'Noise Management Plan' to the City for approval prior to the commencement of the use.
9. The applicant submitting a detailed 'Dust and Airborne Particles Management Plan' to the City for approval prior to the commencement of the use.
10. The applicant submitting a detailed 'Odour Management Plan' to the City for approval prior to the commencement of the use.
11. The applicant submitting a detailed 'Litter and Waste Disposal Management Plan' to the City for approval prior to the commencement of the use.
12. All litter and waste materials are to be contained wholly on the subject site.
13. Prior to occupation or use of the development, vehicle parking, manoeuvring and circulation areas shall be designed, constructed, sealed, line marked and kerbed in accordance with the approved plan (43 spaces measuring 2.5 metres x 5.5 metres).

Item 12.1 Continued

14. Prior to occupation or use of the development, the new vehicle crossover to Glassford Road shall be approved by the City of Belmont Technical Services and be constructed in coloured concrete or brick paving or hot mix in accordance with the City of Belmont specifications for the construction of concrete, brick or hot mix paved crossovers for industrial and commercial properties.
15. 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.
16. No access is permitted to/from the site from Leach Highway.

NON-STANDARD FOOTNOTES:

- (i) In relation to Conditions 8, 9, 10 and 11, the City is prepared to accept one combined 'Environmental Impacts Management Strategy' that address the issues of noise, dust, odour and litter / waste disposal.
- (ii) The applicant is advised that Westralia Airports Corporation requires specific information in relation to the vertical velocity output of the on-site dust collectors, in accordance with part 6A (Level of Air Turbulence) of the *Airports (Protection of Airspace) Regulations 1996*. Please liaise with Westralia Airports Corporation to obtain all relevant information to satisfy this and any other requirements.

ALTERNATIVE MOTION

MARKS MOVED, POWELL SECONDED, That Council approve planning application 296/2010/DA as detailed in amended plans dated 14 October 2010 submitted by Colmax Glass on behalf of the owner CJD Nominees for a Change of Use to Glass Recycling Facility at Lot 322 (No. 13) Glassford Road, Kewdale 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. Approval of the use is limited for 90 calendar days from the first day of operation.**
- 3. The hours of operation of the use are limited to 7:00am until 7:00pm.**
- 4. The use is not permitted to operate on Sunday's or Public Holidays.**

Item 12.1 Continued

5. ***All buildings on the site are to be fully enclosed, except to the extent to which they provide access to and from the building for persons and/or vehicles, provided that the entry / exit points remain closed whilst machinery, plant and equipment are operating.***
6. ***All glass processing operations, other than truck loading, are to occur internally within the buildings on the site.***
7. ***All storage of materials, plant, equipment and product is to occur within the building. No outdoor storage is permitted.***
8. ***The applicant submitting a detailed 'Noise Management Plan' to the City for approval prior to the commencement of the use.***
9. ***The applicant submitting a detailed 'Dust and Airborne Particles Management Plan' to the City for approval prior to the commencement of the use.***
10. ***The applicant submitting a detailed 'Odour Management Plan' to the City for approval prior to the commencement of the use.***
11. ***The applicant submitting a detailed 'Litter and Waste Disposal Management Plan' to the City for approval prior to the commencement of the use.***
12. ***All litter and waste materials are to be contained wholly on the subject site.***
13. ***Prior to occupation or use of the development, vehicle parking, manoeuvring and circulation areas shall be designed, constructed, sealed, line marked and kerbed in accordance with the approved plan (43 spaces measuring 2.5 metres x 5.5 metres).***
14. ***Prior to occupation or use of the development, the new vehicle crossover to Glassford Road shall be approved by the City of Belmont Technical Services and be constructed in coloured concrete or brick paving or hot mix in accordance with the City of Belmont specifications for the construction of concrete, brick or hot mix paved crossovers for industrial and commercial properties.***
15. ***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.***
16. ***No access is permitted to/from the site from Leach Highway.***
17. ***Prior to occupation or use of the development, the applicant is to provide written advice from the authority responsible for ensuring compliance with the Airports (Protection of Airspace) Regulations 1996 that the proposal is compliant with requirements under those Regulations.***

Item 12.1 Continued

NON-STANDARD FOOTNOTES:

- (i) In relation to Conditions 8, 9, 10 and 11, the City is prepared to accept one combined 'Environmental Impacts Management Strategy' that address the issues of noise, dust, odour and litter / waste disposal.*
- (ii) In relation to Condition 9, as part of the Dust and Airborne Particles Management Plan the applicant must undertake independent dust monitoring at their cost seven days prior to commencement of the use and during the 90 day operating period.*

CARRIED 9 VOTES TO 0

Reason

It is considered that the use should not commence on site until such time as written notification has been provided to the City by the responsible authority (be that Westralia Airports Corporation, the Civil Aviation Authority and/or the federal Department of Transport and Infrastructure). Notwithstanding that the Airports (Protection of Airspace) Regulations 1996 allow for prosecution if the use commences without such approvals being given, it must be made clear that any approval of the City is contingent on the safety of airline passengers and those communities within their flight paths being assured.

