



City of Belmont

Tabled Attachments

Agenda Briefing Forum

Held

20 August 2019





Agenda Briefing Forum

20/08/19

Item 5.1 refers

Tabled Attachment 1

Public Submission
Ms L Hollands





City of Belmont

PUBLIC SUBMISSION TIME & 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: Lisa Hollands
 Residential Address: 2 Miller Ave Redcliffe
 Organisation Name: _____
 (If presenting on behalf of) BRAC

Agenda Briefing
 Forum Date: 20/8/2019

Report Item No.
 referred to: _____

Are you speaking in support or opposition to the
 matter? Please tick appropriate box.

Support ☐

Oppose ☐

PLEASE TICK THE APPROPRIATE BOX BELOW TO INDICATE WHAT TYPE OF PRESENTATION YOU WISH TO MAKE.

SUBMISSION ☐ / DEPUTATION ☐

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.

Item 12.6 Response to Select Committee

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

Signature: _____ Dated: _____

OFFICE USE ONLY:

Presented Forum Date: _____ Item Number: _____



Agenda Briefing Forum

20/08/19

Item 12.1 refers

Tabled Attachment 2

Deputation
Mr A Lohman



City of Belmont

Public Submission Time & 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: Aaron Lohman, Richard Pappas and Tony Galluccio
 Residential Address: Lvl 18 / 191 St Georges Terrace Perth
 Organisation Name: _____
 (If presenting on behalf of) Applicant

Agenda Briefing Forum Date: 20/08/19 Report Item No. referred to: 12.1

Are you speaking in support or opposition to the matter? Please tick appropriate box. Support ☒ Oppose ☐

Please tick the appropriate box below to indicate what type of presentation you wish to make.

Submission ☐ / Deputation ☒

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.

Refer to attached.

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

Signature: 

Dated: 20/8/19

Office Use Only:

Presented Forum Date:

Item Number:



Public Submission Time & Deputation Proforma

Continued

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

- 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.
- 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.
- 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.
- d) Only submissions/deputations that relate to a specific item of the Council agenda will be accepted.
- e) Prior to making a submission/deputation, the person is to give their name and residential address.
- f) Submissions and deputations are to be directed through the chair, with the Presiding Member having the discretion of accepting or rejecting a presentation.
- g) As per Council's standing orders, no debating of the issue between the gallery, Councillors or officers is permissible.
- 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.
- 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.
- j) Public Submission Time is set for a period of 30 minutes, and will terminate earlier should no further submissions be forthcoming.
- 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.
- 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.
- 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.
- 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.
- 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) 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.
- 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.

Deputation Summary

Introduction

Speaking in favour of the Officers recommendation and to address objections raised as part of the public consultation process.

Background

The Serviced Apartments subject of the Agenda Report were previously managed by Assured Ascot Quays (AAQ), however AAQ have gone into liquidation. As such the landowners of the subject site have resolved to change the use of the building from Serviced Apartments to Multiple Dwellings to provide the ability to rent, or permanently occupy the apartments. The permanent occupation of the apartments has been the long term aspiration of many of the landowners.

Agenda Report

At this juncture we advise Council that we are in support of the Officers recommendation for approval, and thank the Officers for their assistance to date with the proposal.

We note however there are a number of objections that have been received, and we seek to address these matters as follows.

Objection

Premises currently approved for short term use and we are not convinced all owners want to change to permanent residential.

A resolution has been passed by the Strata Company to support the change of use Application currently before Council. The resolution of the Strata Company was without objection. The Strata Company has also contacted landowners separately on several occasions to ensure that all landowners were aware of the proposal and to address any concerns that may arise. As such the owners have been given the opportunity to object to the proposed change of use.

Only one landowner has requested that they not be included in the change of use, due to their financial circumstances. As such this landowner's apartment has been removed from the proposal.

Finally, a further decision to act on the approval will be required by the Strata Company. At this stage any concerns of strata owners can be addressed. This process is separate to the Development Approval process.

Objection

Concerns the change of use will impact on the fully operational restaurant, conference and catering facility, with a hotel reception and all of the associated back office functions.

At the time of lodgement of the Application there was no fully operational restaurant or function facility, nor is either currently operating. The restaurant and function facilities operating from the subject site were closed approximately 18 months ago.

A new restaurant (the Maroosh Lebanese) has leased the previous restaurant facilities and is only weeks away from opening. The Ascot Quays Council of Owners has welcomed this new endeavour and has worked closely with the Leasee to become operational as soon as the Liquor License is granted. The restaurant Lessee has confirmed in writing they have no objection to the proposed Change of Use (refer to the attached).

