

Agenda Briefing Forum

Matrix

21 March 2023

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 (12.9) 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 Chamber, City of Belmont Civic Centre, 215 Wright Street, Cloverdale on Tuesday 21 March 2023 commencing at 7.00pm.

Matrix

Present

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

In attendance

Mr S Downing	Acting Chief Executive Officer
Ms J Gillan	Director Development and Communities
Ms M Reid	Director Infrastructure Services
Ms A Bird	Acting Director Corporate and Governance
Mr M Hayward (dep. 7.27pm)	Manager Design, Assets and Development
Mr J Bidwell (dep. 7.27pm)	Manager City Projects
Mr S Reeves	Manager Parks, Leisure and Environment
Mr S Morrison	Manager Works
Mr W Loh	Manager Planning Services
Ms M Lymon	Governance and Compliance Adviser
Ms L Chaplyn	Coordinator Media and Communications
Ms M Phillips	Governance Officer

Members of the gallery

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

I Official Opening

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

The Presiding Member read aloud the Acknowledgement of Country.

Acknowledgement of Country

Before I begin, I would like to acknowledge the Whadjuk Noongar people as the Traditional Owners of this land and pay my respects to Elders past, present and emerging.

I further acknowledge their cultural heritage, beliefs, connection and relationship with this land which continues today.

The Presiding Member invited Cr Sessions to read aloud the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers. Cr Sessions read aloud the affirmation.

Affirmation of Civic Duty and Responsibility

I make this affirmation in good faith and declare that I will duly, faithfully, honestly, and with integrity fulfil the duties of my office for all the people in the City of Belmont according to the best of my judgement and ability.

I will observe the City's Code of Conduct and Standing Orders to ensure efficient, effective and orderly decision making within this forum.

2 Apologies and leave of absence

Cr M Bass (apology)	East Ward
Cr G Sekulla (leave of absence)	West Ward
Mr J Christie (apology)	Chief Executive Officer

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

Nil.

4.2 Disclaimer

7.02pm 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

5 Public submission time

7.03pm The Presiding Member opened the period allotted for Public Submission Time and drew the gallery's attention to the Rules for Public Submission Time.

7.03pm The Presiding Member closed Public Submission Time as no submissions were received.

6 Ordinary Council Meeting Agenda for meeting to be held on 28 March 2023

6.1 Agenda items for review

OCM Item 12.1

Submission on Proposed Metropolitan Region Scheme Amendment 1399/57 - Lots 185-196 Hay Road, Ascot

Deputation Presentation

Ms D Ransome spoke against the Officer Recommendation.

Officer Presentation

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

- Location Plan
- MRS Map
- Proposed Amendment
- Coordination of Local and Region Scheme Amendments
- Swan and Canning River Development Control Area
- Site Contamination
- Environment
- Swan River Buffer - 50m
- Amendment Classification
- Officer Recommendation

(Refer Tabled Attachment 6.1.1 for further information).

Notes from Forum

- There would be a number of considerations impacted by the buffer zone, visual amenity and environmental impacts such as drainage and contours.
- The Swan and Canning River Development Control Area is administered through the Department of Biodiversity, Conservation and Attractions which is the administration for the Swan River Trust.
- The Swan and Canning River Development Control Area includes various levels of control. If the Development Control Area were amended to align with the boundaries of the Metropolitan Regional Scheme (MRS) Parks and Recreation Reserve, development on lots abutting that boundary would need to be referred to the Swan River Trust. If the development lot was

OCM Item 12.1

Submission on Proposed Metropolitan Region Scheme Amendment 1399/57 - Lots 185-196 Hay Road, Ascot

straddling the Swan River Trust Control Area then the next level of control comes in where it is to be determined by Western Australian Planning Commission. If it was wholly within the Swan River Development Control Area then it goes to the Swan River Trust. The logic is that if the land was zoned as Urban there should not be a need for it to also fall under the Development Control Area. Generally, where the City finds property straddling the Development Control Area is where those properties also straddle the MRS, Parks and Recreation Reserves.

