



City of Belmont

AGENDA BRIEFING FORUM

MATRIX

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22 October 2019

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TABLED ATTACHMENTS INDEX

- Tabled Attachment 1 – Item 5.1 refers
- Tabled Attachment 2 – Item 6.1 (12.1) refers
- Tabled Attachment 3 – Item 6.1 (12.1) refers

Councillors are reminded to retain the attached Ordinary Council Meeting Agenda (inclusive of the OCM Attachments) for deliberation at the meeting scheduled for 29 October 2019

MATRIX FROM THE AGENDA BRIEFING FORUM HELD IN THE COUNCIL CHAMBERS OF CITY OF BELMONT CIVIC CENTRE, 215 WRIGHT STREET, CLOVERDALE ON TUESDAY, 22 OCTOBER 2019 COMMENCING AT 7.00PM

**AGENDA BRIEFING FORUM
MATRIX**

PRESENT

Cr P Marks, Mayor (Presiding Member)	East Ward
Cr G Sekulla, JP, Deputy Mayor	West Ward
Cr M Bass	East Ward
Cr B Ryan	East Ward
Cr J Davis	South Ward
Cr J Powell	South Ward
Cr S Wolff	South Ward
Cr L Cayoun	West Ward
Cr R Rossi, JP	West Ward

IN ATTENDANCE

Mr J Christie	Chief Executive Officer
Ms J Gillan	Director Development and Communities
Ms AM Forte	Executive Manager People and Organisational Development
Mr J Olynyk, JP	A/Director Corporate and Governance
Mr M Ralph	A/Director Infrastructure Services
Mr W Loh	Manager Planning Services
Mr S Monks	Manager Finance
Ms M Lymon	A/Manager Governance
Ms C Gilbert (<i>dep 7.43pm</i>)	Senior Planning Officer
Ms J Barnes	Senior Governance Officer
Ms S D'Agnone	Governance Officer

MEMBERS OF THE GALLERY

There were three members of the public in the gallery and no press representative.

1. OFFICIAL OPENING

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

The Presiding Member read the Acknowledgement of Country.

Before I begin I would like to acknowledge the traditional owners of the land on which we are meeting today, the Noongar Whadjuk people, and pay respect to Elders past, present and future leaders.

The Presiding Member invited Cr Wolff to read aloud the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers. Cr Wolff 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 the efficient, effective and orderly decision making within this forum.

2. APOLOGIES AND LEAVE OF ABSENCE

Mr R Garrett (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
Mr John Christie	Item 12.4 Special Electors' Meeting Minutes – 16 September 2019: Live Streaming of Council Meetings and Access to the Chief Executive Officer's Contract. Nature of Interest: Item relates directly to the CEO contract.

4. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

4.1 ANNOUNCEMENTS

The Mayor made the following announcement:

'It is with regret that I announce this is the last Council meeting for Sue D'Agnone. I would like to thank her for all her help with Council during her seven years with the City.'

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.

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. One Public Submission was received.

7.03pm Having declared an Impartiality Interest in Item 6.1 (12.4), the Chief Executive Officer departed the meeting.

5.1 Ms L HOLLANDS, 2 MILLER AVENUE, REDCLIFFE ON BEHALF OF BELMONT RESIDENTS AND RATEPAYERS ACTION GROUP

Item 6.1 (12.4) – Audio Recording of Council Meetings and Access to the Chief Executive Officer's Contract

Ms Hollands spoke in opposition of the Officer Recommendation for Item 12.4 Special Electors' Meeting Minutes – 16 September 2019: Live Streaming of Council Meetings and Access to the Chief Executive Officer's Contract.

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

7.07pm The Presiding Member closed Public Submission Time.

7.07pm The Chief Executive Officer returned to the meeting.

6. ORDINARY COUNCIL MEETING AGENDA FOR MEETING TO BE HELD 29 OCTOBER 2019

6.1 AGENDA ITEMS FOR REVIEW

OCM Item 12.1

State Administrative Tribunal Matter – Retrospective Application for Approval of Structures and Land Use – Lot 22 (159) McDowell Street, Kewdale

Deputation Presentation

Mr P Mrdja, representing Urbanista Town Planning, spoke on behalf of the landowner of Lot 22 (159) McDowell Street, Kewdale.

(Refer [Tabled Attachment 2](#))

Officer Presentation

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

- Extract from Local Planning Scheme Map Showing Zoning of Subject Site and Surrounding Zonings
- Daddow Road Changes
- Aerial of Subject Site
- Site Plan
- Consultation Referral Area
- Referral to External Agencies
- Car Parking
- Industrial Activities and Storage
- Use of Building Setback Areas
- Building Setbacks from Boundaries
- Landscaping
- Outdoor Storage and Activities
- Officer Recommendation

(Refer [Tabled Attachment 3](#) for further information).

Notes from Forum

- The three metre landscaping strip will commence at the boundary line and proceed into the property.
- All industrial development applications assessed under the current City of Belmont Local Planning Scheme are required to incorporate a three metre wide landscaping strip along the primary street frontage.
- The landscaping strip has appeared on approvals for this property dating back to 1983.
- The Chief Executive Officer advised Councillors that the Executive Assistant Mayor/CEO can arrange a suitable date and time for a site visit of the property. This could possibly be 5pm on the day of the Ordinary Council Meeting.
- During development over time, car parking, vehicle manoeuvring and storage areas have not been constructed to the City's standards. These areas are to be constructed with the City's requirements to be consistent with other developments located within the industrial area and to control dust and ensure that sediment runoff into the City's drainage network does not occur.

