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# SPECIAL BELMONT TRUST MEETING

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## MINUTES

### TABLE OF CONTENTS

17 June 2021

<b>ITEM</b>	<b>SUBJECT HEADING</b>	<b>PAGE</b>
<b>1.</b>	<b>OFFICIAL OPENING .....</b>	<b>1</b>
<b>2.</b>	<b>APOLOGIES.....</b>	<b>2</b>
<b>3.</b>	<b>DECLARATIONS OF INTEREST THAT MIGHT CAUSE CONFLICT .....</b>	<b>2</b>
3.1	FINANCIAL INTERESTS .....	2
3.2	DISCLOSURE OF INTEREST THAT MAY AFFECT IMPARTIALITY .....	2
<b>4.</b>	<b>CONFIRMATION OF MINUTES .....</b>	<b>2</b>
4.1	BELMONT TRUST MEETING HELD 2 JULY 2013.....	2
<b>5.</b>	<b>PUBLIC QUESTION TIME.....</b>	<b>3</b>
5.1	QUESTIONS FROM MEMBERS OF THE PUBLIC .....	3
<b>6.</b>	<b>GENERAL BUSINESS .....</b>	<b>8</b>
6.1	BELMONT TRUST 2021–2022 BUDGET .....	8
6.2	QUOTATION Q03/2021 BELMONT TRUST LAND COMMUNITY ENGAGEMENT .....	12
<b>7.</b>	<b>URGENT BUSINESS APPROVED BY THE CHAIR OR BY DECISION.....</b>	<b>17</b>
<b>8.</b>	<b>CLOSURE .....</b>	<b>17</b>

#### CONFIDENTIAL ATTACHMENTS INDEX

Confidential Attachment 1 – Item 6.2 refers

Confidential Attachment 2 – Item 6.2 refers

**MINUTES OF THE SPECIAL BELMONT TRUST MEETING HELD IN THE COUNCIL CHAMBER, CITY OF BELMONT CIVIC CENTRE, 215 WRIGHT STREET, CLOVERDALE ON THURSDAY, 17 JUNE 2021 COMMENCING AT 6.30PM.**

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## MINUTES

### PRESENT

Cr P Marks (Presiding Member)	East Ward
Cr G Sekulla, JP ( <i>arr 6.36pm</i> )	West Ward
Cr B Ryan	East Ward
Cr J Davis	South Ward
Cr J Powell	South Ward
Cr S Wolff	South Ward
Cr R Rossi, JP	West Ward

### IN ATTENDANCE

Mr J Christie	Chief Executive Officer
Ms M Bell	Director Corporate and Governance
Ms J Gillan	Director Development and Communities
Mr M Reid	Director Infrastructure Services
Mr J Olynyk, JP	Manager Governance
Mrs M Lymon	Principal Governance and Compliance Advisor
Ms K Spalding	Coordinator Marketing and Communications
Ms D Morton	Media and Communications Adviser
Mrs J Cherry-Murphy	Senior Governance Officer

### MEMBERS OF THE GALLERY

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

#### 1. OFFICIAL OPENING

**6.30pm** The Presiding Member welcomed all those in attendance and declared the meeting open.

The Presiding Member read aloud the Acknowledgement of Country.

***Before I begin I would like to acknowledge the Noongar Whadjuk people as the Traditional Owners of this land and pay my respects to Elders past, present and emerging. I further acknowledge their cultural heritage, beliefs, connection and relationship with this land which continues today.***

The Presiding Member invited Cr Ryan to read aloud the Affirmation of Civic Duty and Responsibility on behalf of Trustees and Officers. Cr Ryan 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 role as a Trustee of the Belmont Trust according to the best of my judgement and ability. I will observe the City's Code of Conduct and Standing Orders to ensure efficient, effective and orderly decision making within this forum.***

**2. APOLOGIES**

Cr L Cayoun (Apology)  
Cr M Bass (Apology)

West Ward  
East Ward

**3. DECLARATIONS OF INTEREST THAT MIGHT CAUSE CONFLICT**

**3.1 FINANCIAL INTERESTS**

Nil.