Objection

The land is unsuitable for the type of development proposed as the units are designed for short term tenancy / hotel guests and thus they are below the usual standard of long-term residential accommodation. They will be rented out at a cheaper price due to the lower standard of accommodation and will result in a low level of amenity for the occupants and entire building.

The development is of a standard that can accommodate permanent residential development. That is adequate car parking, storage, private open space and communal open space is provided in accordance with State Planning Policy 7.3 Residential Design Codes – Volume 2 Apartments (SPP7.3). The subject site has substantial amenity with views of the Swan River and large communal open space areas.

The Officers concur, as outlined in the Agenda Report, that the existing apartments are suitable for permanent residential accommodation as the apartments have fully equipped kitchen, laundries, bedrooms and bathroom(s), a lounge / dining area and private open spaces. At this juncture it is also noted that Council has already approved the change of use of two of the former Service Apartments to Multiple Dwellings.

Objection

Concerns regarding maintenance of the building resulting in decline of amenity as the number of people within the building will increase rapidly with the only management being a strata committee that meets at irregular intervals.

In respect to this objection it is important to acknowledge that maintenance and upkeep of the building has been managed by the Strata Company since 2017. Thus, the Strata Company are well equipped to manage the property.

Objection

The units lack adequate wall thickness, storage space or the parking required to be consistent with residential dwelling policies.

In respect to wall thickness we understand that this is a comment in respect to the dividing walls between the apartments and noise transmission and is a repeated objection received as part of public consultation process undertaken by the City. It is important to note that the dividing walls between the apartments are double brick in construction with acoustic treatment to party wall to reduce noise transmission. Further, we are unaware of any complaints being received in respect to noise transmission.

As noted on page 16 of the Agenda Report that subsequent to a Development Approval of the proposal a change of classification of the dwellings from Class 3 to Class 2 would be required under the Building Code of Australia. Thus, noise attenuation is required to be addressed at this stage, and any further amelioration measures, if required, be put in place.

Objection

Concerns regarding depreciation in value of the properties within the Ascot Cove (AC) Strata complex due to influx of a large number of apartments within the Ascot Quays (AQ) complex onto the real estate market.

Whilst it is acknowledged that the proposal will introduce more permanent residential accommodation, depreciation in the value of properties within the Ascot Cove Strata Complex is not a relevant planning consideration. This position is affirmed in the Agenda Report.

Furthermore, it is not proven that an introduction of further permanent residential accommodation will result in a reduction in property values.

Objection

As a replacement hotel manager is due to commence operating the property as Serviced Apartments, as well as an independent Restaurant to commence operation at the premises, it seems particularly inappropriate under those circumstances to consider allowing a vastly inferior use of the property, for which it was not designed.

A proposal for the replacement of a Short Stay Operator for the property was dismissed at an EGM of owners following the liquidation of the previous Short Stay Operator. A Short Stay Operator has not been appointed for the building by the Strata Company and none is under consideration. Furthermore, it is not proven that permanent residential accommodation is vastly inferior to serviced apartment. Thus, this objection should be dismissed.

Conclusions and Questions

The subject site has excellent amenity being located adjacent to the Swan River with expansive abutting communal open space and access to high frequency public transport. This makes the subject site ideal location for permanent residential development.

In respect to objections raised at least one car parking bay is provided per apartment (with some being allocated two bays) in accordance with SPP7.3 and visitor parking is further provided. In terms of storage a private storage space is provided for each apartment and the Applicant has also agreed to provide an additional communal storage area for larger items which will be managed by the Strata Company. Therefore, there is considered to be no issues with residential car parking or storage.

Whilst objections have been received against the proposal it can only be seen that permanent residential occupation will bring a benefit to the local community offering a permanent residential population and catchment for local services, such as the ground floor restaurant.

Finally, we note that the City's Officers have supported the proposal, and we seek Councillors support for the same.



