

SPECIAL ELECTORS' MEETING MINUTES

Special Electors' Meeting

14 July 2014

A Special Electors' Meeting was held in the Community Hall, South Perth Civic Centre, on Monday 14 July 2014 at 7:00 pm.

The purpose of the meeting was to:

- discuss matters relating to Development Application 252/2014 - 243 Canning Highway, South Perth "Demolition and Redevelopment of Bottle Shop and Alterations/Additions to Como Hotel"



CLIFF FREWING
CHIEF EXECUTIVE OFFICER

17 July 2014

Our Guiding Values

Trust

Honesty and integrity

Respect

Acceptance and tolerance

Understanding

Caring and empathy

Teamwork

Leadership and commitment

Disclaimer

The City of South Perth disclaims any liability for any loss arising from any person or body relying on any statement, discussion, recommendation or decision made during this meeting.

Where an application for an approval, a licence or the like is discussed or determined during this meeting, the City warns that neither the applicant, nor any other person or body, should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it, or the refusal of the application has been issued by the City.

Further Information

The following information is available on the City's website.

- **Council Meeting Schedule**

Ordinary Council Meetings are held at 7pm in the Council Chamber at the South Perth Civic Centre on the fourth Tuesday of every month between February and November. Members of the public are encouraged to attend open meetings.

- **Minutes and Agendas**

As part of our commitment to transparent decision making, the City makes documents relating to council and its committees' meetings available to the public.

- **Meet Your Council**

The City of South Perth covers an area of around 19.9km² divided into four wards. Each ward is represented by two councillors, presided over by a popularly elected mayor. Councillor profiles provide contact details for each elected member.

<http://www.southperth.wa.gov.au/Our-Council>

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Special Electors' Meeting Minutes

Minutes of the Special Electors' Meeting held in the Council Chamber, Sandgate Street, South Perth
Monday 14 July 2014 at 5:30 pm.

I. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

I.1 Welcome

The Mayor opened the meeting at 7.12 pm and welcomed everyone in attendance with a special welcome to the Councillors and Mr John McGrath MLA (Member for South Perth) and introduced the City's Officers. She then acknowledged the Noongar / Bibbulmun people as the traditional custodians of the land

The Mayor read aloud the City's Disclaimer.

I.2 Mayor's Statement

The Mayor requested that all mobile phones be turned off or on to silent. She then advised that the City's Standing Orders Local Law will apply to the running of the meeting and outlined the following points in relation to proceedings:

- Speakers will be invited to make comment and ask questions. Those who submitted presentations and questions prior to the meeting will be invited first. Each speaker to restrict their comments to the subject of the meeting and will be allowed no more than 5 minutes.
- Councillors are not obliged to attend Special 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.
- Only Electors can speak or vote at the meeting. Any Councillor wishing to speak does so as an Elector.
- 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.
- Council is not bound by any decision made at the meeting. Motions passed will be considered by Council at future meetings.
- Meeting protocol will be adhered to.

2. RECORD OF ATTENDANCE / APOLOGIES

2.1 Elected Members and Council Staff

Mayor Doherty (Chair)

Councillors (as Electors):

Cr V Lawrance	Como Ward
Cr S Hawkins-Zeeb	Manning Ward
Cr C Cala	Manning Ward
Cr F Reid	Moresby Ward
Cr K Trent, OAM, RFD	Moresby Ward
Cr C Irons	Mill Point Ward
Cr M Huston	Mill Point Ward

Officers:

Mr C Frewing	Chief Executive Officer
Mr P McQue	Manager Governance and Administration
Ms V Lummer	Director Community Culture and Recreation
Mr M Taylor	Acting Director Infrastructure Services
Mr R Woodman-Povey	Corporate Projects Officer
Mrs S Kent	Governance Officer (Minute Secretary)

Apologies

Cr G Cridland	Como Ward
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2.2 Electors

There were approximately 59 members of the public present.

The attendance register can be found at Appendix A.