7.41pm The Manager Health and Ranger Services departed the meeting and did not return.

12.2 COMMUNITY INFRASTRUCTURE PROJECT

SOCIAL BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Nil.	

Voting Requirement : Simple Majority
Subject Index : 116/124 – Community Infrastructure Review
Location / Property Index : N/A
Application Index : N/A
Disclosure of any Interest : N/A
Previous Items : Item 5.4 Standing Committee (Community Capacity)
30/08/2010
Applicant : N/A
Owner : N/A
Responsible Division : Community and Statutory Services 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

To seek endorsement to commence stage 3 of the Community Infrastructure Project. The purpose of the Community Infrastructure Project was to conduct and report on a comprehensive assessment of the current level of social support, economic support and community services being provided to the residents of the City of Belmont by all levels of government and/or the not for profit sector.

Item 12.2 Continued

The aim of the Project is to provide the City with a platform of knowledge so that planning for future service provision could be streamlined and adequately resourced. This assists the City to prepare for future needs of the community and to play an integral part in forming stronger networks amongst service providers.

In addition to the above objectives, the Project was designed to investigate the development of a database that could be accessed by Council, other service providers and the broader community.

SUMMARY AND KEY ISSUES

There were some significant challenges identified when undertaking the Community Infrastructure Project:

- A very large number of community service providers identified (500+ to date)
- Incomplete and outdated lists (when available)
- Time consuming to research organisations individually
- Frequent changes in details:
 - The majority of services provided by not-for-profit organisations
 - Temporary nature of services (dependent on funding and/or run by volunteers)
 - Low resources for marketing/communications (community service organisations)
- Many organisations identified as providing services to a broad range of target groups in order to capture clients and funding.

The results of Stages 1 and 2 of the Project will assist the Council to make informed decisions.

LOCATION

N/A

CONSULTATION

Initial consultation was conducted with internal key stakeholders to determine the parameters for the project. In attendance at the initial meeting were the Manager Planning Services, the Manager Property and Economic Development, the Manager Building Services and the Manager Community Development.

A workshop with staff was conducted in October 2009 to assist Catalyse Pty Ltd to understand the level of detailed information they needed to capture and to understand each of the Departments' expectations on the outcomes of the review.

Item 12.2 Continued

Subsequent meetings were held with internal key stakeholders to ensure that the review was on track and to give progress reports.

STRATEGIC PLAN IMPLICATIONS

OBJECTIVE 1: The City will take a key leadership role in the development of the community through a facilitative and consultative approach including partnerships and alliances.

STRATEGY	PURPOSE	OUTCOME	TIMEFRAME
Community development and services are sourced, developed, prioritised and implemented to ensure maximum benefit for community groups and individuals.	Resources are organised to deliver the best possible outcome to the community whilst targeting priority services.	Appropriate combinations of services are provided to the community.	Ongoing.

OBJECTIVE 2: Ensure access to services and facilities for a changing community.

STRATEGY	PURPOSE	OUTCOME	TIMEFRAME
Identify and assist those in need by connecting them with appropriate internal or external service providers.	Develop an extensive resource directory of all community services that operate within the City of Belmont and facilitate interagency connectivity via current networks and technology.	Increase presence of and improve access to a broad range of service providers within the City of Belmont.	Ongoing.

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.

Item 12.2 Continued

BACKGROUND

The intention of the Project was to provide a thorough analysis of all current services within the City of Belmont, gaps and overlaps in services and projected service levels to cater for the changing demographics over the next five years.

Stage One of the Project was to determine current community infrastructure, including:

- Community buildings
- Recreational facilities and services
- Sporting facilities and groups
- Children's Services (eg Childcare facilities, Early Childhood Centres and services)
- Youth Services
- Health Care facilities and services
- Aged Care facilities and services
- Disabilities services
- Employment services
- Financial assistance (e.g. financial counselling, financial support)
- Services that cater for families in need (e.g. Emergency relief, food vouchers, utility discounts)
- Accommodation services
- Educational services

Current community infrastructure included all services funded by:

- Federal
- State
- Local Government
- Not for profit organisations
- Corporate sector service providers
- Religious institutions (eg St Vincent de Paul, Salvation Army etc.)

