



## Agenda Briefing Forum

# Matrix

3 December 2024



City of  
**Belmont**

# CITY OF BELMONT

## Agenda Briefing Forum

### Matrix

#### Table of Contents

3 December 2024

Item	Subject Heading	Page
<b>1</b>	<b>Official Opening</b>	<b>5</b>
<b>2</b>	<b>Apologies and leave of absence</b>	<b>5</b>
<b>3</b>	<b>Announcements by the Presiding Member (without discussion) and declarations by Members</b>	<b>6</b>
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
<b>4</b>	<b>Public submission time</b>	<b>7</b>
4.1	Mr M Cardozo, Redcliffe	7
<b>5</b>	<b>Ordinary Council Meeting Agenda for meeting to be held on 10 December 2024</b>	<b>8</b>
<b>6</b>	<b>Matters for which the meeting may be closed</b>	<b>26</b>
<b>7</b>	<b>Closure</b>	<b>27</b>

#### Tabled Attachments Index

Attachment 5.1.1 – Item 5.1 (12.1) 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 3 December 2024 commencing at 6:30pm.**

## Matrix

### Present

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

### In attendance

Mr W Loh	Acting Chief Executive Officer
Mr S Downing	Director Corporate and Governance
Mr M Murphy	Director Infrastructure Services
Mr A Bott	Acting Director Development and Communities
Mr J Bidwell	Manager City Projects
Ms S Jessop	Manager Finance
Ms C Gilbert (dep. 6:55pm)	Acting Manager Planning Services
Ms L Chaplyn (dep. 7:08pm)	Coordinator Media and Communications
Mrs J Cherry-Murphy	Coordinator Governance
Mr B Houweling (dep. 6:55pm)	Acting Coordinator Planning Projects
Ms S Bell	Governance Officer

### Members of the gallery

There were 3 members of the public in the gallery and no press representatives.

# 1 Official Opening

**6:30pm 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 Harris to read aloud the Affirmation of Civic Duty and Responsibility on behalf of Councillors. Cr Harris 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 J Powell (leave of absence)	South Ward
Cr J Davis (apology)	South Ward
Cr G Sekulla (apology)	Central Ward
Mr J Christie (apology)	Chief Executive Officer
Ms D Dabala (apology)	Manager Governance and Legal

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

#### **3.1 Announcements**

'I have some great news to share. The Australian Government today announced funding recipients under their Thriving Communities Program.

Our Belvidere Street Revitalisation Project was included in the announcement with the City set to receive a \$4.745 million contribution - roughly half the costs of the project.

City staff are working with the Department of Infrastructure, Transport, Regional Development, Communication and the Arts and hope to share the good news with our community soon.'

#### **3.2 Disclaimer**

**6:33pm 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. One Public Submission was received.**

### **4.1 Mr M Cardozo, Redcliffe**

In accordance with Clause 6.7 (1)(b) of the *Standing Orders Local Law 2017* and Clause a) of the Rules for Agenda Briefing Forum Public Submission Time and Deputations, the Presiding Member refused Mr Cardozo's request to make a submission in relation to Item 12.6 as the Presiding Member determined that Mr Cardozo was not directly affected by the matter.

**6:37pm The Presiding Member closed Public Submission Time.**

# 5 Ordinary Council Meeting Agenda for meeting to be held on 10 December 2024

## 5.1 Agenda items for review

### OCM Item 12.1

#### Final Adoption - Modified Amendment No. 21 to Local Planning Scheme No. 15 - Modifying the Use Class Permissibility of Land Uses within the 'Town Centre' Zone

##### Deputation Presentation

Nil.

##### Officer Presentation

The Acting Coordinator Planning Services provided a presentation which included the following:

- Background
- Amendment Initiated by Council
- Minister's Request
- Amendment Comparison
- Consultation
- Need for Strategic Planning
- Additional Uses
- Land Uses to be Changed to 'P'
- Officer Recommendation and Next Steps

(Refer Tabled Attachment 5.1.1 for further information).