OCM Item 12.1

State Administrative Tribunal Matter – Retrospective Application for Approval of Structures and Land Use – Lot 22 (159) McDowell Street, Kewdale

Item 12.1 Continued

- Over the years from 1983, and possibly earlier, unapproved development has occurred incrementally on the property. Scheme standards requiring landscaping on industrial properties are long established and apply to applications proposing additions and new development. In light of this, it is considered reasonable to impose the landscaping condition on this approval.
- It is advisable that all prospective purchasers carry out their due diligence and obtain all existing approvals prior to purchasing a property.
- Buildings have been developed on this site over a number of years without approval, and this was brought to light through a complaint. Standards must be applied and must be in line with what is required for other approvals in the industrial area.
- The retrospective development application has been ongoing for a number of years, with the City encouraging the landowner over this time to submit amended plans. It is not unusual for compliance matters to take five years or longer to be resolved. A new consultant has now been engaged with the intent of finalising the matter.
- When dealing with compliance, each site is unique in how it is dealt with and the City does not go straight to prosecution. This property has a long history and a great deal of research was required to fully understand the matter. Taking a matter straight to prosecution is not good for the business or the City. It is always the City's preference to get the applicant to comply with regulations, and in this case that process is almost complete.
- Requiring sites to be paved, sealed and drained is a standard condition that is applied to applications proposed throughout the commercial/industrial zone. The conditions recommended for this application are consistent with conditions imposed on other developments within the Kewdale Industrial Area.

Further Information to be Provided

Nil.

7.43pm The Senior Planning Officer departed the meeting and did not return.

The Presiding Member advised that in accordance with Section 5.23 of the *Local Government Act 1995* if there was any discussion or debate on the Confidential Attachments for Item 12.2, Council would need to go behind closed doors. As there were no questions on the confidential attachments, the meeting did not proceed behind closed doors.

OCM Item 12.2

Tender 10/2019 – Middleton Park Clubrooms Alterations and Additions

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

- The A/Director Infrastructure Services advised that Councillors and nearby residents will be kept abreast of all developments during the construction period.

Further Information to be Provided

Nil.

The Presiding Member advised that in accordance with Section 5.23 of the *Local Government Act 1995* if there was any discussion or debate on the Confidential Attachments for Item 12.2, Council would need to go behind closed doors. As there were no questions on the confidential attachments, the meeting did not proceed behind closed doors.

OCM Item 12.3

2019 Community Service Awards

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

Nil.

Further Information to be Provided

Nil.

7.44pm Having declared an Impartiality Interest in Item 12.4, the Chief Executive Officer departed the meeting.

OCM Item 12.4

Special Electors' Meeting Minutes – 16 September 2019: Live Streaming of Council Meetings and Access to the Chief Executive Officer's Contract

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

Nil.

Further Information to be Provided

Nil.

7.44pm The Chief Executive Officer returned to the meeting.

OCM Item 12.5

Western Australian Local Government Association (WALGA) State Council and Zone Structure and Process Review

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

Nil.

Further Information to be Provided

Nil.

OCM Item 12.6

2019-2020 October Budget Review

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

- Due to budget restrictions, it was not possible to erect structures over the Harman Park exercise equipment at the time of installation. This could be included for future budget consideration.
- User ease, including getting into and out of the buses, will be considered when the City prepares to purchase new buses.

Further Information to be Provided

Nil.

7.47pm At this point of the meeting Cr Davis asked a question relating to Item 12.4 - Special Electors' Meeting Minutes – 16 September 2019: Live Streaming of Council Meetings and Access to the Chief Executive Officer's Contract. Having declared an Impartiality Interest in Item 12.4, the Chief Executive Officer departed the meeting.

- The Presiding Member received clarification from Ms Hollands that the electors' resolution at the Special Electors' Meeting refers to audio livestreaming only and not video recording.

7.49pm The Chief Executive Officer returned to the meeting.

OCM Item 12.7

Accounts for Payment – September 2019

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

Nil.

Further Information to be Provided

Nil.

OCM Item 12.8

Monthly Activity Statement as at 30 September 2019

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

Nil.

Further Information to be Provided

Nil.

OCM Item 13.2

Notice of Motion (Cr Cayoun) – Audio and Video Recording of Council Meetings

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

- The Notice of Motion recommendation is that video and audio recording be captured and provided to residents, and does not refer to livestreaming.
- There are a number of Local Governments that livestream audio and visually, and Councillors are encouraged to log onto these Local Government's websites and access their livestreaming.
- When establishing the policy for audio recording public question time, Officers sought feedback through the Local Government Professionals Governance network. There were no instances indicated where other local governments had encountered any particular legal issues relating to livestreaming Council meetings.
- It is recommended that Council give careful consideration in developing a policy. There is no provision in the current budget for implementation of video recording of meetings. After a business case is prepared, including funding, Council will be required to allocate the necessary funds to undertake the process, possibly at the March 2020 budget review.

Further Information to be Provided

Nil.

7. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil.

8. CLOSURE

7.56pm The Presiding Member thanked all those in attendance and declared the meeting closed.