**3.2 DISCLOSURE OF INTEREST THAT MAY AFFECT IMPARTIALITY**

Nil.

**4. CONFIRMATION OF MINUTES**

**4.1 BELMONT TRUST MEETING HELD 2 JULY 2013  
(Circulated under separate cover)**

**OFFICER RECOMMENDATION**

**ROSSI MOVED, POWELL SECONDED**

That the Minutes of the Belmont Trust Meeting held on [2 July 2013](#) be confirmed as a true and accurate record.

**CARRIED 6 VOTES TO 0**

## 5. PUBLIC QUESTION TIME

6.33pm The Presiding Member drew the public gallery's attention to the rules of Public Question Time as written in the Public Question Time Form. In accordance with rule (I), the Mayor advised that he had registered four members of the public who had given prior notice to ask questions.

The Presiding Member invited members of the public who had yet to register their interest to ask a question to do so. One further registration was forthcoming.

6.36pm Cr Sekulla entered the meeting.

### 5.1 QUESTIONS FROM MEMBERS OF THE PUBLIC

#### 5.1.1 Ms L HOLLANDS ON BEHALF OF BELMONT RESIDENT AND RATEPAYER ACTION GROUP (BRRAG)

1. In the Minutes of the Belmont Trust Meeting held on 2 July 2013, Trustees resolved that the required action is to remain confidential until legal resolution is complete. Is the legal resolution complete yet and, if yes, when can we expect the details?

#### Response

The Manager Governance stated that he did not believe the question directly related to items on the Agenda but would take the question on notice.

2. What was the nature and expenses of on-going legal advice and was there appropriate management of the interest to the Trust Reserve as the Reserve has reduced from \$1.78m in 2012 to \$1.5m in 2020?

#### Response

The Manager Governance stated that he would take the question on notice.

3. It was reported in a response to a question taken on notice at the 25 August 2020 Ordinary Council Meeting that legal expense costs incurred over the last 15 years was \$134,775. We have had no meeting since 2013, so why are we now having a meeting to approve the Belmont Trust Budget?

#### Response

The Manager Governance stated this is due to a change in practice with the budget. The City sought legal advice and that advice stated that, from a good governance standpoint, budgets should be presented to the Belmont Trust for consideration and approval before the City's budget is considered. Councillors, in their role as Trustees, can ask questions in relation to any part of the Belmont Trust budget.

*Item 5.1.1 Continued*

4. How come the view has changed, has there been changes to the Charitable Trusts Act?

**Response**

**The Manager Governance stated there has been no change to the Charitable Trusts Act and that it does not refer to management processes. No other Local Government has to deal with a Trust of this nature, this is unique to the City of Belmont. The City deems it necessary to continue to seek legal advice to ensure the Trust is managed in the proper manner.**

5. Does that mean the City has not been acting as it should?

**Response**

**The Manager Governance stated the City has managed the Trust as it should have.**

6. Will we have more regular meetings?

**Response**

**The Manager Governance stated the matter on frequency of meetings will come before a workshop of the Trust, however, there will be at least one annual meeting of the Trust going forward to deal with the budget.**

7. Will there be on-going legal fees?

**Response**

**The Manager Governance stated yes.**

8. When the Trust Reserve was first established, where did the initial funds come from?

**Response**

**The Manager Governance stated that he would take the question on notice.**

9. Was the 2002 copy of Hansard distributed to Councillors and, if so, when?

**Response**

**The Manager Governance stated that he would take the question on notice.**

10. Has the Trust Land been varied in any way since the Trust was formed?

**Response**

**The Manager Governance stated that he would take the question on notice.**

### **5.1.2 MR P HITT, 14 MCLACHLAN WAY, BELMONT**

Mr Hitt circulated copies of an extract from Hansard dated 18 December 2002 for Councillors.

1. Is it legally or morally right to engage an Engagement Officer, AHA! Consulting for the sum of \$72,480 when many of the questions in the Hansard put forward by the Hon Peter Foss (a lawyer that specialises in Trusts) have not been answered to my knowledge up to this present time?

