

# MINUTES

## Special Electors' Meeting

6 May 2015

To: The Electors of the City of South Perth

Here within are the Minutes of the Special Electors' Meeting held on Wednesday 6 May 2015 in the Community Hall, South Perth Civic Centre, corner Sandgate St and South Tce, South Perth.

The purpose of the meeting was to discuss *Development Issues Concerning the Mill Point Peninsula*.



CLIFF FREWING  
CHIEF EXECUTIVE OFFICER

8 May 2015

# 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**  
Council Meetings are held at 7.00pm 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 19.9km<sup>2</sup> 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.

[www.southperth.wa.gov.au/Our-Council/](http://www.southperth.wa.gov.au/Our-Council/)

# Special Electors' Meeting - Minutes

Minutes of the Special Electors' Meeting held in the Community Hall, Sandgate Street, South Perth  
Wednesday 6 May 2015 at 6:00 pm.

## I. DECLARATION OF OPENING

### I.1 Welcome introduction and outlining of meeting procedures

The Presiding Member opened the meeting at 6.06pm and welcomed everyone in attendance. She then acknowledged we are meeting on the lands of the Noongar / Bibbulmun people and that we honour them as the traditional custodians of this land and acknowledge their deep feelings of attachment to country.

### I.2 Mayor's Statement

The Presiding Member 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:

- Mobile phones are to be turned off or on to silent.
- The meeting will commence with a presentation from the City of South Perth followed by a presentation from the representatives of the petitioners.
- Only Electors can speak or vote at the meeting. Any Councillor wishing to speak does so as an Elector.
- 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.
- Council is not bound by any decision made at the meeting. Motions passed will be considered by Council at a Special Council Meeting scheduled for Wednesday 20 May 2015 at 6.00pm in the Council Chamber.
- Electors will be invited to make comment and ask questions. Each speaker must state their name and address and restrict their comments to the subject of the meeting and will be allowed no more than 5 minutes.
- 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 will be adhered to.

## 2. RECORD OF ATTENDANCE

### 2.1 Elected Members and Council Staff

Mayor Doherty (Presiding Member)

The Presiding Member acknowledged the Chief Executive Officer and Officers present on the panel:

Mr C Frewing  
Ms V Lummer  
Ms S Kent

Chief Executive Officer  
Director Community Culture and Recreation  
Governance Officer

She then acknowledged the Councillors and Officers in attendance:

Councillors (as Electors):

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

Officers (as observers):

Mr M Taylor	Acting Director Infrastructure Services
Mr P McQue	Manager Governance and Administration
Mr R Bercov	Strategic Urban Planning Adviser

## 2.2 Electors

There were approximately 200 members of the public present.

## 3. PETITION

The Presiding Member stated that the meeting had been called in response to a petition received on 15 April 2015 together with approximately 292 signatures. She then read aloud the text of the petition as follows:

*“To: The Mayor of South Perth, the undersigned say:*

*We are concerned about the proposed development at 74 Mill Point Road on the Mill Point Peninsula and similar future development in the Mill Point Peninsula.*

*We believe that the Mill Point Peninsula is an area of natural beauty and heritage which should be preserved for all Western Australians.*

*We believe that in the interests of fairness, clarity and democracy there should be greater public consultation and feedback about planning discretions currently being exercised under City of South Perth Local Planning Scheme (Amendment 25) which impact directly or indirectly upon the Mill Point Peninsula.*

*Now petition the City of South Perth as follows:*

- 1. We request you to call a Special Electors’ Meeting to discuss development issues concerning the Mill Point Peninsula, to be advertised widely;*
- 2. We request that the Council resolve immediately to exclude the Mill Point Peninsula from the South Perth Station Precinct;*
- 3. We request that further action in connection with Amendment 46 be deferred (i) pending the removal of the Mill Point Peninsula from the Station Precinct and (ii) pending a review of the need for a new Local Planning Strategy.*

*Our petition is important because:*

- 1. There are compelling and urgent reasons for excluding the Mill Point Peninsula from the South Perth Station Precinct.*
- 2. There has been inadequate public consultation concerning the potential impact upon the Mill Point Peninsula of high rise developments in the South Perth Station.*
- 3. Irrevocable decisions are being taken which will have far reaching consequences for South Perth and the Mill Point Peninsula in particular;*
- 4. It will benefit the wider community;*
- 5. Democracy, fairness and common sense requires it.*

*Notice of this petition can be addressed to Wendy Hogan 2B/73 Mill Point Road South Perth.”*

## **4. PRESENTATIONS**

### **4.1 Overview from the Director Development and Community Services, Ms Vicki Lummer**

The Presiding Member invited the Director Development and Community Services, Ms Vicki Lummer, to give an overview on development in the Mill Point Peninsula.

Ms Lummer covered the following topics:

- 2007 South Perth Station Community Engagement Study
- South Perth Station Study
- South Perth Station Precinct Plan
- Scheme Amendment No. 25
- Principal Controls – Basic Building Height Limits
- Principal Controls – Special Design Area
- Draft Scheme Amendment No. 46
- Process to Amend a Town Planning Scheme
- Potential Development Sites North of Judd St / Harper Tce

### **4.2 Presentation by Representatives of the Petitioner**

The Presiding Member invited the representatives of the petitioner to address the meeting.

