



City of Belmont

AGENDA BRIEFING FORUM

MATRIX

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3 December 2019

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TABLED ATTACHMENTS INDEX

Tabled Attachment 1 – Item 5.1 (12.2) refers
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Tabled Attachment 4 – Item 5.4 (12.3) refers
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Tabled Attachment 6 – Item 6 (12.1) refers
Tabled Attachment 7 – Item 6 (12.3) refers
Tabled Attachment 8 – Item 6 (12.3) refers
Tabled Attachment 9 – Item 6 (12.5) refers

Confidential Attachment 1 – Item 6 (12.7) refers

MATRIX FROM THE AGENDA BRIEFING FORUM HELD IN THE COUNCIL CHAMBERS OF CITY OF BELMONT CIVIC CENTRE, 215 WRIGHT STREET, CLOVERDALE ON TUESDAY, 3 DECEMBER 2019 COMMENCING AT 7.03PM

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 S Wolff	South Ward
Cr R Rossi, JP	West Ward
Cr J Powell	South Ward
Cr L Cayoun	West Ward

IN ATTENDANCE

Mr J Christie	Chief Executive Officer
Mr R Garrett	Director Corporate and Governance
Ms J Gillan	Director Development and Communities
Mr M Ralph	Acting Director Infrastructure Services
Mr J Olynyk, JP	Manager Governance
Mr V Popescu (<i>dep 9.23pm</i>)	Manager City Projects
Mr L Willcock (<i>dep 9.27pm</i>)	Manager Economic and Community Development
Mr W Loh (<i>dep 9.22pm</i>)	Manager Planning Services
Ms L Langford (<i>dep 9.04pm</i>)	Coordinator Design Projects
Mr M Somers (<i>dep 9.22pm</i>)	Coordinator Planning
Ms A Biondi (<i>dep 9.22pm</i>)	Senior Planning Officer
Ms J Barnes	Senior Governance Officer
Ms S Bartley	Governance Officer

MEMBERS OF THE GALLERY

There were 57 members of the public in the gallery and no press representatives.

1. OFFICIAL OPENING

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

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

Nil.

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)

4.1 ANNOUNCEMENTS

Nil.

4.2 DISCLAIMER

7.04pm 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

7.05 pm The Presiding Member opened the period allotted for **Public Submission Time** and drew the gallery's attention to the **Rules for Public Submission Time**. **Four Public Submissions** were received.

5.1 Ms A HUSS, 133 ORRONG ROAD, RIVERVALE

Item 6.1 (12.2) - Vehicle Access Plan – Lots 144 and 145 (133 and 135) Orrong Road, Rivervale and Lots 151 and 150 (120 and 122) Gladstone Road, Rivervale.

Ms Huss spoke in Support of the Officer Recommendation for Item 12.2 Vehicle Access Plan – Lots 144 and 145 (133 and 135) Orrong Road, Rivervale and Lots 151 and 150 (120 and 122) Gladstone Road, Rivervale.

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

5.2 Ms M ELKINGTON, 101 BULONG AVENUE, REDCLIFFE

Item 6.1 (12.3) – Draft Redcliffe Station Activity Centre Plan (DA6)

Ms Elkington spoke in Opposition of the Officer Recommendation for Item 12.3 Draft Redcliffe Station Activity Centre Plan (Development Area 6).

(Refer Tabled [Attachment 2](#) for further information).

5.3 MR R FOSTER, 140 COOLGARDIE AVENUE, REDCLIFFE

Item 6.1 (12.3) – Draft Redcliffe Station Activity Centre Plan (DA6)

Mr Foster spoke in Opposition of the Officer Recommendation for Item 12.3 Draft Redcliffe Station Activity Centre Plan (Development Area 6).

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

5.4 MR B MOLLAN, OWNER OF 80 CENTRAL AVENUE, REDCLIFFE

Item 6.1 (12.3) – Draft Redcliffe Station Activity Centre Plan (DA6)

Mr Mollan spoke in Opposition of the Officer Recommendation for Item 12.3 Draft Redcliffe Station Activity Centre Plan (Development Area 6).

(Refer Tabled [Attachment 4](#) for further information).

7.16 pm The Presiding Member closed Public Submission Time.

6. ORDINARY COUNCIL MEETING AGENDA FOR MEETING TO BE HELD 10 DECEMBER 2019

6.1 AGENDA ITEMS FOR REVIEW

OCM Item 12.1

State Administrative Tribunal Matter – Proposed Community Purpose Building – Lot 801 (49) Hardey Road, Belmont

Deputation Presentation

Ms Hollands and Mr Hitt on behalf of Belmont Resident and Ratepayer Action Group (BRRAG) spoke in opposition of the Officer Recommendation for Item 12.1 State Administrative Tribunal Matter – Proposed Community Purpose Building – Lot 801 (49) Hardey Road, Belmont.

