



DISCUSSION NOTES

COUNCIL AGENDA BRIEFING FORUM

**COUNCIL CHAMBERS
241 ROKEBY ROAD, SUBIACO**

TUESDAY 10 NOVEMBER 2020

**COMMENCEMENT: 5:34PM
CLOSURE: 6.11PM**

No responsibility whatsoever is implied or accepted by the City for any act, omission or statement or intimation occurring during Agenda Briefing Forums.

The City disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during an Agenda Briefing Forum.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in an Agenda Briefing Forum does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or officer of the City during the course of any meeting is not intended to be and is not taken as notice of approval from the City.

The City of Subiaco wishes to advise that any plans or documents contained within this agenda may be subject to copyright law provisions (*Copyright Act 1968*, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction.

Members of the public should note that no action should be taken on any item discussed at an Agenda Briefing Forums prior to written advice on the resolution of Council being received.

Agendas and Minutes are available on the City's website www.subiaco.wa.gov.au

CONTENTS

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	1
2.	ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE.....	1
3.	DISCLOSURE OF INTEREST.....	2
4.	APPROVED DEPUTATIONS	2
5.	ANNOUNCEMENTS BY THE PRESIDING MEMBER	2
6.	REPORTS OF COMMITTEES AND OFFICERS	3
6.1	COMMITTEE REPORTS	3
D1	Matters for Information – Disability Access and Inclusion Initiatives in the City	3
E1	See Subiaco Event Sponsorship Funding Allocation (January 2021 - June 2021)*4	
6.2	OFFICER REPORTS.....	6
C1	No. 138 (Lot 36 & 247) Bagot Road, Subiaco – Three Storey Additions and Alterations to Existing Single House*	6
C2	Draft Local Planning Policy 2.1 ‘Restaurant/Café Development on Land Zoned Residential (R80 and Above)’ – Preparation for Advertising*	8
C3	Revocation of Local Planning Policy 2.11 – Child Day Care Facilities*	9
C4	Awarding of Tender A/5778 – Supply of Street Light and Park Light Maintenance Services	10
C5	Financial Statements and Reports for the Month Ending 30 September 2020* ...	11
C6	Matters for Information*	12
7.	MEETING CLOSED TO THE PUBLIC	13
P1	100 Chisholm Crescent, Kewdale WA – Confidential	13
P2	55 Salvado Road, Subiaco WA – Confidential.....	13
P3	Bishop Street, Jolimont WA – Confidential	13
P4	Unit 2, 23 Bishop Street, Jolimont WA – Confidential	13
P5	39 Bishop Street, Jolimont WA – Confidential	13

P6 25 Bishop Street, Jolimont WA – Confidential 13

P7 19 Bishop Street, Jolimont WA – Confidential 13

8. CLOSURE OF MEETING 13

*Separate attachments

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member declared the Council Agenda Briefing Forum of the 10 November 2020 held in Council Chambers at the City of Subiaco open at 5.34pm. The Presiding Member welcomed Councillors, Staff, the Media and Members of the Community.

The Presiding Member acknowledged the Whadjuk Noongar people as the traditional custodians of the area and recognised their cultural connection to the land and waterways of Subiaco, and their continuing contribution to our City.

The Presiding Member informed the public that the Meeting was being recorded and live-streamed via the City's website.

2. ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Elected Members Present

Mayor Penny Taylor (Presiding Member)

Cr Angela Hamersley	Central Ward
Cr Lynette Jennings	Central Ward
Cr Rick Powell	South Ward
Cr David McMullen	South Ward
Cr Stephanie Stroud	North Ward
Cr Rosemarie de Vries	North Ward
Cr Matt Davis	East Ward
Cr Murray Rowe	East Ward

Staff Members Present

Cliff Frewing	A/Chief Executive Officer
Scott Hawkins	Director Corporate Services
Marion Morton	Director Community and Development Services
Gray Stead	A/Director Technical Services
Alex Petrovski	Manager Planning Services
Anthea Astone	Governance Support Officer
Libby Walker	Public Liaison

Apologies

Cr Jodi Mansfield	Central Ward
Cr Derek Nash	North Ward
Cr Blake Phelan	East Ward

Leave of Absence

Nil

Observers

5 members of the public
1 media

3. DISCLOSURE OF INTEREST

Cr Stephanie Stroud declared an **INDIRECT FINANCIAL** interest in item P4 pursuant to section 5.61 of the *Local Government Act 1995*. The nature of the interest is:

“Jolimont car service services my car. Mr Dearn who is the proprietor wishes to lease 23 Bishop for his car services business from the City.”

