

## Agenda Briefing Forum

# Matrix

19 March 2024



City of  
**Belmont**

# CITY OF BELMONT

## Agenda Briefing Forum

### Matrix

#### Table of Contents

19 March 2024

Item	Subject Heading	Page
<b>1</b>	<b>Official Opening</b>	<b>5</b>
<b>2</b>	<b>Apologies and leave of absence</b>	<b>5</b>
<b>3</b>	<b>Declarations of interest that might cause a conflict</b>	<b>6</b>
3.1	Financial Interests	6
3.2	Disclosure of interest that may affect impartiality	6
<b>4</b>	<b>Announcements by the Presiding Member (without discussion) and declarations by Members</b>	<b>7</b>
4.1	Announcements	7
4.2	Disclaimer	7
4.3	Declarations by Members who have not given due consideration to all matters contained in the business papers presently before the meeting	8
<b>5</b>	<b>Public submission time</b>	<b>8</b>
<b>6</b>	<b>Ordinary Council Meeting Agenda for meeting to be held on 26 March 2024</b>	<b>9</b>
<b>7</b>	<b>Matters for which the meeting may be closed</b>	<b>45</b>
<b>8</b>	<b>Closure</b>	<b>47</b>

## **Tabled Attachments Index**

Attachment 6.1.1 – Item 6.1 (12.1) refers

Attachment 6.1.2 – Item 6.1 (12.2) refers

Attachment 6.1.3 – Item 6.1 (12.2) refers

Attachment 6.1.4 – Item 6.1 (12.2) refers

Attachment 6.1.5 – Item 6.1 (12.9) refers

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

## **Alternative Formats**

This document is available on the City of Belmont website and can be requested in alternative formats including electronic format by email, in hardcopy both in large and standard print and in other formats as requested. For further information please contact the Community Development team on (08) 9477 7219. For language assistance please contact TIS (Translating and Interpreting Service) on 131 450.

**Matrix from the Agenda Briefing Forum held in the Council Chamber of the City of Belmont Civic Centre, 215 Wright Street, Cloverdale on Tuesday 19 March 2024 commencing at 6.31pm.**

## Matrix

### Present

Mayor R Rossi, JP (Presiding Member)	Mayor
Cr D Sessions (Deputy Mayor)	West Ward
Cr G Sekulla, JP	Central Ward
Cr Vijay	Central Ward
Cr B Ryan	East Ward
Cr P Marks	East Ward
Cr J Davis	South Ward
Cr C Kulczycki	West Ward

### In attendance

Mr J Christie	Chief Executive Officer
Mr W Loh	Director Development and Communities
Mr M Murphy	Director Infrastructure Services
Mr A Bott (dep. 7.27pm)	Manager Planning Services
Ms D Dabala	Manager Governance and Legal
Ms S Jessop	Manager Finance
Ms G Carter-Nguyen (dep.8.00pm)	Manager Public Relations and Stakeholder Engagement
Ms C Gilbert (dep. 7.27pm)	Coordinator Planning Projects
Mr B Pang (dep. 7.27pm)	Acting Coordinator Planning
Ms M Phillips	Governance Officer
Ms E Robertson (dep. 7.27pm)	Planning Officer - Projects
Ms I Webber (dep. 7.27pm)	Planning Officer - Projects

### Members of the gallery

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

# 1 Official Opening

## 6.31pm 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 Ryan to read aloud the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers. Cr Ryan 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

Mr S Downing (apology)

Director Corporate and Governance

### 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	Nature of Interest (and extent, where appropriate)
Cr C Kulczycki	12.2 - Community Home at 362 Abernethy Road, Cloverdale	The sole respondent to public advertising contacted me via telephone on two occasions to raise their objections as to the proposed development.
Cr J Davis	12.5 - 2023-24 March Budget Review	Belmont Oasis Member
Cr G Sekulla	12.5 - 2023-24 March Budget Review	Affiliate member of RSL and Member of Japanese Belmont Delegation.
Cr J Davis	12.6 - Terms of Reference - Standing Committee (Audit & Risk)	Committee Member
Cr G Sekulla	12.6 - Terms of Reference - Standing Committee (Audit & Risk)	Deputy Presiding Member
Cr Vijay	12.6 - Terms of Reference - Standing Committee (Audit & Risk)	Committee Member
Cr D Sessions	12.7 - Terms of Reference - Executive Committee	Deputy Presiding Member of that committee.

Cr Vijay	12.7 - Terms of Reference - Executive Committee	Committee Member
Cr J Davis	12.7 - Terms of Reference - Executive Committee	Committee Member
Cr G Sekulla	12.7 - Terms of Reference - Executive Committee	Member
Cr D Sessions	14.2 - Staff Matter – Chief Executive Officer Interim Review 2023-24	Member of the Executive Committee.
Mr J Christie	14.2 - Staff Matter – Chief Executive Officer Interim Review 2023-24	The item relates directly to the performance of the Chief Executive Officer.

