



City of Belmont

AGENDA BRIEFING FORUM

MATRIX

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15 November 2016

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TABLED ATTACHMENTS INDEX

Tabled Attachment 1 – Item 12.1 refers

Tabled Attachment 2 – Item 12.2 refers

**Councillors are reminded to retain the attached
Ordinary Council Meeting Agenda (inclusive of the OCM Attachments) for
deliberation at the meeting scheduled for 22 November 2016**

**INFORMATION MATRIX FROM THE AGENDA BRIEFING FORUM HELD IN THE
COUNCIL CHAMBERS OF CITY OF BELMONT CIVIC CENTRE, 215 WRIGHT STREET,
CLOVERDALE ON TUESDAY, 15 NOVEMBER 2016 COMMENCING AT 7.02PM**

**AGENDA BRIEFING FORUM
INFORMATION MATRIX**

PRESENT

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

IN ATTENDANCE

Mr S Cole	Chief Executive Officer
Mr N Deague	Director Community and Statutory Services
Mr R Garrett	Director Corporate and Governance
Mr J Olynyk, JP	Manager Governance
Mr W Loh (<i>dep 8.12pm & did not return</i>)	A/Manager Planning Services
Mrs M Lymon	Principal Governance and Compliance Advisor
Ms S Christie (<i>dep 8.12pm & did not return</i>)	Planning Officer
Ms S D'Agnone	Governance Officer

MEMBERS OF THE GALLERY

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

1. OFFICIAL OPENING

7.02pm The Presiding Member welcomed all those in attendance and declared the meeting open.

The Presiding Member read the Acknowledgement of Country.

It is important that we acknowledge the traditional owners of the land on which we are meeting today the Noongar Whadjuk people and pay respect to Elders both past and present.

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

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

2. APOLOGIES AND LEAVE OF ABSENCE

Mr R Lutey (Apology)

Director Technical Services

3. DECLARATIONS OF INTEREST THAT MIGHT CAUSE A CONFLICT

3.1 FINANCIAL INTERESTS

Nil.

3.2 DISCLOSURE OF INTEREST THAT MAY AFFECT IMPARTIALITY

Name	Item No and Title
Cr R Rossi	Item 12.2 Review of the City of Belmont (Heritage) Inventory
Cr R Rossi	Item 12.5 Continuation of Rate Exemption Review Process

4. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

4.1 ANNOUNCEMENTS

Nil.

4.2 DISCLAIMER

7.04pm The Presiding Member drew the public gallery's attention to the Disclaimer.

Any statement, comment or decision made at a Council or Committee meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the City must obtain, and should only rely on, written notice of the City's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council or Committee meeting.

Any advice provided by an employee of the City on the operation of a written law, or the performance of a function by the City, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as legal advice or a representation by the City. Any advice on a matter of law, or anything sought to be relied upon as a representation by the City should be sought in writing and should make clear the purpose of the request.

5. PUBLIC SUBMISSION TIME

7.04pm The Presiding Member opened the period allotted for Public Submission Time and called for submissions from the Public Gallery.

7.04pm As there were no submissions received, the Presiding Member closed Public Submission Time.

