



Agenda Briefing Forum

Matrix

16 July 2024



City of
Belmont

CITY OF BELMONT

Agenda Briefing Forum

Matrix

Table of Contents

16 July 2024

Item	Subject Heading	Page
1	Official Opening	5
2	Apologies and leave of absence	5
3	Announcements by the Presiding Member (without discussion) and declarations by Members	5
3.1	Announcements	6
3.2	Disclaimer	6
3.3	Declarations by Members who have not given due consideration to all matters contained in the business papers presently before the meeting	6
4	Public submission time	6
5	Ordinary Council Meeting Agenda for meeting to be held on 23 July 2024	7
6	Matters for which the meeting may be closed	25
7	Closure	26

Tabled Attachments Index

Attachment 5.1.1 – Item 5.1 (12.1) refers

Attachment 5.1.2 – Item 5.1 (12.2) 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 16 July 2024 commencing at 6.30pm.

Matrix

Present

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

In attendance

Mr J Christie	Chief Executive Officer
Mr S Downing	Director Corporate and Governance
Mr W Loh	Director Development and Communities
Mr M Murphy	Director Infrastructure Services
Ms G Carter-Nguyen (dep. 7.05pm)	Manager Public Relations and Stakeholder Engagement
Mr A Bott (dep. 6.56pm)	Manager Planning Services
Mrs J Cherry-Murphy	Coordinator Governance
Ms C Gilbert (dep. 6.56pm)	Coordinator Planning Projects
Ms M Phillips	Senior Governance Officer

Members of the gallery

There were five 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 Kulczycki to read aloud the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers. Cr Kulczycki 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 Vijay (leave of absence)

Central Ward

Ms D Dabala (apology)

Manager Governance and Legal

3 Announcements by the Presiding Member (without discussion) and declarations by Members

3.1 Announcements

Nil.

3.2 Disclaimer

6.32pm 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.

3.3 Declarations by Members who have not given due consideration to all matters contained in the business papers presently before the meeting

Nil.

4 Public submission time

6.33pm The Presiding Member opened the period allotted for Public Submission Time and drew the gallery's attention to the Rules for Public Submission Time. No Public Submissions were received.

6.35pm The Presiding Member closed Public Submission Time as no submissions were received.

5 Ordinary Council Meeting Agenda for meeting to be held on 23 July 2024

5.1 Agenda items for review

Note:

The Presiding Member advised that in accordance with Section 5.23(2)(b) of the *Local Government Act 1995 (WA)* if there were any questions on the Confidential Attachments for Item 12.1, Council would need to go behind closed doors.

OCM Item 12.1

Local Planning Policy No. 19 – Short-term rental accommodation

Deputation Presentation

Nil.

Officer Presentation

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

- What is Short-Term Rental Accommodation (STRA)?
- Background
- Advertising and Submissions
- Safeguarding Long-Term Housing
- Appropriate Locations for STRA
- Potential STRA Locations
- Mitigating Amenity Impacts
- Instances when STRA will not be supported
- State Registration Scheme
- Officer Recommendation

(Refer Tabled Attachment 5.1.1 for further information).

Notes from Forum

- To apply to join the State Register, the applicant is required to provide evidence that they have met the local government requirements. At this stage, all the forms of STRA require a

OCM Item 12.1

Local Planning Policy No. 19 – Short-term rental accommodation

Development Approval (DA) therefore to go on the State register the applicant would need to provide a copy of their DA. The State were considering forms of exemption for STRA but these have not been advertised or have yet to come into effect.

- The City can consider STRA in an apartment complex however the City is proposing a provision for this policy following advertising that says they cannot be established in an ad hoc manner within an apartment complex. Strata approval would be required, and landowners would need to consent to that location.
- There are a couple of schools that fall within the catchment area. In relation to Belmont Primary School, the surrounding land is zoned mixed business, therefore it would be difficult to have a STRA within that precinct. Council could include an exclusion for these school areas.
- In order to have a STRA within an apartment complex, the expectation would be that one entire floor would change the use from a multi-dwelling to a form of STRA. This provision was added due to the submissions received and other local governments have similar provisions in their policy. It is to manage amenity impacts as apartments are so close together.
- Particularly for Strata developments, where guests must use common property, it is necessary for applicants to gain Strata consent and for the Strata to sign the planning application form. Some Stratas have by-laws that prohibit short-term accommodation.
- The City will not accept STRA applications within the Residential Stables Zone.
- If a person stays in a property for less than three months in a 12-month period, it would be classified as short-term rather than long-term residential. The intention of the short-term definition is to segregate it from long-term residences. The City would not see it as an issue if a short-term tenant exceeds the three months, but they would have to abide by the short stay requirements. If they stayed for 6 weeks, then went away for a couple weeks and then come back for another 8 weeks within a 12-month period, the City would not have an issue and the property would still be considered as a short stay accommodation.