## **4 Announcements by the Presiding Member (without discussion) and declarations by Members**

### **4.1 Announcements**

Nil.

### **4.2 Disclaimer**

#### **6.36pm 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**

**6.36pm The Presiding Member opened the period allotted for Public Submission Time and drew the gallery's attention to the Rules for Public Submission Time.**

**6.37pm The Presiding Member closed Public Submission Time as no submissions were received.**

# 6 Ordinary Council Meeting Agenda for meeting to be held on 26 March 2024

## 6.1 Agenda items for review

### OCM Item 12.1

#### Amendment - Local Planning Policy No. 12 – Advertisement Signs

##### Deputation Presentation

Nil.

##### Officer Presentation

The Planning Officer - Projects provided a presentation which included the following:

- Local Planning Policy No.12 - Overview
- What is third party advertising?
- Existing Situation - Third Party Advertising
- Need for LPP 12 Amendment
- Proposed Amendment
- Next Steps
- Questions?

(Refer Tabled Attachment 6.1.1 for further information).

##### Notes from Forum

- This review was proposed following a State Administrative Tribunal outcome regarding third party signage.
- The City can look at sports club signage as part of a future review of Local Planning Policy No.12. It is recommended that the sports club signage review goes through a separate process.
- The standards for illuminated signs come from Main Road's guidelines and the City has inserted them into the City's policy.

##### Further Information to be Provided

Nil.

Cr Kulczycki disclosed at Item 3 of the Programme “Disclosure of Interest” an Impartiality Interest in the following item in accordance with Regulation 22 of the *Local Government (Model Code of Conduct) Regulations 2021*.

## **OCM Item 12.2**

### **Community Home at 362 Abernethy Road, Cloverdale**

#### **Deputation Presentation**

- Mr Hemsley on behalf of Hemsley Planning Pty Ltd spoke in support of the officer recommendation.

(Refer Tabled Attachment 6.1.2 for further information).

- Ms Gee spoke against the officer recommendation.

(Refer Tabled Attachment 6.1.3 for further information).

#### **Officer Presentation**

The Acting Coordinator Planning provided a presentation which included the following:

- Extract from Local Planning Scheme Map Illustrating Zoning of Subject Site and Surrounds
- Location Plan
- Key Features
- Operating of the Community Home
- Consultation
- Building Height
- Rear Setback
- Visual Privacy
- Overshadowing
- Summary
- Thank you

(Refer Tabled Attachment 6.1.4 for further information).

#### **Notes from Forum**

- The development is being assessed as a five-storey development, the garden terrace is the fifth storey.
- The 21 June overshadowing date is used as it will be the lowest, longest shadow for the year.

## OCM Item 12.2

### Community Home at 362 Abernethy Road, Cloverdale

- 1.6m of screening is the minimum specified in the residential design codes.
- This development is proposed to create an additional 20 vehicle trips per day on Abernethy Road which will represent 0.1% of total traffic on Abernethy Road.
- The Waste Plan was reviewed by the City's waste team and multiple bins was the preferred waste disposal method.
- This development is within the Town Centre Precinct.
- This development application was advertised to properties within a 100m radius of the site. The 14-day advertisement period is in accordance with the Local Planning Scheme.
- The City, as part of its recommendation, has included a condition requiring the slip road to be secured by an access easement. The timeline for the introduction of the slip road is dependent on when the adjoining properties start to redevelop and their Vehicle Access Plan is enacted.
- The City has adopted a Vehicle Access Plan that essentially forward plans how it is going to work along Abernethy Road and other streets in the City. As redevelopment occurs the Vehicle Access Plan is secured via easements and enacted in accordance with the plan, so there is a consistent mapped out approach.
- A planning assessment does not consider a development's fire evacuation plan. Those matters are covered at the Building Permit stage.
- The visual privacy screenings are dealt with in detail through the conditions and when the applicant comes to the City to clear the conditions, they demonstrate the type of screening that will permit light but stop direct overlooking.
- The Nationwide House Energy Rating Scheme (NatHERS) rating is dealt with at the building application stage, and not necessary to include as a condition of development approval.
- The R-Codes is a performance based document and the ultimate intent is to meet the element objectives of the respective clause. In regard to the landscaping or deep soil clause, this proposal meets the element objective by still providing room within the setback area for planting two trees.
- There are provisions under the scheme to minimise vehicle access onto regional and main roads. The City's approach in collaboration with Main Roads has always been to minimise vehicle access points when properties are developed, especially when developed above the base

## **OCM Item 12.2**

### **Community Home at 362 Abernethy Road, Cloverdale**

density code. The rationale for a Vehicle Access Plan is to consolidate vehicle crossover points so there are a lesser number of points entering the main road.