- The Planning Regulations introduced development zones, under the City's Local Planning Scheme there is Residential Zone, Mixed Use Zone, Mixed Business Zone, but the City does not have a Development Zone. The Regulations that came into effect in 2015 introduced a new zone called Development, they also introduced a Centre Zone, what the City refers to as Commercial or Town Centres Zones.
- Mixed Zones are not Development Zones for the purposes of what the regulations state as standard zones. The regulations aim to establish standardisation across all local governments, so they are seeking local governments to amend or update their planning schemes so there is residential, mixed use and development zoning. The City's Scheme came in before the Regulations and amendment to the Scheme will be considered as part of the next review.

Further Information to be Provided

Nil.

OCM Item 12.2

Faulkner Civic Precinct - Ornamental Lakes Project Business Case

Deputation Presentation

Nil.

Officer Presentation

Nil.

**OCM Item 12.2
Faulkner Civic Precinct - Ornamental Lakes Project Business Case**

Notes from Forum

Nil.

Further Information to be Provided

Nil.

**OCM Item 12.3
Tender 14/2022 - Supply, Installation and Maintenance of Bores and Pumps**

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

Nil.

Further Information to be Provided

Nil.

**OCM Item 12.4
Internal Audit Report**

Deputation Presentation

Nil.

**OCM Item 12.4
Internal Audit Report**

Officer Presentation

Nil.

Notes from Forum

Nil.

Further Information to be Provided

Nil.

**OCM Item 12.5
Appointment of Western Australian Electoral Commission to Conduct City
of Belmont Elections by Postal Vote Method**

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

Nil.

Further Information to be Provided

Nil.

**OCM Item 12.6
2022-2023 March Budget Review**

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

Nil.

Further Information to be Provided

Nil.

7.27pm The Manager City Projects and the Manager Design, Assets and Development departed the meeting and did not return.

**OCM Item 12.7
Request for Rate Exemption - WA Squash - 146 Robinson Avenue, Belmont**

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

- WA Squash is a private club therefore it does not qualify under the public purpose test to be eligible for an exemption.
- WA Squash would try to attract various people to use their facilities.

OCM Item 12.7

Request for Rate Exemption - WA Squash - 146 Robinson Avenue, Belmont

- WA Squash and the Tennis Club are very similar. The Tennis Club are charged rates and then receives a grant from the City equal to the rates amount.

Further Information to be Provided

Nil.

OCM Item 12.8

Statutory Compliance Audit Return 2022

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

Nil.

Further Information to be Provided

Nil.

OCM Item 12.9
Council Policy - Complaints Management

Deputation Presentation

Ms L Hollands spoke against the Officer Recommendation.
(Refer Tabled Attachment 6.1.2 for further information).

Officer Presentation

Nil.

Notes from Forum

- Each case is judged on its merits depending on what the matter is, any actions required and how it can be resolved.
- There is an example that occurred last year which all Councillors were copied into the correspondence. The customer was advised that their behaviour was deemed unreasonable, and they were only restricted by who they could deal with at the City. There was no restriction on access to City services.

Further Information to be Provided

- The Acting Chief Executive Officer undertook to provide an amendment to the Officer Recommendation to include within the Policy that Councillors are provided with information about customers where unreasonable customer conduct has been determined and any penalties that have been applied.

OCM Item 12.10
Accounts for Payment - February 2023

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

Nil.

**OCM Item 12.10
Accounts for Payment - February 2023**

Further Information to be Provided

Nil.

**OCM Item 12.11
Monthly Activity Statement for February 2023**

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

Nil.

Further Information to be Provided

Nil.