4. APPROVED DEPUTATIONS

Nil

5. ANNOUNCEMENTS BY THE PRESIDING MEMBER

Nil

6. REPORTS OF COMMITTEES AND OFFICERS

6.1 COMMITTEE REPORTS

D1 MATTERS FOR INFORMATION – DISABILITY ACCESS AND INCLUSION INITIATIVES IN THE CITY

REPORT FROM DIRECTOR COMMUNITY AND DEVELOPMENT SERVICES

Authors: Community Development Officer, Natalia Shah
Manager Cultural Services, Tina Ackerman

Date: 3 November 2020

File Reference: A/5499

Voting Requirements: Simple - more than half members present required to vote in favour

Deputation
Nil

Officers Report
Nil

Council Agenda Modifications
Nil

Further Information
Nil

E1 SEE SUBIACO EVENT SPONSORSHIP FUNDING ALLOCATION (JANUARY 2021 - JUNE 2021)*

REPORT FROM DIRECTOR COMMUNITY AND DEVELOPMENT SERVICES

Authors:	Coordinator Place Development, Rana Murad Events and Place Officer, Donna Christie
Date:	3 November 2020
File Reference:	A/5499
Voting Requirements:	Simple - more than half members present required to vote in favour

Deputation

Nil

Officers Report

Questions regarding this item included:

- What efforts are being made to attract new people into this space?

The **Director Community and Development Services** advised COVID-19 has made it challenging for event organisers due to many uncertainties this year. We do have 2 new applicants this time around which is exciting and we would certainly like to see more applicants to that fund. We will be doing a review of the See Subiaco sponsorship earlier next year to make sure we have the criteria right and we are doing the best we can to get the reach.

- How are we addressing the issue of money spent and does it need to be utilised? Are these events actually effective as there doesn't seem to be a lot of acquittal coming through to Council? How are we tracking this?

The **Director Community and Development Services** explained that officers wouldn't recommend funding if they didn't believe the event was worthwhile to Subiaco. There is a criteria that they work through and rank to ensure there is a benefit in providing this event. In response to your second question, we definitely have acquittals for all of our funding which is a firm requirement, and we do get data back for each event. Officers are working with the event proponent's right up to the end to ensure we are getting maximum reach to all of our businesses.

- Why don't we see where the money is being spent or receive any invoices? Where is this information for elected members to see?

The **Director Community and Development Services** advised that the acquittal process is thorough and we do see invoices for everything. We make sure the events are delivered against the criteria. It's not something that has been reported back through council routinely, in the last round we provided significant information through officer reports. There is no formal process in reporting this back to council currently.

- How can we get this to happen?

The **Director Community and Development Services** advised that officers can look at a way of sharing this information with elected members.

- Has the committee spoken to the tram owners recently regarding funding or assistance? Has it come up again in recent times?

The **Presiding Member** advised that there has been numerous attempts by the economic development team to engage in this business case. There are a number of arrangements that administration need to be certain of, particularly insurance and funding arrangements. There are some reasonable first steps that need to be taken to make sure there is a clear understanding of those matters going forward.

Council Agenda Modifications

Nil

Further Information

Nil

6.2 OFFICER REPORTS

C1 NO. 138 (LOT 36 & 247) BAGOT ROAD, SUBIACO – THREE STOREY ADDITIONS AND ALTERATIONS TO EXISTING SINGLE HOUSE*

REPORT FROM DIRECTOR COMMUNITY AND DEVELOPMENT SERVICES

Authors:	Manager Planning Services, Alexander Petrovski Planning Technical Support and Administration Officer, Hayden Krsanac
Date:	3 November 2020
File Reference:	A/5499
Voting Requirements:	Simple - more than half elected members present required to vote in favour

Deputation

Nil

Officers Report

Questions regarding this item included:

- Can planning staff confirm this is only being advertised to adjoining properties?

