



# City of Belmont

## AGENDA BRIEFING FORUM

### MATRIX

#### TABLE OF CONTENTS

18 May 2021

<b>ITEM</b>	<b>SUBJECT HEADING</b>	<b>PAGE</b>
<b>1.</b>	<b>OFFICIAL OPENING .....</b>	<b>2</b>
<b>2.</b>	<b>APOLOGIES AND LEAVE OF ABSENCE .....</b>	<b>2</b>
<b>3.</b>	<b>DECLARATIONS OF INTEREST THAT MIGHT CAUSE A CONFLICT .....</b>	<b>2</b>
3.1	FINANCIAL INTERESTS .....	2
3.2	DISCLOSURE OF INTEREST THAT MAY AFFECT IMPARTIALITY .....	3
<b>4.</b>	<b>ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) .....</b>	<b>3</b>
4.1	ANNOUNCEMENTS.....	3
4.2	DISCLAIMER.....	3
<b>5.</b>	<b>PUBLIC SUBMISSION TIME.....</b>	<b>3</b>
<b>6.</b>	<b>ORDINARY COUNCIL MEETING AGENDA FOR MEETING TO BE HELD 25 MAY 2021 .....</b>	<b>3</b>
6.1	AGENDA ITEMS FOR REVIEW.....	4
<b>7.</b>	<b>MATTERS FOR WHICH THE MEETING MAY BE CLOSED .....</b>	<b>10</b>
7.1	STAFF MATTER – CHIEF EXECUTIVE OFFICER – INTERIM REVIEW 2020-2021 (CONFIDENTIAL MATTER IN ACCORDANCE WITH <i>LOCAL GOVERNMENT ACT 1995</i> SECTION 5.23(2)(A)(B)(C)(E)) .....	10
7.2	STAFF MATTER – CHIEF EXECUTIVE OFFICER – ANNUAL REMUNERATION REVIEW 2019-2020 (CONFIDENTIAL MATTER IN ACCORDANCE WITH <i>LOCAL GOVERNMENT ACT 1995</i> SECTION 523(2)(A)(B)(C)(E)) .....	11
<b>8.</b>	<b>CLOSURE .....</b>	<b>11</b>

**TABLED ATTACHMENTS LIST**

**Tabled Attachment 1 – Item 6.1 (12.1) refers**

**Tabled Attachment 2 – Item 6.1 (12.7) refers**

**Councillors are reminded to retain the  
Ordinary Council Meeting Agenda (inclusive of the OCM Attachments)  
for deliberation at the meeting scheduled for 25 May 2021.**

**MATRIX FROM THE AGENDA BRIEFING FORUM HELD IN THE COUNCIL CHAMBERS OF CITY OF BELMONT CIVIC CENTRE, 215 WRIGHT STREET, CLOVERDALE ON TUESDAY, 18 MAY 2021 COMMENCING AT 7.05PM**

---

**AGENDA BRIEFING FORUM  
MATRIX**

**PRESENT**

Cr P Marks, Mayor (Presiding Member)	East Ward
Cr G Sekulla, JP, Deputy Mayor	West Ward
Cr M Bass ( <i>arr 7.08pm</i> )	East Ward
Cr B Ryan	East Ward
Cr J Davis	South Ward
Cr J Powell	South Ward
Cr S Wolff	South Ward
Cr L Cayoun	West 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 S Morrison	Acting Director Infrastructure Services
Ms AM Forte	Executive Manager People and Organisational Development
Mr J Olynyk, JP	Manager Governance
Mr W Loh	Manager Planning Services
Mrs M Lymon	Principal Governance and Compliance Advisor
Mr S Schreck ( <i>dep 7.39pm</i> )	Acting Senior Planning Officer
Ms D Morton	Media and Communications Adviser
Mrs H Mark	Governance Officer

**MEMBERS OF THE GALLERY**

There was one member of the public in the gallery and no press representative.

## 1. OFFICIAL OPENING

7.05pm 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 Rossi to read aloud the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers. Cr Rossi 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.***

7.08pm Cr Bass entered the meeting.

## 2. APOLOGIES AND LEAVE OF ABSENCE

Ms M Reid (Apology)

Director Infrastructure Services

## 3. DECLARATIONS OF INTEREST THAT MIGHT CAUSE A CONFLICT

### 3.1 FINANCIAL INTERESTS

Name	Item No and Title	Nature of Interest (and extent, where appropriate)
Mr J Christie	Item 14.2 Staff Matter – Chief Executive Officer – Annual Remuneration Review 2019-2020	Relates to the salary component of the CEO's Contract.