Agenda Briefing Forum

20/08/19

Item 12.1 refers

Tabled Attachment 3

Change of Use – Serviced Apartments to Multiple Dwellings and Grouped Dwellings Presentation



City of Belmont

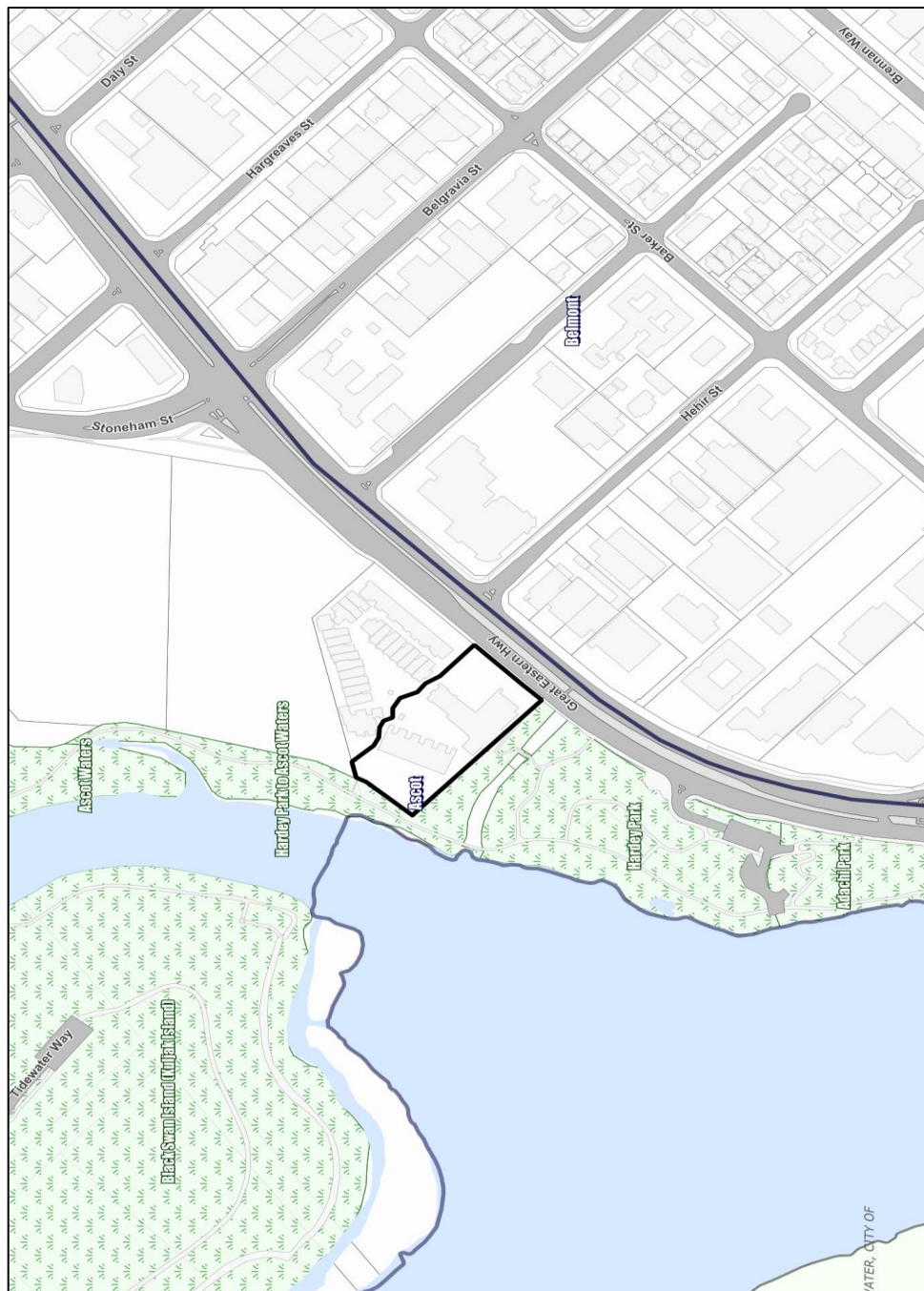
Agenda Briefing Forum

20 August 2019

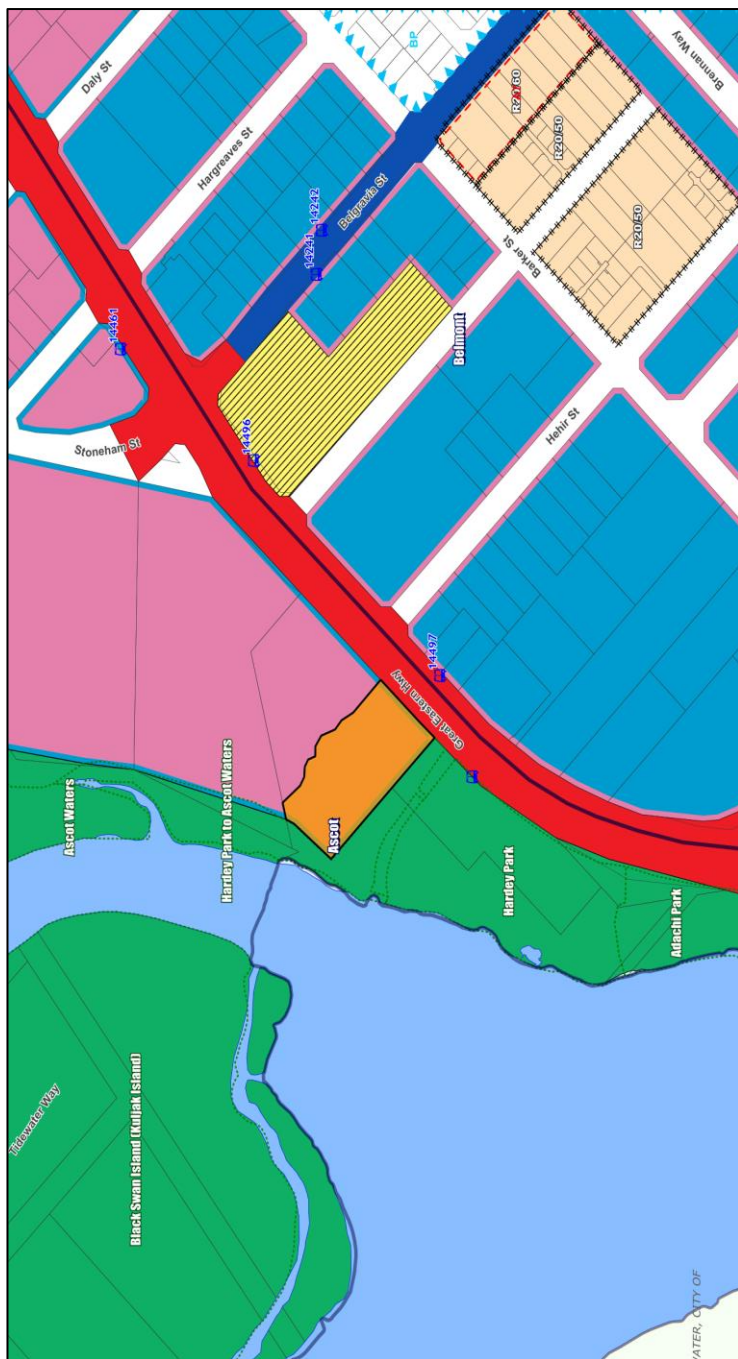
Item No 12.1

**Change of Use – Serviced Apartments to Multiple
Dwellings and Grouped Dwellings**





