



City of Belmont

AGENDA BRIEFING FORUM

MATRIX

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18 April 2017

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TABLED ATTACHMENTS INDEX

- Tabled Attachment 1 – Item 5.1 refers**
- Tabled Attachment 2 – Item 5.2 refers**
- Tabled Attachment 3 – Item 12.1 refers**
- Tabled Attachment 4 – Item 12.1 refers**
- Tabled Attachment 5 – Item 12.2 refers**
- Tabled Attachment 6 – Item 12.2 refers**
- Tabled Attachment 7 – Item 12.3 refers**

**Councillors are reminded to retain the attached
Ordinary Council Meeting Agenda (inclusive of the OCM Attachments) for
deliberation at the meeting scheduled for 26 April 2017**

**INFORMATION MATRIX FROM THE AGENDA BRIEFING FORUM HELD IN THE
COUNCIL CHAMBERS OF CITY OF BELMONT CIVIC CENTRE, 215 WRIGHT STREET,
CLOVERDALE ON TUESDAY, 18 APRIL 2017 COMMENCING AT 7.00PM**

**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 J Powell	South Ward
Cr S Wolff	South Ward

IN ATTENDANCE

Mr S Cole	Chief Executive Officer
Mr R Garrett	Director Corporate and Governance
Mrs J Hammah	A/Director Community and Statutory Services
Mr S Morrison	A/Director Technical Services
Mr J Olynyk, JP	Manager Governance
Ms L Dobrin (<i>arr 7.02pm, dep 8.08pm & did not return</i>)	Manager Community Development
Mr J Pol (<i>arr 7.02pm, dep 8.08pm & did not return</i>)	Manager Building Services
Mr W Loh (<i>dep 7.58pm & did not return</i>)	A/Manager Planning Services
Mr T Cappellucci (<i>dep 7.58pm & did not return</i>)	Coordinator Planning Services
Mr S Peters (<i>dep 7.58pm & did not return</i>)	Planning Officer
Mrs M Lymon	Principal Governance and Compliance Advisor
Ms S D'Agnone	Governance Officer

MEMBERS OF THE GALLERY

There were 11 members of the public in the gallery and no press representative.

1. OFFICIAL OPENING

The Presiding Member opened the meeting at 7.00pm, welcomed those in attendance, and 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

Cr P Gardner (Apology)
Mr N Deague (Apology)
Mr R Lutey (Apology)

South Ward
Director Community and Statutory Services
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

Nil.

4. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

4.1 ANNOUNCEMENTS

Nil.

4.2 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.

7.02pm The Manager Building Services and Manager Community Development entered the meeting.

5. PUBLIC SUBMISSION TIME

7.03pm The Presiding Member opened the period allotted for Public Submission Time and called for submissions from the Public Gallery. Two Public Submissions were received.

5.1 MR R GREENWOOD, 151 COOLGARDIE AVENUE, REDCLIFFE, ON BEHALF OF THE BELMONT RESIDENTS/RATEPAYERS ACTION GROUP

Mr Greenwood spoke in respect to Item 12.4 Annual Review of City of Belmont Environment and Sustainability Strategy.

On the Monday prior to Easter, without warning except for small print on an A4 flyer that was too small to read, contractors came in and removed every tree from the Redcliffe station box development site. These trees were full of nesting birds.

A Councillor mentioned that the City have policies to make it difficult to remove trees. At a meeting with the main Development Officer he stated that the City had signed off on the tree removal.

Residents are appreciative of Councillors who have made an effort to visit the site and see what is happening. There will be benefits from the train station in the future, but are there processes that are protecting residents who have lived in the area for up to 60 years? Surely they deserve the right to peace. I ask Councillors to give thought to these considerations.

(Refer [Tabled Attachment 1](#) for further information).

5.2 MR A NIONS, 85 FAUNTLEROY AVENUE, ASCOT

Mr Nions spoke in respect to Item 12.1 Change of Use from Single House to Holiday House at Lot 503 (83) Fauntleroy Avenue, Ascot.

Following the first submission, many issues have been addressed by the Planner and other helpful people at the City. There are still a couple of issues with the recommended plan being considered.

However, I can't see how this policy can be enforced. The recommendation states that there can be up to 12 guests allowed at one time. I believe this is too many for a residential neighbourhood. Six couples or four families can generate a considerable amount of noise.

There is an agreement to relocate the playground equipment and patio but there is no mention of the canoes which are another source of noise. These are on the boundary between number 83 and 85 Fauntleroy Avenue and should be moved to the other side of the property. This will make it easier for the owners to police their use and make sure recommended safety equipment is being used.

I believe the recommended minimum stay of two nights is not really in tune with a holiday house and I would like to see this changed to five nights. Historically, short stays have been the noisy stays with parties and functions. Two night stays will open the property up for transients from the airport and for noisy gatherings.

I also point out that a statement in the submission states that the owners stopped functions, parties and Bed and Breakfast accommodations after receiving correspondence from the City. This is not true. There were parties, weddings and functions after this time and I believe this shows intent.

Strict house rules regarding parking and the maximum number of guests have been advertised but these have been ignored. I believe this may be a sign of some ill repute in the future.