- Through the building permit process, an energy efficiency assessment and lighting assessment are undertaken. This ensures that the windows and associated rooms meet the relevant natural lighting requirements.

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

- The Manager Planning Services undertook to provide the Town Centre Precinct parameters.
- The Senior Planning Officer undertook to investigate whether the lift is the only way out in an evacuation.
- The Senior Planning Officer undertook to investigate whether the City should plan for future development when considering site setbacks and overshadowing.

**7.27pm The Manager Planning Services, Coordinator Planning Projects, Acting Coordinator Planning and Planning Officer – Projects departed the meeting and did not return.**

## **OCM Item 12.3**

### **Community Sporting and Facilities Fund Grant Application - Forster Park Changerooms**

#### **Deputation Presentation**

Nil.

#### **Officer Presentation**

Nil.

#### **Notes from Forum**

- The proposed works are a refurbishment to the existing changerooms and making them unisex.

### **OCM Item 12.3**

#### **Community Sporting and Facilities Fund Grant Application - Forster Park Changerooms**

- This is quite a small project and the scope is fairly simple and well known. The Director Infrastructure Services is comfortable with the \$10,000 contingency.
- The City is confident this application will be approved as the City has not submitted many grant applications and this project is relatively small.

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

- The Director Infrastructure Services undertook to investigate what assessment criteria rating on page 146 the City's application would likely fall under.
- The Director Infrastructure Services undertook to investigate how these works are different to Middleton Park.

### **OCM Item 12.4**

#### **Request for Rate Exemption - Autism Association WA**

##### **Deputation Presentation**

Nil.

##### **Officer Presentation**

Nil.

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

- It is only the rates component of the rates notice that is exempt, all properties with a rate exemption are liable for waste charges and ESL.
- Rate exemption reports going forward will include that the waste charges are still applicable.

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

Nil.

Cr Davis and Cr Sekulla disclosed at Item 3 of the Programme “Disclosure of Interest” an Impartiality Interest in the following item in accordance with Regulation 22 of the *Local Government (Model Code of Conduct) Regulations 2021*.

## **OCM Item 12.5**

### **2023-24 March Budget Review**

#### **Deputation Presentation**

Nil.

#### **Officer Presentation**

Nil.

#### **Notes from Forum**

- The proposed works contained within budget item WR2329 are for an arborist to inspect all the trees to inform the design process. The City is currently looking at how to retain the trees, some are not in a great condition, however some are in good condition. The City is trying to retain as many trees as possible.

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

- The Chief Executive Officer undertook to investigate the purpose of the Parks Development Reserve and why the balance is \$0.
- The Chief Executive Officer undertook to investigate the proposed replacement of five projectors in the museum with a cost of \$80,000 and what benefit does it provide the community for a device to be within warranty, and if a warranty claim arises there may a delay for up to months for the device to be repaired or replaced.
- The Chief Executive Officer undertook to investigate whether it is appropriate for these projectors to be proposed for replacement so early if the Australian Tax Office outlines the life of a projector to be five to 10 years.
- The Chief Executive Officer undertook to investigate if the replacement of the projectors is approved by Council what is the proposal for the old equipment.
- The Director Infrastructure Services undertook to investigate budget item P29500 and provide rationale for the large amount of herbicide treatment for a small geographical area.

## OCM Item 12.5

### 2023-24 March Budget Review

- The Director Infrastructure Services undertook to investigate whether the City has considered engaging with the community in line with the City Environmental and Sustainability plan to assist with an initiative to lessen the detrimental impact of using herbicides and promote environmental awareness.

Cr Davis, Cr Sekulla and Cr Vijay disclosed at Item 3 of the Programme “Disclosure of Interest” an Impartiality Interest in the following item in accordance with Regulation 22 of the *Local Government (Model Code of Conduct) Regulations 2021*.

## OCM Item 12.6

### Terms of Reference - Standing Committee (Audit & Risk)

#### Deputation Presentation

Nil.

#### Officer Presentation

Nil.

#### Notes from Forum

Nil.

#### Further Information to be Provided

Nil.

Cr Davis, Cr Sekulla, Cr Sessions and Cr Vijay disclosed at Item 3 of the Programme “Disclosure of Interest” an Impartiality Interest in the following item in accordance with Regulation 22 of the *Local Government (Model Code of Conduct) Regulations 2021*.

## **OCM Item 12.7**

### **Terms of Reference - Executive Committee**

#### **Deputation Presentation**

Nil.

#### **Officer Presentation**

Nil.

#### **Notes from Forum**

Nil.

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

Nil.

## **OCM Item 12.8**

### **Extraordinary Election South Ward: Appointment of Western Australian Electoral Commission to conduct the Election**

#### **Deputation Presentation**

Nil.