3. PETITION

The Mayor stated that the meeting has been called in response to a Petition served by Mr Phil Watson, of 25 Norton Street, South Perth together with 141 signatures. She then read aloud the text of the petition as follows:

“To: The (1) Mayor/President of the South Perth City Council

1. *Under section 5.28 of the Local Government Act 1995, the electors of the South Perth & Como community whose names, addresses and signatures are set out in the attached list and who comprise (1) 100 electors/5% of the number of electors request that a special meeting of the electors of the district be held.*

2. *The details of the matter to be discussed at the special meeting are:*

To discuss matters relating to Development Application 252/2014, 243 Canning Highway, South Perth for a Dan Murphy’s liquor store. The following points are submitted for discussion:

1. *The concerns of electors about the proposed large format liquor development at the Como Hotel site, including but not limited to:*

1. *Noise*
2. *Traffic and parking*
3. *Increase in the negative social effects of alcohol in the community*
4. *Impacts on adjoining properties*

2. To provide an opportunity for the Mayor to indicate Council's current position on the matter, given its recent refusal of Amendment 40,
3. To consider the following motions:
 1. That the people of South Perth oppose the development of a large Dan Murphy's liquor outlet on the Como Hotel Site;
 2. That the people of South Perth request that the Council prepare a submission to the JDAP opposing DA 252/2014 consistent with its reasons for refusal of Amendment 40; and
 3. That the people of South Perth / Como request that the applicant withdraws their application for the Dan Murphy's to be located at the Como Hotel site & the Development Assessment panel refuse this re-development application."

The petition can be found at **Attachment 1**.

4. PRESENTATIONS

4.1 Development Application 252/2014 Overview

The Mayor invited the Director of Development & Community Services, Ms Vicki Lummer to give an overview on Development Application 252/2014.

Ms Lummer spoke to slides which can be found at **Attachment 2** and covered the following topics:

- Car parking
- Vehicle access
- Social impacts
- Vehicle impacts
- External plans
- Next steps

5. PUBLIC COMMENT

The Mayor opened the Public Comment Period for those questions and presentations received prior to the meeting. She requested that speakers state their name and address.

5.1(a) Questions: Save Como Action Group

The Mayor advised that the questions received (found at **Attachment 3**) would be taken on notice with a written response provided to the Save Como Action Group and a copy of those responses included in the Minutes at Appendix B.

5.1(b) Presentations

- Uloth & Associates – Traffic Management Consultants
The Mayor invited Hannah Saunders on behalf of Uloth & Associates to the microphone.
(The presentation with main points raised can be found at **Attachment 4**)
- Murray Jennings – Local Resident
The Mayor then invited Murray Jennings to the microphone
(The presentation with main points raised can be found at **Attachment 5**)
- Graham Kew – Local Resident
The Mayor then invited Graham Kew to the microphone
(The presentation with main points raised can be found at **Attachment 6**)
- Dr Peter Howat – Local Resident & Profesor of the School of Public Health, Curtin University

The Mayor then invited Dr Peter Howat to the microphone
(The presentation with main points raised can be found at **Attachment 7**)

- Greg Benjamin – Local Resident

The Mayor then invited Greg Benjamin to the microphone
(The presentation with main points raised can be found at **Attachment 8**)

5.1(c) **Open Microphone**

The Mayor opened the Public Comment Period for those Electors wishing to speak. She requested that speakers state their name and address.

The following is a 'summary' of comments raised:

Michael Lee of 232 Canning Highway South Perth

- Lives opposite the development site.
- Disagrees with speakers.
- Noise exists already (ambulances, fire, police services).
- Traffic will increase anyhow given the plans to redevelop Ernest Johnson Reserve.
- Was former cleaner at the Como Hotel.

Lesley Vanstan of 28 Elizabeth Street, South Perth

- Received brochures in letterbox – believes the facts are deceiving (eg. size of development and traffic flow):
 - Size of development shown includes current bottle shop.
 - Traffic studies taken at peak period (eg 6pm on Friday night).
- Those living in Norton Street should be expected to put up with existing noise – Como Hotel has been in its location longer than residents.
- Compares traffic at the Como Hotel to the traffic at the Windsor and other liquor sites as similar.
- There are numerous liquor stores all over the place – highlighted possible vested interests with speakers.
- Alcohol problems are a minority of the people.

John McGrath MLA – Member for South Perth

- Attended as Member for South Perth to hear what residents thought of the development.
- The meeting is an outstanding opportunity for democracy.
- Those who contacted John's office were concerned particularly with traffic movements.
- The City is growing at a rapid pace and the development is located in an already busy thoroughfare to other activity centres.
- Noted the large number of existing liquor outlets in South Perth – no shortage of liquor availability already.
- Submitted apologies on behalf of Steve Irons MP, Federal Member for Swan and conveyed on Mr Irons' behalf that he has made a submission to the City of South Perth and opposes the development. The speech notes can be found at **Attachment 9**.