#### **Response**

**The Manager Governance stated that he would take the question on notice.**

2. Were the boundary changes to the Trust mentioned in Hansard ever formally gazetted and approved?

#### **Response**

**The Manager Governance stated that he would take the question on notice.**

3. Has the Trust ever received compensation for the loss of land now used as a waterway into the Ascot Marina?

#### **Response**

**The Manager Governance stated that he did not believe the question directly related to items on the Agenda but would take the question on notice.**

4. Has the Trust ever received monies from the rent of the land when used for baseball?

#### **Response**

**The Manager Governance stated that he would take the question on notice.**

5. Will the sum of \$72,480 for the Consultant be added to the amount owing to the Trust account?

#### **Response**

**The Manager Governance stated the budget proposed this evening is funded from the Belmont Trust Reserve. If the report is approved this evening, the funds will come from the Reserve.**

### **5.1.3 MS L HOLLANDS, 2 MILLER AVENUE, REDCLIFFE**

1. Why bring in outsiders to undertake the community consultation when Officers here could undertake this and save money?

#### **Response**

**The Chief Executive Officer stated that there are City staff capable of carrying out this task, though the rationale was that the City required expert advice in the development of an engagement strategy which needs to be developed before the consultation.**

*Item 5.1.3 Continued*

2. Will the City of Belmont take notice of the residents?

**Response**

**The Presiding Member stated the City always takes notice of their residents.**

**5.1.4 MS S HOLT ON BEHALF OF THE ASCOT KILNS AND PARRY FIELD ACTION GROUP**

1. Can you provide evidence that funds for the Belmont Trust have been expended in accordance with the Declaration of Trust and the Charitable Trust Act 1982?

**Response**

**The Manager Governance stated that he would take the question on notice.**

2. A Concept Plan has been created, when will that Concept Plan be available to the local community?

**Response**

**The Manager Governance stated the Trust, some years ago, undertook a range of workshops. The Trust has not formulated a formal position on this. That document will not be a part of the community engagement process. The process is about getting the community's views to come back to the Trust for consideration.**

3. The Ascot Kilns and Parry Field Action Group has credibility in the community. If the community engagement process includes forming a working group, our group would like to be recognised as a stakeholder in this consultation please?

**Response**

**The Manager Governance stated yes the Group would be a stakeholder. The Chief Executive Officer stated that the engagement process will not be a "box ticking" exercise. The City is serious about this issue and is looking to achieve a very positive outcome for the Trust Land.**

**5.1.5 MS J GEE, 297 GABRIEL STREET, CLOVERDALE**

1. It must be at least 10 years ago since the City did the planning for the Trust Land. The City is now going to spend \$75,000 for more workshops. Are we going to have to wait another 8-10 years or is there going to be a shorter plan in place?

**Response**

**The Manager Governance stated there has been a long period of time where it appears there has been a lack of action. There have been a number of reasons behind that, for example, a compelling moral obligation issue through the Supreme Court, a change of personnel at the State Solicitors' Office and Attorney General which concluded with the process having to start again. If approved this evening, the project plan in place provides for the community**

*Item 5.1.5 Continued*

**consultation and outcomes to be completed before the end of this year. Other issues depend on what the result of the consultation is and the funds required. Engagement with the Attorney General or State Solicitors' Office is also required and these processes take time.**

2. Can you have regular meetings to keep us informed?

**Response**

**The Chief Executive Officer stated that as mentioned at the last Ordinary Council Meeting, when the Trust has a decision to make a meeting will be called.**

**7.10pm As there were no further questions, the Presiding Member declared Public Question Time closed.**

## 6. GENERAL BUSINESS

### 6.1 BELMONT TRUST 2021–2022 BUDGET

#### ATTACHMENT DETAILS

Nil

Voting Requirement	:	Absolute Majority
Subject Index	:	132/001
Location/Property Index	:	Lot 5 Stoneham Street, Lot 642 Great Eastern Highway.
Application Index	:	N/A
Disclosure of any Interest	:	N/A
Previous Items	:	N/A
Applicant	:	N/A
Owner	:	City of Belmont
Responsible Division	:	Corporate & Governance

#### COUNCIL ROLE

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

#### PURPOSE OF REPORT

To present the 2021-2022 Belmont Trust Budget for consideration.

