

## Agenda Briefing Forum

# Matrix

18 July 2023

**BELMONT**  
CITY OF OPPORTUNITY



# CITY OF BELMONT

## Agenda Briefing Forum

### Matrix

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**Councillors are reminded to retain the Ordinary Council Meeting Agenda and any confidential papers for deliberation at the next Ordinary Council Meeting.**

### **Tabled Attachments Index**

Attachment 6.1.1 – Item 6.1 (12.1) refers

Attachment 6.1.2 – Item 6.1 (12.1) refers

**Councillors are reminded to retain the Ordinary Council Meeting Agenda and any confidential papers for deliberation at the next Ordinary Council Meeting.**

**Matrix from the Agenda Briefing Forum held in the Council Chamber of the City of Belmont Civic Centre, 215 Wright Street, Cloverdale on Tuesday 18 July 2023 commencing at 7.00pm.**

## **Matrix**

### **Present**

Cr P Marks, Mayor (Presiding Member)	East Ward
Cr R Rossi, JP (Deputy Mayor)	West Ward
Cr B Ryan	East Ward
Cr N Carter	South Ward
Cr S Wolff	South Ward
Cr G Sekulla, JP	West Ward
Cr D Sessions	West Ward

### **In attendance**

Mr J Christie	Chief Executive Officer
Mr S Downing	Director Corporate and Governance
Mr K Davidson	Acting Director Development and Communities
Mr D Boylan	Acting Director Infrastructure Services
Mr W Loh	Manager Planning Services
Ms A Bird	Manager Governance, Strategy and Risk
Ms G Carter-Nguyen	Manager PR and Stakeholder Engagement
Mr S Reeves	Manager Parks, Leisure and Environment
Mrs J Cherry-Murphy	Senior Governance Officer
Ms M Phillips	Governance Officer

### **Members of the gallery**

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

# I Official Opening

**7.00pm The Presiding Member welcomed all those in attendance and declared the meeting open.**

The Presiding Member read aloud the Acknowledgement of Country.

## Acknowledgement of Country

Before I begin, I would like to acknowledge the Whadjuk Noongar 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 Sessions to read aloud the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers. Cr Sessions 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 efficient, effective and orderly decision making within this forum.

## 2 Apologies and leave of absence

Cr J Davis (leave of absence)  
Ms J Gillan (apology)

South Ward  
Director Development and Communities

## 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) and declarations by Members**

### **4.1 Announcements**

"I'd like to take a moment to honour Peg Parkin who sadly passed away earlier this month.

As many of you know, Peg was the Mayor of the City of Belmont between 1987 to 1994 and was our first female Mayor.

She was a Freeman of the City and named a Member of the Order of Australia in 2005 for her service to the local community.

Peg was a former Chair of the Belmont Historical Association and instrumental in establishing the Belmont Museum, her service to local heritage was recently commended at the 2022 WA Heritage Awards.

She was an amazing woman, she believed strongly in the value of giving back to her community and she will be sorely missed.

Peg's leadership and dedication to our City of Belmont community will continue to inspire generations to come."

### **4.2 Disclaimer**

**7.03pm The Presiding Member drew the public gallery's attention to the Disclaimer.**

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 no decisions are made at the meeting tonight. Council will formally resolve agenda items at next week's Ordinary Council Meeting.

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

### **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 submission time**

7.04pm The Presiding Member opened the period allotted for Public Submission Time and drew the gallery's attention to the Rules for Public Submission Time.

7.04pm The Presiding Member closed Public Submission Time as no submissions were received.

## **6 Ordinary Council Meeting Agenda for meeting to be held on 25 July 2023**

### **6.1 Agenda items for review**

#### **OCM Item 12.1 Amendment No. 21 to Local Planning Scheme No. 15**

##### **Deputation Presentation**

Mr D Lees spoke in support of the Officer Recommendation.

(Refer Tabled Attachment 6.1.1 for further information).

##### **Officer Presentation**

The Manager Planning Services provided a presentation which included the following:

- Location
- Applicant's request
- Land Use Permissibility
- Officer Comment
- New Land Uses Supported
- New Uses Not Supported
- Modified Amendment

## OCM Item 12.1 Amendment No. 21 to Local Planning Scheme No. 15

- Amendment Classification
- Officer Recommendation

(Refer Tabled Attachment 6.1.2 for further information).