### 3.2 DISCLOSURE OF INTEREST THAT MAY AFFECT IMPARTIALITY

Name	Item No and Title	Nature of Interest (and extent, where appropriate)
Mr J Christie	Item 12.3 Q07/2021 – Provision of Waste Management Facilities	In the CEO's previous role of Director Technical Services at the City of Melville, he had a direct working relationship with one of the Tenderers.
Mr J Christie	Item 14.1 Staff Matter – Chief Executive Officer – Interim Review 2020-2021	This relates directly to the CEO's performance.

## 4. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

### 4.1 ANNOUNCEMENTS

Nil.

### 4.2 DISCLAIMER

**7.09pm 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.*

## 5. PUBLIC SUBMISSION TIME

**7.10pm The Presiding Member opened the period allotted for Public Submission Time and called for submissions from the Public Gallery. As no submissions were received, the Presiding Member closed Public Submission Time.**

## 6. ORDINARY COUNCIL MEETING AGENDA FOR MEETING TO BE HELD 25 MAY 2021

### 6.1 AGENDA ITEMS FOR REVIEW

#### OCM Item 12.1

**Amendment No. 18 to Local Planning Scheme No. 15 – Modifying the Use Class Permissibility of ‘Massage Parlour’ from ‘X’ to ‘D’ within the ‘Commercial’, ‘Special Development Precinct’ and ‘Town Centre’ Zones, and Modifying the Use Class Permissibility of ‘Medical Centre’ from ‘X’ to ‘D’ within the ‘Town Centre’ Zone**

#### Deputation Presentation

Mr Lewisson, representing Element on behalf of Perron Group, spoke in support of the officer recommendation for Item 12.1 Amendment No. 18 to Local Planning Scheme No. 15 – Modifying the Use Class Permissibility of ‘Massage Parlour’ from ‘X’ to ‘D’ within the ‘Commercial’, ‘Special Development Precinct’ and ‘Town Centre’ Zones, and Modifying the Use Class Permissibility of ‘Medical Centre’ from ‘X’ to ‘D’ within the ‘Town Centre’ Zone.

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

#### Officer Presentation

Nil.

#### Notes from Forum

- The Perron Group will examine the existing tenancies within the Belmont Forum to ensure correct permitted use has been applied.
- It is not practical for the City to deal with a Change of Use application each time there is a change in tenancy at the Forum. If the activity of the business is consistent with what is determined as a permitted use within a shopping centre, there would be no need to apply to the City for a Change of Use.
- The town centre has changed over the years. There were strong concerns 20 years ago that the town centre would have more ‘Medical Centre’ uses than ‘Shops’ and ‘Restaurant/Café’ uses which were required to achieve a vibrant town centre. Belmont has hit a point of maturity where ‘Medical Centre’ is no longer likely to be a dominant use.
- Concerns are often raised with ‘Massage Parlours’ that they will be used as brothels. Each Development Application is carefully scrutinised, and it is made clear in the conditions of approval that sexual services are not permitted.
- The term ‘Massage Parlour’ is a defined land use under the (Local Planning Scheme) LPS and excludes any form of sexual service.
- It is anticipated that a ‘Massage Parlour’ use within the town centre would attract ‘higher-end’ massage businesses.

**OCM Item 12.1**

**Amendment No. 18 to Local Planning Scheme No. 15 – Modifying the Use Class Permissibility of ‘Massage Parlour’ from ‘X’ to ‘D’ within the ‘Commercial’, ‘Special Development Precinct’ and ‘Town Centre’ Zones, and Modifying the Use Class Permissibility of ‘Medical Centre’ from ‘X’ to ‘D’ within the ‘Town Centre’ Zone**

*Item 12.1 Continued*

- ‘Special Development Precincts’ within the City have Local Planning Policies attached to them as a guiding document. Each Development Application is examined on its own merits and the City then determines whether the land use is appropriate within that Precinct.
- Further community consultation can be sought if Council wish to consider ‘Massage Parlours’ be assigned a classification of ‘A’ and not the proposed ‘D’ in the Special Development precincts. Any submissions then received would be examined on merit.

**Further Information to be Provided**

Nil.

7.39pm The Acting Senior Planning Officer departed the meeting and did not return.

**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**

**Q10/2021 – Supply and Laying of Asphalt Road Surfacing**

**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.

**Note:**

The Chief Executive Officer declared an interest that may affect impartiality for Item 12.3, as he had a direct working relationship with one of the Tenderers in his previous role of Director Technical Services at the City of Melville.

**OCM Item 12.3**

**Q07/2021 – Provision of Waste Management Facilities**

**Deputation Presentation**

Nil.

**Officer Presentation**

Nil.

**OCM Item 12.3**

**Q07/2021 – Provision of Waste Management Facilities**

*Item 12.3 Continued*

**Notes from Forum**

- This quotation relates to the contract for provision of waste management facilities. The supply of FOGO bins will go out to tender for a separate contract at a later stage potentially in May-June 2022.
- Waste material will be processed, and a high-quality soil conditioner will be an end product of this process. This end product will be available for the City to purchase at a discounted rate either in bulk or in 1m<sup>3</sup> hessian bags. The soil conditioner could be made available to residents, subject to costs and logistics.