The **Manager Planning Services** advised that it was advertised to adjoining properties in accordance with our public consultation policy.

- The height of the building seems to be above the allowed height, could this be addressed?

The **Manager Planning Services** explained that this property is in an area of Subiaco which requires discretion for 2 storey houses. It is consistent with the general building heights for a two storey house when the ground level fall is taken into consideration. The proposal is set-back from the rear and other properties.

- The height has been reduced by 0.3m, does that meet valid planning regulations?

The **Manager Planning Services** advised what it meets is the discretionary framework for considering height at this scale. There are discretions that are allowable, the proposal is consistent with the planning framework and is recommended for approval.

- If the owner designed the house without a basement, could they have gone to this height? How does the basement change things?

The **Manager Planning Services** explained that if you propose excess fill above natural ground level, the additional fill will be considered in the measurement of building height for setbacks and the same amount of discretion will be required.

- Does plot ratio apply? And if so, how much additional yard might be filled up with building?

The **Manager Planning Services** advised that plot ratio does not apply to the assessment of single houses. It would be up to the applicant to consider the orientation of the house on the ground level.

- Was the proposal advertised to 21 properties noted on figure 2, and then an additional series of adjoining properties on Townsend Road and to the North of Park Street?

The **Manager Planning Services** explained that in accordance with our public consultation policy, the application was advertised to 10 properties adjoining the subject site to the rear, east, west and across the road.

- The neighbours have raised questions about solar access and visual privacy, could you address those?

The **Manager Planning Services** advised the application is compliant with these two matters.

- Is the reason that those particular windows have to be screened or opaqued because of the cone of vision being close to the western side boundary?

The **Manager Planning Services** explained yes that's correct, the R-codes provides an option to either set back behind the cone of vision or to have obscuration to a height limit of 1.6 metres above floor level. A condition has been recommended to implement the visual privacy requirement.

- As it is an open sitting area upstairs that leads to the staircase, could that not be defined as a habitable space and therefore require some window treatment for privacy?

The **Manager Planning Services** advised the R-codes definition is definitive on stairs not being a habitable space, we wouldn't be able to stretch that definition.

Council Agenda Modifications

Nil

Further Information

Nil

C2 DRAFT LOCAL PLANNING POLICY 2.1 'RESTAURANT/CAFÉ DEVELOPMENT ON LAND ZONED RESIDENTIAL (R80 AND ABOVE)' – PREPARATION FOR ADVERTISING*

REPORT FROM DIRECTOR COMMUNITY AND DEVELOPMENT SERVICES

Authors:	Manager Planning Services, Alexander Petrovski Senior Strategic Planning Officer, Jutta Kober
Date:	3 November 2020
File Reference:	A/5499
Voting Requirements:	Simple - more than half elected members present required to vote in favour

Deputation

Nil

Officers Report

Questions regarding this item included:

- “The parking requirement may be waived,” is this going to cause parking problems for the neighbours?

The **Manager Planning Services** explained that’s why the word may is there. There’s consideration for discretion on whether parking requirements will be enforced. We are trying to encourage vibrant café development in this area close to major roads and public transport networks. Generally there is lesser demand for parking and more of a convenience factor of people walking by.

- Is it legal for us to say no to this development if the public aren’t happy with a café popping up next door to their house?

The **Manager Planning Services** advised that this is a provision carried over from TPS4 to LPS5. The Policy proposes policy guides Council in considering discretion in future proposals. If Council doesn’t want cafes in R-80 zones, the scheme will need to be modified and will be subject to Ministerial consideration as per the normal process.

- If under the scheme people can decide to put in a café with R-80 zoning, isn’t it the case that we can’t stop this?

The **Manager Planning Services** explained it’s a discretionary consideration. Council could resolve to refuse the café component of it and what this policy seeks to do is provide guidance.