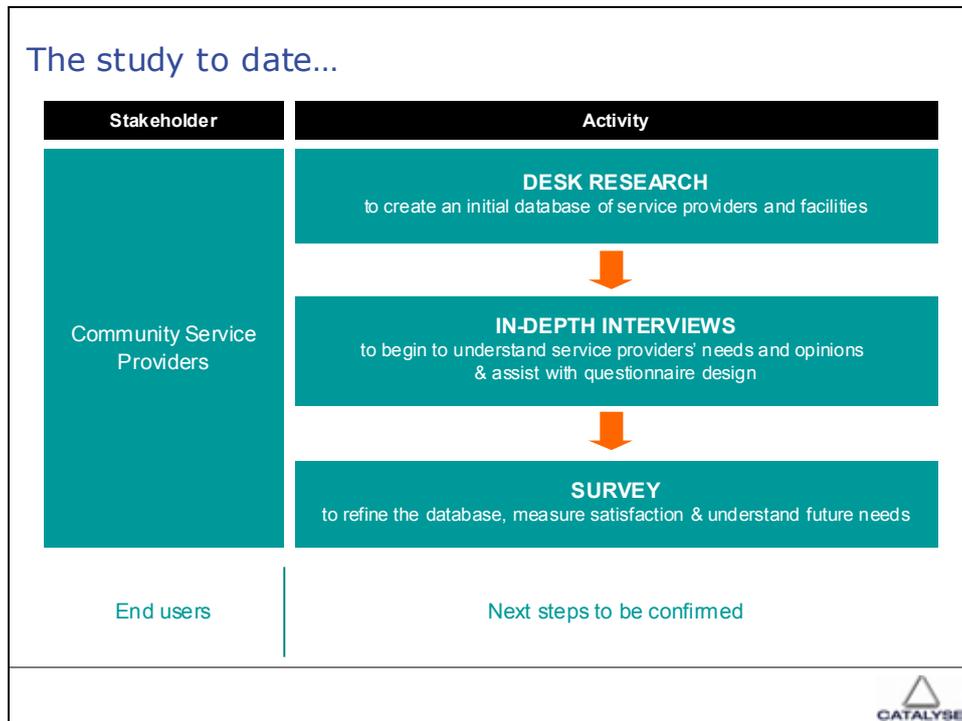
This analysis reported on the:

- Location of services which also includes satellite services (ie business operates within the City of Belmont, but their main office is located outside of the City of Belmont locality)
- Physical accessibility of services
- Fees and charges
- Eligibility criteria
- Maximum client capacity
- Current client loads
- Staffing levels, including volunteer staff
- Hours of operation
- Exclusion policies.

Stage 2 of the Project was to determine future needs of the community and enable the City to play an integral part in forming stronger networks amongst service providers.

Item 12.2 Continued

The research methods used in this project were as follows:



The results of the Community Infrastructure Review have been previously circulated to Councillors at the Information Forum on 13 July 2010.

OFFICER COMMENT

The Standing Committee (Community Capacity) considered this matter at its 30 August 2010 meeting (Item 5.4 refers) and they recommended as follows:

“That Council commission Catalyse Pty Ltd to undertake Stage 3 of the Community Infrastructure Project comprising:

- *Qualitative research to ensure that information provided accurately reflects the services being delivered.*
- *Development of a user-friendly database.”*

The Community Infrastructure Project has provided the City of Belmont with a wealth of information that will assist with planning across a broad range of areas. This includes building community facilities, developing relationships with service providers, developing a database that can be accessed via the website by community members and utilised by internal stakeholders as a method of distributing information and collecting information. The development of a database is well underway. So far, close to 500 community service providers have been identified and they operate out of approximately 430 facilities.

Item 12.2 Continued

Overall, service providers reported high levels of satisfaction with existing Council owned facilities. The majority of service providers also indicated that they would be willing to explore the possibility of co-location in multi-purpose community facilities in the future.

Many Government Departments have expressed an interest in the Project and have indicated that they are keen to see the results and be able to use the data to assist them to address service delivery gaps and overlaps.

While the review of the community infrastructure has been of enormous benefit, it has been an extremely lengthy and time consuming Project. To reach the end of Stage 2 took 10 months in total. Therefore, there has been some frustration expressed from the community in regard to the delay in receiving results from the review.

In order for the City to ensure that we have quality information, it is anticipated that Stage 3 would require further research to determine the accuracy of the information provided by individual organisations. A snap shot research of organisations claiming to provide services for youth would be an ideal place to start. It was discovered during Stages 1 and 2 of the Project that a large number of organisations claimed to provide specific services for youth, however on further investigations, some of this information has proven to be inaccurate and misleading.

Concurrently, Catalyse Pty Ltd would continue working with Bugseye to develop a database that can work in conjunction with Bugseye's existing database. Bugseye is a database of business listings that enables the licensee to access data on businesses within their area. The City of Belmont has recently purchased a licence for Bugseye.

By conducting more intensive qualitative research, this would ensure that the information contained on the database is of high standard. As stated in the recommendations from Catalyse Pty Ltd:

“Aim for quality rather than quantity in the database. It is better to have a small number of ‘qualified’ service providers per category than lots that claim to provide a service.”

A database that is linked to the City of Belmont Website would ensure that residents, community groups and other service providers have access to information and resources.

It is anticipated that the database will have a function that will allow community groups and service providers to update their profile when there are organisational changes. A reminder letter would be sent to the community groups and service providers every six months to prompt them to make the necessary changes.

FINANCIAL IMPLICATIONS

The approximate cost of conducting Stage 3 of the project is \$20,000. This has been budgeted for in the Community Services budget for the 2010/11 financial year.

Item 12.2 Continued

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

Establish a means by which the community can conveniently access services as required.