### Notes from Forum

- Private Recreation means premises that are used for indoor or outdoor leisure, recreation, or sport, they are usually not open to the public without charge. For example, amusement centres and squash courts. The scale is important in the context of the town centre zone.
- The Manager Planning Services is not aware of any discussions about Perron Group looking to acquire the Belmont district shopping centre site. Coordination of the future redevelopment of the Belmont district shopping centre site would be an issue addressed through a Precinct Structure Plan.
- This item deals with land use permissibility, the Precinct Structure Plan would address any design changes.
- There was a scheme amendment a number of months ago that the City facilitated to accommodate a HBF dental centre that is now operating.
- The objective of a town centre is to provide for day-to-day retail. These retail shops could be undermined if motor vehicles sales are introduced as a mainstream land use, as car sales may take over and take away from the available floor space. Incidental car displays in the middle of the shopping centre would be appropriate as it does not take away from available shop floor space.
- Massage remains a discretionary land use that can be approved.
- A studio in accordance with the land use definition under the scheme is a building or part of a building used as a work-room for a painter, photographer, sculptor or craft person in the conduct of his or her profession.
- Parking still needs to meet the ratio set out by the State Planning Policy 4.2. If the ratio changes, a comprehensive study would need to be provided.
- The Precinct Structure Plan would cover how many levels would be appropriate for the shopping centre.
- The Belmont Forum also owns the large open car parking area opposite the Belmont Avenue restaurants, separate to the cinema.

### Further Information to be Provided

- The Manager Planning Services undertook to provide information on the Shell Service Station/motor vehicle repair shop on the corner of Wright Street and Belmont Avenue.

**Note:**

The Presiding Member advised that in accordance with Section 5.23(2)(c)(e) of the *Local Government Act 1995* if there was any discussion or debate on the Confidential Attachments for Item 12.2, Council would need to go behind closed doors.

As there were no questions or debate on the confidential attachments for this item, the meeting did not proceed behind closed doors.

**OCM Item 12.2  
Q15-2023 - Supply of Traffic Control Services**

**Deputation Presentation**

Nil.

**Officer Presentation**

Nil.

**Notes from Forum**

Nil.

**Further Information to be Provided**

Nil.

**Note:**

The Presiding Member advised that in accordance with Section 5.23(2)(c)(e) of the *Local Government Act 1995* if there was any discussion or debate on the Confidential Attachments for Item 12.3, Council would need to go behind closed doors.

As there were no questions or debate on the confidential attachments for this item, the meeting did not proceed behind closed doors.

### OCM Item 12.3

#### Tender 04/2023 - City of Belmont Civic Centre Chiller Unit Replacement

##### Deputation Presentation

Nil.

##### Officer Presentation

Nil.

##### Notes from Forum

Nil.

##### Further Information to be Provided

Nil.

### OCM Item 12.4

#### Public Open Space Strategy 2022 - 2040 (Part 1 and Part 2)

##### Deputation Presentation

Nil.

##### Officer Presentation

Nil.

##### Notes from Forum

- The City can modify the Strategy to include two cricket wickets, three modified ovals and one full oval for Peet Park. The City can also include the third baseball field that is used on an ad hoc basis at Forster Park.
- Unkept verges are addressed specifically within the Streetscape Strategy.
- It is not mandated for applicants to keep trees on properties when they develop, that is why it is important to implement a Tree Preservation Order.
- Table 9 on page 97 displays the average number of hectares of Public Open Space throughout the City.

**OCM Item 12.4  
Public Open Space Strategy 2022 - 2040 (Part 1 and Part 2)**

- The purpose of this strategy is to look at opportunities to increase Public Open Space and make those areas better.

**Further Information to be Provided**

- The Chief Executive Officer undertook to provide an update on sump and drain areas at a future Information Forum.
- The Chief Executive Officer undertook to provide further information regarding the strip of land behind McLachlan Way that was once a sump.
- The Manager Parks, Leisure and Environment undertook to investigate upgrades to the sump at the corner of Kooyong Road and Fulham Street.

**OCM Item 12.5  
Road Dedication - Tonkin Highway Gap Project - Surrender of Portion of Management Order and Excision of Unallocated Crown Land**

**Deputation Presentation**

Nil.

