



SPECIAL ELECTORS MEETING

**Minutes of the Special Electors Meeting
Called to Discuss Lot 800 Ray Street, South Perth
which is currently used as a Public Car Park
Meeting Held in the Council Chambers on
Tuesday 20 December 2011 commencing at 7.00pm**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor opened the meeting at 7.00pm and welcomed everyone to the Special Electors Meeting. She then paid respect to the Noongar peoples, past and present, the traditional custodians of the land we are meeting on and acknowledge their deep feeling of attachment to country.

2. RECORD OF ATTENDANCE / APOLOGIES

Mayor Doherty (Chair)

Councillors:

I Hasleby	Civic Ward
G Cridland	Como Beach Ward
G W Gleeson	Como Beach Ward
C Cala	McDougall Ward
R Grayden	Mill Point Ward
B Skinner	Mill Point Ward
K Trent, RFD	Moresby Ward

Officers:

Mr C Frewing	Chief Executive Officer
Mr P McQue	Manager Governance and Administration
Mr R Woodman	Corporate Projects Officer
Mrs K Russell	Minute Secretary

Apologies

Cr V Lawrance	Civic Ward	approved Leave of absence
Cr S Hawkins-Zeeb	Manning Ward	approved Leave of Absence
Cr P Howat	McDougall Ward	
Cr F Reid	Moresby Ward	

Gallery

There were approximately 50 members of the public and 1 member of the press in attendance.

STATEMENT FROM THE MAYOR

The Mayor advised the gallery that it was her intention to apply the City's Standing Orders Local Law to the running of the meeting. She then outlined the following points:

- Only electors can speak or vote at the meeting
- Councillors are not obliged to attend Electors' Meetings but have chosen to do so to listen to the comments made by the residents of South Perth. Councillors will not respond to any questions.
- Electors have the right to speak however any Councillor wishing to speak does so as an elector.
- Council is not bound by any decision made at the meeting. Motions passed will be considered by Council at the February 2012 Council meeting.
- Each speaker will be permitted 5 minutes and should restrict their comments to the subject of the meeting.
- Speakers should not repeat comments / points already raised by another speaker. There will be the opportunity to voice support in the vote when any Motion is put.
- Meeting protocol to be adhered to.

3. PETITIONS

The Mayor advised that the 'text' of the petition (as follows) received on 22 November 2011 from Murray Fisher, 875 South Perth Esplanade, South Perth together with 152 signatures is displayed in the powerpoint presentation on the overhead screen for the benefit of the public gallery.

Text of the petition reads:

"We, the undersigned request the City to adopt and administer the following:

1. *It is essential that the City retains its ownership in perpetuity Lot 800 on Plan 71366 it being currently a 34 bay Public Car Park;*
2. *It is essential that the original footpath access located previously on Lot 114 and giving pedestrian access via this City Public Car Park to the Mends Street Precinct be reinstated and defined in perpetuity in the proposed subdivision for this area and in the TPS for this area.*
3. *It is essential that on Lot 800 Plan 71366 that the City retains its previously existing and its only vehicular crossover exist from its Public Car Park the one leading onto Ray Street via Ray Street land designated "road widening".*
4. *It is essential that the land designated "road widening" on Plan 71366 be converted into dedicated road reserve thereby extending Ray Street as a public road.*
5. *It is essential to provide car parking for peak periods when almost all Mends Street Businesses or traders are relying on peak customer numbers for trading success.*

4. PUBLIC COMMENT PERIOD

The Mayor opened the Public Comment Period at 7.08pm and requested that speakers please state their name and address before making comment.

The following is a 'summary' of comments raised:

Mr Chris Gorrill, 8 Darley Street, South Perth - thanked concerns residents/electors for attending and covered the following points:

- meeting requested to express concerns of electors in relation to development of former Lot 114
- essential the City retains ownership of Lot 800 - currently a 34 bay Public Car Park (Parking Station No.1)
- have heard assurances there are no plans in foreseeable future to close car park- car park is required to maintain amenity and viability of existing Mends Street Precinct area - do not sell off to a private developer - as is proposed - City described the car park as under-utilized
- car park is a long-standing local amenity and not a revenue raising commodity
- the owner of the Windsor Hotel (Mr Ogden) wants to obtain the land - will create a 'super block'
- the City by accident or design is assisting the owner of the Windsor Hotel to obtain land
- ticket parking at \$3 per hour introduced in Mends Street - parking in Angelo Street Precinct (64 bays) is free for 2 hours and \$2 per hour thereafter - no fee after 5.30pm. Mends Street has no free 2 hour parking - why is Mends Street being disadvantaged

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- understand Lot 800 (subdivided) may be sold at a future date by private treaty - any action to dispose of this important asset to the Windsor Hotel by private sale could invite an investigation
- no consultation with residents in relation to proposal to sell Lot 114
- urge Council not to sell Lot 800 into private ownership
- electors need to retain access to local public car park which is a vital facility contributing to the amenity and viability of the existing Mends Street Precinct.