#### SUMMARY AND KEY ISSUES

To consider the 2021-2022 Budget in the lead up to the formal adoption of the City of Belmont Budget at the Ordinary Council Meeting on 27 July 2021, for which the Belmont Trust is a component.

Item 6.1 Continued

## **LOCATION**



## **CONSULTATION**

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

## **STRATEGIC COMMUNITY PLAN IMPLICATIONS**

In accordance with the 2020 – 2040 Strategic Community Plan:

### **Goal 5: Responsible Belmont.**

#### **Strategy:**

- 5.2 Manage the City's assets and financial resources in a responsible manner and provide the best possible services for the community.
- 5.6 Deliver effective, fair and transparent leadership and decision-making, reflective of community needs and aspirations.

## **POLICY IMPLICATIONS**

There are no policy implications associated with this report.

## **STATUTORY ENVIRONMENT**

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

## **BACKGROUND**

The effect of the Declaration of Trust is that the City of Belmont holds the trust property ("the Trust Land") on trust for the purposes of public recreation and enjoyment. The City of Belmont is the sole trustee of the Trust Land.

As the sole Trustee, the City of Belmont is responsible for making decisions about the Belmont Trust in its capacity as Trustee. This is a responsibility of the Council of the

*Item 6.1 Continued*

City of Belmont. The reason for this is that the Council is the overall decision-making body of the City of Belmont and as a result must make decisions for the City of Belmont in its capacity as Trustee of the Trust Land.

The City of Belmont is the Trustee, and the Council can only make decisions on behalf of the City of Belmont in accordance with the *Local Government Act 1995*. On that basis, the Council would need to meet in accordance with the Act to make decisions in its capacity as Trustee. This means conducting meetings to deal with Trust matters in all respects in accordance with the *Local Government Act 1995*.

The Belmont Trust is not a separate legal entity, and it cannot own property in its own name. There is no separate organisation or body called the Belmont Trust, (this name simply describes the Trust Land and dealings associated with it) instead the Trust Land is held by the City of Belmont as Trustee. The City of Belmont must deal with and account for the Trust property, including its assets, liabilities, income, and expenditure in its capacity as Trustee. This is reported in the Annual Financial Report in note 14.

### **OFFICER COMMENT**

The City of Belmont has sought further legal advice to ensure that it undertakes its role as both a local government and that of Trustee for the Trust Land with due diligence, transparency and accountability.

To that effect and moving forward on an ongoing basis, the City will, as it progresses with the development of its Annual Budget, seek endorsement from the Belmont Trust of the funding required in relation to the management of the Trust Land, prior to formal adoption of the Budget.

The City maintains a reserve known as the Belmont Trust Reserve, which is restricted in usage, specifically for purposes associated with the Trust Land. These funds are utilised for the maintenance of the Trust Land and other identified needs.

When preparing the City's budget, in particular the Belmont Trust operating component, expenditure and income are transferred between the municipal budget and the Belmont Trust Reserve, resulting in a net impact of nil in the City's municipal budget.

The following table is an extract from the draft Annual Budget scheduled for adoption by Council in July 2021. Key points of interest are:

1. Legal Costs: This is an indicative amount to cover required legal services in the management of the Belmont Trust and potentially any matters arising from the community engagement process that necessitates liaison with the State Solicitors Office or the Attorney General (\$80, 000).
2. Consultant: A thorough and inclusive community engagement process to establish the desired development of the Trust Land to meet the obligations contained in the Declaration of Trust and a subsequent Strategic Plan is imperative. To achieve an appropriate outcome a consultant with specific engagement skills is required to facilitate the process (\$100,000).
3. General Maintenance: This is the cost associated with the City's Parks, Leisure and Environment Department undertaking general mowing and maintenance.
4. Income Belmont Trust Reserve: This is interest from the term deposit (-\$6712.00).