(Refer Tabled [Attachment 5](#))

Officer Presentation

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

- Aerial of Subject Site
- Extract from Local Planning Scheme Map Showing Zoning of Subject Site and Surrounding Zones
- Site Plan
- Development Proposal
- Setbacks – South Eastern Boundary
- Setbacks – Overshadowing
- Access
- Access – Lobby
- Hours of Operation and Noise from the Car Park
- Possible Contamination of Adjoining Site
- Recommendation

(Refer Tabled [Attachment 6](#) for further information).

Notes from Forum

- The application for the development of 49 Hardey Road, Belmont was deferred by council at the June 2019 Ordinary Council Meeting (OCM). The application was then lodged by the applicant with the State Administrative Tribunal (SAT). Mediation took place and SAT invited Council to reconsider an amended application. If the application is approved, the applicant is still able to appeal the conditions placed to SAT.
- Community consultation for the development raised some concerns and issues which the applicant has addressed, through amendments to the development plan. The modifications that have been made to the plans fall within the parameters of not requiring further advertising as they speak to the areas of concern.
- The footpath width of one metre specified on the plans does not align with the 1.2 metre wheelchair specification in the Australian Standards. The difference is a matter of public realm versus private development standards. Further information regarding this has been requested.

OCM Item 12.1

State Administrative Tribunal Matter – Proposed Community Purpose Building – Lot 801 (49) Hardey Road, Belmont

Item 12.1 Continued

- Stormwater run-off is evaluated on a per site basis. Many factors determine the manner in which stormwater is treated i.e. soak wells or connection to City storm water. A geotechnical study is to be conducted to determine site specific storm water treatment.
- A management plan will be in place which will include monitoring and reviewing the sufficiency of the 30 minute turnaround between sessions to accommodate the movement of up to 92 people in and out of the facility.
- A condition of the application is that an environmental investigation be conducted on the site. If per- and polyfluoroalkyl substances (PFAS) is found on the site, the report will provide methods of management of the contamination. PFAS contamination does not necessarily stop the development of the property. It is the responsibility of the land owner or the party that caused the contamination to rectify the issue through a management plan.
- All aspects of the facility will be managed to comply with legislation. It was requested that clarification from the applicant be sought to clear up if the facilities are open to all youth.
- All safety concerns, hours of operation, access and set backs have been addressed in the conditions of approval. Review of the management plan has been included in the conditions of approval allowing review to take place at any time.
- Noise concerns have been addressed with the inclusion of a 2.4 metre high masonry wall along the rear south east and north east boundaries.
- Manoeuvrability of large vehicles within the confined space has been assessed with standard turning templates with adequate space being provided.

Further Information to be Provided

- The Director Development and Communities undertook to provide an extract of Australian Standard and web link for public versus private footpath widths.
- The Director Development and Communities undertook to clarify with the applicant who the facility will be open to.

OCM ITEM 12.2

Vehicle Access Plan – Lots 144 and 145 (133 and 135) Orrong Road, Rivervale and Lots 151 and 150 (120 and 122) Gladstone Road, Rivervale.

Deputation Presentation

Nil

Officer Presentation

Nil.

Notes from Forum

- When initially advertised and during a landowner forum the Vehicle Access Plan (VAP) drew 1 resident objection and 3 residents in support. The resident in objection presented a previous submission along with additional comments; all issues raised have been addressed by the Planning department.

Further Information to be Provided

Nil.

OCM Item 12.3

Draft Redcliffe Station Activity Centre Plan (Development Area 6)

Deputation Presentation

Ms Scharfenstein spoke in opposition of the officer recommendation for Item 12.3 Draft Redcliffe Station Activity Centre Plan (Development Area 6).

(Refer Tabled [Attachment 7](#))

Officer Presentation

- Standard Statutory Process – Activity Plan Centre
- Pre-Consultation
- Activity Centre Plan Process
- Officer Recommendation

(Refer Tabled [Attachment 8](#) or further information).

Notes from Forum

- It was noted that officers are required to detail all options open to Elected Members within a report to ensure informed decisions are made. The recommended option in the report is for a Development Contribution Plan and not a Specified Area Rate.
- The 45 day pre-consultation period with the community will commence in February 2020 at the earliest. This will give the community an opportunity to comment and raise any issues as well as state agencies. Once the plan goes to the Western Australian Planning Commission the City loses a level of control on how the ACP is progressed, including the consultation procedures and processing timeframes, so the period of community pre-consultation is essential for public opinion to be considered without being locked in to a statutory process.