Sally Cooke, 8 York Street, South Perth - in relation to footpath access, raised the following points:

- worse aspect of this proposal to sell 34 car bays is there was no consultation with residents
- footpath (located previously on Lot 800) provides pedestrian access from Ray Street through to Mends Street shopping precinct
- if accessway sold it would prevent local residents accessing Mends Street - only access would be through the Southshore building which closes after 5.30pm and on weekends
- what is the reason for this inconvenience to residents
- City needs to move the boundary of Lot 800 to accommodate footpath / footpath needs to be retained to provide access to Mends Street - as it has for last 40 years
- Council concern seems to be for developers and not for the business people in Mends Street - dealing with parking costs etc - or for its ratepayers
- Council has a responsibility to consult with residents - not elected to do anything they like without first discussing with ratepayers/residents

Christine Jeffees, 8 Darley Street, South Perth - raised the following points:

- one reason Council states for closure of crossover is for vehicle/pedestrian safety
- vehicles (including a Council vehicle) have been seen mounting the kerb and driving across car park in order to access Ray Street
- only access to Mends Street is via a one-way lane with the only exit through Windsor Hotel car park - what will happen when this area is developed
- during peak hours vehicles exiting car park are forced into banked up traffic in Mill Point Road - no exit permitted to Mends Street - this appears to be the only Public Car Park with no exit
- closing the only vehicle crossover exit is not a solution - merely compounds the difficulties
- reinstatement of access to Ray Street is essential

Patricia Atkinson, Treasurer Esplanade Court Strata Plan - raised the following comments:

- City wrote to Esplanade Court requesting surrender right-of-carriageway from western end of Ray Street over part of the City's current Lot 114 now designated 'road widening'
- previous owner of Esplanade Court agreed to sell what is now Lot 114 to the City for use as a car park
- City has said it wants their right-of-carriageway across this area to allow for road widening
- understood road widening work specified on the plan has already been undertaken being footpath and entrance to Southshore building ramp
- owners of Esplanade Court surrendered land at no cost to the City to carry out road widening of Ray Street - 41 years later City has still not carried out its obligations of widening Ray Street
- City is aware that we do not need to surrender rights-of-carriageway to carry out any such work designated as road widening on its current plan 71336.
- explanation given by CEO that our right-of-carriageway needs to be surrendered to enable the City to Gazette the roadway is flawed
- In June 1970 under the Local Government Act the whole of then Lot 245 (now designated Lot 114) including the whole of the eastern side of the right-of-way to the South Perth Esplanade, now known as the Ray Street Lane was declared a dedicated roadway
- the Station Precinct building height plan shows the area that is designated 'road widening' currently proposed to be zoned for 6 storey development - we required that the City remove this anomaly of the proposed six storey development over the area designated road widening on diagram 71336

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- Council of Owners meeting in October 2011 advised Ray Street may need to be closed for a couple of years - some 250 residents would be affected by such a closure
- City of South Perth needs to declare its intentions to the residents of Ray and Darley Streets - explanations provided so far do not add up
- a copy of diagram 40415 'tabled' showing under the Local Government Act that all roads within the green boarder of current Lot 114 including the western side of Ray Street and the eastern side of the Ray Street Laneway and the whole of the existing car park are marked as dedicated roadways
- ask that the residents of Esplanade Court be advised in writing that the designated road widening on plan 71336 will not be zoned under the Station Precinct Zoning for development purposes and that the existing proposed six storey zoning will be removed before Gazettal of the South Perth Station Precinct Planning Scheme

Murray Fisher, 87 South Perth Esplanade, South Perth - in relation to item 5 of the petition (car parking) raised the following points:

- for the Mends Street Hub to survive must provide adequate parking
- scheme proposed is specific - designed to promote high density development
- Station Precinct Plan refers to a 'sustainable plan' - development controls discourage car travel
- Council briefing stated No. 1 car park was under performing / an under-utilized asset that should be sold to the Windsor Hotel - funding would go into 'general reserve'
- February 2011 Council meeting resolved to subdivide lot - resolution passed to sell car park without any consultation with residents / local businesses
- No.2 car park in Angelo Street provides 2 hours free parking - City charges \$2 per hour in Mends Street - why favour Angelo Street
- redevelopment of Windsor car park - no guarantee car bays will be there in the future
- City must undertake a Master Plan for the future of Mends Street and possible eventual loss of Windsor car park for the future - City must act now to save Mends Street