#### **Officer Presentation**

Nil.

#### **Notes from Forum**

Nil.

## OCM Item 12.8

### Extraordinary Election South Ward: Appointment of Western Australian Electoral Commission to conduct the Election

#### Further Information to be Provided

- The Chief Executive Officer undertook to investigate whether the term can be extended in line with the Mayor in accordance with the *Local Government Act 1995 (WA)* section 2.28 (page 40).
- The Chief Executive Officer undertook to investigate what is the comparative cost of conducting the election as in person only and can this estimate include the cost of redeploying the City staff towards the endeavour of the election and clearing the back log of work this may create.

## OCM Item 12.9

### Annual Electors' Meeting Minutes - 5 February 2024

#### Deputation Presentation

Ms Hollands and Ms Gee made a deputation against the officer recommendation.

(Refer Tabled Attachment 6.1.5 for further information).

#### Officer Presentation

Nil.

#### Notes from Forum

- The City is currently working through rate models for the next financial year and are including the impact of not charging installment interest and charges. The results will be presented to Council in April.
- Any reduction to rates in arrears as a result of introducing SmartRates is difficult to quantify. The City would expect that there will be many ratepayers that continue to use the existing installment option. The City believes there will be a high number of people taking up the direct debit option. It should be noted that direct debit has always been available, it was just not included on the rates notice.

## **OCM Item 12.9**

### **Annual Electors' Meeting Minutes - 5 February 2024**

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

- The Chief Executive Officer undertook to investigate if there is a reason why certain pay frequency may not be available through smart rates.
- The Chief Executive Officer undertook to investigate who the City communicated with regarding the change of date of the Australia Day Citizenship.
- The Chief Executive Officer undertook to investigate whether the Citizenship will be held on Australia Day in 2025.

## **OCM Item 12.10**

### **Accounts for Payment February 2024**

#### **Deputation Presentation**

Nil.

#### **Officer Presentation**

Nil.

#### **Notes from Forum**

Nil.

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

Nil.

## **OCM Item 12.11**

### **Monthly Financial Report for February 2024**

#### **Deputation Presentation**

Nil.

## OCM Item 12.11

### Monthly Financial Report for February 2024

#### 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)(h) of the *Local Government Act 1995 (WA)* if there was any discussion or debate on the Confidential Attachments for Item 12.12, Council would need to go behind closed doors.

## OCM Item 12.12

### Internal Audit Report

#### Deputation Presentation

Nil.

#### Officer Presentation

Nil.

#### Notes from Forum

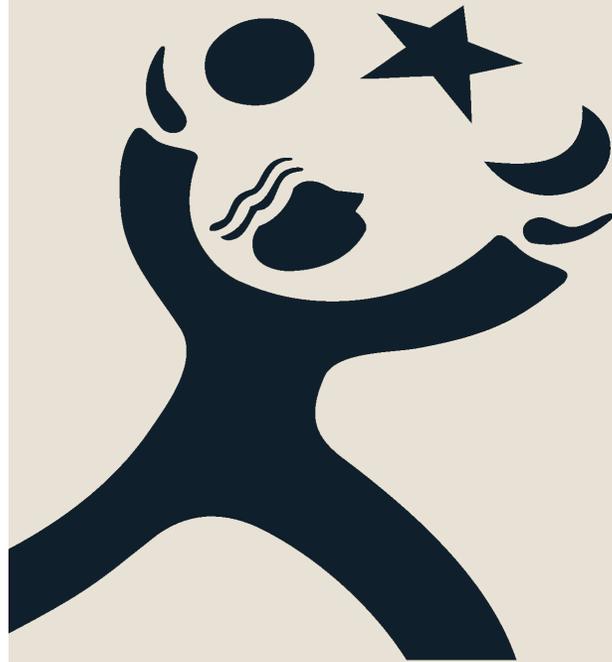
Nil.

#### Further Information to be Provided

Nil.

# **Draft Local Planning Policy 12 – Advertisement Signs**

**19 March 2024 Agenda Briefing Forum**



City of  
Opportunity

## Local Planning Policy No. 12 - Overview



- LPP 12 guides the assessment of all advertisement signs visible from the public realm.
- LPP 12 aims to ensure signage does not impact on amenity, whilst providing an appropriate level of exposure for businesses.
- LPP 12 prohibits third party advertising signage.

## What is third party advertising?



- Third party advertising is when signage promotes services and products unrelated to the site it's located on.
- There are several issues that are associated with third party signage:
  - Amenity
  - Safety
  - Economic.



## Existing Situation – Third Party Advertising



- Despite LPP 12 prohibiting third party signage, there is an agreement with private companies to allow for small-scale third party signage on bins, bus shelters and street signs within the road reserve.
- These small signs allow income from advertising to offset the costs associated with the public infrastructure by private companies.