**Officer Presentation**

Nil.

**Notes from Forum**

- The City has not allocated any specific funds for replanting trees along Tonkin Highway. There will be a garden planted and 14 advanced trees planted as part of the Tonkin Highway Gap Project.

**Further Information to be Provided**

Nil.

**OCM Item 12.6**

**Request for Rate Exemption - Salvation Army Housing Limited 15/1-5  
Fitzroy Road, Rivervale**

**Deputation Presentation**

Nil.

**Officer Presentation**

Nil.

**Notes from Forum**

- This request is for one unit within the property.

**Further Information to be Provided**

Nil.

**OCM Item 12.7**

**Draft Engagement Strategy 2023 & beyond**

**Deputation Presentation**

Nil.

**Officer Presentation**

Nil.

**Notes from Forum**

Nil.

**Further Information to be Provided**

Nil.

**OCM Item 12.8  
Review of Committees and Terms of Reference**

**Deputation Presentation**

Nil.

**Officer Presentation**

Nil.

**Notes from Forum**

- Any councillor can attend Committee meetings as observers. The Presiding Member can allow observers to make comments and ask questions.
- Councillors can submit a motion to amend the terms of reference at the Ordinary Council Meeting next week.

**Further Information to be Provided**

- The Director Corporate and Governance undertook to provide a listing of Executive Committee or similar arrangements at other Councils.

**OCM Item 12.9  
Accounts for Payment - June 2023**

**Deputation Presentation**

Nil.

**Officer Presentation**

Nil.

**Notes from Forum**

Nil.

**Further Information to be Provided**

Nil.

**OCM Item 12.10  
Monthly Activity Statement for June 2023**

**Deputation Presentation**

Nil.

**Officer Presentation**

Nil.

**Notes from Forum**

Nil.

**Further Information to be Provided**

Nil.

## CITY OF BELMONT

Version Date: 07/04/22

## Public Submission Time and Deputation Proforma

Please ensure that your presentation complies with the Rules of Public Submission Time and Deputations as published in the Agenda Briefing Forum Programme and as printed overleaf.

<b>Name</b>	Dan Lees
<b>Address</b>	Level 18, 191 St Georges Terrace, Perth
<b>Business, Organisation or Group (if presenting on behalf of)</b>	Element Pty Ltd (on behalf of Perron Group)

<b>Agenda Briefing Forum Date:</b>	Tuesday 18 July	<b>Report Item No. referred to:</b>	12.1 (Amendment No. 21)
<b>Please tick the appropriate box below to indicate what type of presentation you wish to make.</b>	<input type="checkbox"/> Submission	<input checked="" type="checkbox"/> Deputation	
<b>Are you speaking in support or opposition to the matter? Please tick appropriate box.</b>	<input checked="" type="checkbox"/> Support	<input type="checkbox"/> Oppose	
<i>Please write a brief overview of your submission / deputation as clearly and concisely as possible – Remember – there are strict time limits applicable. The Presiding Member may limit presenters to a shorter period, if time is restricted.</i>			
<p>- Support for proposed scheme amendment, but with modifications.</p> <p><b>Motor Vehicle Wash</b></p> <p>- 'Motor Vehicle Wash' is proposed to be made an 'Additional Use', but with a requirement for it to be: located within a multi-storey parking structure, screened from view and limited to a maximum GFA of 200sqm.</p> <p>- We accept the final two requirements, but disagree that a car wash must be located within a multi-storey car park. At present there is only one multi-storey car park at Belmont Forum, so this is very locationally restrictive.</p> <p>- We agree that car washes should be appropriately screened from view. This can readily be achieved through architectural detailing, and by locating behind other buildings, or within servicing courtyards and back of house areas. This can be appropriately controlled at Development Application stage, to ensure that car washes do not become a dominant use at Belmont Forum, as suggested in the officer's report.</p> <p>- In this regard, we respectfully request that the scheme amendment is modified to delete the words: "located within a multi-storey parking structure," within the proposed 'Additional Use' provisions.</p> <p><b>Educational Establishment, Hospital, Nursing Home, Serviced Apartments</b></p> <p>- We have requested that the above uses (currently prohibited - X) are variously changed to Discretionary (D), discretionary with Advertising (A) and Permitted (P), as noted in Attachment 1 of the officer's report.</p> <p>- The officer's report has not supported these changes, suggesting that "strategic planning" in the form of a Precinct Structure Plan must come first.</p> <p>- We acknowledge that a Precinct Structure Plan ought to be prepared before the next stage of any major future development at Belmont Forum, however there may be time sensitive market opportunities to develop one of these uses in the interim, which can be appropriately addressed via a Development Application process and with the advice of the City's Design Review Panel. In any case, upon embarking upon the preparation of a Precinct Structure Plan, another scheme amendment would be required to change the permissibility of these uses from prohibited (X) at that point in time. In this regard it represents</p>			
Additional space provided overleaf if required. Please tick box if continued overleaf <input checked="" type="checkbox"/>			