Extract from Local Planning Scheme Map Showing Zoning of Subject Site and Surrounding Zonings



Aerial of Subject Site



Aerial of Subject Site



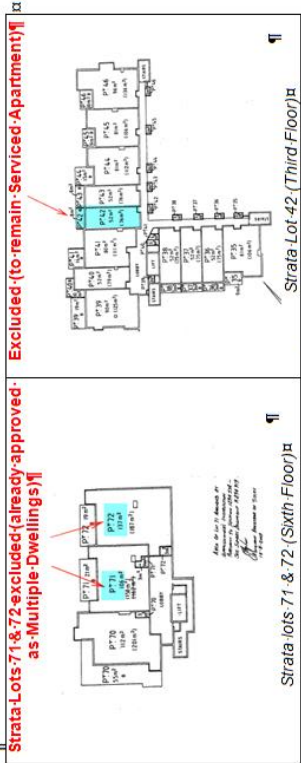


81 letters sent to adjoining property, 152 Great Eastern Highway.

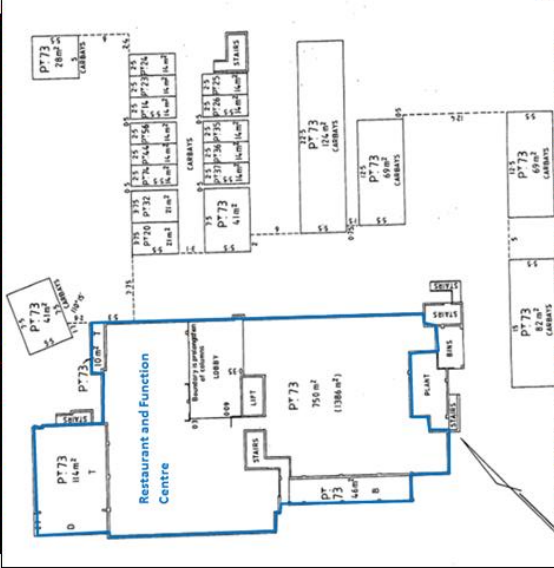
13 objections received:

- Amenity
- Design of the development i.e. wall thickness
- Car parking
- Storage
- Waste collection
- Use of common areas

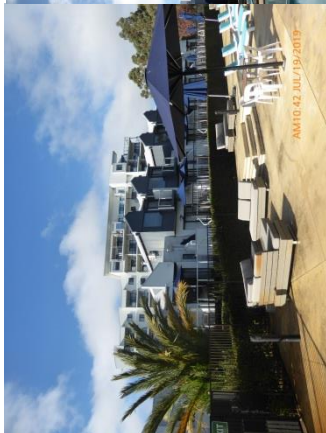
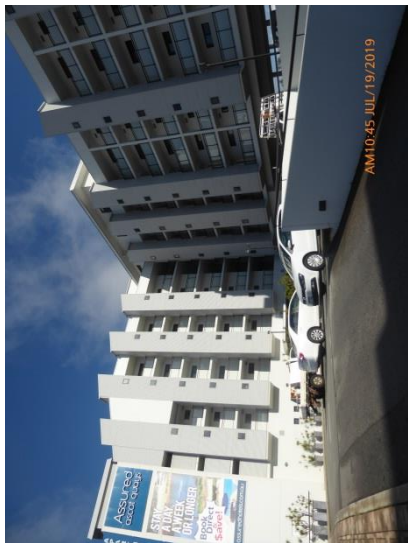
Strata Plan – lots excluded



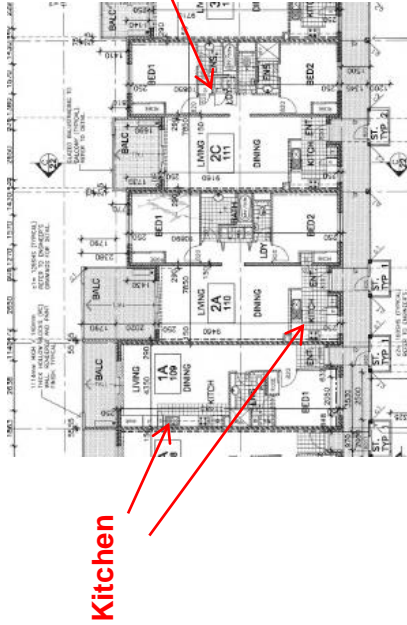
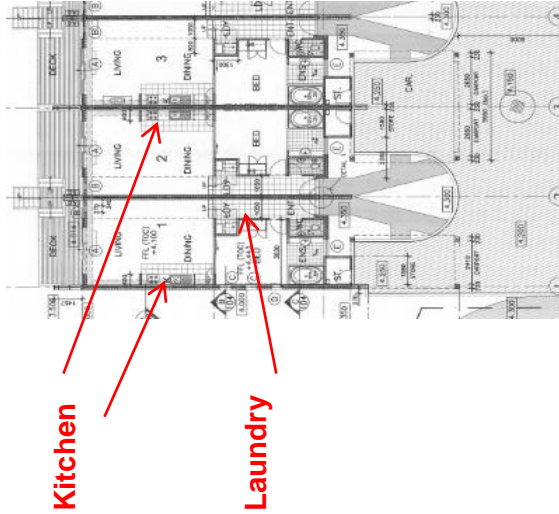
Strata Lot 73 excluded (to remain Restaurant and Function Centre)



Photos



Amenity



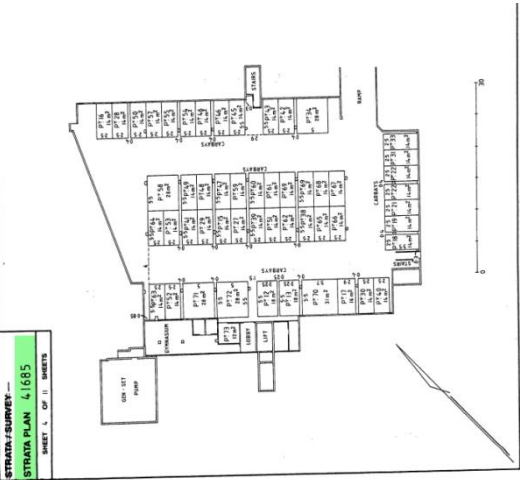
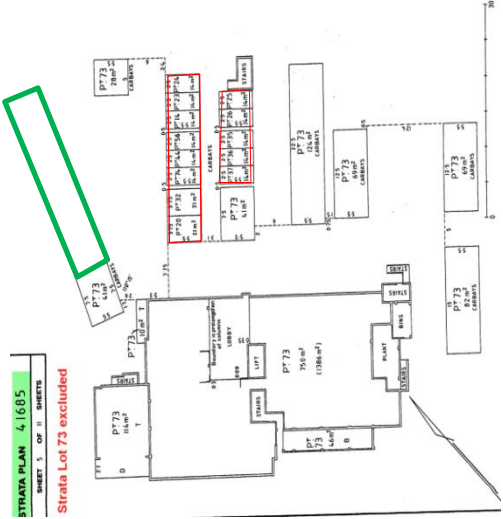
TA19