## Need for LPP 12 Amendment



- Whilst small-scale signage on public infrastructure exists within the road reserve, the City has been consistent in its application to not permit third party signage on private land.
- However, this inconsistency regarding public infrastructure, has prompted some applicants to cite the signs as justification for proposing large billboards that display third-party advertising on private land.
- It is considered necessary to clarify the distinction within LPP 12.

## Proposed Amendment



It is proposed that Clause 6.1.1 of LPP 12 be amended to read as follows:

“Advertisement signs shall only advertise services and products available on the premises to which it relates. Third party advertising is not permitted, **except in a road reserve when it is of a small scale and integrated with approved bus shelters, bin enclosures, public seating and illuminated street signs.**”

## Next Steps



Draft Policy presented to Council for endorsement for advertising.



Review the Policy having regard to any submissions made.

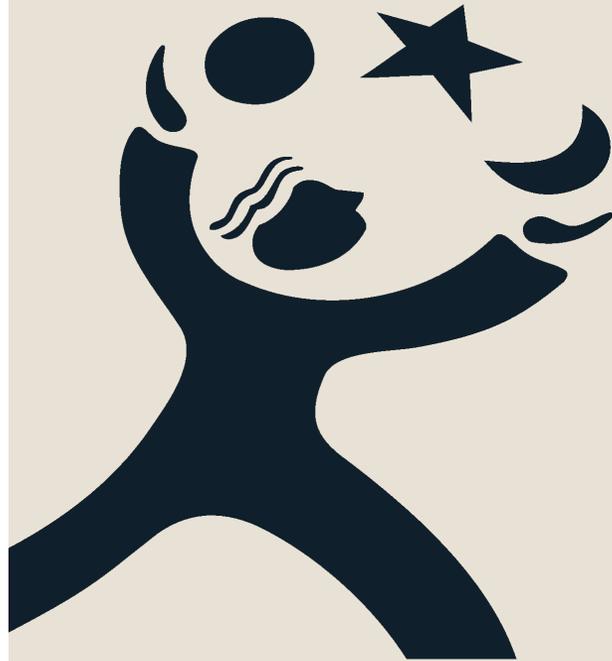


Present final Policy to Council for Adoption.

**Questions?**



**Emily Robertson, Planning Officer - Projects**



CITY OF BELMONT

Version Date: 03/07/23

## 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.

Name	Alex Hemsley
Address	10 Koeppe Road, Claremont
Business, Organisation or Group (if presenting on behalf of)	Hemsley Planning Pty Ltd

Agenda Briefing Forum Date:	19/03/2024	Report Item No. referred to:	12.2
Please tick the appropriate box below to indicate what type of presentation you wish to make.	<input type="checkbox"/> Submission	<input checked="" type="checkbox"/> Deputation	
Are you speaking in support or opposition to the matter? Please tick appropriate box.	<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>Thank you for the opportunity to present to the Council. My name is Alex Hemsley, Director of Hemsley Planning. I speak as the applicant and on behalf of Eurowide who are the owners and proponent of the proposed specialist disability accommodation development.</p> <p>The officer report has recommends approval and I am speaking FOR that recommendation hoping to give clarity around the land use and operation of the Community Home land use.</p> <p>Whilst I accept the definition of 'Community Home' under Local Planning Scheme 15 is quite broad I hope to instill a high level of confidence that the occupation and operation of the constructed premise will be as outlined in our DA report.</p> <p>Under the NDIS there are three levels of SDA accommodations types which require varying levels of specific design requirements. The three types are: Improved Liveability; design category Robust; and High Physical Support.</p> <p>The proposal has been designed to the most onerous standard, that being, high physical support. High physical support uniquely requires an overnight carers accommodation unit. In addition to this minimum bedroom sizes of 12.7m2 are required, as well as min. lift sizes, and bathroom room dimension. This accommodation has been pre-certified as meeting these requirements by a specialist disability access consultant provided during the design review process. Eurowide, in providing this type of accommodation has already triggered more onerous and costly fire engineering requirements which have been incorporated into the submitted design.</p> <p>In targeting the highest level NDIS housing, a significant additional cost is incorporated into the build and maintenance of the property and the required return on additional investment will only occur if the occupants qualify for high physical support housing assistance funding. These market forces alone should satisfy the City that occupants of the accommodation will be limited to members of the community that qualify for high physical support accommodation in addition to the overnight carer.</p> <p>More importantly younger individuals with high physical care needs are often finding themselves living in nursing homes because there is a lack of appropriate alternative accommodation options that can adequately meet their needs such as the proposed. Nursing homes, designed primarily for elderly residents, are not providing the level of specialized support, accessibility, or independence that younger people with disabilities require. NDIS housing and in turn, this proposal, is a response to Australian Federal Government policy changes made to prioritise these necessary alternative housing options over nursing home placements for younger individuals with disabilities.</p> <p>In summary, before you is an application for approval of a well-designed family that has gone through no fewer than three rounds of the City's design review process.</p> <p>The Council has the discretion to approve this proposal and in light of the information described I respectfully ask that you support the officer's recommendation. Thank you for considering this matter.</p>			
Additional space provided overleaf if required. Please tick box if continued overleaf <input type="checkbox"/>			