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<p>orderly and proper planning to change the permissibility of these land uses now, via this Scheme Amendment, so as to avoid a future requirement for another Scheme Amendment. It is noted that changing the permissibility now via this Scheme Amendment does not infer that these uses can be developed 'as of right', they would still need to need to go through an appropriate planning process and address the strategic rationale, design and built form matters, interface, traffic and public realm considerations, as noted in the officer's report.</p> <p><b>Motor Vehicle, Boat and Caravan Sales, Motor Vehicle Hire</b></p> <ul style="list-style-type: none"> <li>- We have requested that the above uses (currently prohibited - X) are changed to Discretionary (D), but subject to specific development/design controls, being: located within the shopping centre building, or other mixed use building, and restricted to a maximum floorspace of 2500sqm. The officer report does not agree with this.</li> <li>- Bespoke motor vehicle sales premises locating within a centre context are becoming increasingly common, with established examples on the east coast. These can be located within smaller footprint tenancies, and this is a shift away from the typical 'car yard' arrangement, being more of a showcase and display environment. Customers would not 'drive away' vehicles purchased from the centre. In this regard, they offer a different customer experience and exposure than typical 'car yards'.</li> <li>- Similarly, motor vehicle hire is a commercial viable use that can be sensitively located within the centre.</li> <li>- Via the Development Application process, and with the advice of the City's Design Review Panel, both of these uses can be appropriately located within the centre, without detriment to the amenity of the Town Centre, and without resulting in over-reliance on cars.</li> </ul> <p><b>Summary</b></p> <ul style="list-style-type: none"> <li>- Respectfully request that Council adopts the proposed scheme amendment for advertising, but with modifications as set out above.</li> </ul>			
Additional space provided overleaf if required. Please tick box if continued overleaf <input checked="" type="checkbox"/>			