Item 6.1 Continued

**Belmont Trust Budget 2021-2022**

	Auth Budget	Current Budget	YTD Actual	Proposed Budget	Increase	Increase (%)
<i>080 - Belmont Trust</i>						
<b>921600 - Belmont Trust</b>						
<b>1 - Expenditure</b>						
921600-00-1270-000 Services - Legal	80,000	80,000	2,789	80,000	0	0%
921600-00-1271-000 Services - Other Consultants	100,000	100,000	0	100,000	0	0%
<b>TOTAL 1 - Expenditure</b>	<b>180,000</b>	<b>180,000</b>	<b>2,789</b>	<b>180,000</b>	<b>0</b>	<b>0%</b>
<b>3 - Capital Expenditure</b>						
** 921600-00-3854-000 Belmont Trust Reserve	16,733	16,733	0	6,712	-10,021	-60%
<b>TOTAL 3 - Capital Expenditure</b>	<b>16,733</b>	<b>16,733</b>	<b>0</b>	<b>6,712</b>	<b>-10,021</b>	<b>-60%</b>
<b>4 - Income</b>						
921600-00-4854-000 Belmont Trust Reserve	-16,733	-16,733	0	-6,712	10,021	-60%
<b>TOTAL 4 - Income</b>	<b>-16,733</b>	<b>-16,733</b>	<b>0</b>	<b>-6,712</b>	<b>10,021</b>	<b>-60%</b>
<b>6 - Capital Income</b>						
921600-00-6854-000 Belmont Trust Reserve	-185,147	-185,147	0	-187,224	-2,077	1%
<b>TOTAL 6 - Capital Income</b>	<b>-185,147</b>	<b>-185,147</b>	<b>0</b>	<b>-187,224</b>	<b>-2,077</b>	<b>1%</b>
<b>TOTAL 921600 - Belmont Trust</b>	<b>-5,147</b>	<b>-5,147</b>	<b>2,789</b>	<b>-7,224</b>	<b>-2,077</b>	<b>40%</b>
<b>P14300 - Belmont Trust - Gen Mtce</b>						
<b>TOTAL 1 - Expenditure</b>	<b>5,147</b>	<b>5,147</b>	<b>6,764</b>	<b>7,224</b>	<b>2,077</b>	<b>40%</b>
<b>TOTAL P14300 - Belmont Trust - Gen Mtce</b>	<b>5,147</b>	<b>5,147</b>	<b>6,764</b>	<b>7,224</b>	<b>2,077</b>	<b>40%</b>
<b>TOTAL 080 - Belmont Trust</b>	<b>0</b>	<b>0</b>	<b>9,553</b>	<b>0</b>	<b>0</b>	<b>-300%</b>

**FINANCIAL IMPLICATIONS**

The Belmont Trust Reserve is expected to have a balance of \$1,511,847 as at 30 June 2021. Based on the 2021-2022 budget, the balance is estimated to decrease to \$1,331,335. If there are any unspent budgeted funds in 2021-2022 these will remain in the reserve.

There is no impact on the City of Belmont municipal budget, as all funds are accessed from the Belmont Trust Reserve.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

**SOCIAL IMPLICATIONS**

There are no social implications associated with this report.

**OFFICER RECOMMENDATION**

**DAVIS MOVED, SEKULLA SECONDED**

***That the Belmont Trust adopt the Belmont Trust Budget 2021-2022 as indicated within this report and for inclusion in the City of Belmont Budget 2021-2022, scheduled for adoption in July 2021.***

**CARRIED BY ABSOLUTE MAJORITY 7 VOTES TO 0**

**Note:**

The Presiding Member advised that in accordance with Section 5.23(2) of the *Local Government Act 1995*, in order to discuss the Confidential Attachments for Item 6.2, Trustees will need to go behind closed doors.

7.19pm ***DAVIS MOVED, SEKULLA SECONDED*** that in accordance with Section 5.23(2)(c)(e) of the *Local Government Act 1995*, the meeting proceed behind closed doors to discuss the Confidential Attachments for Item 6.2 – Quotation Q03/2021 Belmont Trust Land Community Engagement.

