



## Agenda Briefing Forum

# Matrix

19 July 2022

**BELMONT**  
CITY OF OPPORTUNITY



# CITY OF BELMONT

## Agenda Briefing Forum

### Matrix

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#### 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  
(inclusive of attachments and any confidential papers)  
for deliberation at the next Ordinary Council Meeting.**

**Matrix from the Agenda Briefing Forum held in the Council Chambers of the City of Belmont Civic Centre, 215 Wright Street, Cloverdale on 19 July 2022 commencing at 7.01pm.**

## **Matrix**

### **Present**

Cr R Rossi, JP (Deputy Mayor) (Presiding Member)	West Ward
Cr M Bass	East Ward
Cr J Davis	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
Ms J Gillan	Director Development and Communities
Mr W Loh	Acting Director Corporate and Governance
Mr S Morrison	Acting Director Infrastructure Services
Ms A Bird	Manager Governance, Strategy and Risk
Mr A Bott (dep 7.29pm)	Acting Manager Planning Services
Mr I Hamilton	Acting Manager Finance
Ms L Ross	Coordinator Rates
Ms D Morton	Acting Coordinator Media and Communications
Mr P Ng (dep 7.29pm)	Acting Senior Planning Officer
Ms J Cherry-Murphy	Senior Governance Officer
Ms M Phillips	Governance Officer

### **Members of the gallery**

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

# I Official Opening

**7.01pm 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 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 Davis to read aloud the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers. Cr Davis 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 P Marks (Mayor) (apology)

East Ward

Cr B Ryan (apology)

East Ward

Cr N Carter (apology)

South Ward

Ms M Reid (apology)

Director Infrastructure 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) and declarations by Members**

### **4.1 Announcements**

The Presiding Member welcomed the new Manager Governance, Strategy and Risk.

### **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 26 July 2022

### 6.1 Agenda items for review

#### OCM Item 12.1

#### Amendment No. 17 to Local Planning Scheme No. 15 - Re-Coding a portion of Development Area 7 Precinct from R20 to R20/40

##### Deputation Presentation

Ms A Biondi representing Urbanista Town Planning, as the applicant, made a deputation in support of the Officer Recommendation.

(Refer Attachment 6.1.1 for further information)

##### Officer Presentation

The Acting Senior Planning Officer provided a presentation which included the following:

- Aerial of subject site
- Existing zoning
- Background
- Advertising
- Submissions raising concerns over:
  - Inconsistent with current context
  - Environmental matters
  - Bushfire considerations
- Recommendation

(Refer Attachment 6.1.2 (OCM item 12.1 refers))

### **OCM Item 12.1**

#### **Amendment No. 17 to Local Planning Scheme No. 15 - Re-Coding a portion of Development Area 7 Precinct from R20 to R20/40**

##### **Notes from Forum**

- The provision for a deep soil areas for tree planting does apply to the example development in Frederick Street.
- The Frederick Street development was only approved this year therefore no construction or tree planting has occurred yet.
- The new Design Codes do not require existing on site vegetation to be retained. In cases where it is removed, additional, deep soil areas are required.
- Deep soil areas are implemented to facilitate larger trees and more meaningful landscaping.
- Development applications for Multiple Dwellings are sent through the Design Review Panel and the results are fed back to the applicant and incorporated in the design. Officers reviewing the application place considerable weight on the Design Review Panel's comments, particularly when there are variations. Multiple Dwelling development applications requiring Council approval would include the Design Review Panel comments.
- The minimum block of land under a R20 is 350sqm. Historically some lot sizes have occurred below this amount, this is not uncommon.
- The review of the Medium Density Code by the State Government will aim to ensure Multiple Dwellings are lifted to a much higher standard, improve livability and deep soil requirements.
- Development for the entire precinct subject of rezoning could potentially have 16 or 17 group dwellings if completely unfettered by standards. However, Multiple Dwellings are calculated using plot ratio, and it is difficult to provide a dwelling yield at the amendment stage. The ultimate number of dwellings would be subject to many factors including, but not limited to, building design, accessways and landscaping.