6. ORDINARY COUNCIL MEETING AGENDA FOR MEETING TO BE HELD 22 NOVEMBER 2016

6.1 AGENDA ITEMS FOR REVIEW

Item No. Officer Presentations / Deputation Presentations / Councillor Comment	
AGENDA ITEMS FOR REVIEW	
12.1	<p>Multiple Dwellings – Lots 100 and 5 (346 and 348) Abernethy Road, Cloverdale</p> <p><u>Deputation Presentation</u></p> <p>Nil.</p> <p><u>Officer Presentation</u></p> <p>The Planning Officer provided a presentation which included the following:</p> <ul style="list-style-type: none">• Extract from Local Planning Scheme Map Showing Zoning of Subject Site and Surrounding Zonings• Aerial of Subject Site• Location Plan• Ground Floor Plan• First Floor Plan• Second Floor Plan• Third Floor Plan• Perspective• Site Plan• Elevations – Front and Northwest Side• Elevations – Rear and Southwest Side• Indicative Artwork• Referral Area• Rear Elevation – Privacy Screening• Overshadow Plan• Vehicle Access Easement• Front Elevation <p>(Refer Tabled Attachment 1 for further information).</p> <p><u>Notes from Forum</u></p> <ul style="list-style-type: none">• This development application is deemed to comply with all R-Code and Planning requirements, apart from the side setback, and therefore the City could not refuse the application.• Council practice for developments that comply with the R-Codes is to inform the surrounding neighbours following approval. Correspondence includes that the development complies with R-Codes and the City could not refuse the application. This has been the practice for over ten years.

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
	<p data-bbox="355 259 600 286"><i>Item 12.1 Continued</i></p> <ul data-bbox="355 327 1393 1957" style="list-style-type: none"><li data-bbox="355 327 1393 524">• Previous Council practice for developments that comply with the R-Codes was to inform surrounding neighbours before a development was approved and advise them that approval would be granted as the City could not refuse the application. The problems encountered with this approach were that neighbours have an expectation that their comments or objections can influence the decision regarding the application.<li data-bbox="355 562 1393 629">• The strategic position underpinning the Local Planning Scheme No.15 is that high density will occur around the town centre.<li data-bbox="355 667 1393 734">• In this application the developer has provided in excess of the R-Code parking requirement of one parking bay per dwelling.<li data-bbox="355 772 1393 840">• Potential buyers into this development will need to make a conscious decision regarding the parking available.<li data-bbox="355 878 1393 1075">• There is a difference between the process for consulting with neighbouring properties for a development with an R-Code variation and for a development with no R-Code variation. In the case of an R-Code variation, consultation with neighbours will occur. If a neighbour raises a valid planning objection, this can provide grounds for modification of the application, or in extreme cases refusal of the application.<li data-bbox="355 1113 1393 1202">• The tree overhanging from the property behind the development will be required to be pruned. As the tree is on the neighbouring property, this will be a matter between neighbours.<li data-bbox="355 1240 1393 1308">• There are three parking lots at the end of the access way delineated for the Vehicle Access Plan (VAP) previously adopted by Council.<li data-bbox="355 1346 1393 1435">• The VAP has been modified to include a new centrally located vehicle crossover and manoeuvring space so access goes up to the car park entry to the west and the six visitor car bays.<li data-bbox="355 1473 1393 1585">• A condition of planning approval will require the applicant to formalise the modified VAP by granting an easement in gross as marked on the development plans.<li data-bbox="355 1624 1393 1691">• Providing disabled parking is not an R-Code requirement for residential developments.<li data-bbox="355 1729 1393 1818">• The height of the balcony screen is 1.6 metres. Taking into consideration the angle of the screening and the planter boxes, this height complies with the R-Codes. A person taller than 1.6 metres could see over the screen.<li data-bbox="355 1856 1393 1957">• The City must comply with the R-Codes when assessing development applications, similar to the disabled access requirements being bound by the Building Code.