# 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.

Public Submission Time and Deputation Proforma			
<b>Name</b>	Janet L Gee		
<b>Address</b>	2/97 Gabriel St Claverdale		
<b>Business, Organisation or Group (if presenting on behalf of)</b>			
<b>Agenda Briefing Forum Date</b>	19/3/24	<b>Reported Item No. referred to</b>	12.2
<b>Please tick the appropriate box 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 Officer Recommendation? Please tick appropriate box.</b>	<input type="checkbox"/> Support	<input checked="" type="checkbox"/> Oppose	
Please write a brief overview of you 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.			
Additional space provided overleaf if required. Please tick box if continued overleaf <input type="checkbox"/>			

# Community Home – 362 Abernethy Road, Cloverdale

19 March 2024 Agenda Briefing Forum

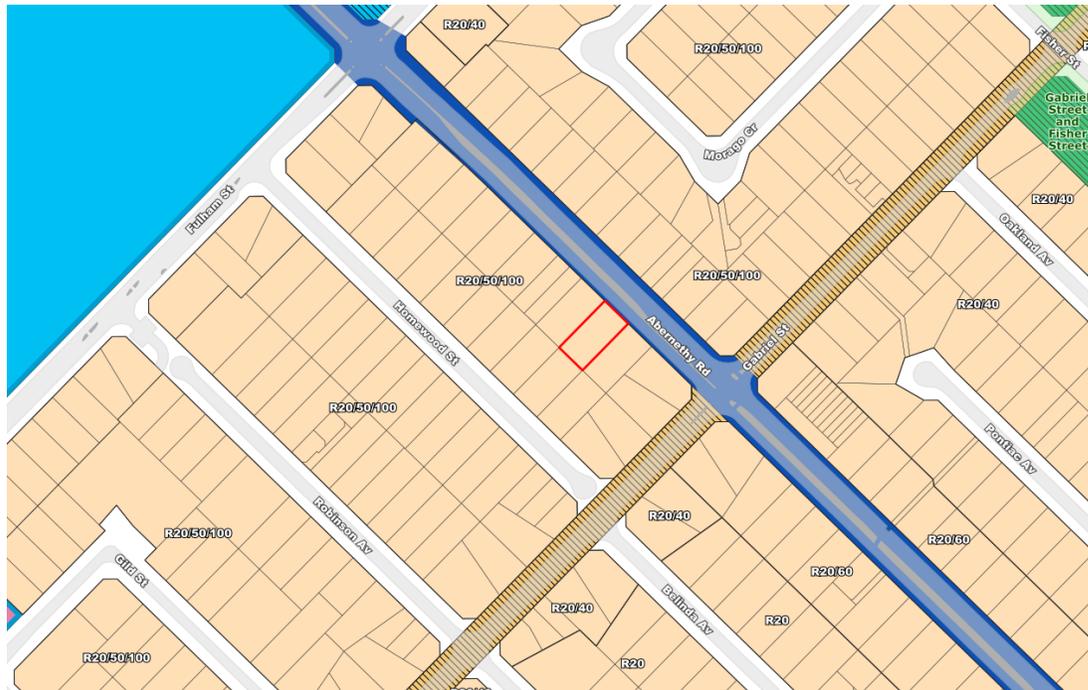


City of  
**Belmont**



City of  
Opportunity

## Extract from Local Planning Scheme Map Illustrating Zoning of Subject Site and Surrounds



Zoning: Residential R20/50/100

- ◀ Special Development Precincts
  - ◀ Special Control Area - Development area
  - ◀ Special Control Area - Development Contribution Area
  - ▲ Ascot Waters special development precinct
  - ▲ The Springs special development precinct
  - ▲ Belvidere Main Street special development precinct
  - ▲ Belgravia parklands special development precinct
  - ▲ Inverlooy estate special development precinct
- Zones and Reserves (Region Scheme)
  - Other regional roads
  - Parks and recreation
  - Primary regional roads
  - Public purposes
  - Railways
  - Waterways
- Zones and Reserves (Local Planning Scheme)
  - Civic and cultural
  - Commercial
  - Industrial
  - Local roads
  - Mixed business
  - Mixed use
  - Parks and recreation
  - Place of public assembly
  - Public purposes
  - Residential (R20 density unless otherwise shown)
  - Residential and Stables
  - Service Station
  - Town Centre

## Location Plan



## Key Features



- The construction of the 'Community Home' consisting of:
  - 9 Specialist Disability Accommodation (SDA) units;
  - 1 On-site Overnight Assistance (OOA) unit at ground floor;
  - 8 residents car parking spaces;
  - Roof top communal open space with planting;
  - Separate bin and bike stores at ground floor; and
  - Landscaping

## Operation of the Community Home



- 9 SDA units are designed to be compliant and exceed the National Disability Insurance Scheme requirements.
- The development includes one Overnight Assistance Unit at the ground floor for a permanent onsite staff/carer.
- These activities align with the 'Community Home' land use.