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Assessment State Planning Policy 7.3 - Parking

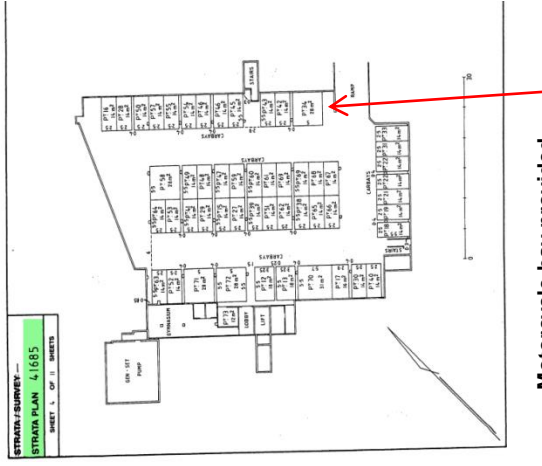


Ground floor parking - 13 bays allocated plus 33 bays Restaurant/Function centre

Basement parking – all allocated



Assessment State Planning Policy 7.3 – Motorcycle & Bicycle Parking



Motorcycle bay provided



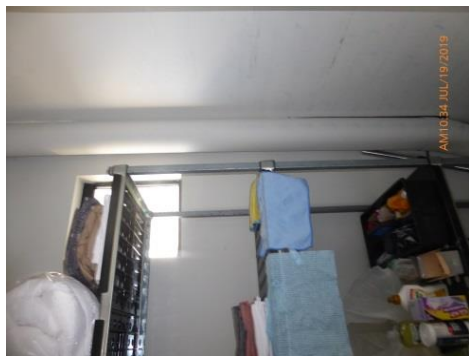
8 bike hooks to be located in the gymnasium

2 bike hooks to be located in the common area store located on levels 1 to 5
bike hooks to be provided in each store room.