##### **Further Information to be Provided**

Nil.

**7.29pm The Acting Manager Planning Services and Acting Senior Planning Officer departed the meeting and did not return.**

### **OCM Item 12.2**

#### **Request for Rate Exemption - The Haven Centre Incorporated - 5/25 Frederick Street, Belmont**

##### **Deputation Presentation**

Nil.

### OCM Item 12.2

#### Request for Rate Exemption - The Haven Centre Incorporated - 5/25 Frederick Street, Belmont

##### Officer Presentation

Nil.

##### Notes from Forum

Nil.

##### Further Information to be Provided

Nil.

### OCM Item 12.3

#### Request for Rate Exemption - Foundation Housing Limited for 10 Waterway Crescent, Ascot

##### Deputation Presentation

Nil.

##### Officer Presentation

Nil.

##### Notes from Forum

- The property is non-strata and therefore only one rate notice is applicable.
- Through the rates exemption process for Charitable Land Use Exemptions the City loses approximately \$586,000 per annum, which is approximately 1% of the City's total rates income.
- Foundation Housing Limited have a leasing programme through the Department of Communities. They offer subsidised rent to low-income earners or people who have nowhere else to live and there are criteria that must be met.
- Foundation Housing Limited own the land and as they are a charity, they can apply for a rates exemption under the *Local Government Act 1995*.
- Foundation Housing Limited are fully compliant with legislation and meet all the criteria required for a rate exemption.

### **OCM Item 12.3**

#### **Request for Rate Exemption - Foundation Housing Limited for 10 Waterway Crescent, Ascot**

##### **Further Information to be Provided**

- The Coordinator Rates undertook to investigate whether Foundation Housing Limited receive any funding from the State Government to assist them in paying their rates on any of their owned lots.

### **OCM Item 12.4**

#### **Accounts for Payment - June 2022**

##### **Deputation Presentation**

Nil.

##### **Officer Presentation**

Nil.

##### **Notes from Forum**

Nil.

##### **Further Information to be Provided**

Nil.

### **OCM Item 12.5**

#### **Monthly Activity Statement as at 30 June 2022**

##### **Deputation Presentation**

Nil.

**OCM Item 12.5  
Monthly Activity Statement as at 30 June 2022**

**Officer Presentation**

Nil.

**Notes from Forum**

Nil.

**Further Information to be Provided**

Nil.



## CITY OF BELMONT

Date: 20 April 2021  
Version No. 2Public 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.

Name	Andra Biondi, Senior Urban Planner
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Address	231 Bulwer Street, Perth WA 6000
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Business, Organisation or Group (if presenting on behalf of)	Urbanista Town Planning (Applicant)
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Agenda Briefing Forum Date:	19/07/2022	Report Item No. referred to:	12.1
Please tick the appropriate box below to indicate what type of presentation you wish to make.	Submission <input type="checkbox"/> Deputation <input checked="" type="checkbox"/>		
Are you speaking in support or opposition to the matter? Please tick appropriate box.	Support <input checked="" type="checkbox"/> Oppose <input type="checkbox"/>		

*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.*

Good evening Mayor, Deputy Mayor and Councillors. My name is Andra Biondi from Urbanista Town Planning and I am the applicant for Item 12.1 - Amendment No. 17 to LPS 15 for a Re-coding of a portion of Development Area 7 from R20 to R20/40. Thank you for allowing me to speak to this item.

The proposed amendment presents an opportunity to formalise the density coding identified in the Ascot DA7 Local Structure Plan. For this reason, I support the Officer's Recommendation to recommend the amendment for approval to the WAPC.

However, it is noted that two submissions objecting to the amendment were received during the consultation period. It is recognised that some members of the community are of the view that the amendment will facilitate development that is inconsistent with the broader context of the locality. While this may appear to be the case, the amendment is consistent with the Local Structure Plan and the Local Planning Strategy's objective to provide for a mix of dwelling typology's within the Residential zone.

