

Meeting Agenda Briefing Forum – for OCM 24 August 2021

Location Council Chambers

Date Time 17 August 2021 **Start Time** 6:30pm **Finish Time** 8:35pm

1. ATTENDANCE

Members

West Ward

Cr Dan Bull, Mayor
Cr Giorgia Johnson

Central Ward

Cr Steven Ostaszewskyj
Cr Sally Palmer

North Ward

Cr Filomena Piffaretti, Deputy Mayor
Cr Stephanie Gray
Cr Michelle Sutherland

South Ward

Cr Catherine Ehrhardt
Cr Elli Petersen-Pik

Officers

Ms Lorraine Driscoll	A/Chief Executive Officer
Mr Des Abel	Director Community and Development
Mr Doug Pearson	Director Major Projects and Commercial Activities
Mr George Rimpas	A/Director Works and Infrastructure
Ms Chelsea Beavington	A/Executive Support/Research Officer
Ms Alix Bray	A/Manager Development and Place
Ms Evelina Dobrowolski	A/Manager Community Development
Mr Brett Wright	Manager Parks & Gardens
Mr Jon Vines	Manager Project Services
Mr Dan West	Manager Sustainability, Environment and Waste
Mr Bryce Coelho	Principal Engineering Services
Ms Janelle Easthope	Principal Community Engagement
Ms Marie Walker	Coordinator Active Ageing & Volunteers
Ms Melisa Dias	Community Development Officer

Leave of Absence

Nil.

Apologies

Mr Andrew Brien Chief Executive Officer

Cr Barry McKenna
Cr Lorna Clarke

2. DISCLOSURE OF INTEREST SUMMARY

A member who has an interest in any matter to be discussed at an Agenda Briefing Forum, Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

The following disclosures of interest were made at the Agenda Briefing Forum and will also apply at the Ordinary Council Meeting when the matter is considered:

Name	Item No.	Type of Interest	Nature of Interest
<i>Cr Catherine Ehrhardt</i>	<i>10.3.1</i>	<i>Impartial</i>	<i>I live 50m from this location.</i>
<i>Cr Filomena Piffaretti, Deputy Mayor</i>	<i>10.4.3</i>	<i>Impartial</i>	<i>The owner of the property is known to me.</i>
<i>Cr Steven Ostaszewskyj</i>	<i>10.5.2</i>	<i>Impartial</i>	<i>I am a member of the Morley Windmills Club.</i>
<i>Mr George Rimpas</i>	<i>10.4.2</i>	<i>Impartial</i>	<i>My wife is related (cousin) to the owners of the property.</i>
<i>Mr George Rimpas</i>	<i>10.4.3</i>	<i>Financial</i>	<i>My wife is related (cousin) to the applicant.</i>
<i>Mr George Rimpas</i>	<i>10.4.4</i>	<i>Financial</i>	<i>I own property within the scheme area.</i>

3. DEPUTATIONS

1. Seventh Avenue - Petition Traffic and Safety between Whatley Crescent and Guildford Road

In relation to Item 10.3.1, Ms Stella Grey, Secretary of Maylands Ratepayers and Residents Association Inc. (on behalf of Applicant) was in attendance, speaking in support of the officer's recommendation (refer page 255).

2. Dental Laboratory (Medical Centre) – Amendment to Planning Approval – Strata Lot 58, 70 Eighth Avenue, Maylands

In relation to Item 10.4.1, Mr Andres Vivanco, Director and Ceramist, Insight Dental Ceramics (Applicant and on behalf of Mr Angus Wilshaw, Business Partner) was in attendance, speaking on the item (refer page 518).

3. Alterations and Additions to Tavern – Amended Application – Lot 13, 33 Rudloc Road, Morley

In relation to Item 10.4.2, Mr Ben Maher, Director Varsity Group (Applicant and on behalf of Alison Healey, Senior Planner, Element) was in attendance, speaking against the officer's recommendation (refer page 526).

4. Proposed Amendment to Town Planning Scheme No. 24 – Lot 2, 81 Camboon Road, Noranda

In relation to Item 10.4.3, Mr David Maiorana, Town Planning Director, Harley Dykstra Pty Ltd (Applicant) was in attendance, speaking in support of the officer's recommendation (refer page 541).

5. Proposed Amendment to Town Planning Scheme No. 24 – Bedford North

In relation to Item 10.4.4, Ms Georgina Ker (Resident) was in attendance, speaking in support of the officer's recommendation (refer page 571).

4. QUESTIONS FROM ELECTED MEMBERS ON AGENDA ITEMS

The following questions were taken on notice at the briefing and responses are provided below to assist Councillors in their deliberations on the matter.