COMMITTEE RECOMMENDATION

That Council commission Catalyse Pty Ltd to undertake Stage 3 of the Community Infrastructure Project comprising:

- Qualitative research to ensure that information provided accurately reflects the services being delivered.
- Development of a user-friendly database.

ALTERNATIVE MOTION

HANLON MOVED, MARKS SECONDED, That Council commission Catalyse Pty Ltd to undertake Stage 3 of the Community Infrastructure Project comprising:

- Qualitative research to ensure that information provided accurately reflects the services being delivered.
- Development of a user-friendly database linked to the City of Belmont website that provides access for community groups to update their contact details.

LOST 6 VOTES TO 3

For: Dornford, Hitt, Hanlon

Reason

Cr Hanlon put the Alternative Motion as it was vital for community groups and ratepayers to update their details on the website.

Item 12.2 Continued

ALTERNATIVE MOTION

POWELL MOVED, GEE SECONDED, That the Community Infrastructure Report as detailed in Item 12.2 of the Ordinary Council Meeting of 26 October 2010 be referred to the Standing Committee (Community Capacity) for further consideration.

LOST 5 VOTES TO 4

For: Dornford, Hitt, Hanlon, Wolff

Reason

Cr Powell put forward an Alternative Motion to refer to the Standing Committee (Community Capacity) to enable Councillors to further consider the item.

COMMITTEE RECOMMENDATION

WOLFF MOVED, POWELL SECONDED, That Council commission Catalyse Pty Ltd to undertake Stage 3 of the Community Infrastructure Project comprising:

- ***Qualitative research to ensure that information provided accurately reflects the services being delivered.***
- ***Development of a user-friendly database.***

CARRIED 9 VOTES TO 0

12.3 INTERNATIONAL COUNCIL FOR LOCAL GOVERNMENT ENVIRONMENTAL INITIATIVES (ICLEI) WATER CAMPAIGN MILESTONE 5 REPORT

NATURAL BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 1 – Item 12.3 refers	International Council for Local Government Environmental Initiatives Water Campaign Milestone 5 Report

Voting Requirement : Simple Majority
 Subject Index : 30/017- Water Campaign
 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

The purpose of this report is to present the 'ICLEI Water Campaign Milestone 5 Report' to Council for endorsement.

Item 12.3 Continued

SUMMARY AND KEY ISSUES

In February 2005 the City of Belmont commenced its participation in the ICLEI Water Campaign, successfully completing Milestone 1, 2, 3 and 4. The 'Milestone 5' Report was written by the Eastern Metropolitan Regional Council (EMRC) and the City of Belmont Parks and Environment Department and is the final stage of the program and finalises the City's involvement with the Water Campaign.

The Water Campaign was commenced by internally assessing the City's position on water conservation and water quality, aimed at improvements, targeted conservation and the protection of water quality in the corporate and community sectors.

This Milestone 5 Report includes a re-inventory of water resources present in 2009/10 and reviews progress towards goals and targets set in Milestone 2 aimed at consumption reduction. The Report details initiatives for water conservation in the community and corporate sector and directly relates to the Environmental Enhancement Policy and Environment Plan 2010-2015.

The document also tracks the project looking at the actions and goals set at each Milestone, including: a baseline profile for the Corporate and Community sector of the City in 1999/2000; goals for water consumption by 2010; the production and implementation of a Water Action Plan; and the reinventory to assess water consumption in comparison to 1999/2000.

The Report details the actions the City has taken to conserve water and reduce its corporate water consumption by 36% since 1999/2000 and summarises a 19.25% decrease in water consumption per residential household since 2000/2001.

LOCATION

N/A

CONSULTATION

There has been no specific consultation undertaken in respect to this matter. EMRC and the City have gained all data within this Report from the Water Corporation and in-house sources.

STRATEGIC PLAN IMPLICATIONS

The acceptance and approval of the Milestone 5 Report directly assists in the implementation of the following objective of the Strategic Plan 2010-15.

- Protect and enhance our natural environment.

Item 12.3 Continued

POLICY IMPLICATIONS

The implementation of the plan relates directly to the City of Belmont's Environmental Enhancement Policy (Policy NB 3), mainly that the City of Belmont:

(ii) Is committed to the prevention of pollution, protection and enhancement of the natural environment and creation of a sustainable urban environment;

and

(iii) Will manage its development process in order to achieve sustainable environmental outcome.

STATUTORY ENVIRONMENT

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

BACKGROUND

In February 2005 the City of Belmont commenced its participation in the ICLEI Water Campaign, successfully completing Milestone 1, 2, 3 and 4. At the WA Local Government Convention on 5 August 2010 the City was awarded successful completion of Milestone 5, subject to Council endorsement of the Milestone 5 Report.