It is also understood that when this item was first presented to Council in November 2021, there were concerns regarding the applicable bushfire requirements, in particular for the properties that fall within the BAL-FZ and BAL-40 zone; and therefore should not be part of the amendment. This is considered inappropriate for several reasons:

- a) The bushfire policy does not apply retrospectively;
- b) An on-paper increase in density does not mean the bushfire risk increases.
- c) If these lots are redeveloped in the future, any development proposal must satisfy the

Additional space provided overleaf for Submission/Deputation – Please tick box if continued overleaf



# CITY OF BELMONT

Date: 20 April 2021  
Version No. 2

## Public Submission Time and Deputation Proforma Continued

requirements of SPP 3.7 Planning in bushfire prone areas. The SPP recommends that development not occur in BAL-FZ and BAL-40 areas unless a proponent can adequately demonstrate that the fire risk can be mitigated.  
In conclusion, I thank the Officers for their support in progressing this amendment and am happy to take any questions. Thank you.

### DEFINITIONS

**'Submission'** is defined as a presentation made to an Agenda Briefing Forum by an individual member of the public, who can demonstrate that they are affected (whether adversely or favourably) by a matter on the attached Ordinary Council Meeting Agenda. A submission may be made at this time in accordance to the Rules of Public Submission Time and Deputations. With the exception of the Presiding Member, no interaction between Councillors and the presenter is permitted.

**'Deputation'** is defined as a presentation made to an Agenda Briefing Forum by members of the public, whether as an individual or a group of up to five people, who can demonstrate that they are directly affected (whether adversely or favourably) by a matter on the attached Ordinary Council Meeting Agenda. A deputation will cause the relevant agenda item to be reviewed by the forum, at which time a presentation can be made in accordance to the Rules of Public Submission Time and Deputations. Interaction between Councillors and the presenter(s) is allowed with the permission of the Presiding Member. The person / people requesting a deputation will need to provide the Presiding Member with prior notice of a request to make a deputation.

### Rules for Agenda Briefing Forum Public Submission Time and Deputations

<p>a) Only those persons, who can demonstrate to the Presiding Member's satisfaction that they are affected by the matter on the agenda, will be entitled to make a submission. Those persons that can demonstrate that they are directly affected may make a deputation.</p> <p>b) Where a directly affected person has sought the prior endorsement of the Presiding Member, 'advocates' will be permitted on the condition that the directly affected person is present at the meeting.</p> <p>c) Where possible, members of the gallery are required to provide submissions/deputations in a written format to the presiding person prior to the commencement of the forum, to assist with the recording of forum notes.</p> <p>d) Only submissions/deputations that relate to a specific item of the Council agenda will be accepted.</p> <p>e) Prior to making a submission/deputation, the person is to give their name and residential address.</p> <p>f) Submissions and deputations are to be directed through the chair, with the Presiding Member having the discretion of accepting or rejecting a presentation.</p> <p>g) As per Council's standing orders, no debating of the issue between the gallery, Councillors or officers is permissible.</p> <p>h) Submissions/Deputations which are considered inappropriate; repetitious; lacking in decorum or adversely reflect on the integrity of any councillor or employee; offensive or otherwise not in good faith; duplicates or variations of earlier submissions; relating to the personal affairs or actions of Council members or employees; legal advice; legal proceedings or other legal processes; will be refused by the Presiding Member as 'out of order' and will not be recorded in the forum notes. The Presiding Member or Chief Executive Officer may offer comment by way of correction, to any false information presented.</p> <p>i) Submissions/Deputations from members of the public that do not comply with the Rules of Public Submission Time and Deputations; or do not abide by a ruling from the Presiding Member; or where the member of the public behaves in a manner in which they are disrespectful of the Presiding Member, Councillors or Officers; or refuse to abide by any direction from the Presiding Member; will be ruled 'out of order' and the submission/deputation will not be recorded in the forum notes.</p>	<p>j) Public Submission Time is set for a period of 30 minutes, and will terminate earlier should no further submissions be forthcoming.</p> <p>k) Submissions/Deputations to be made at the forum will be registered, and the priority for making submissions/deputations shall be in accordance with that register. To enable all members of the public a fair and equitable opportunity to participate in Public Submission Time, each person shall be provided a maximum three minute time limit in the first instance, in which to make a submission.</p> <p>l) Deputations will be made at the time the matter subject to the deputation is reviewed by Council. Unless otherwise approved by a majority of Councillors, a deputation is to consist of no more than five persons, only two of whom may address the Council (with the exception of a person responding to an instruction by the Presiding Member). The time for a deputation, including interaction from Councillors, is not to exceed 15 minutes.</p> <p>m) To enable all members of the public a fair and equitable opportunity to participate, a person who has earlier made a submission cannot make or participate in a deputation on the same subject matter.</p> <p>n) A submission / deputation may include a request for the tabling of documents where these are relevant to an issue before Council. The Presiding Member will indicate when the allotted maximum time for a submission/deputation has elapsed. The presentation will cease at that time.</p> <p>o) Should there be time remaining of the initial period for Public Submission Time after all members of the public have made their initial submission, the Presiding Member will then allow members of the public to sequentially (in accordance to the register) make a further submission (with a three minute time limit) until the initial period for Public Submission Time has expired.</p> <p>p) Any extension to the initial period for Public Submission Time is to be limited to a period that will allow sufficient time for any remaining members of the public to make their initial submission.</p> <p>q) The Presiding Member may limit presenters to a shorter period to make a submission/deputation if time is restricted, and reserves the right to limit the number of submissions/deputations that can be made in respect to any one matter.</p>
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# CITY OF BELMONT