OCM Item 12.1

Local Planning Policy No. 19 – Short-term rental accommodation

- Once the proposed changes by the State Government through modifications to the planning regulations come into force and effect, Local Governments are expected to amend their local planning schemes and policies to be consistent. The City would not have the power to go against these modifications.
- STRA are fully furnished, including a fridge.

Further Information to be Provided

Nil.

6.56pm The Manager Planning Services and Coordinator Planning Projects departed the meeting and did not return.

OCM Item 12.2

Petition - Community Centre Tennis Courts - Wilson Park

Deputation Presentation

Mr W Mortimore spoke in support of the Officer Recommendation.
(Refer Tabled Attachment 5.1.2 for further information).

Officer Presentation

Nil.

Notes from Forum

- The brand-new hit-up wall will be retained.
- The agreement was part of an election pledge by the then Federal Member for Swan. Once it was pledged, there was a requirement for the City to enter into an agreement with the Federal Government for the delivery of that project. The City had to

OCM Item 12.2

Petition - Community Centre Tennis Courts - Wilson Park

provide a detailed scope of the project to justify the funding and there was a requirement to deliver within a specified timeframe.

- There was discussion on this matter at the June 2023 Ordinary Council Meeting, whilst the agreement was signed in November 2023. The details were being developed from February 2023 and all details would not have been available in June 2023.
- Wide public consultation was undertaken.

Further Information to be Provided

Nil.

OCM Item 12.3

Accounts for Payment June 2024

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

Nil.

Further Information to be Provided

Nil.

OCM Item 12.4

Monthly Financial Report for June 2024

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

Nil.

Further Information to be Provided

Nil.

OCM Item 13.2.1

Notice of Motion (Cr Davis) Budget for Training and Professional Development for Elected Members

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

Nil.

Further Information to be Provided

Nil.