Council Agenda Modifications

Nil

Further Information

Nil

C3 REVOCATION OF LOCAL PLANNING POLICY 2.11 – CHILD DAY CARE FACILITIES*

REPORT FROM DIRECTOR COMMUNITY AND DEVELOPMENT SERVICES

Author: Manager Planning Services, Alexander Petrovski
Planning Officer, Zo Kruger

Date: 3 November 2020

File Reference: A/5499

Voting Requirements: Simple - more than half elected members present required to vote in favour

Deputation

Nil

Officers Report

Questions regarding this item included:

- How is the Planning Bulletin 72/2009 *Child Care Centres* incorporated into our planning framework?

The **Manager Planning Services** advised the deemed provisions provide to consider any other relevant consideration. The Planning Bulletin serves as a guide to people who are preparing childcare centres. We have the considerations in our scheme and our objectives, and the deemed provisions of the regulations to consider such matters.

Council Agenda Modifications

Nil

Further Information

Nil

C4 AWARDING OF TENDER A/5778 – SUPPLY OF STREET LIGHT AND PARK LIGHT MAINTENANCE SERVICES

REPORT FROM DIRECTOR TECHNICAL SERVICES

Authors: Manager Operations and Environment, Gray Stead
Coordinator Infrastructure Maintenance & Waste Services, Robert Wyllie

Date: 3 November 2020

File Reference: A/5499

Voting Requirements: Simple - more than half elected members present required to vote in favour

Deputation

Nil

Officers Report

Questions regarding this item included:

- Is a 65/100 ranking an adequate score or should we be looking for someone with more experience?

The **A/Director Technical Services** advised it is an adequate score and is assessed to criteria as per the tender documentation. The evaluation is done by independent personnel and they can score differently. They are definitely considered suitable to carry out these works and have the suitable experience and qualifications.

Council Agenda Modifications

Nil

Further Information

Nil

C5 FINANCIAL STATEMENTS AND REPORTS FOR THE MONTH ENDING 30 SEPTEMBER 2020***REPORT FROM DIRECTOR CORPORATE SERVICES**

Author: Manager Finance & Governance Services, Bianca Jones

Date: 3 November 2020

File ref: A/5499

Voting requirements: Simple - more than half elected members present required to vote in favour

Deputation

Nil

Officers Report

Nil

Council Agenda Modifications

Nil

Further Information

Nil

C6 MATTERS FOR INFORMATION***REPORT FROM CHIEF EXECUTIVE OFFICER**

Author: Executive Assistant, Diane Scott
Date: 3 November 2020
File Reference: A/5499
Voting Requirements: Simple - more than half elected members present required to vote in favour

Deputation

Nil

Officers Report

Questions regarding this item included:

- The staff have let us know that the Subiaco East Draft Master Plan process is finished so reports to us will finish as well – will the continuing work that staff are doing on Subi East will come to us through EMIB?

The **Chief Executive Officer** advised that where no decisions are made or required to be made, information reports will come through the EMIB. We anticipate there will be more Subi East briefings and where decisions are to be made, a report will come through council.

Council Agenda Modifications

Nil

Further Information

Nil

7. MEETING CLOSED TO THE PUBLIC

The following Committee Reports will be presented at the Ordinary Council Meeting – 17 November 2020:

P1 100 CHISHOLM CRESCENT, KEWDALE WA – CONFIDENTIAL

P2 55 SALVADO ROAD, SUBIACO WA – CONFIDENTIAL

P3 BISHOP STREET, JOLIMONT WA – CONFIDENTIAL

P4 UNIT 2, 23 BISHOP STREET, JOLIMONT WA – CONFIDENTIAL

P5 39 BISHOP STREET, JOLIMONT WA – CONFIDENTIAL

P6 25 BISHOP STREET, JOLIMONT WA – CONFIDENTIAL

P7 19 BISHOP STREET, JOLIMONT WA – CONFIDENTIAL

8. CLOSURE OF MEETING

The Presiding Member declared the Council Agenda Briefing Forum of 10 November 2020 closed at 6.11pm.