QUESTIONS FROM MEMBERS TAKEN ON NOTICE

1. Item 10.4.1 Dental Laboratory (Medical Centre) – Amendment to Planning Approval – Strata Lot 58, 70 Eighth Avenue, Maylands	
QUESTION(S)	RESPONSE / ACTION
Cr Elli Petersen-Pik	Director Community and Development
Has the Maylands Business Association been consulted and will they be able to as a stakeholder?	In relation to Change of Use applications that are required to be advertised, it is the City's practice to advertise only to the adjacent landowners and occupiers. Advertising letters were sent to the adjacent owners and occupiers of units 72, 74, 76, 62 and 60 Eighth Avenue. Accordingly, the Maylands Business Association (MBA) were not consulted as a part of this process. If the City were to consult with the MBA now it would delay the application.
What was the basis for the car parking shortfall last time and why didn't it need to come to Council? The policy only talks about 25%, what is the percentage mentioned in the report?	At the Ordinary Council Meeting held 27 March 2007, Council approved a development application for a mixed used development on the site, which included residential and commercial premises. As a part of the application, Council approved a 14 car parking bay shortfall for the commercial tenancies. The approved shortfall has continue to be carried through as new land uses occur within the development. In accordance with the City's 'Car Parking in the Town Planning Scheme No. 24 Area' policy 'Health Uses' (which includes Medical Centres) are eligible for a 25% dispensation on the car parking requirements in Town Planning Scheme No. 24 (TPS 24). After this dispensation was applied to the site, the requested variation is greater than 10% and therefore the matter has been referred to Council.
Is this report compliant in relation to bicycle bays?	A bicycle parking bay requirement do not apply to the subject development.
Cr Catherine Ehrhardt	Director Community and Development
Question in relation to parking in lieu cash provisions given the new state regime. Wasn't the new standard going to be applicable to shortfall bays of 10 or less? Can this please be investigated?	As a part of the State Government's COVID-19 response, the Minister for Planning issued a number of exemptions from planning requirements during a State of Emergency. One of the exemptions was: "Where premises are approved for use, or in relation to any application for development approval, proponents are exempted from a requirement to provide car parking facilities." This exemption only applies to: a) non-residential development; and

	<p>b) where the proponent provides less than the number of parking bays required for the use in question, and the shortfall is 10 parking bays or less.</p> <p>It is noted that an exemption under this clause will expire 90 days after the date upon which the State of Emergency Declaration ceases to have effect or is revoked. In accordance with this if a cash-in-lieu of car parking condition is applied, the applicant would still be required to provide the car parking shortfall or pay the cash-in-lieu contribution once the current State of Emergency is revoked or ceases to have effect.</p>
Cr Filomena Piffaretti	Director Community and Development
Cash in lieu - \$70K total. I can't see that in the Officer's Recommendation. Hearing from another depute, the state standard has changed, has that new requirement been applied to this application? (City or new state regime?)	The amount provided in the officer's recommendation (\$38,100) is in line with the City's current policy and the \$10,000 per bay adopted in the City's fees and charges. A separate Addendum clarifying the cash-in-lieu of parking calculation will be provided to Councillors.
Whichever regime has been applied, could we please get a dollar value of the opposing regime?	<p>The State Government's recently adopted Cash in Lieu calculation is based on the following: (infrastructure cost per m2 x 15(m2) x parking space shortfall)</p> <p>The estimated infrastructure cost per square metre is \$200/m2.</p> <p>Therefore, the cost for a 3.81 car bay shortfall would be \$11,430.</p>
2. Item 10.4.2 Alterations and Additions to Tavern – Amended Application – Lot 13, 33 Rudloc Road, Morley	
QUESTION(S)	RESPONSE / ACTION
Cr Steven Ostaszewskyj	Director Community and Development
Can we please get a rough estimate of how many cars can park along Rudloc Road?	The Morley Activity Centre Streetscape plan indicates an estimated 19 car parking bays could be formalised along Rudloc Road, however the exact number is dependent on detailed design.
Report mentions that parking survey – can you please ensure we have a copy of this?	A memorandum with the parking survey attached was emailed to Councillors on 16 August 2021.
3. Item 10.4.4 Proposed Amendment to Town Planning Scheme No. 24 – Bedford North	
QUESTION(S)	RESPONSE / ACTION
Cr Filomena Piffaretti	Director Community and Development
When did the City of Stirling do the zoning changes on their side?	<p>In October 2018, the City of Stirling (CoS) implemented changes to zoning of land in the Dianella Industrial Precinct (the area bounded by Elsegood Street and Walter Road, including lots south-west of Harold Street and north-east of Cleveland Street).</p> <p>In addition to the zoning change, the CoS had to prepare and adopt a Local Development Plan (LDP) to achieve the vision for the area. A LDP for the area was approved by the CoS Council on 23 June 2020.</p>