## Consultation



Advertised to neighbouring properties from 15 to 31 January 2024.

One submission was received during the advertising period.

Issues raised in submissions include:

- Overshadowing impacts on adjoining solar panels.
- Visual privacy impacts on adjoining properties.
- Concerns that bin collection will impact traffic along Abernethy Road.

## Building Height



Total building height of 17.1m in lieu of 15m (shown in red)

- The staircase, lift core and storeroom are the sections that exceed 15m. The substantive building complies.
- The building height is consistent with the desired future character of the area.
- Overshadowing complies.
- Located towards the front of the building and generally presents as a four-storeys building.
- Setback 3 metres to the south-eastern boundary as per the minimum setback specified in the R-Codes.

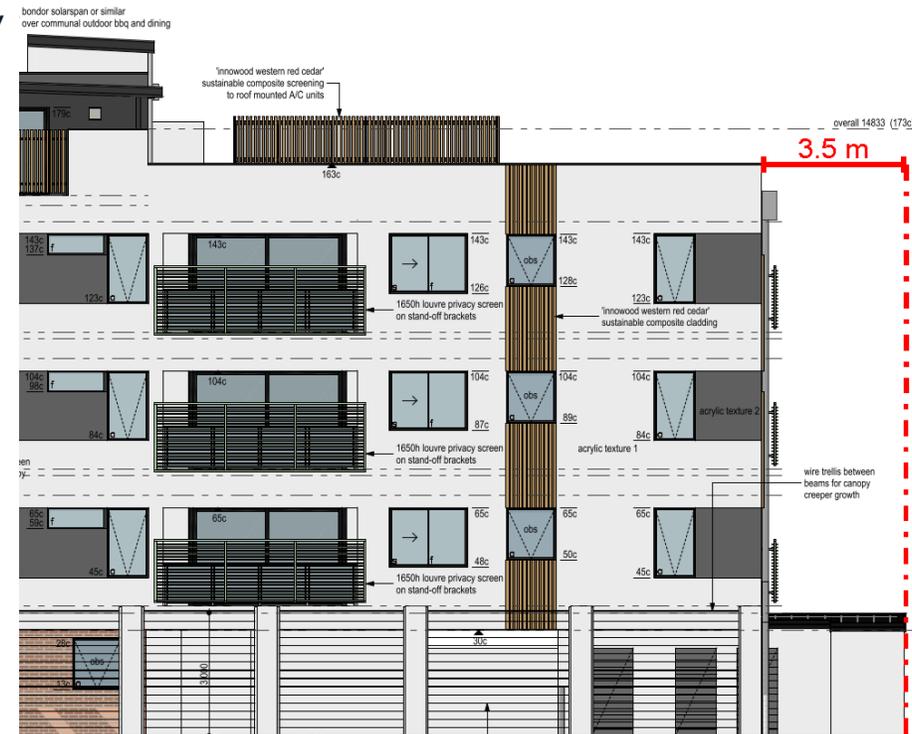


## Rear Setback



Setback 3.5m in lieu of 6m to rear boundary (dashed red line)

- Element objectives of the R-Codes are achieved:
  - Overshadowing accounts for 5.3% of the adjoining site area (19 Homewood Street), which is less than the 50% maximum
  - The building setback is consistent with the emerging character of the area, which is shown on 21 Homewood Street.
  - Rear interface is articulated by way of window openings with a mix of render, cladding and screening materials of various colours