##### Notes from Forum

- Perron Group has sold a portion of the shares for the Town Centre premises - Belmont Forum. This is not a physical sale of land, but rather stakes in the business centre operations.
- The City has paid for the advertising of this scheme amendment. When an applicant lodges a Scheme Amendment application, the City provides the applicant a fee breakdown, and there are opportunities for the City to request that the applicant reimburse the City for any advertising costs.
- There is minimal risk that the report will be revisited for further review, as the Minister is likely to make a final decision on the amendment.



## **OCM Item 12.1**

### **Final Adoption - Modified Amendment No. 21 to Local Planning Scheme No. 15 - Modifying the Use Class Permissibility of Land Uses within the 'Town Centre' Zone**

- The City when assessing any Scheme Amendment or development applications refer to the State Planning Policies. State Planning Policy 4.2 does provide for a Structure Plan to be prepared for the Belmont Town Centre.
- The City is able to liaise with the applicant regarding recovery of funds, and this can be done as an operational process.

#### **Further Information to be Provided**

- The Acting Manager Planning Services undertook to provide Elected Members with a copy of the correspondence from the Minister for Planning on this matter.

**6:55pm The Acting Manager Planning Services and Acting Coordinator Planning Projects departed the meeting and did not return.**

## **OCM Item 12.2**

### **2024-25 Consolidated Assurance Map**

#### **Deputation Presentation**

Nil.

#### **Officer Presentation**

Nil.

#### **Notes from Forum**

Nil.

#### **Further Information to be Provided**

Nil.

## **OCM Item 12.3**

### **Internal Audit Plan 2024-25 - 2026-27**

#### **Deputation Presentation**

Nil.

#### **Officer Presentation**

Nil.

#### **Notes from Forum**

Nil.

#### **Further Information to be Provided**

Nil.

#### **Note:**

**The Presiding Member advised that in accordance with Section 5.23(2)(h) of the *Local Government Act 1995 (WA)* if there was any questions on the Confidential Attachments for Item 12.4, Council would need to go behind closed doors.**

**There were no questions on the Confidential Attachments for Item 12.4.**

## **OCM Item 12.4**

### **Internal Audit Report 2024**

#### **Deputation Presentation**

Nil.

#### **Officer Presentation**

Nil.

#### **Notes from Forum**

Nil.

#### **Further Information to be Provided**

Nil.

## **OCM Item 12.5**

### **Internal Audit Terms of Reference**

#### **Deputation Presentation**

Nil.

#### **Officer Presentation**

Nil.

#### **Notes from Forum**

Nil.

#### **Further Information to be Provided**

Nil.

## OCM Item 12.6

### Purchasing Policy Review

#### Deputation Presentation

Nil.

#### Officer Presentation

Nil.

#### Notes from Forum

- The Director Corporate and Governance confirmed that future major policy changes will be initially discussed at an Information Forum prior to coming to Council for consideration.
- One of the goals for this policy update was to provide an overall assessment when considering procurement submissions. The removal of the 10% premium for local businesses allows the City to include a wider range of considerations to support local businesses.
- The Director Corporate and Governance confirmed links to the Tenders Register could be inserted in future reports.
- The City has removed price as a weighted assessment factor in procurement, as quite often the value to the City is not limited to a dollar value.
- Page 173 lists 6 West Australian Local Governments who were among a number of Local Governments that the City benchmarked the delegations for accepting tenders against. This list is only inclusive of Local Governments who responded to the City.
- The Procurement Advisory Group (PAU) is an internal working group. The PAU operates to assess the tender documentation that comes from the Tender Panel, and then makes a recommendation to the Chief Executive Officer to accept or reject the tender. It then either comes to Council for a decision or is signed by the Chief Executive Officer under his delegation.
- Elected Members are privy to the same tender documentation as the PAU. There was no specific report evaluated by the PAU that prompted this policy change.
- A number of Local Government Finance Managers engage in a discussion-based working group. The information included for benchmarking in this report was obtained in open discussion.
- A Purchasing Policy and delegations are two separate considerations, and the delegation can vary significantly from the policy. Council Purchasing Policy can require procurement processes over a certain amount to go to tender. However, the Chief Executive Officer can still have delegation in excess of that amount to award a tender.