How many residential owners are impacted?	There are 947 properties in the subject Bedford North Area. 1,051 letter were sent out to owners and occupiers in the Bedford North area inviting them to participate in community engagement to inform the Urban Design Study.
Cr Elli Petersen-Pik	Director Community and Development
In regards to consultation, how did the City engage with the community?	<p>Community engagement involved the following key steps:</p> <ul style="list-style-type: none"> • Community Perceptions Survey - March – May 2020 Sought community feedback and perceptions about different aspects of design and development. • Two Community Workshops - July – August 2020 Sought community feedback about local experience and expectations for development in the area and preferences for and where various building typologies should be located, and potential design provisions. • Business and Commercial Property Owner Survey- August 2020 Sought to understand preferences and issues facing businesses and commercial property owners. • Community Walkshop – November 2020 Sought to further refine design provisions based on the feedback received at the workshops.
4. 10.2.9 Investigation into Suitable Systems for Facilitating Online Petitions and Live Streaming	
QUESTION(S)	RESPONSE / ACTION
Cr Steven Ostaszewskyj	Director Corporate and Strategy
<p>During a live stream, will the comment section be turned on to allow for participation?</p> <p>If not, are you please able to provide reasons now as to why we might turn commenting off?</p>	<p>The City has previously livestreamed Council meetings during the COVID-19 pandemic via Zoom. When livestreaming via Zoom, the system configuration between Zoom and YouTube meant that comments/live chat could not be turned off, however the City did not respond to any comments.</p> <p>The permanent arrangement for the livestreaming will involve a direct upload to YouTube, rather than via Zoom. Through the YouTube streaming set-up, the City will be able to turn off the live chat/comments function. It is recommended that comments be turned off so the experience of people in the electronic (Youtube) gallery is the same as those in the public gallery, who are also not able to comment during meetings. It has been identified that should live chat be enabled, additional resources would be required as the minute taker would not be able to minute the meeting, monitor the video for comments and moderate any inappropriate comments. The City has an established process where a question can be read by the Mayor if a person cannot be present at the meeting to ask a question.</p> <p>In line with the previous livestreams in which online participation was not available, Officers are proposing to embed this in the system configuration by disabling the comment/live chat function during livestreaming.</p> <p>Should Council wish to allow for online participation, such as people asking questions during public question time, the City will need to develop protocols/procedures and also consider</p>

	whether extra staff would be required during the Council meeting to assist.
5. Item 10.5.2 Wotton Reserve Skate and BMX Facilities Detailed Concept Design Outcomes	
QUESTION(S)	RESPONSE / ACTION
Cr Catherine Ehrhardt	Director Major Projects & Commercial Activities
In regards to the different options here, concept 4 it is reading to me very similar to concept 1 - enhanced design incorporating community feedback - or is that still the scaled down version of the community feedback?	Concept 4 located in the junior training space provides more skate/BMX space and elements than Concepts 2 and 3, however, does not provide as much as concept 1, which depicts bigger and deeper bowls and more space for an additional skate plaza area.
Does that option provide the opportunity for further expansion of an interactive open space?	Concepts 2, 3 and 4 allows space for further future facility expansion.
Cr Giorgia Johnson	Director Major Projects & Commercial Activities
Noting that construction works are blocking the existing skate park from being used, how does this amendment affect the timeframe of the Council decision?	<p>User access is available to the current skate and BMX facility in Wotton Reserve along the shared path with patrons parking in the current carpark. Should the recommended Concept 2 progress, access will be maintained along the shared path for as long as the site is made available by the relevant contractors for the development of the Morley station carpark(State Government has committed to retaining the current facilities through 2021 but no confirmation to date beyond 2021).</p> <p>Should Council progress concept 1,2,or 3, vehicle access would be restricted into the current Wotton North carpark as the new relocated skate facilities commences construction in that area. Additional parking facilities would be planned to be provided as soon as practicable around the site.</p> <p>Should Council progress Concept 4 vehicle access into the Wotton North carpark would continue as is currently available. Council are able to make a decision at the August 2021 OCM, however, if a decision is deferred the matter would not progress through the caretaker period and Council would be required to provide direction from October 2021 onwards which would impact anticipated project delivery timelines.</p>
6. Item 10.4.7 Community Grants Program Review 2021	
QUESTION(S)	RESPONSE / ACTION
Cr Filomena Piffaretti	Director Community and Development
Would it be best to finalise the Community Grants Policy (item 10.6.1.2) before making a decision on the Community Grants Program Review (item 10.4.7) – a program which lasts three years?	An objective of the Community Grants Program review was to inform the Community Grants Policy Review. In this instance the Community Grants Program review has been presented to the August round of the OCM as the proposed areas for improvement relate primarily to promotion, improved efficiencies, reduction of red tape, simplified administration processes and the City's flexibility to respond to change. The funding related actions in the recommendation are for consideration at the mid-year 2021/22 budget review or as part of consideration of the 2022/23 budget. The reviewed Community Grants Policy would help inform consideration of these funding matters at the time.