Susanne Trenbath of 47 Monk Street, Kensington

- Lives a few streets away from the existing Como Hotel and can hear the noise from patrons.

Brian Trenbath of 47 Monk Street, Kensington

- Has had experience with the effect the availability of cheap liquor does to Does not want cheap availability of alcohol to continue

Ferdinand Nicoletti of 27 Birdwood Avenue, Como

- We need less liquor stores, not more.

Andrew Cox of 126 Hensman Street, South Perth

- Drink driving in the vicinity - wife's vehicle was "written off" by a drunk driver.
- Not happy with the proposed development.
- Would rather help a local business out.

5.2 Motion

The Mayor invited the nominated representative from the Save Como Action Group, Dr Peter Howat, to read out the Motion from the meeting.

MOTION

Moved: Dr Peter Howat

Seconded: Mr Greg Benjamin

That:

1. The electors of the South Perth & Como community oppose the development of a large Dan Murphy's liquor outlet on the Como Hotel Site as it will negatively impact the local amenity on the grounds of increased noise, traffic congestion, compromised road safety, insufficient car parking, adequate availability of liquor outlets locally already & ensuring the preservation of heritage & environment;
2. The electors of the South Perth & Como community request that the Council prepare a submission to the JDAP opposing DA 252/2014 consistent with its reasons for refusal of Amendment 40; and
3. The electors of the South Perth & Como community strongly recommend that the Development Assessment panel refuse the re-development application as it is contrary to orderly and proper planning and the preservation of the amenities of the locality.

Michael Lee of 232 Canning Highway, South Perth spoke AGAINST the motion.

Tina Watson of 25 Norton Street, Como spoke FOR the motion.

MINOR AMENDMENT AND RESOLUTION

Moved: Dr Peter Howat
Seconded: Mr Greg Benjamin

That the words “South Perth & Como community” are replaced with the words “City of South Perth” so that the Motion reads as follows:

MOTION

Moved: Dr Peter Howat
Seconded: Mr Greg Benjamin

That:

1. The electors of the City of South Perth oppose the development of a large Dan Murphy’s liquor outlet on the Como Hotel Site as it will negatively impact the local amenity on the grounds of increased noise, traffic congestion, compromised road safety, insufficient car parking, adequate availability of liquor outlets locally already & ensuring the preservation of heritage & environment;
2. The electors of the City of South Perth request that the Council prepare a submission to the JDAP opposing DA 252/2014 consistent with its reasons for refusal of Amendment 40; and
3. The electors of the City of South Perth strongly recommend that the Development Assessment panel refuse the re-development application as it is contrary to orderly and proper planning and the preservation of the amenities of the locality.

CARRIED (51/6)

6. CLOSURE

The Mayor thanked everyone for their attendance and input and closed the meeting at 8.25 pm.

DISCLAIMER

The City advises that comments recorded represent the views of the person making them and should not in any way be interpreted as representing the views of Council. The minutes are a confirmation as to the nature of comments made and provide no endorsement of such comments. Most importantly, the comments included as dot points are not purported to be a complete record of all comments made during the course of debate. Persons relying on the minutes are expressly advised that the summary of comments provided in those minutes do not reflect and should not be taken to reflect the view of the Council. The City makes no warranty as to the veracity or accuracy of the individual opinions expressed and recorded therein.

These unconfirmed Minutes will be confirmed at the Ordinary Council Meeting of 22 July 2014.

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

City of South Perth

ATTENDANCE

SPECIAL ELECTORS' MEETING Monday 14 July 2014

In response to a petition received a Special Electors Meeting has been called to discuss matters relating to Development Application 252/2014, 243 Canning Highway South Perth - "Demolition and Redevelopment of Bottle Shop and alterations/additions to Como Hotel"