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
	<p data-bbox="355 259 600 288"><i>Item 12.1 Continued</i></p> <ul data-bbox="355 327 1394 1921" style="list-style-type: none"><li data-bbox="355 327 1394 461">• The City's Town Planning Scheme is due for review. It is important that people begin to understand what the R-Codes are and what the Scheme entails. During the review influence can be given, rather than after the Scheme has been adopted.<li data-bbox="355 499 1394 633">• The Chief Executive Officer advised that the only way to control unwanted infill is to have designated areas for infill, and the City is currently doing an exceptional job in this area. Owners of the neighbouring properties of this development would be aware of the zoning.<li data-bbox="355 672 1394 835">• The height of the wall determines the setback. The ground floor can have a boundary wall two thirds of the length of the boundary behind the front setback line. It depends on the length of the ground floor wall and if there are any windows. The developer has provided a slightly larger setback to allow more room for access along the sides of the building.<li data-bbox="355 873 1394 969">• The plans have been modified by the developer a number of times however it has not been suggested by Officers that the communal area be relocated to the front of the development.<li data-bbox="355 1008 1394 1171">• Relocating the communal area to the north is not seen as beneficial as the apartments would then be located to the south. It is more advantageous to have the units to the north of the development, as an extensive portion of the communal area is unroofed and will receive more natural light positioned to the south of the development.<li data-bbox="355 1209 1394 1440">• This development is subject to Local Planning Policy 1 (LPP1) and exceeds R50. One of the criteria of LPP1 is that developers provide a number of aged or single bedroom dwellings for diversity. In this case single dwellings have been provided. There have been some examples where developments have included disabled access. The Planning framework does not incorporate disabled requirements for residential developments.<li data-bbox="355 1478 1394 1686">• There are a variety of developments within the City that address disabled and aged housing requirements. It is not correct that every development will exclude disabled and aged requirements, however making it a condition of every development may be difficult as not all development applications are assessed by Council. Some applications will be assessed by JDAP. There needs to be a mix of approaches.<li data-bbox="355 1724 1394 1821">• Flat or pitched roofs must both meet the Building Code environmental efficiency standards. The choice of roof style is from an aesthetic or design viewpoint.<li data-bbox="355 1859 1394 1921">• Aged and disabled requirements are incorporated into LPP1 and dealt with through this policy as there is no statutory requirement.

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
	<p data-bbox="355 259 600 291"><i>Item 12.1 Continued</i></p> <ul data-bbox="355 327 1390 1039" style="list-style-type: none"><li data-bbox="355 327 1390 394">• There are developers who cater for the disabled and aged section of our community and this is encouraged by the City.<li data-bbox="355 430 1390 533">• Council can create a policy where developers are required to provide for disabled and aged requirements, however if a developer takes the matter to SAT, the development will be considered on legislation only.<li data-bbox="355 568 1390 801">• The matter of developments incorporating disabled and aged care requirements could be raised with the Building Commission or the WAPC, and the City has had success with making changes in the past. The Planning Department would need to carry out research and present the issue at an Information Forum so that all Councillors are fully informed. It would then go to Council for a Council Resolution, which is what will carry the most weight.<li data-bbox="355 837 1390 1039">• The Planning Department have tried numerous times to promote change and were successful in changing the R-Codes car parking regulations after approaches were made by the Mayor and the CEO, however disabled and aged requirements are a different issue. When considering legislative change a great deal of backing is required, for example from other local governments. <p data-bbox="355 1106 842 1137"><u>Further Information to be Provided</u></p> <p data-bbox="355 1173 400 1205">Nil.</p>