**Further Information to be Provided**

- The Acting Director Infrastructure Services undertook to circulate a copy of the Information Booklet from SUEZ on the processing of the soil conditioner from waste material to Councillors.
- The Chief Executive Officer undertook to provide a cost comparison between the current EMRC provision and the submitted tenders for waste management and circulate to Councillors for information.

**OCM Item 12.4**

**Request for Rate Exemption – Salvation Army WA Property Trust – 96-98 Norwood Road, Rivervale**

**Deputation Presentation**

Nil.

**Officer Presentation**

Nil.

**Notes from Forum**

Nil.

**Further Information to be Provided**

Nil.

**OCM Item 12.5**

**Accounts for Payment – April 2021**

**Deputation Presentation**

Nil.

**Officer Presentation**

Nil.

**Notes from Forum**

Nil.

**Further Information to be Provided**

Nil.

**OCM Item 12.6**

**Monthly Activity Statement as at 30 April 2021**

**Deputation Presentation**

Nil.

**Officer Presentation**

Nil.

**Notes from Forum**

Nil.

**Further Information to be Provided**

Nil.

**OCM Item 12.7**

**Proposed Amendment to Condition of Development Approval – Café/Restaurant Tenancy Seating Capacity, Belmont Hub – Lot 33**

**Deputation Presentation**

Nil.

**Officer Presentation**

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

- Location
- Café
- Car Parking
- Comparison for Increase Seating Capacity
- 2017 Assessment
- Car Parking Assessment

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

**Notes from Forum**

- The City will conduct a review of the Parking Strategy in January 2022 and the impact on traffic numbers on Laurie Street will be examined at this time.
- Staff members predominantly use the staff car park at the rear of the Civic Centre and bays along Laurie Street and Ross Street during work hours. Parking spaces at the north end of Robinson Avenue are also used by staff during this time. Staff cars are required to display a parking permit to enable parking in these areas.
- The operating hours of the café will allow for service of breakfast, lunch, and dinner.
- The underground car park will not be available for patrons of the café. The underground car parking is restricted for use by allocated staff members and has allocated bays for tenancies.

**Further Information to be Provided**

- The Acting Director Infrastructure Services undertook to confirm the time limit of parking bays along Progress Way and advise Councillors of the restrictions in place.

## 7. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

### Note:

The Presiding Member advised that in accordance with Section 5.23(2)(a)(b)(c)(e) of the *Local Government Act 1995*, if there were any questions on Confidential Items 14.1 and 14.2, Council would need to go behind closed doors.

As there were no questions or debate on these items, the meeting did not proceed behind closed doors.

### 7.1 STAFF MATTER – CHIEF EXECUTIVE OFFICER – INTERIM REVIEW 2020-2021 (CONFIDENTIAL MATTER IN ACCORDANCE WITH *LOCAL GOVERNMENT ACT 1995* SECTION 5.23(2)(A)(B)(C)(E))

### Note:

The Chief Executive Officer declared an interest that may affect impartiality for Item 14.1 as this item relates directly to his annual performance.

<b>OCM Item 14.1</b>
<b>Staff Matter – Chief Executive Officer – Interim Review 2020-2021 (Confidential Matter in Accordance with <i>Local Government Act 1995</i> Section 5.23(2)(a)(b)(c)(e))</b>
 <b><u>Deputation Presentation</u></b>  Nil.
 <b><u>Officer Presentation</u></b>  Nil.
 <b><u>Notes from Forum</u></b>  Nil.
 <b><u>Further Information to be Provided</u></b>  Nil.

**7.2 STAFF MATTER – CHIEF EXECUTIVE OFFICER – ANNUAL REMUNERATION REVIEW 2019-2020 (CONFIDENTIAL MATTER IN ACCORDANCE WITH LOCAL GOVERNMENT ACT 1995 SECTION 523(2)(A)(B)(C)(E))**

**Note:**

The Chief Executive Officer declared a Direct Financial Interest in Item 14.2, as the item relates to the salary component of his Contract. As the item did not go behind closed doors for discussion, the Chief Executive Officer did not depart the meeting.

<b>OCM Item 14.2</b>
<b>Staff Matter – Chief Executive Officer – Annual Remuneration Review 2019-2020 (Confidential Matter in Accordance with <i>Local Government Act 1995</i> Section 523(2)(a)(b)(c)(e))</b>
<b><u>Deputation Presentation</u></b>
Nil.
<b><u>Officer Presentation</u></b>
Nil.
<b><u>Notes from Forum</u></b>
Nil.
<b><u>Further Information to be Provided</u></b>
Nil.

**8. CLOSURE**

There being no further business, the Presiding Member thanked everyone for their attendance and closed the meeting at 8.01pm.