The Milestone 5 Report details a reinventory of water resources in 2009/10 and compares this with goals and targets set in Milestone 2 for water consumption reduction. The City aimed at reducing corporate water consumption by 30% below 1999/2000 levels by 2005/2006 and achieve a further 15% reduction by 2010. The City also aimed at reducing community water consumption per residential property by 15% below 2000/2001 levels by 2002/03 and achieve a further 15% reduction by 2010. In total the City aimed at reducing water consumption per residential property by 30% by 2010 on 2000/2001 levels.

The Report details the actions the City has taken to conserve water and reduce its corporate water consumption by 36% since 1999/2000. The Report summarises the initiatives the City has undertaken to reduce potable water consumption in our Public Open Space and buildings whilst still delivering a high level of service. Actions implemented have included retrofitting City managed buildings with water saving fittings and the introduction of conservation practises for Public Open Space such as hydrozoning, turf reduction and planting of low water use native plants.

The Report also summarises a 19.25% decrease in water consumption per residential household since 2000/2001 whilst the number of residential dwellings within the City has grown by approximately 26%. This indicates to the City that promotional materials, strategies and our position on water consumption have influenced the community to reduce and conserve.

The Milestone 5 Report was presented to the Standing Committee (Environmental) on 22 September 2010 with the following recommendation made:

Item 12.3 Continued

COMMITTEE RECOMMENDATION

MAYOR MOVED, ROSSI SECONDED, That Council endorse the 'ICLEI Water Campaign Milestone 5 Report' as detailed in Attachment 4.

CARRIED 4 VOTES TO 0

OFFICER COMMENT

The most significant sections of the Milestone 5 Report consist of:

Section 4 Milestone Project - Background Information;

- 4.1 Milestone 1 - Baseline profile; *"Conduct a water consumption inventory and analysis for Corporate and Community consumers. Produce a water quality checklist"* conducted in February 2005
- 4.2 Milestone 2 – Goal setting; *"Develop water goals in four action areas"* conducted in June 2005
- 4.3 Milestone 3 – Water Action Plan; *"Produce a Water Action Plan"* conducted in February 2007 and resulted in ongoing water conservation actions in the area of irrigation, groundwater recharge investigation, nutrient management, water quality management and research into alternative water conservation and consumption technology. Undertaken in February 2007.
- 4.4 Milestone 4 – Goal Verification and undertake Water Action Plan; *"Undertake implementation of the Water Action Plan, assessment and reporting of the quantitative and qualitative benefits resulting from the implemented actions"*. Undertaken in July 2009.

Section 5 Milestone 5 – Reinventor: *"Review and evaluate Council's progress in the Water Campaign™"*. Undertaken August 2010. This provides the City with sufficient information to make informed decisions on objectives in the Environment Plan for 2010-15 and onwards and whether goals set during the Water Campaign are again achievable over the next six years.

The final Report and overall Water Campaign provides the City with a platform to achieve further reductions in water conservation while providing services which are of exceptional quality.

FINANCIAL IMPLICATIONS

There are no financial implications associated with Council endorsement of the Milestone 5 Report.

Item 12.3 Continued

ENVIRONMENTAL IMPLICATIONS

Participation in the ICLEI Water Campaign has allowed the City to;

- Reduce corporate scheme water consumption by approximately 36% between 1999/00 and 2008/09, holding the cost of water fairly constant during a time of increasing water costs.
- Reduce community consumption by approximately 19% per residential unit between 1999/00 and 2008/09.
- Reduce the City of Belmont's LGA total consumption by 11% between 1999/00 and 2008/09.
- Initiate a range of actions relating to water quality improvement and water conservation, as shown in the achievements of the previous Environment Plan 2005-2010.

SOCIAL IMPLICATIONS

There are no social implications at this time.

COMMITTEE RECOMMENDATION

WOLFF MOVED, ROSSI SECONDED, That Council endorse the 'ICLEI Water Campaign Milestone 5 Report' as per Revised Attachment 1.

CARRIED 9 VOTES TO 0

12.4 2010/2011 OCTOBER BUDGET REVIEW

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 2 – Item 12.4 refers	2010 / 2011 October Budget Review

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

COUNCIL ROLE

- Advocacy** *When Council advocates on its own behalf or on behalf of its community to another level of government / body / agency.*
- Executive** *The substantial direction setting and oversight role of the Council e.g. 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 (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

PURPOSE OF REPORT

This report is prepared to conduct the first review of the Budget and recommend adjustments to the 2010-2011 Adopted Budget. (Note: A Summary of Income and Expenditure Variances are included as Attachment 2).

Item 12.4 Continued

SUMMARY AND KEY ISSUES

In keeping with sound financial management practices, a review of the 2010-2011 Adopted Budget has been conducted. The Budget remains in balance with all carried forward issues from 2009-2010 end of year being addressed.

LOCATION

N/A

CONSULTATION

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

STRATEGIC PLAN IMPLICATIONS

Achieve excellence in the management and operation of the Local Government's activities.

POLICY IMPLICATIONS

There are no significant policy implications evident at this time.

STATUTORY ENVIRONMENT

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires a local government to carry out a review of its Budget between 1 January and 31st March each year, report it to Council and then report the outcome of the review to the Department of Local Government. The City of Belmont has for many years now conducted two budget reviews, one in October and one in March. A further review will be conducted and reported to Council and also the Department in March 2011.