OCM Item 12.3

Draft Redcliffe Station Activity Centre Plan (Development Area 6)

Item 12.3 Continued

- The percentage of Public Open Space (POS) within the precinct is less than the required 10% as a result of an increase in the amount of developable land that is included in the calculation. The actual quantity of public open space within the precinct is in fact proposed to increase by 736sqm. If Council are to request the increase in POS it would need to be specified where the space could be allocated from. Costings to include additional POS would also need to be considered. It is recommended that options could be considered and presented to Council following public comment. It was confirmed that the inclusion of school oval use on weekends would have the functionality of POS but ultimately is not counted as POS. Whilst there may also be opportunities to create recreational space at Perth Airport, this also would not be counted as POS and there is less certainty on whether it would remain in perpetuity given that the Federal Government have jurisdiction over the land.
- Officers have been meeting with State departments seeking support for large infrastructure requirements for the development. If no support is offered then the issue will be raised with the local members.
- Currently there are blocks zoned R20 within the DA6 precinct. At this stage, residents are unable to subdivide and sell or build two houses on the property as Local Planning Scheme No. 15 stipulates that a Structure Plan shall be prepared prior to subdivision or development being undertaken. The DA6 Vision Plan and the draft Activity Centre Plan do not support a two lot battleaxe subdivision.
- The Chief Executive Officer (CEO) confirmed he has met with the local member and the issue of State funding has been raised.

Further Information to be Provided

Nil.

9.04pm The Coordinator Design Projects departed the meeting and did not return.

OCM Item 12.4

Proposed Western Australian Local Government Association Motion to Amend Preferred Model – Third Party Appeal Rights for Decisions made by Development Assessment Panels

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

- The WALGA Preferred Model amendment proposes that anyone can lodge an appeal against decisions made by Development Assessment Panels (DAPs).
- The option allows closely related parties to lodge appeals although the term “closely related parties” is yet to be defined.
- Council’s previously preferred option was that local governments should be able to lodge an appeal as a third party on DAP decisions.
- If third party appeals are introduced across the board, this would have a major resourcing issue for local government.

Further Information to be Provided

Nil.

OCM Item 12.5

Annual Review of Standard Development and Subdivision Conditions

Deputation Presentation

Nil.

Officer Presentation

The Coordinator Planning provided a presentation which included the following:

- Development Application Conditions
- Development Application Footnotes
- Subdivision Advice Conditions
- Subdivision Advice Footnotes

(Refer [Tabled Attachment 9](#) for further information).

Notes from Forum

- Upfront construction of driveways on battle-axe blocks is no longer required by the developer.

Further Information to be Provided

Nil

9.22 pm **The Coordinator Planning, Senior Planning Officer and Manager Planning Services departed the meeting and did not return.**

9.22 pm **Cr Bass departed the meeting.**

OCM Item 12.6
Tenders for Museum Exhibition Fitout and Loose Furniture Fitout – Faulkner Civic Precinct Community Centre
<u>Deputation Presentation</u> Nil.
<u>Officer Presentation</u> Nil.
<u>Notes from Forum</u> Nil.
<u>Further Information to be Provided</u> Nil.

9.23 pm **The Manager City Projects 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 Attachment for Item 12.7, Council would need to go behind closed doors.

9.23pm **ROSSI MOVED WOLFF SECONDED**, that in accordance with Section 5.23(2) of the *Local Government Act 1995*, the meeting proceed behind closed doors to discuss Confidential Attachments for Item 12.7 – Belmont Business and Enterprise Centre Funding Request Support for 2020 Belmont and Western Australian Small Business Awards.

CARRIED 8 VOTES TO 0

Note: There were no members of the public in the gallery.

OCM Item 12.7
Belmont Business and Enterprise Centre Funding Request Support for 2020 Belmont and Western Australian Small Business Awards
<u>Deputation Presentation</u> Nil.
<u>Officer Presentation</u> Nil.
<u>Notes from Forum</u> See Confidential Attachment 1
<u>Further Information to be Provided</u> Nil.

9.26 pm Cr Bass returned to the meeting.

9.27 pm **POWELL MOVED ROSSI SECONDED**, that the Meeting again be open to the public.

CARRIED 9 VOTES TO 0

Note: There were no members of the public in the gallery.

9.27pm The Manager Economic & Community Development departed the meeting and did not return.

9.27pm Cr Wolff departed the meeting

OCM Item 12.8

2019 Policy Manual Review

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

- Attachment 19 outlines the new policies and renumbering. Attachment 17 details the policies deleted and/or amended and provides reference to the new policy numbers.

Further Information to be Provided

- The Director Corporate and Governance undertook to provide capped and uncapped gratuities over last five years.
- The CEO undertook to provide Elected Members a report outlining the requests for legal advice sought should the Policy Manual be approved at the 10 December 2019, OCM.

OCM Item 12.9

Request for Rate Exemption – Jeanette Bernison and Beatrice Saker 1B/130 Fransisco Street, Belmont

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

Nil.

Further Information to be Provided

Nil.

OCM Item 12.10

LATE ITEM – Accounts for Payment – November 2019

Item not discussed

OCM Item 12.11

LATE ITEM – Monthly Activity Statement – as at 30 November 2019

Item not discussed

9.39 pm Cr Wolff returned to the meeting

OCM Item 13.2

Notice of Motion (Councillor Davis) – Local Government Elected Members' Association (WA) Inc. (LGEMA) Membership

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

- Professional memberships are currently not reimbursed to Elected Members. CEO professional memberships are paid as part of the employment contract.
- Concern that if memberships are reimbursed for the LGEMA it would appear that the City is endorsing the association.

Further Information to be Provided

Nil.

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 9.51pm.