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
12.2	<p data-bbox="352 232 1059 266">Review of the City of Belmont (Heritage) Inventory</p> <p data-bbox="352 300 699 333"><u>Deputation Presentation</u></p> <p data-bbox="352 367 400 400">Nil.</p> <p data-bbox="352 468 639 501"><u>Officer Presentation</u></p> <p data-bbox="352 535 1323 568">The Planning Officer provided a presentation which included the following:</p> <ul data-bbox="352 602 1027 714" style="list-style-type: none">• Review of City of Belmont (Heritage) Inventory• Lot 6 (34) Alfred Street, Belmont• Lot 46 (10) Ruan Place, Kewdale <p data-bbox="352 770 1091 804">8.00pm The Manager Governance departed the meeting.</p> <ul data-bbox="352 860 1123 1151" style="list-style-type: none">• Lot 64 (9A) Wedderburn Place, Ascot (Invercloy Park)• Lot 14 (57) Wright Street, Kewdale• Peet Park – Lot 1184 Sydenham Street, Kewdale• Tomato Lake Park, Oats Street Kewdale• Minor Changes to Existing Place Entries• The Kilns• Belmont Primary School• State Housing Commission Group, Rivervale <p data-bbox="352 1207 1123 1240">8.04pm The Manager Governance returned to the meeting.</p> <ul data-bbox="352 1296 1394 1554" style="list-style-type: none">• Lot 603 (60-62) Riversdale Road, Rivervale• Lot 66 (31) Belgravia Street and Reserve 28241 Belgravia Street, Belmont• Belmont War Memorial• Faulkner Park Precinct• Hawksburn Road, Rivervale – Flame Trees• Lot 50 (97) Matheson Road, Ascot – Ascot Water Playground• Minor Changes to Level of Significance Explanations <p data-bbox="352 1588 1027 1621">(Refer Tabled Attachment 2 for further information).</p> <p data-bbox="352 1688 612 1722"><u>Notes from Forum</u></p> <ul data-bbox="352 1756 1394 2002" style="list-style-type: none">• This review refers to new entries or modifications to entries on the Belmont (Heritage) Inventory and does not include details of all existing entries.• The City often receives suggestions of properties that could potentially be included on the Belmont (Heritage) Inventory. These properties are considered during the next review.

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
	<p><i>Item 12.2 Continued</i></p> <ul style="list-style-type: none">• A historian has undertaken a research project for the Housing Authority and revealed that the dates when State Housing came into Rivervale do not match up with the dates of the properties in the area.• The shops on Kooyong Road built by the Department of Housing were discussed but were not included in the inventory. These properties can be further investigated in the next review.• The State Housing Commission properties are now privately owned. To obtain information on these properties, details of previous owners would need to be obtained. <p><u>Further Information to be Provided</u></p> <p>Nil.</p>

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
12.3	<p>Formal Adoption of the Annual Report 2015-2016</p> <p><u>Deputation Presentation</u></p> <p>Nil.</p> <p><u>Officer Presentation</u></p> <p>Nil.</p> <p><u>Notes from Forum</u></p> <p>Nil.</p> <p><u>Further Information to be Provided</u></p> <p>Nil.</p>

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
12.4	<p data-bbox="352 230 1326 264">Rate Exemption Request – St John Ambulance Western Australia Ltd</p> <p data-bbox="352 297 699 331"><u>Deputation Presentation</u></p> <p data-bbox="352 365 400 398">Nil.</p> <p data-bbox="352 465 639 499"><u>Officer Presentation</u></p> <p data-bbox="352 533 400 566">Nil.</p> <p data-bbox="352 633 612 667"><u>Notes from Forum</u></p> <p data-bbox="352 734 1394 790">8.12pm The A/Manager Planning Services and the Planning Officer departed the meeting and did not return.</p> <ul data-bbox="352 857 1394 992" style="list-style-type: none"><li data-bbox="352 857 1394 992">• The <i>Local Government Act 1995</i> provides for rates not being levied on properties that are used exclusively for charitable purposes, with no other parameters. St John Ambulance Western Australia Ltd has met all the required criteria for a rates exemption. <p data-bbox="352 1059 890 1093">8.14pm Cr Ryan departed the meeting.</p> <ul data-bbox="352 1149 1394 1384" style="list-style-type: none"><li data-bbox="352 1149 1394 1249">• Charging fees for services does not alter an organisation’s classification as a charitable organisation. The property pursuing rate exemption is the headquarters of the organisation where services are provided.<li data-bbox="352 1283 1394 1384">• Provided that the site is used for the purposes of their principle business, incidental activities such as conducting training sessions does not automatically exclude the organisation from being rate exempt. <p data-bbox="352 1451 919 1485">8.18pm Cr Ryan returned to the meeting.</p> <ul data-bbox="352 1541 1394 1641" style="list-style-type: none"><li data-bbox="352 1541 1394 1641">• The City requests copies of lease information and other documents to assist in the assessment of rates exemption applications. If there is a need for clarification, an inspection of the premises is carried out. <p data-bbox="352 1709 842 1742"><u>Further Information to be Provided</u></p> <p data-bbox="352 1776 400 1809">Nil.</p>