Local Planning Policy 19 - Short- Term Rental Accommodation

16 July 2024 – Agenda Briefing Forum



City of
Belmont



City of
Opportunity

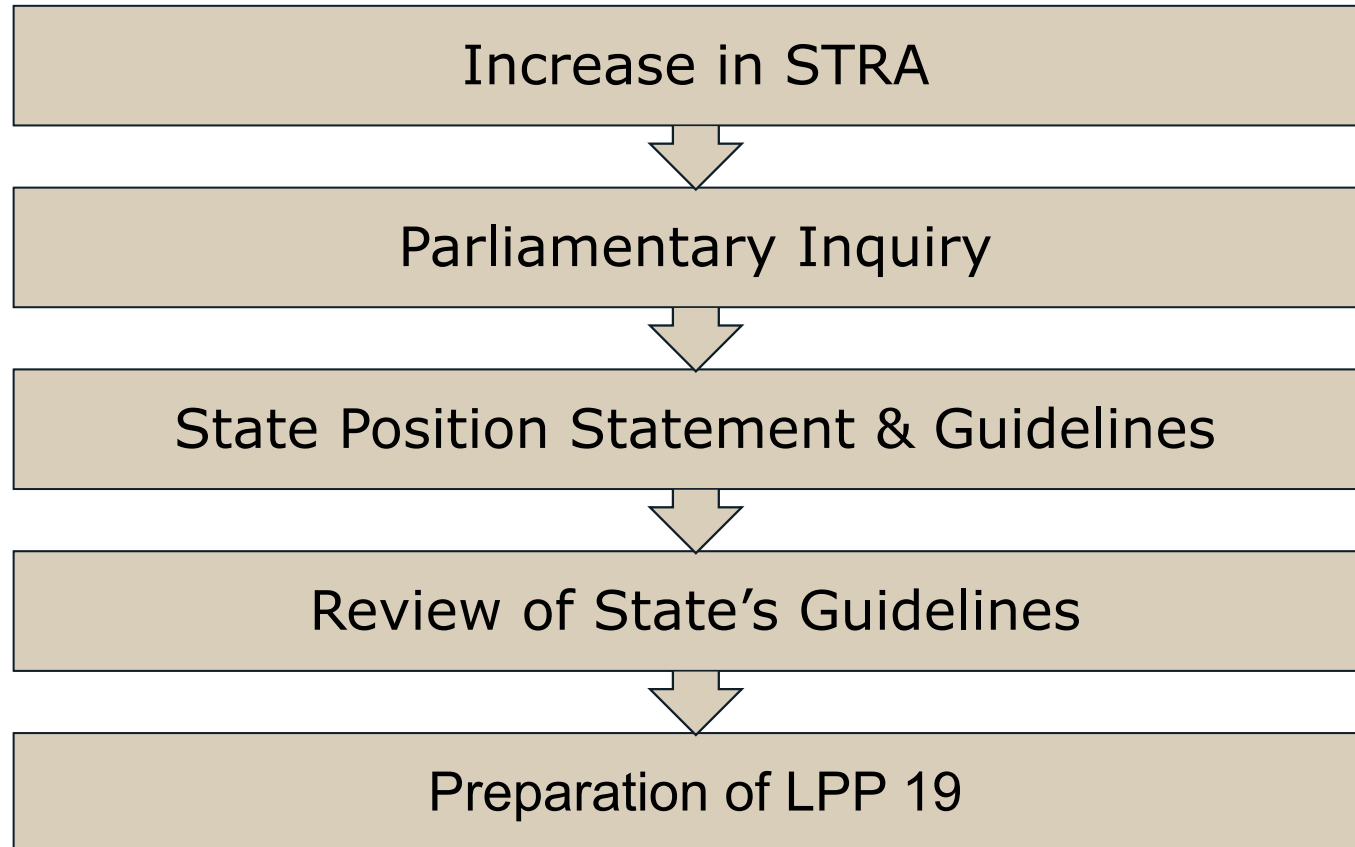
What is Short-Term Rental Accommodation?



- Term used for:
 - Holiday House
 - Bed and Breakfast
- Does not include:
 - Hotel
 - Motel
 - Caravan Park



Background



Advertising and Submissions



Advertising:

- Advertised from 21 March 2024 to 21 April 2024 (31 days).
- A total of 33 submissions received.

Common Themes:

- Preference for STRA along GEH, near CBD, public transport and amenities.
- Impact of STRA on long-term housing supply and affordability.
- Amenity impacts.
- Damage and overuse of common property areas and facilities.

Safeguarding Long-Term Housing



- Submissions:
 - Prioritisation of long-term housing.
 - Restricting STRA to hotels, motels and caravan parks.
- City cannot restrict operators applying for STRA; must assess based on planning framework.
- Proposed policy objective sufficiently addresses concerns regarding supply of long-term housing.
- Policy provision – STRA cannot occur on lots developed above the base code.



Appropriate Locations for STRA



- Draft LPP originally contained a map identifying where STRA could be considered.
- Policy not advertised with map; objective guiding appropriate location included.
- Submissions:
 - Focus along GEH – accessibility and compatibility
 - Locate close to Perth Airport, CBD, public transport & amenities
- New provision and modifications to policy objective:
 - *STRA within 400m of high frequency public transport stop along GEH and an existing tourist accommodation use.*

Potential STRA Locations



Mitigating Amenity Impacts



Submissions:

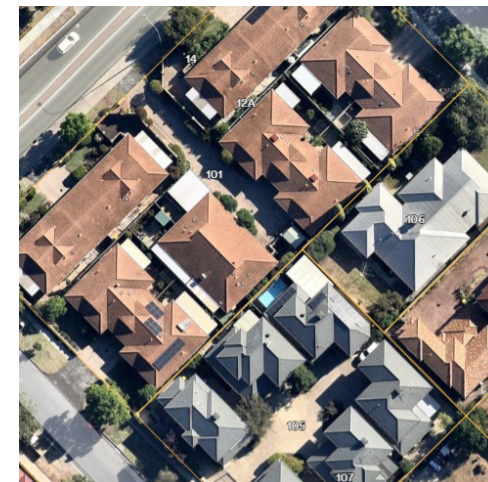
- Apartment residents – additional concerns to detached dwellings
- Policy mitigates amenity impacts through:
 - A management plan
 - A code of conduct
- To further mitigate amenity impacts modifications proposed to clarify:
 - Occupancy Limits
 - Quiet time
 - On-site management or modern technology for access control and monitoring for lots with two or more STRA land uses.
- Re-insertion of provisions which prohibit STRA in an adhoc manner in multiple dwelling complexes and on grouped dwellings on lots smaller than 350sqm.