BACKGROUND

In keeping with Council's ongoing budget control and financial management, a number of adjustments are required to ensure Council's Budget continues to reflect an accurate position. As it is now some six months since the detailed Budget was prepared and the carried forward figure was estimated, many estimates can now be accurately confirmed. For statutory reporting purposes, the adopted Budget is used, however, for sound management purposes, the adjusted Budget will be used on a day to day basis in the Management Reports.

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

Item 12.4 Continued

- Carried Forward Figure as at 30 June 2010 (to be confirmed by Council's Auditors as part of the end of year Audit);
- Decisions of Council requiring funding;
- Confirmation of various Government Grants;
- Any major over-expenditures; and
- Building, Grounds and Engineering Carry Forward Works.

OFFICER COMMENT

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

(brackets indicate increased income/reduced expenditure)

➤ Opening Balance - Surplus	(411,808)
➤ Chief Executive Officer Section	0
➤ Corporate and Governance Division	50,724
➤ Technical Services Division	581,688
➤ Community and Statutory Services Division	(220,605)
➤ Closing Balance	0
	<hr/>
	Net Cost
	0

As has been the case in previous October Budget Reviews, one of the issues to be addressed relates to the 1 July opening balance. The opening balance is predicted in April/May to enable budget preparation and rate modelling to proceed.

This has always proved to be a challenging task and a more conservative approach has been adopted in recent years with the period ended 30 June 2010 being no exception. The closing balance of \$4,211,808 exceeded the estimated closing balance of \$3,800,000. The variance resulted from a number of cost savings, most notably parks maintenance, consulting and legal fees, sanitation costs, reduced (green) power costs and additional income from the alarm assist program.

An extended infrastructure capital works program has been fully funded in this review, predominantly the road and drainage networks to the value of \$181,215 and \$50,131 respectively. Most of the extended capital works program relates to funding for Kambalda Avenue that commenced later in the previous financial year than anticipated, requiring \$138,008 more to complete the works this financial year.

Also included in the review is an upgrade to the irrigation systems at both Miles Park and Centenary Park which are expected to cost \$222,000. The City is currently undertaking a comprehensive review of our irrigation assets in a concerted effort to reduce groundwater use. A stage of the Garvey Park foreshore restoration project (PE1003) was budgeted based on Regional and Local Community Infrastructure Program (RLCIP) funding which is very unlikely to be successful and hence has been withdrawn. Also, due to a lack of RLCIP funding an additional \$30,000 has now been included for the Garvey Park Master plan.

The Perth Solar City Showcase project is now jointly funded by Belgravia Leisure (estimated at \$50,000) who will benefit by the reduced gas costs as well as grant funding of \$85,239. This additional income has reduced the need to fully fund this project from the Environment Reserve. Environment has also benefited by a \$42,000

Item 12.4 Continued

allocation as a contribution towards the University of Western Australia and Murdoch University's manure (bio-gas) projects. The aim of the projects is to enable manure to be used as a bio-gas which will have the added benefit of reducing landfill pressure.

Building construction has increased by \$68,260 predominantly due to the following:

- Architectural Services (BB1109) increased (\$10,000) to allow for an investigation and the design of services for a future installation of toilets at Centenary park;
- Wilson Park upgrade (BB1115) increased (\$20,000) to allow for the kiosk upgrade including the electrical works and sewer connection; and
- Garvey/Kanowna Boardwalk upgrade (BB1116) increased (\$35,000) due to the additional works identified from a structural review.

The review also includes the third grant instalment for the Closed Circuit Television and Alarm Assist program of \$350,000. This had been previously budgeted and allowed for in the 2009/10 closing balance estimate but was not received until 2010/11.

Sections within Community Development also had some notable changes. With the new community centre being put on hold additional funds (net \$39,200) have been allocated for an upgrade to the library front counter as well as other furniture. Youth Services have benefited from grant funding received from the Department of Immigration and Citizenship (\$78 000) which is to be used for Belmont City College programs. Home and Community Care services includes the (grant funded) purchase of a bus and vehicle carried forward from last year.

The final adjustment to note was an additional \$43,831 transferred to the Property Development Reserve.

The October Budget Review has been an extensive exercise to ensure the budget remains in balance and reflects the current expenditure trends. The detailed summary of the budget review includes a lot of comment, however, should further explanation be required then please contact the appropriate Director.

The main focus of the October review has been to address those additional items that occurred subsequent to the Authorised Budget being adopted, and also to address any projects which were anticipated to be completed by 30 June, but were unable to be finalised.

The October Budget Review is an important step in the process of vigilance, as it maintains a balanced Budget and ensures Services and Capital Works Programmes are adequately resourced.

As has been the case in the past, Council's financial position will be closely monitored in the lead up to the March Budget Review and should any significant issues require attention, then they will be raised with Council accordingly.