## **OCM Item 12.6**

### **Purchasing Policy Review**

#### **Further Information to be Provided**

- The Manager Finance undertook to provide the number of contract variations that have come to Council over the past two years that would have been delegated to the Chief Executive Officer under the proposed change.

#### **Note:**

**The Presiding Member advised that Ordinary Council Meeting Items 12.7 – Annual Report 2023-24, 12.8 – Accounts for Payment November 2024, and 12.9 – Monthly Financial Report for November 2024 would be late items. These will be circulated in the 10 December 2024 Ordinary Council Meeting Amended Agenda by end of week.**

# Amendment 21

## Agenda Briefing Forum

3 December 2024



City of  
**Belmont**



City of  
Opportunity

# Location



# Background





# Amendment Initiated by Council

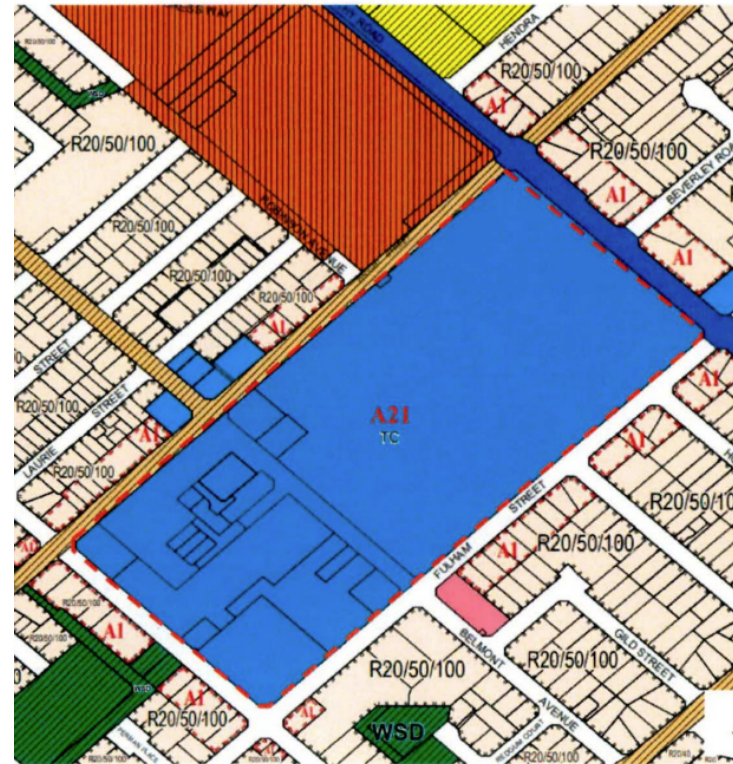


## Amend permissibility:

- 'Cinema/Theatre' from an 'A' to a 'D'
- 'Convenience Store' from an 'A' to a 'P'
- 'Health Studio' from a 'D' to a 'P'
- 'Private Recreation' from an 'X' to a 'D'
- 'Restaurant/Café' from a 'D' to a 'P'
- 'Shop' from a 'D' to a 'P'.