Finally, there is some landscaping of the foreshore reserve that has taken place, which includes paving, reticulation and a park bench. Is this something that all adjacent residents will be allowed to use? I don't believe so.

(Refer [Tabled Attachment 2](#) for further information).

7.17pm The Presiding Member closed Public Submission Time.

6. ORDINARY COUNCIL MEETING AGENDA FOR MEETING TO BE HELD 26 APRIL 2017

6.1 AGENDA ITEMS FOR REVIEW

Item No. Officer Presentations / Deputation Presentations / Councillor Comment	
AGENDA ITEMS FOR REVIEW	
12.1	<p>Change of Use from Single House to Holiday House at Lot 503 (83) Fautleroy Avenue, Ascot</p> <p><u>Deputation Presentation</u></p> <p>Mr J Moody, 83 Fautleroy Avenue, Ascot.</p> <p>Mr Moody was in support of the Officer Recommendation.</p> <p>(Refer Tabled Attachment 3 for further information).</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• LPS15 Land Use• Consultation Referral Area• Aerial of Subject Site• Matters To Be Considered• Recommendation <p>(Refer Tabled Attachment 4 for further information).</p> <p><u>Notes from Forum</u></p> <ul style="list-style-type: none">• The foreshore reserve adjacent to the property can be accessed by members of the public.• The Management Plan instructs the appointment of a Manager who has the authority to issue warnings to guests to cease an activity, and who can request that tenants vacate the premises if they do not comply with instructions. The Manager will also have the ability to withhold bonds.• Short term contracts are commonplace for serviced apartments and are different from tenancy agreements. These contracts reserve the right to remove guests at short notice.

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
	<p data-bbox="352 255 600 286"><i>Item 12.1 Continued</i></p> <ul data-bbox="352 322 1394 1989" style="list-style-type: none"><li data-bbox="352 322 1394 454">• A Property Management Plan is not typically a requirement for holiday houses, however in this situation it is considered necessary to ensure that the property complies with certain amenity requirements and does not impact neighbouring properties.<li data-bbox="352 495 1246 526">• Short term accommodation contracts can be contested in court.<li data-bbox="352 566 1394 698">• Approval is recommended for a 24 month period with a review of the Management Plan to take place after the first 12 months. If the Management Plan, or other conditions of approval, are not complied with, there is an option to prosecute.<li data-bbox="352 739 1394 826">• After the 12 month review, the Management Plan can be modified to address any issues that have arisen. If any breaches continue, it becomes a Planning compliance issue.<li data-bbox="352 866 1394 965">• After 24 months the impact can be examined and a determination can be made on whether it is appropriate to approve a holiday house under LPS15 if a longer time frame is sought.<li data-bbox="352 1005 1394 1104">• A maximum of 12 persons at any one time was recommended by the applicant. Given the size of the property and the number of bedrooms, 12 guests are considered a reasonable number.<li data-bbox="352 1144 1394 1243">• Early discussions with the owner considered the possibility of operating as a lodging house. During assessment of the application it was determined that the most appropriate use would be as a holiday house.<li data-bbox="352 1283 1394 1348">• The property has six large bedrooms. No alterations or conversions are required prior to operation as a holiday house.<li data-bbox="352 1388 1394 1547">• A condition requiring repositioning of the pergola and play equipment away from the boundary of 85 Fautleroy Avenue has been recommended. The owner has advised that the play equipment was included to attract families, however the equipment is inconsequential and can be removed if required.<li data-bbox="352 1588 1394 1686">• There are no minimum stay requirements for holiday houses. A two night minimum was suggested by the applicant and was considered reasonable.<li data-bbox="352 1727 1394 1859">• Short stay accommodation is considered to be any stay shorter than three months. It could be as short as a few hours, however it is generally one or more nights. The two night requirement for this application was included in the interest of consistency.<li data-bbox="352 1899 1394 1989">• The R Codes do not specify maximum numbers of parties for R20 zoned properties, however the R Codes do stipulate a maximum of six unrelated parties.

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
	<p data-bbox="355 257 600 286"><i>Item 12.1 Continued</i></p> <ul data-bbox="355 322 1390 763" style="list-style-type: none"><li data-bbox="355 322 1390 389">• The City has initiated planning compliance prosecutions for residential dwellings being run as boarding houses in the past.<li data-bbox="355 425 1390 524">• Ascot Quays and the International on the Water Hotel provide short stay accommodation in close proximity to this property, however no other holiday houses of this nature are known to be operating in the area.<li data-bbox="355 560 1390 658">• The minimum two night stay requirement should be considered on a case by case basis and be clearly stated in the Management Plan. It is not a standard requirement for holiday houses.<li data-bbox="355 694 1390 763">• The minimum two night stay requirement can be amended after the 12 month review report has been received and analysed. <p data-bbox="355 831 842 860"><u>Further Information to be Provided</u></p> <p data-bbox="355 898 400 927">Nil.</p>