Instances when STRA will not be Supported



Submissions:

- Residents in apartments – concerns about conflict between STRA and long-term residents.
- Reintroduce Restrictions:
 - Ad-hoc STRA in multiple dwelling complexes.
 - STRA in grouped dwellings on lots smaller than 350m².
- New Restriction:
 - Prohibit STRA within the Residential and Stables zone.



State Registration Scheme



- The State Government's STRA Register is coming into effect in July.
- To be registered, operators need to demonstrate planning approval for their STRA properties.
- Important to have a sound planning framework to assess these against.

Officer Recommendation



1. That Council adopt the modified draft Local Planning Policy No. 19 'Short-term Rental Accommodation'.
2. Notify those who made a submission of Council's resolution and publish the Policy on the City's website.

Chantelle Gilbert – Coordinator Planning Projects





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			
Name	Wayne Mortimore		
Address	17a Martin Avenue Rivervale WA 6103		
Business, Organisation or Group (if presenting on behalf of)	City of Belmont Community		
Agenda Briefing Forum Date	16th July 2024	Reported Item No. referred to	12.2
Please tick the appropriate box to indicate what type of presentation you wish to make	<input checked="" type="checkbox"/> Submission	<input type="checkbox"/> Deputation	
Are you speaking in support or opposition to the Officer Recommendation? Please tick appropriate box.	<input checked="" type="checkbox"/> Support	<input type="checkbox"/> Oppose	
<p>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> <p>Good evening, Last April, I petitioned the City of Belmont to rescind its decision to demolish the Tennis courts at Wilson Park for a BMX track under the Wilson Park development project Zone 2. We request that the City of Belmont instead provide upgraded tennis courts in the same location for the community. We gathered over 150 signatures from the people who use the tennis courts, the tennis hit-up wall, and the locals in the area.</p> <p>The petition response demonstrates the passion of the Rivervale community for retaining and upgrading the tennis courts within Wilson Park. When I spoke to people in the area, many were unaware and disappointed to hear that the City of Belmont planned to demolish the courts. I received positive feedback supporting upgrading the courts. During the July school holidays, a nearby resident reported to me that both courts were used on many occasions by parents with their children and various groups of young people.</p> <p>Wilson Park upgrade is an exciting development for this area, and input from the community is important to listen to. It's a fantastic opportunity to provide families and the general community access to free, healthy and popular recreational activity in tennis for this area. According to the City of Belmont Recreation Strategy 2022-2025, Tennis is one of the top ten physical activities in terms of participation trends.</p> <p>The new Tennis Courts would be a welcome and popular addition to Wilson Park and the community.</p>			
Additional space provided overleaf if required. Please tick box if continued overleaf <input type="checkbox"/>			

6 Matters for which the meeting may be closed

Note:

The Presiding Member advised that in accordance with Section 5.23(2)(c) of the *Local Government Act 1995 (WA)*, Council will need to go behind closed doors.

7.05pm Powell moved, Sessions seconded that in accordance with Section 5.23(2)(c) of the *Local Government Act 1995 (WA)*, the meeting proceed behind closed doors to allow questions on Confidential Item 14.1 - Tender 16-2024 - Profiling & Pavement Recycling.

Carried 8 votes to 0

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

Against: Nil

7.05pm Members of the public gallery departed the meeting.

7.05pm The Manager Public Relations and Stakeholder Engagement departed the meeting and did not return.

OCM Item 14.1

Tender 16-2024 - Profiling & Pavement Recycling

Deputation Presentation

Nil.

Officer Presentation

Nil.

Notes from Forum

Nil.

OCM Item 14.1

Tender 16-2024 - Profiling & Pavement Recycling

Further Information to be Provided

Nil.

7.07pm Powell moved, Davis seconded, that the meeting again be open to the public.

Carried 8 votes to 0

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

Against: Nil

7.07pm The meeting came out from behind closed doors. Two members of the public returned to the meeting.

7 Closure

There being no further business, the Presiding Member thanked everyone for their attendance and closed the meeting at 7.08pm.