Dr Kate Lewins, Associate Law Professor covered the following topics in relation to the ‘South Perth Station Precinct Plan and why it requires a Local Planning Strategy’:

- Planning confusion reigns
- City of South Perth Planning Scheme
- South Perth Station Precinct Plan Para 5.5
- Local Planning Strategy
- Amendments
- Four different options were proposed for possible implementation of Station Precinct Plan Jan 2011
- Options in Precinct Plan
- Way Forward
- The Need for an LPS
- Excerpts from Station Precinct Plan
- Precinct Plan: development controls – the following will apply unless otherwise stipulated
- Element 3
- Special Design Areas
- Clause 15
- Town Planning Scheme No. 6 as amended

Mr Mike Allen, Town Planning Consultant covered the following topics in relation to ‘74 Mill Point Road, Planning Issues’:

- Studies say eight storeys
- Special Design and Special Control Areas
- Not in accordance with expectations
- Over development of the site
- Proposed development is out-of-step
- Proposed development is out of context

- Mill Point Road street character
- Overshadowing – reported impact
- Overshadowing – actual impacts as at 21 June at 9am
- Cumulative impacts of many variations

Ms Vicki Redden, Resident and Ratepayer covered the following topics in relation to ‘Why is this even a possibility for the Mill Point Peninsula?’:

- The Peninsula is Unique
- You do the Maths!
- Table B: Performance Criteria
- Traffice – Local Distributor
- Trees are in peril
- Unsightly, noisy carpark
- The Treacherous JDAP Process

At this point the Electors’ Motions were circulated to those in attendance by the representatives of the petitioner. The Presiding Member advised that she would move each motion separately for those who had not had an opportunity to make comment or ask questions on the motion under consideration and that they will be voted on separately.

## 5. PUBLIC COMMENT

### 5.1 Motions

Motion One was read aloud by Dr Lewis Thomas of A6/73 Mill Point Road, South Perth.

Following speakers for and against the Motion, Mayor Doherty put the Motion.

#### **MOTION**

**Moved:** Mr Lewis Thomas of A6/73 Mill Point Road, South Perth

**Seconded:** Mr David Conlin of 11/16 Mill Point Road, South Perth

The South Perth Council should initiate the necessary processes to exclude from the South Perth Station Precinct, the Mill Point Peninsula that lies north of Ferry Street.

**CARRIED (7 AGAINST)**

Motion Two was read aloud by Dr Kate Lewins of 98 Dyson Street, Kensington.

Following speakers for and against the Motion, Mayor Doherty put the Motion.

#### **MOTION**

**Moved:** Dr Kate Lewins of 98 Dyson Street, Kensington

**Seconded:** Mr Ross Bell of 92B Labouchere Road, South Perth

The South Perth Council should resolve to initiate immediately a Local Planning Strategy for the Mill Point Peninsula and the land included in the South Perth Precinct Plan pursuant to the requirement in Paragraph 5.5 in the Precinct Action Plan.

**CARRIED (5 AGAINST)**

Motion Three was read aloud by Mr Terry Hogan of 2B/73 Mill Point Road, South Perth

Following speakers for and against the Motion, Mayor Doherty put the Motion.

### **MOTION**

**Moved:** Mr Terry Hogan of 2B/73 Mill Point Road, South Perth

**Seconded:** Greer McCallum of 12/1 Queen Street, South Perth

The South Perth Council should inform JDAP that applications for developments of heights of more than 25 metres in the Mill Point Peninsula (including the 74 Mill Point Road development application) should be refused as premature until such time as a Local Planning Strategy is in place which addresses the Mill Point Peninsula.

**CARRIED (2 AGAINST)**

Motion Four was read aloud by Ms Vicki Redden of 14/63 Mill Point Road, South Perth.

Following speakers for and against the Motion, Mayor Doherty put the Motion.

### **MOTION**

**Moved:** Ms Vicki Redden of 14/63 Mill Point Road, South Perth

**Seconded:** Patricia Gaw of 9/66 Mill Point Road

All further action in connection with Amendment 25, including proposed Amendment 46, should be deferred until a Local Planning Strategy is in place for the South Perth Station Precinct.

**CARRIED (6 AGAINST)**

Motion Five was read aloud by Dr Sarah Schladow of 3/20 Garden Street, South Perth.

Following speakers for and against the Motion, Mayor Doherty put the Motion.

### **MOTION**

**Moved:** Dr Sarah Schladow of 3/20 Garden Street, South Perth

**Seconded:** Mr Craig Redden of 14/63 Mill Point Road, South Perth

By reason of the State Architect's report into the proposed development at 74 Mill Point Road, this house has no confidence in the ability of the planners in the South Perth Council to determine whether a development application meets the Performance Criteria in Schedule 9 of the TPS, thereby underscoring the urgent need for a Local Planning Strategy.

**CARRIED (8 AGAINST)**

## **5.1 Public Comment and invite speakers**

The Presiding Member invited further comment and questions from those in attendance.

## 6. CLOSURE

The Presiding Member thanked everyone for their attendance and input and reminded everyone that a Special Council Meeting is scheduled for Wednesday 20 May 2015 at 6.00pm at which Council will consider the Motions.

The Presiding Member closed the meeting at 8.01 pm.