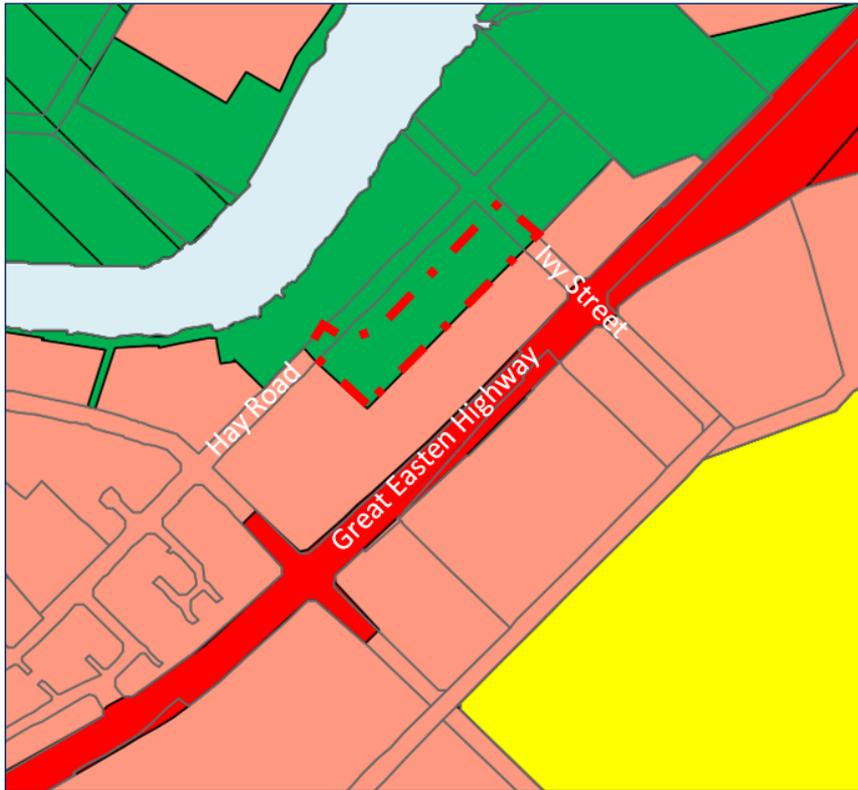
CITY OF BELMONT
Submission on Proposed
Metropolitan Region
Scheme Amendment
1399/57 - Lots 185-196
Hay Road Ascot



Location Plan



MRS Map



Metropolitan Region Scheme Legend	
Reserved lands	Zones
Parks and recreation	Central city area
Restricted public access	Industrial
Port installations	Special industrial
Railways	Private recreation
Civic and cultural	Rural
State forests	Rural - water protection
Waterways	Urban
Water catchments	Urban deferred
Reserved roads	Notice of delegation
Primary regional roads	Bush forever area
Other regional roads	
Public purpose reserves	Redevelopment schemes
Public purposes -	Redevelopment scheme/act area

Proposed Amendment



Coordination of Local and Region Scheme Amendments



- Applicant has requested for concurrent rezoning to 'Development' zone or similar.
- Development Area 9 Structure Plan.
- Inconsistent orderly and proper planning.

Swan and Canning River Development Control Area



- If Amendment gazetted – land will likely be removed from DCA.
- Should be WAPC’s responsibility
 - Encumbrance for future development.
- Hay Road – logical boundary.

Site Contamination

- Potentially contaminated site (asbestos dumping).
- DPLH remediation work.
- DWER reclassification request in progress.
- Amendment should not proceed until DWER consideration complete.

Environment



- Considerations generally addressed in future stages of planning.
- ‘Multiple Use’ wetland not identified in report.
 - Implications unclear
 - DPLH to address

Swan River Buffer – 50m



Amendment Classification

- Amendment classification is 'minor' for the following reasons:
 - Site is distinguished from the foreshore, the land has been fenced.
 - Not considered to impact on locality or wider district.
 - Proposed 'Urban' zone consistent with zoning of adjacent properties.
 - Land has been identified for development.

Officer Recommendation

- Endorse the submission on the MRS.
- Lodge submission with WAPC.

7 Matters for which the meeting may be closed

Note:

The Presiding Member advised that in accordance with Section 5.23(2)(a) of the *Local Government Act 1995* in order to discuss Confidential Item 14.1 - Staff Matter - Chief Executive Officer Interim Review 2022-2023, Council will need to go behind closed doors.

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

OCM Item 14.1 Staff Matter - Chief Executive Officer Interim Review 2022-2023

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

Nil.

Further Information to be Provided

Nil.

8 Closure

There being no further business, the Presiding Member thanked everyone for their attendance and closed the meeting at 7.57pm.