Please PRINT your Name and Address

Name	Address	Email
M Winford	1/165 Melville Pde Como	—
M. Lu	4/165 Melville Pde	
D. O'Malley	3/165 Melville Pde	
S. McMahon	45 Aderby & Mt Cleary	
GRAHAM KEN	2/99 MARY ST Como	
Ashley Cranenburgh	4/25 Pastor St Como	
Peter Howat	2 Beungala Ct Karawara	
Tony THURSTON	19. CARR ST.	
PAULINE THURSTON	" " "	
GRANAME FENTON	112 McDONALD ST Como	
Sue McCavana	36 McDonald St Como	
Alan McCavana	" " "	
L. VANSTAN	28 Elizabeth St.	
J. Litigo	4 Hill St South Perth	
P. Galleher	2/58 Sandgate St Sth Perth	
Nancy EDWARDS	135 South Tce. Como	
P. Galleher	24 Norsewale St.	
W. Galleher	1/4 Norman St.	
R. Wisnart	27 Throssell St Como	
G. Keenan	4/45 Robert St Como	
Andrew Cox	2/126 Hensman St South Perth	
SERVANE COX	" " " "	"
Carsten Hopen	8-69-71 Gardner St Como	
BRIAN WISMART	27 Throssell St. Como	
ANTHONY LOUDEM	4/5 STRICKLAND ST SOUTH PERTH	
MATTHEW BARKER	141 A HENSMAN ST, SOUTH PERTH	
ROB MARTIN	86 GARDNER ST, COMO ROB@THECLUBT.COM.AU	

W

App 372
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RESPONSES TO QUESTIONS RAISED BY THE SAVE COMO ACTION GROUP
Special Electors' Meeting – 14 July 2014

<p>1. What is the City's view regarding the traffic hazards that would be created on South Terrace (and associated streets) as a result of the redevelopment?</p>	<p>The City does not support a change to the median in the form presented. Relocating the transformer to enable the crossing at that point and then widening South Terrace to be two lanes at the repositioned crossing is a possibility.</p>
<p>2. How does the City view the loss of amenity of adjoining residents through the noise that the redevelopment would create, and given that there would need to be an acoustic wall of at least 3m to manage that?</p>	<p>There is already a significant amount of noise generated from Canning Highway traffic and also from Como Hotel and bottle shop patrons. Additional noise generated if this application is approved, could be managed through a number of mechanisms and would have to comply with the Environmental Protection (Noise) Regulations 1997</p>
<p>3. Does the City accept that the Dan Murphy's is simply inappropriate as a "big box" in a residential street such as Norton Street?</p>	<p>The Design Advisory Architects Group have noted that the design of the new Dan Murphy's is not consistent with the existing heritage listed hotel. The groups comments have been forwarded to the applicant for their consideration and possible amendment to the design.</p>
<p>4. How will the City manage the overflow of up to 70-odd cars parking in Norton St? (as the car park will be unable to cope with the traffic counts expected)</p>	<p>The shortfall under the Town Planning Scheme and policy is 5 bays. If approved, there may be overflow parking affecting the adjoining street in peak periods. The applicant has been made aware of this shortfall and there may be possible amendments to the design.</p>
<p>5. How will the City manage the rat-running of traffic that is likely to occur in Renwick and/or Hensman Streets if MRWA close the median at Norton St?</p>	<p>The applicant has been made aware of the Main Roads requirements and there may be amendments or alterations to the application as a result of this.</p>
<p>6. Is the City aware that according to Dan Murphy's own numbers, when stores are re-badged (be a former B.W.S or independently branded store for example) customer numbers increase by up to 400%. Will the City consider this major statistic in its recommendation to the JDAP that the site is not suitable to hold the increased traffic / parking needed?</p>	<p>The City will consider the increased patronage as part of the assessment process.</p>

<p>7. If Norton Street was recently modified to control traffic issues, doesn't this bring back to the table the "real" future risks again to local streets with more traffic wanting to race down or "rat run" to avoid lengthy delays at lights & turning intersections?</p>	<p>Norton Street has traffic calming measures and if required other streets could also be assessed for additional measures to avoid "rat running"</p>
<p>8. Is the City willing to push for a genuine attempt to maintain and improve the heritage values of the Como Hotel?</p>	<p>The Como Hotel is listed in the City's Municipal Heritage Inventory as Management Category C, which means "retain and conserve if possible". The proposed development is considered to meet those objectives.</p>
<p>9. If car parking at the Como Hotel is currently at capacity during peak times, then doesn't this reflect that the T.P.S parking shortfall of 62% needs re-considering now by the City? Will the City oppose the car parking plan submitted by A.L.H on the grounds that it will exponentially bring more traffic to the site?</p>	<p>The City has advised the applicant of the shortfall under the Town Planning Scheme and the applicant now has an opportunity to amend the plans or the application to address this matter.</p>

Responses provided by Director Development and Community Services