CEO COMMENT

The CEO provided a powerpoint presentation covering the following topics:

- Summary of Council Resolution in February 2011 to Subdivide Lot 114
 - Confusion regarding parking arrangements at the Windsor Hotel
 - Recognised that car park was used as a thoroughfare to Southshore Development and Ray Street - causing traffic, parking and pedestrian conflict
 - Agreed that Council did not need to own the car park land
 - Recognised that it was desirable to transfer City freehold owned land to road reserve (Ray Street)
 - Council did not need to own the land on which Southshore Development car park ramp is built
 - Council agreed to subdivision process
- Laneway & Crown Reserve
- Plan of Lot Prior to Subdivision / Plan of Lot after Subdivision
- Previous Access Through Car Park to Southshore Development
- Parking Map

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- Parking Survey Results - Parking Areas in immediate vicinity of Mends Street during November 2011

Car Park Location	Total No. of Bays	Average No. of Bays Available (approx)
Car Park 4 - Mends Street (Australia Post Area)	24	8 (33%)
Mends Street South - Between Labouchere Rd & South Perth Esplanade	14	4 (29%)
Mends Street North - Between Mill Point Rd & South Perth Esplanade	21	2 (9%)
SPE3 Car Park - South Perth Esplanade	33	11 (33%)
SPE4 Car Park - South Perth Esplanade	26	10 (38%)
Southshore	162	82 (51%)
Windsor Hotel - Car Park 1 – City of South Perth	31	13 (42%)
Windsor Hotel - Windsor Hotel Car Park – Wilson Parking	113	69 (61%)
IGA Car Park - Underneath off Harper Tce	28	11 (39%)
Harper Terrace - Street Parking	19	5 (26%)
TOTALS	471	215 (46%)

- Parking Survey Results - Summary for each week of November 2011

Car Park Location	Total No. of Bays	Average Number of Bays Available (approx)			
		Wk 1	Wk 2	Wk 3	Wk 4
Car Park 4 - Mends Street (Australia Post Area)	24	8	6	11	7
Mends Street South - Between Labouchere Rd & South Perth Esplanade	14	5	5	4	2
Mends Street North - Between Mill Point Rd & South Perth Esplanade	21	2	2	2	2
SPE3 Car Park - South Perth Esplanade	33	10	11	10	15
SPE4 Car Park - South Perth Esplanade	26	8	11	8	12
Southshore	162	52	86	77	115
Windsor Hotel - Car Park 1 – City of South Perth	31	12	10	11	19
Windsor Hotel - Windsor Hotel Car Park – Wilson Parking	113	46	78	65	88
IGA Car Park - Underneath off Harper Tce	28	9	11	11	13
Harper Terrace - Street Parking	19	4	6	2	7
TOTALS	471	156	226	201	280

- Zoo and Ferry Patronage

	Perth Zoo		Ferry	
2005/06	597000	8.5%	502000	9.10%
2006/07	613000	2.68%	545000	8.57%
2007/08	620700	1.26%	464000	-14.86%
2008/09	637000	2.63%	484000	4.31%
2009/10	635000	- 0.31%	464000	-4.13%
2010/11	612000	- 3.62%	471000	1.51%
Overall	15000	2.51%	-3100	-6.18%

He then addressed some of the issues raised by the gallery, as follows:

- at this stage Council has not agreed to sell land - Council has only at this stage agreed to do the subdivision but obviously at some stage in the future will consider a report on selling those two lots, being Lot 800 and Lot 801.
- parking costs - acknowledge, yes there are costs in parking - referred to a publication out “The High Cost of Free Parking”
- closure of the crossover - the reason we closed the crossover is to protect users of the car park from through-traffic
- surrender of carriageway - cannot get any greater security of access compared with a road that is gazetted as a road
- in terms of arranging our affairs to last in perpetuity - would never recommend that action to Council as it is to be believed to be short sighted and certainly closes off options for the future
- not aware of any road widening works that are planned in the Ray Street area - we have certainly modified road works in accordance with a Council resolution to permit a more free-flowing access of vehicles from the Southshore development and to make the car park safer
- statement that we plan to close Ray Street for 2 years - do not know where that came from - it certainly has not come from the City or our surveyor- - there is no reason for the City to do that
- confirm that any reference to 6 storeys in the South Perth Station Precinct Study will now be extinguished from that portion of road reserve
- comment that the Mends Street Hub was slowly dying because of lack of parking - believe there is plenty of car parking available as identified in the powerpoint presentation
- acknowledge there will be some form of development in the future within the Station Precinct when Council adopts the Precinct Plan but all developments will be required to provide adequate parking bays for businesses / residences as is the case with any other development within the City which is a normal requirement
- it is also correct that the Plan promotes a sustainable development - as a responsible local authority believe ratepayers would expect nothing less - we must try to encourage alternative forms of transport other than the use of fossil fuel
- comment made about the funds from the sale of land in an area not allocated to the Ward is correct - Ward Accounting is illegal - in any event the Mill Point Ward has had significant funds spent on it in recent years
- at this stage there is no resolution to sell the car park, but if and when Council does adopt a resolution to sell the car park and if, as suggested, it is by Private Treaty, then consultation will occur with the community which is a requirement of the Local Government Act.
- at this stage there are no plans to develop any of the land referred to

Mayor Doherty requested that the CEO clarify for the ratepayers present, the other means of disposing of land other than by Private Treaty and stated that whichever option was used that there would be the requirement for a Business Case to be prepared.

The CEO stated that there are three options how a local authority can dispose of land under its control, as follows:

1. private treaty - is an option under the Act provided that the local government advertises the fact and seeks comment
 2. calling tenders for sale of the land which is required to be advertised locally and in the West Australian newspaper
 3. conduct an auction of the land
- regardless of which option Council chooses to sell the land the City would always take advice from real estate consultants and land valuers as to what the current value is

The Mayor thanked the CEO for his comments and asked Mr Fisher to put forward his Motion.

MOTION

Moved Mr Fisher, Sec Mr Gorrill...

That

- (a) the City of South Perth be advised that this meeting of its Electors requires the City to adopt and administer all of the following 5 essentials:
 1. It is essential that the City retains its ownership in perpetuity Lot 800 on Plan 71366 it being currently a 34 bay Public Car Park;
 2. It is essential that the original footpath access located previously on Lot 114 and giving pedestrian access via this City Public Car Park to the Mends Street Precinct be reinstated and defined in perpetuity in the proposed subdivision for this area and in the TPS for this area.
 3. It is essential that on Lot 800 Plan 71366 that the City retains its previously existing and its only vehicular crossover exist from its Public Car Park the one leading onto Ray Street via Ray Street land designated "road widening".
 4. It is essential that the land designated "road widening" on Plan 71366 be converted into dedicated road reserve thereby extending Ray Street as a public road.
 5. It is essential to provide car parking for peak periods when almost all Mends Street Businesses or traders are relying on peak customer numbers for trading success.
- (b) the Minister of Local Government be appraised of this Motion and that the Minister be requested to help ensure the City of South Perth accordingly retains its public land for its public's use;
- (c) the City of South Perth be asked to ensure that its Mayor and all of its City Councillors and all of its associated technical officers be given a copy of all of the above; and
- (d) the City of South Perth be asked to ensure all its City Councillors respond publicly to all of the above as it is a matter of considerable public concern.

Felicia Galbraith, 3 Jubilee Street, South Perth - for the Motion

- support the Motion
- used to shop in Mends Street
- now due to lack of parking go to shop in Victoria Park
- no access out of Ray Street - parking costs \$3
- to not go to Mends Street because of parking problems

Resident, 89 South Perth Esplanade Court speaking for the Motion

- heard there is confusion over car park - to sell the land to solve the problem is not a solution
- should not sell our assets in the current economic downturn - should keep options open
- City should review its car parks and find a better way to manage them / attract people to the City
- crossover and Ray Street - there is only one way in and that is from Mends Street
- proposed solution to close not a good solution - considered as more dangerous

Mr Fisher Closing for the Motion

- ask Council to listen to your ratepayers
- solution not thought through
- we ask for equal parking rights the same as in Angelo Street - 2 hours free parking
- medical centre proposing to move because of parking issues- probably the chemist will also go
- listen to your ratepayers - do not flog off land because you cannot make it work

The Mayor Put the Motion

CARRIED UNANIMOUSLY

Where to from Here

This matter will be the subject of report to the February 2012 meeting of Council.

6. CLOSURE

The Mayor thanked everyone for their attendance and input, wished them Seasons Greetings and closed the meeting at 8.04.

These Minutes were confirmed at a meeting on 28 February 2012

Signed _____
Chairperson at the meeting at which the Minutes were confirmed.