Assessment State Planning Policy 7.3 – Storage

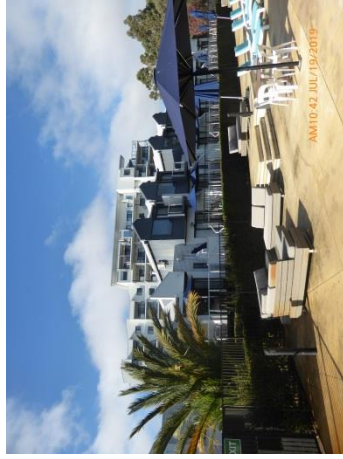
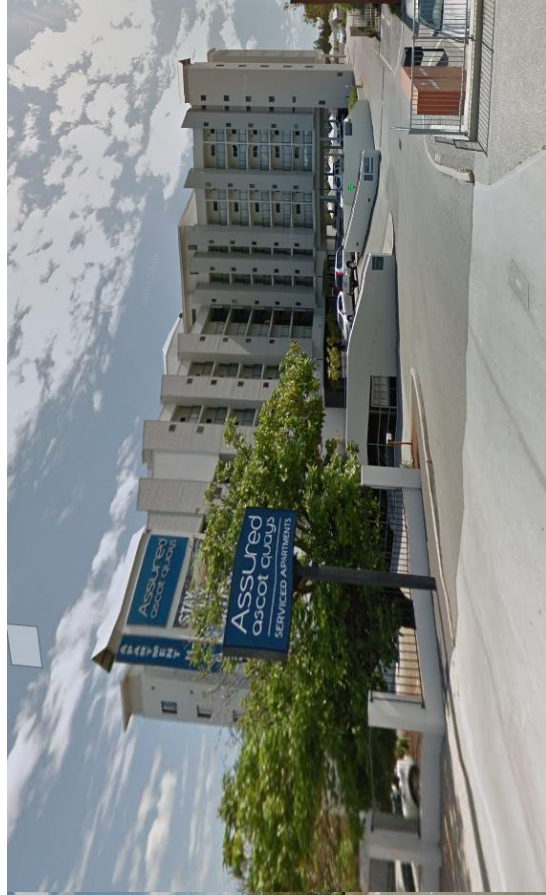
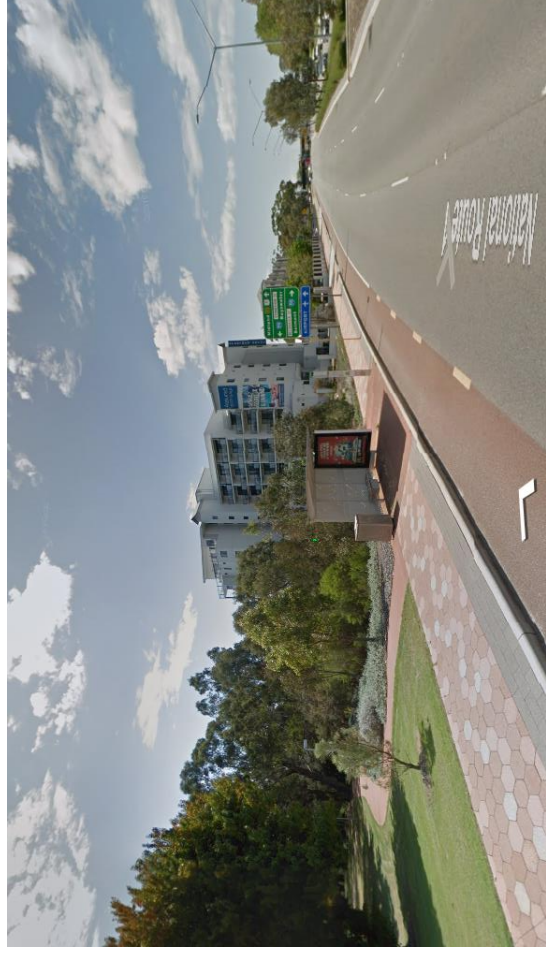