CITY OF BELMONT

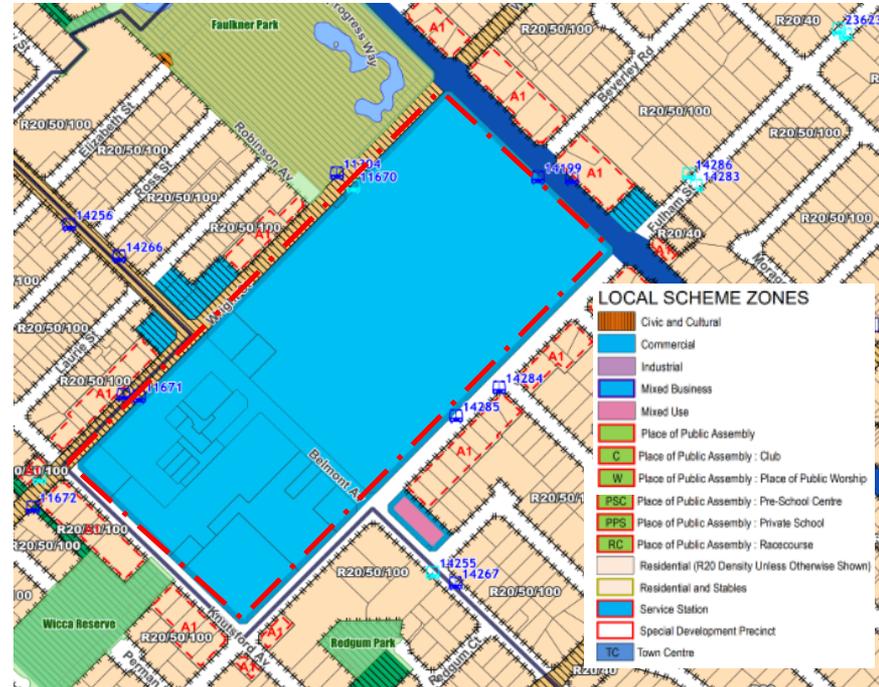
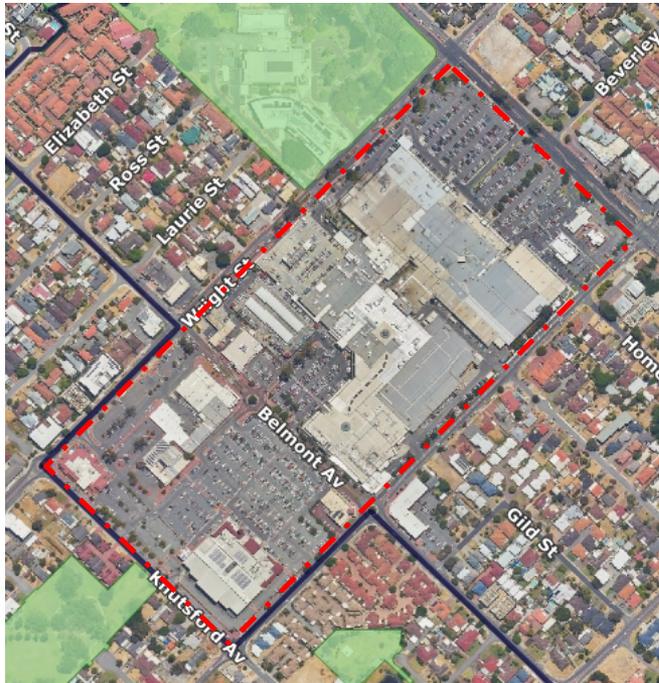
# Scheme Amendment No. 21

Agenda Briefing Forum

18 July 2023



# Location



***Town Centre Zone Objective - “The Town Centre zone is intended to provide for the retail commercial function and entertainment”***

# Applicant's request

- Changes to land use permissibility to:
  - Increase the uses capable of approval within the Town Centre zone.
  - Exempt certain uses from requiring planning approval.
- Introduce Restricted Uses:
  - Subject to additional development provisions.

# Land Use Permissibility

- 'P' No application required however use must comply with development requirements of Scheme.
- 'D' Development application required.
- 'A' Development application and advertising required.
- 'X' Prohibited.

# Officer Comment

- Several of the applicant's requested changes can be supported or partially supported.
  - Consistent with objective of the 'Town Centre' zone.
- Restricted Uses are not appropriate.
  - Additional Uses are considered more appropriate.
- Several permissibility changes are not supported.
- Modified version recommended.

# New Land Uses Supported

- Several new land uses supported:
  - Private Recreation ('D')
  - Motor Vehicle Wash
  - Studio
- Motor Vehicle Wash and Studio subject to additional requirements.
- Ensure complimentary scale and integration.

# New Uses Not Supported

- Several of the applicant's requested changes are not supported:
  - Motel
  - Serviced Apartment
  - Motor Vehicle, Boat and Caravan Sales
  - Motor Vehicle Hire
  - Motor Vehicle Repair
  - Hospital
  - Education Establishment
  - Veterinary Centre
  - Reception Centre
  - Nursing Home
- Either not consistent with zone objective or require strategic planning.

# Modified Amendment

## **Modify Zoning Table**

- 'Cinema/Theatre' – 'A' to 'D'
- 'Convenience Store'- 'A' to 'P'
- 'Health Studio' - 'D' to 'P'
- 'Private Recreation' - 'X' to 'D'
- 'Restaurant/Café' – 'D' to 'P'
- 'Shop' – 'D' to 'P'

## **Introduce Additional Use 21**

- Motor Vehicle Wash and Studio

# Amendment Classification

- Modified amendment - Standard Amendment
  - Consistent with zone objective
  - Consistent with Local Planning Strategy
  - Will not result in any significant environmental, social, economic or governance impacts

# Officer Recommendation

- Council adopt for the purpose of advertising the modified amendment as a 'Standard' Amendment.

## **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 8.21pm.**