Budget Reviews ensure that the City's Budget remains in balance and all matters relating to Income and Expenditure are addressed in a responsible and accountable manner. They also ensure sufficient resources are available to meet all statutory obligations as well as delivering services and completing capital works.

Item 12.4 Continued

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

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

OFFICER RECOMMENDATION

That Council:

1. *Approve the variations to the 2010/2011 Budget as detailed in Attachment 2.*
2. *Authorise the Director Corporate and Governance to amend the 2010/2011 Budget in accordance with all resolved variations.*

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

12.5 MONTHLY ACTIVITY STATEMENT AS AT 30 SEPTEMBER 2010

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Attachment 3 – Item 12.5 refers	Monthly Activity Statement as at 30 September 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.

Item 12.5 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.

Item 12.5 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 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 3 the following summary is provided.

Report Section	YTD Budget	YTD Actual	Comment
Expenditure – Capital			
Rangers	60,000	0	Delays with light vehicle purchases.
Belmont HACC Services	300	142,599	Purchase of bus and van to be updated in budget review.
Technical Services	192,905	750	The budget is spread evenly with some projects delayed or not to proceed.
Grounds Operations	317,881	11,642	The budget is spread evenly with some projects only just commencing.
Road Works	852,851	1,160,419	Roads projects ahead of schedule.
Footpath Works	132,068	13,322	The budget is spread evenly with some projects only just commencing.
Drainage Works	148,050	89,923	The budget is spread evenly with some projects only just commencing.
Operations Centre	364,169	285,521	Delays with Chargeable Plant purchased.
Building Operations	332,410	231,529	Some delays in projects and payments.
Technical Services	114,570	33,418	Delays with fleet purchases.

Item 12.5 Continued

Report Section	YTD Budget	YTD Actual	Comment
Expenditure – Operating			
Computing	457,640	356,368	Employee and consulting costs lower than anticipated.
Insurance	404,698	507,414	Workers Compensation insurance premium paid in advance.
Executive Services	425,578	303,330	Salaries & related costs lower than anticipated.
Governance	656,678	591,767	ABC cost allocation lower than anticipated.
Belmont Community Watch	153,718	97,449	Invoices are outstanding for September.
Crime Prevention & Comm Safety	143,077	85,328	CCTV projects are well progressed. Some budget spread issues.
Community Services	145,685	66,358	Consulting costs are well below budget.
Sanitation Charges	850,000	715,703	Invoices are outstanding for the Rubbish collection.
Ruth Faulkner Library	420,881	295,270	Salaries, Finding my Place and Building Maintenance below budget.
Grounds – Active Reserves	173,569	117,788	Parks maintenance costs are below budget.
Grounds Overheads	402,754	340,315	Wages & related costs lower than anticipated.
Streetscapes	299,403	143,851	Street trees maintenance costs are less than anticipated.
Technical Services	462,302	370,424	Salary related costs and consulting fees lower than anticipated.
Other Public Works	645,360	114,944	Budget spread issue with street lighting expenditure.
Revenue – Capital			
Property & Economic Development	(700,000)	(1,159,091)	Land revenue (mainly 19 Brennan Way) received earlier than budgeted.
Road Works	(324,069)	(378,462)	Road Grants received earlier than expected.
Revenue – Operating			
Insurance	(556,024)	(680,899)	In line with prepaid insurance costs.
Rates	(31,499,875)	(31,280,022)	Year to date budget includes some growth which will be recovered over the year.
General Purpose Income	(100,595)	(0)	Financial assistance grant not yet received.
Crime Prevention & Comm Safety	(6,815)	(387,408)	Grant funding was expected to be received in 2009/10.
Health	(58,765)	(110,685)	Licence applications higher than anticipated.
Belmont HACC Services	(440,450)	(537,129)	Grant Funding higher than anticipated.
Town Planning	(269,098)	(214,036)	Applications fees lower than anticipated.
Road Works	(68,720)	(0)	Grant funding not yet received.
Streetscapes	(51,577)	(0)	Relevant projects are behind schedule.
Other Public Works	(138,814)	(39,779)	Private works projects lower than anticipated.

Item 12.5 Continued

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

Reconciliation of Nett Current Assets to Statement of Financial Activity		
Current Assets as at 30 September 2010	\$	Comment
Cash and investments	41,336,577	Includes municipal, reserves & deposits
- less non rate setting cash	-15,985,096	Reserves and deposits held
Receivables	11,964,286	Rates levied yet to be received and Sundry Debtors
- less non rate setting receivables	-1,915,656	ESL levied and GST payable
Stock on hand	231,731	
Total Current Assets	\$35,631,842	
Current Liabilities		
Creditors and provisions	-10,317,214	Includes deposits
- less non rate setting creditors & provisions	7,705,394	ESL, GST and deposits held
Total Current Liabilities	-\$2,611,820	
Nett Current Assets 30 September 2010	\$33,020,022	
Nett Current Assets as Per Financial Activity Report		
Nett Current Assets as Per Financial Activity Report	\$33,020,022	
Less Restricted Assets	-542,416	Unspent grants held for specific purposes
Less Committed Assets	-\$31,977,606	All other budgeted expenditure
Estimated Closing Balance	500,000	

FINANCIAL IMPLICATIONS

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

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

There are no social implications at this time.