**CARRIED 7 VOTES TO 0**

7.19pm The Presiding Member requested that all members of the gallery depart the meeting.

**6.2 QUOTATION Q03/2021 BELMONT TRUST LAND COMMUNITY ENGAGEMENT**

**ATTACHMENT DETAILS**

<b>Attachment No</b>	<b>Details</b>
<b>Confidential Attachment 1 – Item 6.2 refers</b>	<a href="#"><u>Evaluation Matrix</u></a>
<b>Confidential Attachment 2 – Item 6.2 refers</b>	<a href="#"><u>Price Schedule</u></a>

Voting Requirement : Simple Majority  
Subject Index : Q03/2021  
Location/Property Index : Lot 5 Stoneham Street, Lot 642 Great Eastern Highway.  
Application Index : N/A  
Disclosure of any Interest : N/A  
Previous Items : N/A  
Applicant : N/A  
Owner : City of Belmont  
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, local planning schemes and policies.*
- Review** *When Council reviews decisions made by Officers.*

*Item 6.2 Continued*

- Quasi-Judicial** *When Council determines an application/matter that directly affect a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of quasi-judicial authority include local planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

**PURPOSE OF REPORT**

To seek the approval of the Belmont Trust to award Quotation Q03/2021 – Belmont Trust Land Community Engagement.

**SUMMARY AND KEY ISSUES**

This report outlines the process undertaken to invite quotations and evaluate the responses received.

The contract is for a consultancy service to engage with the community and other stakeholders to inform the Belmont Trust of community considerations about the future use of the Belmont Trust Land.

It is recommended that the Belmont Trust engage the preferred consultant AHA! Consulting to undertake the community engagement in relation to the **Belmont Trust Land Community Engagement**

**LOCATION**



**CONSULTATION**

The City of Belmont has involved the Attorney General, the Independent Advisory Trustee and the State Solicitors Office in the process to ensure that there is no

*Item 6.2 Continued*

perception of any conflict of interest between the City's role as a local government and that of the Belmont Trust.

### **STRATEGIC COMMUNITY PLAN IMPLICATIONS**

In accordance with the 2020 – 2040 Strategic Community Plan:

#### **Goal 5: Responsible Belmont.**

##### **Strategy:**

- 5.1 Support collaboration and partnerships to deliver key outcomes for our City.
- 5.2 Manage the City's assets and financial resources in a responsible manner and provide the best possible services for the community.
- 5.5 Engage and consult the community in decision-making.
- 5.6 Deliver effective, fair and transparent leadership and decision-making, reflective of community needs and aspirations.

### **POLICY IMPLICATIONS**

Council Policy BEXB7.1 Purchasing has been applied in the context of the listed WALGA preferred suppliers and quotation requirements.

### **STATUTORY ENVIRONMENT**

This issue is governed in the main by the *Local Government Act 1995*, in particular Section 3.57 which states:

*'3.57. Tenders for providing goods or services*

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) Regulations may make provision about tenders.'*

and

The *Local Government (Functions and General) Regulations 1996* Regulation 11(2)(b) which states:

*'11. When tenders have to be publicly invited*

- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —*
  - (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or*
  - (aa) the supply of the goods or services is associated with a state of emergency; or*

*Item 6.2 Continued*

- (b) *the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or ..'*

**BACKGROUND**

The Belmont Trust Land is a parcel of land adjacent to the Swan River of approximately 14ha. It is bounded to the north by the 'Ascot Waters' land development, to the south by a residential development, to the east by Great Eastern Highway and Stoneham Street, and the west by the Swan River. The parcel of land includes a section of the southern end of Black Swan Island, a nature reserve joined to the mainland by a road bridge.