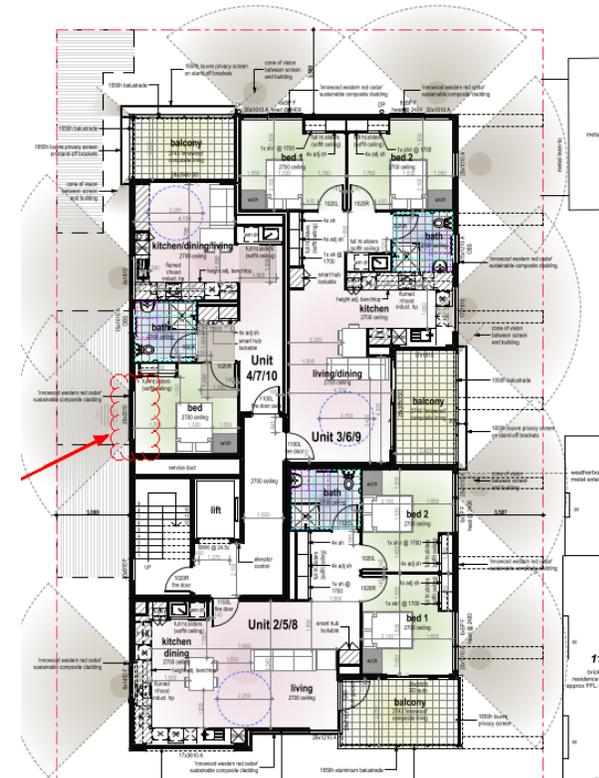


## Visual Privacy



### Visual privacy setback to 360 Abernethy Road and 19 Homewood Street

- Side facing bedroom and kitchen windows overlook onto the driveway and garage area of 360 Abernethy Road.
- Rear facing bedroom windows overlook onto the open space area of 19 Homewood Street featuring outbuilding and planting.
- Therefore, screening is not recommended.



## Overshadowing



- Local Planning Policy (LPP) No. 1 requires the shadow of a development not exceed 50% of an adjoining property at midday on 21 June.
- Resulting shadow casts onto the adjoining properties do not exceed 50% of the respective properties.
- Overshadowing does not impact on the existing solar panels of 21 Homewood Street.



## Summary



- The proposal is considered consistent with LPS 15, the R-Codes and LPP 1.
- Officers recommend approval subject to conditions.

# Thank you

Acting Coordinator Planning, Brandon Pang





# 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.

Public Submission Time and Deputation Proforma			
<b>Name</b>	Lisa Hollands		
<b>Address</b>	2 Miller Ave Redelf		
<b>Business, Organisation or Group (if presenting on behalf of)</b>	<del>Deputate</del>		
<b>Agenda Briefing Forum Date</b>	19/3/2024	<b>Reported Item No. referred to</b>	12.9.
<b>Please tick the appropriate box 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 Officer Recommendation? Please tick appropriate box.</b>	<input type="checkbox"/> Support	<input checked="" type="checkbox"/> Oppose	
Please write a brief overview of you 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.			
<p>Speaky against officers recommendation for AEM.</p>			
Additional space provided overleaf if required. Please tick box if continued overleaf <input type="checkbox"/>			

## 7 Matters for which the meeting may be closed

### Note:

The Presiding Member advised that in accordance with Section 5.23(2)(e)(iii) and Section 5.23(2)(a) of the Local Government Act 1995 (WA) in order to discuss Confidential Items 14.1 and 14.2, Council will need to go behind closed doors.

8.00pm Sessions moved, Davis seconded that in accordance with Section 5.23(2)(e)(iii) and Section 5.23(2)(a) of the *Local Government Act 1995 (WA)*, the meeting proceed behind closed doors to discuss Confidential Items 14.1 and 14.2.

Carried 8 votes to 0

Six Members of the public gallery departed the meeting.

### OCM Item 14.1

#### Rates penalty write off - Kewdale Freight Terminal

##### Deputation Presentation

Nil.

##### Officer Presentation

Nil.

##### Notes from Forum

Nil.

##### Further Information to be Provided

Nil.

8.02pm The Director Infrastructure Services, Director Development and Communities, Manager Finance and Governance Officer departed the meeting.

Cr Sessions disclosed at Item 3 of the Programme “Disclosure of Interest” an Impartiality Interest in the following item in accordance with Regulation 22 of the *Local Government (Model Code of Conduct) Regulations 2021*.

Mr Christie disclosed at Item 3 of the Programme “Disclosure of Interest” an Impartiality Interest in the following item in accordance with Clause 6.20 of the City of Belmont Code of Conduct - Employees.

## **OCM Item 14.2**

### **Staff Matter - Chief Executive Officer Interim Review 2023-24**

#### **Deputation Presentation**

Nil.

#### **Officer Presentation**

Nil.

#### **Notes from Forum**

Nil.

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

Nil.

**8.04pm Davis moved, Kulczycki seconded, that the meeting again be open to the public.**

**Carried 8 votes to 0**

For: Davis, Kulczycki, Marks, Rossi, Ryan, Sekulla, Sessions and Vijay

Against: Nil

**8.04pm The meeting came out from behind closed doors. No members of the public returned to the meeting.**

**8.04pm The Director Infrastructure Services, Director Development and Communities, Manager Finance and Governance Officer returned to the meeting.**

## **8 Closure**

**There being no further business, the Presiding Member thanked everyone for their attendance and closed the meeting at 8.05pm.**