Item 12.5 Continued

OFFICER RECOMMENDATION

That the Monthly Financial Reports as at 30 September 2010 as included in Attachment 3 be received.

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

12.6 ACCOUNTS FOR PAYMENT – SEPTEMBER 2010

BUSINESS EXCELLENCE BELMONT

ATTACHMENT DETAILS

Attachment No	Details
Attachment 4 – Item 12.6 refers	Account for Payment – September 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*.

Item 12.6 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	782459-782552	\$182,621.17
Municipal Fund EFTs	EF014422-EF014770	\$3,032,969.77
Municipal Fund Payroll	September 2010	\$1,419,051.80
Trust Fund Cheques	905318-905319	\$25,008.55
Trust Fund EFT	EF014552	\$2,239.50
Total Payments for September 2010		\$4,661,890.79

Item 12.6 Continued

A copy of the Authorised Payment Listing is included as Attachment 4 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 September 2010 as provided under Attachment 4 be received.

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

12.7 COMMUNITY SERVICE AWARDS 2010 NOMINATIONS

SOCIAL BELMONT

ATTACHMENT DETAILS

<u>Attachment No</u>	<u>Details</u>
Confidential Attachment 1 – Item 12.7 refers	Copy of Nominations Received and a List of Previous Recipients
Confidential Attachment 2 – Item 12.7 refers	Selection Panel Recommendation

Voting Requirement : Simple Majority
 Subject Index : 74/001
 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 : 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 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

To receive the nominations for the 2010 Community Service Awards and that Council endorse the selection panel's choice of the recipients.

Item 12.7 Continued

SUMMARY AND KEY ISSUES

Council's consideration of nominations for the 2010 Community Service Awards.

LOCATION

N/A

CONSULTATION

Letters were sent to approximately 105 community groups inviting nominations. Adverts were also placed in the Southern Gazette in the following editions 10 August 2010 and 17 August 2010. Nominations closed on Friday, 17 September 2010.

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

The Community Service Award was initiated in 1977 to recognise and acknowledge services performed by community members/organisations, with five people receiving the inaugural award. Since 1977 and up to 2009, there have been 75 awards presented with four recipients receiving the award twice.

The majority of the awards have been presented to individuals with only two organisations receiving the award, those being Nulsen Haven (1982) and Belmont Community Food Centre (2000).

Award categories are defined to include people working in the separate areas of:

- Youth
- Aged
- Sport and Recreation
- Community Service
- Corporate

Item 12.7 Continued

The awards are intended to acknowledge the outstanding service given to the community by individual persons and organisations using the following guidelines:

1. The contribution should be of benefit to the citizens of the City of Belmont (must have provided services to the residents of the City of Belmont for a period not less than two years).
2. The contribution must have been made in an honorary or voluntary capacity.
3. Organisations or individuals can nominate one person or organisation only after nominations have been called for a particular year.
4. Nominations can be made in one category only for any one nominee, or the nomination will be grouped in the category that the selection panel deemed it to be appropriately suitable.

Individual nominees who are not residents of the City of Belmont are deemed ineligible.

OFFICER COMMENT

The 2010 Community Service Awards were conducted using the same criteria as resolved by the Council at its Ordinary Council Meeting held 25 May 1992.

The Selection Panel comprised the Mayor, the Chief Executive Officer and the Manager Community Development who met on Thursday 14 October 2010 and made recommendations on the successful recipients for Council's consideration.

Five individual nominations were received. Copies of all nominations received and a list of previous recipients are provided under Confidential Attachment 1.

The selection panel recommendation for the 2010 Community Service Awards is provided under Confidential Attachment 2.

FINANCIAL IMPLICATIONS

There are no financial implications evident at this time.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications at this time.

SOCIAL IMPLICATIONS

The Community Service Awards recognises those who assist and develop community capacity and support community groups within the City of Belmont.

Item 12.7 Continued

OFFICER RECOMMENDATION

That:

- 1** ***Council endorse recipients nominated by the Selection Panel as detailed in Confidential Attachment 2.***

- 2** ***The decision by Council on the recipients of the 2010 Community Service Awards remain confidential until the Annual Civic Dinner to be held on Saturday, 4 December 2010.***

- 3** ***Council invite the recipients of the 2010 Community Services Awards and their respective guest to the Annual Civic Dinner to be held on Saturday, 4 December 2010.***

***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.

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil.

15. CLOSURE

There being no further business the Presiding Member closed the meeting at 8.03pm.

MINUTES CONFIRMATION CERTIFICATION

The undersigned certifies that these minutes of the Ordinary Council Meeting held 26 October 2010 were confirmed as a true and accurate record at the Ordinary Council Meeting held 23 November 2010:

Signed by the Person Presiding: _____

PRINT name of the Person Presiding: _____