Communal Store



Waste Management







Agenda Briefing Forum

20/08/19

Item 12.2 refers

Tabled Attachment 4

**Change of Use – Single
House & Ancillary Dwelling
to Community Home
Presentation**



City of Belmont

Agenda Briefing Forum

20 August 2019

Item No 12.2

**Change of Use – Single House & Ancillary
Dwelling to Community Home**



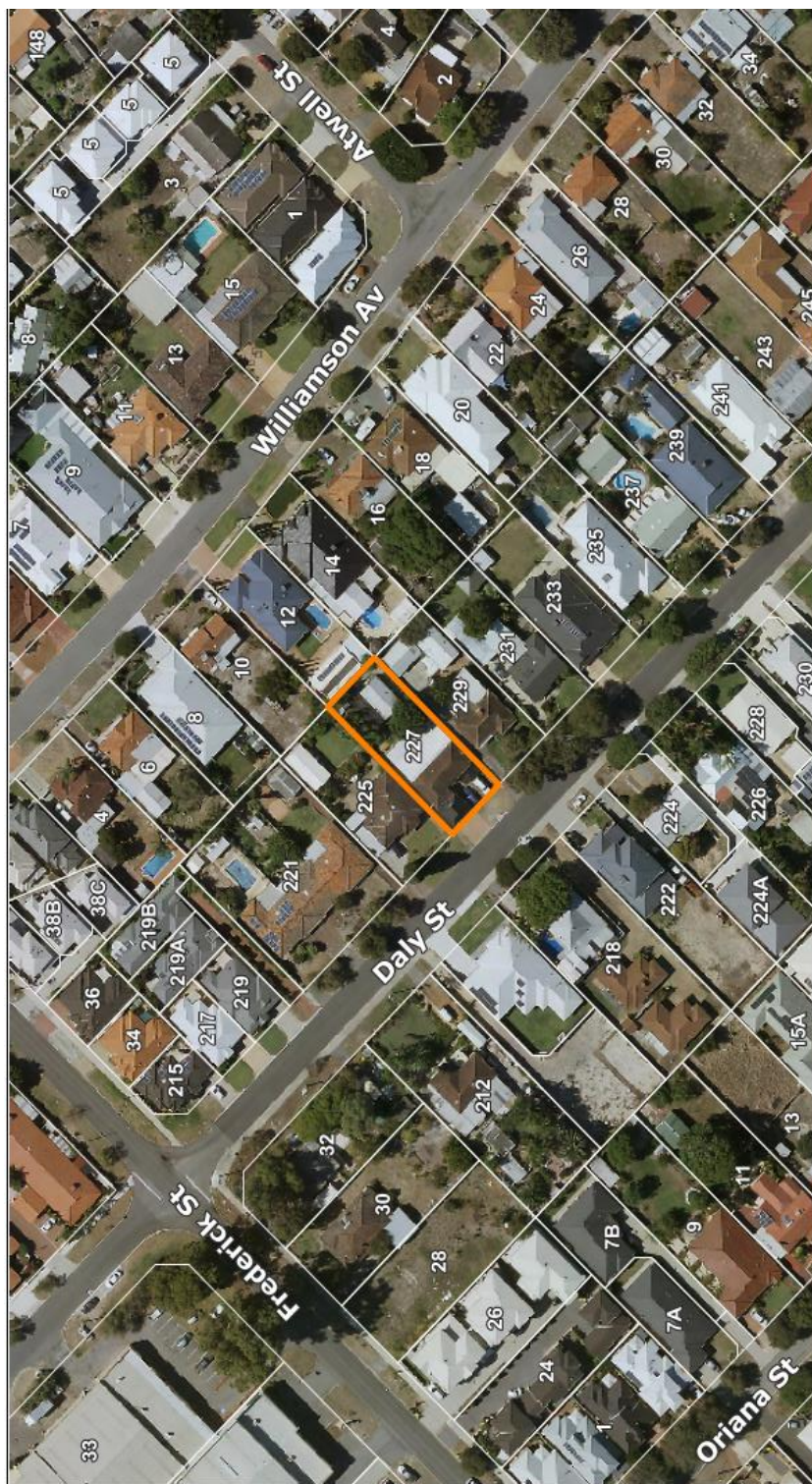
Location Plan



zoning of subject site & surrounding zonings



Aerial of subject site



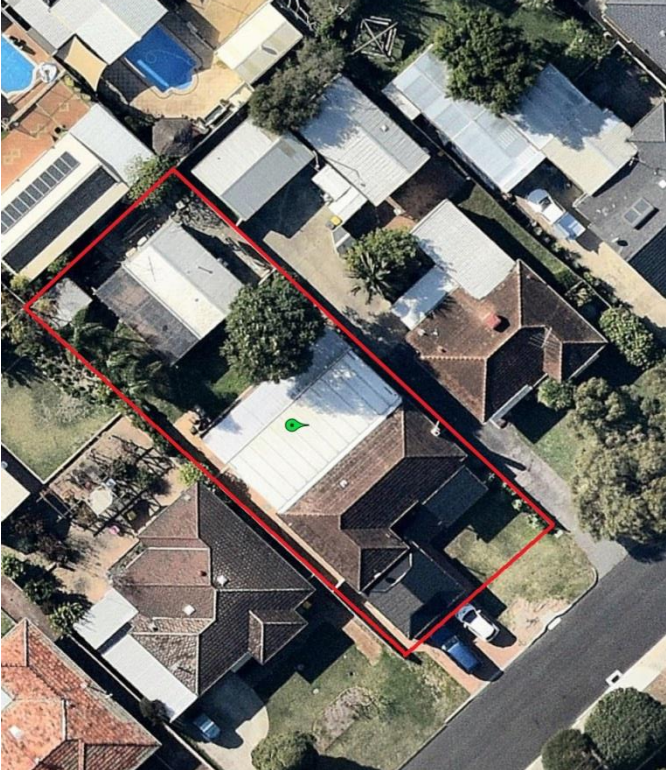
3 Objections received relating to:

- Noise
- Traffic and parking
- Safety and wellbeing of surrounding properties



Referral Plan

- Premises to comply with the Environmental Protection (Noise) Regulations 1997.
- Preparation and implementation of a Management Plan
 - Management practices by Uniting Care West to ensure activities do not cause nuisance or impact on the amenity of the locality.
 - Complaints management procedures.
 - Phone and email addresses of carers to be provided to adjoining neighbours.
- Parking
 - 4 bays required.



➤ Parking

Conclusion.

Community Home is consistent with the objectives, purpose and intent of the Residential zone and will provide accommodation for a specific group of people in need.

Approve subject to conditions including:

- No more than 4 tenants and 2 carers at the property at anyone time.
- Management plan to be prepared and implemented.

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