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
12.5	<p data-bbox="352 230 1038 264">Continuation of Rate Exemption Review Process</p> <p data-bbox="352 297 699 331"><u>Deputation Presentation</u></p> <p data-bbox="352 365 400 398">Nil.</p> <p data-bbox="352 465 639 499"><u>Officer Presentation</u></p> <p data-bbox="352 533 400 566">Nil.</p> <p data-bbox="352 633 612 667"><u>Notes from Forum</u></p> <ul data-bbox="352 701 1393 1081" style="list-style-type: none"><li data-bbox="352 701 1393 813">• The nature of business of the Jacaranda Community Centre is to provide advice and support to people in need. It is deemed to be a charitable organisation and has documentation and evidence to support this.<li data-bbox="352 835 1393 902">• The property at 1/79 Robinson Road is owned by Harvest Bible College Limited.<li data-bbox="352 925 1393 1081">• Whether the Men's Shed property would qualify as rates exempt would depend on their constitution and whether they are considered a charitable organisation. An objection to the rates record, requesting rates exemption, would be required to be submitted by the property owner. <p data-bbox="352 1149 842 1182"><u>Further Information to be Provided</u></p> <ul data-bbox="352 1216 1393 1373" style="list-style-type: none"><li data-bbox="352 1216 1393 1373">• The Director Corporate and Governance undertook to provide Councillors with the exempt amount for each individual rates exempt property. The Director Corporate and Governance advised that this information may not be available for every property, however as many properties as possible will be included.

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
12.6	Audit Plan 2017 <u>Deputation Presentation</u> Nil. <u>Officer Presentation</u> Nil. <u>Notes from Forum</u> Nil. <u>Further Information to be Provided</u> Nil

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
12.7	Chief Executive Officer's Systems and Procedures Review: <i>Local Government (Audit) Regulations 1996, Regulation 1</i> <u>Deputation Presentation</u> Nil. <u>Officer Presentation</u> Nil. <u>Notes from Forum</u> Nil. <u>Further Information to be Provided</u> Nil.

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
12.8	<p>Operational Comparison – Report of the Inquiry Into The Lord Mayor of The City of Perth Ms Lisa Scaffidi</p> <p><u>Deputation Presentation</u></p> <p>Nil.</p> <p><u>Officer Presentation</u></p> <p>Nil.</p> <p><u>Notes from Forum</u></p> <ul style="list-style-type: none">• Several gift declarations have been submitted for City of Belmont this year. <p><u>Further Information to be Provided</u></p> <p>Nil.</p>

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
12.9	<p>Quotation 21/2016 - Provision of Financial Audit Services</p> <p><u>Deputation Presentation</u></p> <p>Nil.</p> <p><u>Officer Presentation</u></p> <p>Nil.</p> <p><u>Notes from Forum</u></p> <p>Nil.</p> <p><u>Further Information to be Provided</u></p> <p>Nil.</p>

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
12.10	Accounts for Payment - October 2016 <u>Deputation Presentation</u> Nil. <u>Officer Presentation</u> Nil. <u>Notes from Forum</u> Nil. <u>Further Information to be Provided</u> Nil.

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
12.11	Monthly Activity Statement as at 31 October 2016 <u>Deputation Presentation</u> Nil. <u>Officer Presentation</u> Nil. <u>Notes from Forum</u> Nil. <u>Further Information to be Provided</u> Nil.

7. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil.

8. CLOSURE

There being no further business, the Presiding Member thanked everyone for their attendance and closed the meeting at 8.30pm.

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