## Introduce Additional Uses in Scheme Text and on Scheme Map

- 'Motor Vehicle Wash'
- 'Studio'



# Minister's Request



## Amend permissibility:

Land Use	Town Centre Zone
Art Gallery	P
Cinema/Theatre	D
Consulting Rooms	P
Convenience Store	P
Educational Establishment	A
Health Centre	P
Health Studio	P
Liquor Store – Small	P
Motel	A
Motor Vehicle Wash	A
Nursing Home	D
Private Recreation	D
Reception Centre	A
Restaurant/Café	P
Serviced Apartments	D
Shop	P
Studio	D

# Amendment Comparison



Land Use	Original Amendment Considered by Council	Modified Amendment
Art Gallery	Not subject to the Amendment	P
Cinema/Theatre	D	D
Consulting Rooms	Not subject to the Amendment	P
Convenience Store	P	P
Education Establishment	Not subject to the Amendment	A
Health Centre	Not subject to the Amendment	P
Health Studio	P	P
Liquor Store – Small	Not subject to the Amendment	P
Motel	Not subject to the Amendment	A
Motor Vehicle Wash	X – Additional Use requiring the use to be located within a multi-storey parking structure, screened from view and be limited to a maximum gross floor area of 200m <sup>2</sup> .	A
Nursing Home	Not subject to the Amendment	D
Private Recreation	D	D
Reception Centre	Not subject to the Amendment	A
Restaurant/Café	P	P
Serviced Apartment	Not subject to the Amendment	D
Shop	P	P
Studio	X – Additional Use requiring the use to be integrated within the main shopping centre building and comprise a maximum work-room gross floor area of 30m <sup>2</sup> .	D

# Consultation



- 42 day period: 12 September – 25 October 2024
- Advertised on City’s website and Perth Now
- One submission received, reiterating requests for permissibility changes

## Need for Strategic Planning



- Modified amendment proposes to change the permissibility of X uses:
  - Education Establishment
  - Health Centre
  - Motel
  - Nursing Home
  - Reception Centre
  - Serviced Apartment
- Significant change to the local planning framework.
- All uses apart from 'Reception Centre' are inconsistent with the scheme objective
- Strategic Planning (Precinct Structure Plan) is required.

## Additional Uses



- Additional Uses are no longer proposed.
- Motor Vehicle Wash – inappropriate for open air parking areas or at a large scale.
- Studio – includes both a workroom and a sales area. Unregulated workroom spaces could operate at a scale inconsistent with scheme objectives.
- Without controls in LPS 15, officers would have limited ability to manage the scale and nature of these uses.

## Land Uses to be Changed to 'P'



- 'P' uses do not require approval if they comply with the local planning framework.
- 'Art Gallery' – no specific parking requirements included in LPS 15.
- 'Consulting Rooms' – already exempt if no more than 60% of the ground floor windows are obscure.
- 'Liquor Store Small' – There are matters (e.g. social impacts) that warrant consideration.

## Officer Recommendation and Next Steps



- It is recommended that Council does not support modified Amendment No. 21.
- Following the OCM, officers will forward Council's recommendation to the WAPC for final determination.



## **Benjamin Houweling – Senior Planning Officer**



## 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 if there are any questions on confidential item 14.1.

7:07pm Sessions moved, Harris seconded that in accordance with Section 5.23(2)(c) of the *Local Government Act 1995 (WA)*, the meeting will proceed behind closed to allow questions on Item 14.1.

**Carried 6 votes to 0**

For: Harris, Kulczycki, Marks, Rossi, Ryan and Sessions

Against: Nil

7:08pm Members of the public gallery departed the meeting.

7:08pm The Coordinator Media and Communications departed the meeting and did not return.

### OCM Item 14.1

#### Tender 19-2024 - Wilson Park Zone 2 Heart and Playground Construction Contract

##### Deputation Presentation

Nil.

##### Officer Presentation

Nil.

##### Notes from Forum

- Refer to Confidential Matrix.

##### Further Information to be Provided

- Refer to Confidential Matrix.

**7:12pm Harris moved, Kulczycki seconded, that the meeting again be open to the public.**

**Carried 6 votes to 0**

For: Harris, Kulczycki, Marks, Rossi, Ryan and Sessions

Against: Nil

**7:13pm The meeting came out from behind closed doors. One member 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 7:13pm.**