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
12.2	<p data-bbox="352 230 1388 293">City of Belmont Local Planning Scheme No. 15 – Final Adoption of Scheme Amendment No. 8</p> <p data-bbox="352 331 699 360"><u>Deputation Presentation</u></p> <p data-bbox="352 398 1388 461">Mr J Watson, on behalf of Planning Solutions, Level 1, 251 St Georges Terrace, Perth</p> <p data-bbox="352 499 1118 528">Mr Watson was in support of the Officer Recommendation.</p> <p data-bbox="352 566 1023 595">(Refer Tabled Attachment 5 for further information).</p> <p data-bbox="352 667 639 696"><u>Officer Presentation</u></p> <p data-bbox="352 734 1388 797">The Coordinator Planning Services provided a presentation which included the following:</p> <ul data-bbox="368 835 842 898" style="list-style-type: none">• Aerial of Subject Site• Site Boundaries and Jurisdiction <p data-bbox="352 969 1382 999">7.51pm The Manager Building Services departed and returned to the meeting.</p> <ul data-bbox="368 1070 1066 1245" style="list-style-type: none">• Consultation• Concept Plan – Advertised Version• Concept Plan – Revised Version Post Advertising• Traffic Analysis• Recommendation <p data-bbox="352 1283 1023 1312">(Refer Tabled Attachment 6 for further information).</p> <p data-bbox="352 1384 612 1413"><u>Notes from Forum</u></p> <ul data-bbox="352 1451 1388 1581" style="list-style-type: none">• Point two of the Officer Recommendation is worded correctly. The revised Concept Plan is referred to in point four. The recommendation acknowledges the Main Roads WA submission and it is appropriate to support the amendment. <p data-bbox="352 1653 842 1682"><u>Further Information to be Provided</u></p> <p data-bbox="352 1720 395 1749">Nil.</p> <p data-bbox="352 1821 1398 1883">7.58pm The A/Manager Planning Services, Coordinator Planning Services and the Planning Officer departed the meeting and did not return.</p>

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
12.3	<p data-bbox="352 226 836 259">Belmont Men's Shed Incorporated</p> <p data-bbox="352 293 699 327"><u>Deputation Presentation</u></p> <p data-bbox="352 360 1394 427">Rev B Carey, 24 Tarquin Gardens, Belmont, on behalf of the Belmont Men's Shed Incorporated (BMSI).</p> <p data-bbox="352 461 1118 495">Rev Carey was in support of the Officer Recommendation.</p> <p data-bbox="352 528 1026 562">(Refer Tabled Attachment 7 for further information).</p> <p data-bbox="352 629 639 663"><u>Officer Presentation</u></p> <p data-bbox="352 696 400 730">Nil.</p> <p data-bbox="352 797 612 831"><u>Notes from Forum</u></p> <ul data-bbox="352 864 1394 1962" style="list-style-type: none"><li data-bbox="352 864 1394 965">• A new Memorandum of Understanding (MOU) will present challenges over the next 12 months. There are issues such as planning for the future and program continuity to consider.<li data-bbox="352 999 1394 1099">• There is concern for other organisations located in Belmont and their support requirements. Consideration of how limited resources should be shared is an ongoing concern.<li data-bbox="352 1133 1394 1211">• BMSI is currently assisting a local primary school to establish a potting shed, however funds are required to be raised.<li data-bbox="352 1245 1394 1346">• BMSI currently have two grant submissions pending. Projects benefiting from this funding, if received, include the primary school potting shed, toy making and repair of toy library equipment.<li data-bbox="352 1379 1394 1458">• When community groups approach BMSI for assistance with projects, the group is required to secure funding in order to complete the project.<li data-bbox="352 1491 1394 1615">• At the end of December 2016, BMSI had 74 financial members. The shed is open Monday to Friday and attendance fluctuates from approximately six to 17. There are a number of disabled members who attend the shed with their carer.<li data-bbox="352 1648 1394 1727">• One member of BMSI is a mental health nurse and Rev Carey is a clinical psychologist.<li data-bbox="352 1760 1394 1861">• BMSI has pastoral care arrangements in place. Rev Carey has conducted funerals for members and there are a range of other undertakings carried out for members.<li data-bbox="352 1895 1394 1962">• Some BMSI members suffer from forgetfulness, and care for these members whilst they attend the shed is an important safety issue.

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
	<p><i>Item 12.3 Continued</i></p> <p><u>Further Information to be Provided</u></p> <p>Nil.</p> <p>8.08pm The Manager Building Services and Manager Community Development departed the meeting and did not return.</p>

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
12.4	<p>Annual Review of City of Belmont Environment and Sustainability Strategy</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> <ul style="list-style-type: none">• The A/Director Technical Services undertook to investigate and provide information to Councillors on what strategies are in place that consider the numbers, age, care and wellbeing of turtles at Tomato Lake, including information on how they are protected.• The A/Director Technical Services undertook to investigate and provide information to Councillors on whether the City installs nesting boxes for birds in trees at Tomato Lake.

Item No.	Officer Presentations / Deputation Presentations / Councillor Comment
12.5	Finalisation of Rate Exemption Review Process <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
12.6	Accounts for Payment – March 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	Monthly Activity Statement as at 31 March 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.

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 8.12pm.