## Item No. 12.1

### Amendment No. 17 to Local Planning Scheme No. 15



# Aerial of Subject Site





# Existing Zoning



# Background

- Amendment No. 17 proposes to:
  - Replace R20 density with R20/40
  - Amend Development Area 7 border.
- Council initiated Amendment No. 17 to LPS 15 for the purpose of advertising at the 23 November 2021 OCM.

# Advertising

- Advertising was carried out from 14 April 2022 to 30 May 2022.
- 5 submissions were received.
  - 2 submissions from the public.
  - 3 submissions from agencies.
  - Key concerns:
    - Inconsistent with the current context
    - Environmental impact
    - Bushfire.

# Inconsistent with current context

## Concerns:

- Future built form will be incompatible with current context, which is predominantly single houses.
- Development in excess of two storeys.



Existing single & double storey dwellings along Coolgardie Avenue

# Inconsistent with current context

## Comments:

- R40 is a medium density.
  - Provides for a maximum building height of two storeys.
- Consistent with Perth & Peel @3.5 Million as well as approved Structure Plan.
  - Reduce unsustainable urban sprawl.
- Upcoming Medium Density Code – Single Houses & Grouped Dwellings
  - Requires deep soil areas and tree planting.
- Design review panel requirement – Multiple Dwellings.

# Inconsistent with current context



Example of 2-storey multiple dwellings development in Frederick St, Belmont



# Environmental Concerns

## Concerns:

- Environmental impacts and the broader Structure Plan area
- Future development in Lot 602 (Garvey Park).

## Comments:

- The amendment does not cover this area and the investigation of these constraints is not subject to this Scheme Amendment.



# Environmental Concerns

## **Concerns:**

- Removal of existing vegetation on the subject lots.

## **Comments:**

- The lots are already zoned Residential and in private ownership.
- The planning framework has no controls to restrict vegetation removal within the lots.
- Future development will be subject to R-Codes, which sets the minimum planting and deep soil requirements.

# Bushfire



- DFES requested that 85, 85a, 87 & 87a Coolgardie Avenue be removed from the Amendment.
  - BAL FZ & BAL 40.
- DPLH advised otherwise because the lots are already developed.
- Future development will be required to comply with the Bushfire Protection Criteria outlined in State Planning Policy 3.7.

# Recommendation

- Support Amendment No. 17 to LPS 15 with a recommendation that the Amendment be approved by the Minister for Planning.

## **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 7.38pm.**

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