The City of Belmont Councillors are the Trustees of the Belmont Trust and that land ("the Trust Land") is to be used for recreational purposes in accordance with the Declaration of Trust, established under the *Charitable Trusts Act 1962*. Council when deliberating matters relevant to the Belmont Trust must be cognisant that it is not meeting in its capacity as the Council with responsibility for the good governance of the district. It is meeting in its capacity as the trustee of the Trust Land. On this basis the Councillors are not attending these meetings to make decisions for the benefit of the City of Belmont, but instead for the beneficiaries of the Trust Land. This is why Belmont Trust meetings being separate to those of Ordinary Council meetings,

The Trust includes an Independent Advisory Trustee, who was engaged on this particular matter. This is an impartial person, suitably qualified, and appointed to provide guidance to the Belmont Trust on matters deemed necessary by either the Trust or Attorney General.

The City of Belmont ("the City") is looking to engage with the community and other stakeholders on behalf of the Belmont Trust in order to inform the Belmont Trust of community viewpoints on the future use of the Belmont Trust Land.

The City has provided a concept regarding potential future recreational development of the Belmont Trust Land to the Attorney General. In doing so, the City has been clear that there is a desire to seek community engagement on any concepts regarding the Trust Land. The draft concept has been given preliminary consideration by the Attorney General.

The concept has also been the subject of advice by the Independent Advisory Trustee which brings the Belmont Trust to the point where they can now seek the views of the community.

For the Belmont Trust to better understand community stakeholder perspectives in relation to any development of the land, the City is seeking to engage a consultant to design and implement a comprehensive and effective community engagement plan to articulate the vision and aspirations of the community.

Under the *Local Government (Functions and General) Regulations 1996*, Regulation 11(2)(b), tenders are not required to be publicly invited if the supply of the services is to be obtained through the West Australian Local Government Association (WALGA) Preferred Supplier Program. WALGA has established a panel for Financial & Corporate Services which includes Community Consultation and Public Relations. Four panel members were invited to provide a quote and two responses were received from:

*Item 6.2 Continued*

- AHA! Consulting
- Element Advisory

**OFFICER COMMENT**

The Evaluation Panel consisted of the Director Corporate and Governance, Manager Governance, Manager Planning and the Coordinator Marketing and Communications.

The responses received were assessed on the same selection criteria included with the invitation to quote, being:

	<b>CRITERIA</b>	<b>WEIGHTING</b>
1	Experience	25%
2	Company Capacity	20%
3	Methodology	30%
4	Price	25%
	<b>TOTAL</b>	<b>100%</b>

AHA! Consulting was assessed as the most advantageous proposal utilising a deliberative panel approach. The Evaluation Panel's assessment of the submissions is detailed in [Confidential Attachment 1](#) – Evaluation Matrix.

**FINANCIAL IMPLICATIONS**

The prices submitted are detailed in [Confidential Attachment 2](#) – Price Schedule.

The Belmont Trust component of the City of Belmont Budget contains sufficient funding to undertake this essential community engagement process.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

**SOCIAL IMPLICATIONS**

There are no social implications associated with this report.

**8.08pm POWELL MOVED, ROSSI SECONDED that the meeting again be open to the public.**

**CARRIED 7 VOTES TO 0**

**8.08pm The meeting came out from behind closed doors. No members of the public returned to the meeting.**

*Item 6.2 Continued*

**OFFICER RECOMMENDATION**

**ROSSI MOVED, WOLFF SECONDED**

***That the Belmont Trust award Quotation Q03/2021 – Belmont Trust Land Community Engagement to AHA! Consulting for the sum of \$72,480.***

**CARRIED 7 VOTES TO 0**

**7. URGENT BUSINESS APPROVED BY THE CHAIR OR BY DECISION**

Nil.

**8. CLOSURE**

There being no further business, the Presiding Member thanked everyone for their attendance and closed the meeting at 8.09 pm.

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**MINUTES CONFIRMATION CERTIFICATION**

The undersigned certifies that these Minutes of the Special Belmont Trust Meeting held on 17 June 2021 were confirmed as a true and accurate record at the Special Belmont Trust Meeting held 29 November 2021:

Signed by the Person Presiding: \_\_\_\_\_



PRINT name of the Person Presiding:

**PHILIP MARKS**