

AGENDA

Special Council Meeting

20 May 2015

Notice of Meeting

To: The Mayor and Councillors

A Special Meeting of Council has been scheduled for Wednesday 20 May 2015 in the City of South Perth Council Chamber, Cnr South Terrace and Sandgate Street, South Perth commencing at 6.00 pm.

The purpose of the Meeting is to consider:

- Motions carried at the Electors' Special Meeting held Wednesday 6 May 2015 in the relation to a Development Application at 74 Mill Point Road; and
- Recommendations from the CEO Recruitment Committee meeting held 13 May 2015 (*confidential*).



CLIFF FREWING
CHIEF EXECUTIVE OFFICER

15 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**

Ordinary 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 19.9km² 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.

www.southperth.wa.gov.au/Our-Council/

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Special Council Meeting - Agenda

1. **DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**
2. **AUDIO RECORDING OF COUNCIL MEETING**
3. **ATTENDANCE**
 - 3.1 **APOLOGIES**
 - 3.2 **APPROVED LEAVE OF ABSENCE**
4. **DECLARATIONS OF INTEREST**
5. **DEPUTATIONS**
6. **PUBLIC QUESTION TIME**

7. REPORTS

7.1 STRATEGIC DIRECTION 4: PLACES

7.1.1 Electors' Motions - Special Electors' Meeting - 6 May 2015

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-15-31984
Date:	20 May 2015
Author:	Vicki Lummer, Director Development and Community Services
Reporting Officer:	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Places -- Develop, plan and facilitate vibrant and sustainable community and commercial places
Council Strategy:	4.1 Develop and facilitate activity centres and community hubs that offer a safe, diverse and vibrant mix of uses.

Summary

This report presents to Council the Motions carried at the Special Meeting of Electors' held in the City's Community Hall on 8 May 2015 for consideration.

Officer Recommendation

That

1. The minutes of the Special Electors meeting held on 8 May 2105 be received.
- 2 (a) in relation to the No. 6 Town Planning Scheme provisions pertaining to the South Perth Station Precinct, a consultant be engaged to conduct an independent review of those provisions and the geographic extent of that precinct;
 - (b) as part of that review, the consultant is to examine design elements associated with higher buildings, using other well respected regulatory and design frameworks such as that produced by the Commission for Architecture and the Built Environment UK (CABE's): "Guidance on Tall Buildings" or "SEPP 65" from New South Wales; and
 - (c) based on the findings of the review, the consultant is to prepare a draft of a new amendment to Town Planning Scheme No. 6 for consideration by the Council.

Background

On 8 May 2015 a Special Meeting of Electors was held at the City's Community Hall.

The Local Government Act at Section 5.33 requires the Council to consider the Minutes of a Special Electors' meeting at either the next Ordinary Council meeting or at a Special Council meeting called for that purpose.

The purpose of the Special Electors' meeting was to discuss "Development Issues Concerning the Mill Point Peninsula." The following Motions were carried:

MOTION 1

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 2

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 3

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 4

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 5

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)

Comment

The City has obtained legal advice to assist Council in considering the Motions from the Special Electors' Meeting. The advice can be found at **Attachment 7.1.1(a)** to this report.

Motion 1

Whilst it is not actually stated in the Motion, a question was put to the mover of the Motion in regard to whether this relates to properties on the South Perth Esplanade and the answer was in the negative. This being the case, there is a further question as to whether the Motion is intended to exclude those properties to the west of Mill Point Road in Stone Street and Melville Parade. Also, it is unclear whether this Motion is intended to apply to properties on both side of Mill Point Road.

With regard to the geographic area intended to be covered by the Motion, the possibilities are:

1. All properties between South Perth Esplanade and Melville Parade situated to the north of the prolongation of a line positioned on the centre of Ferry Street. This dissects No. 9 Melville Parade and 83 Mill Point Road, which is not a good outcome.
2. Exclude Esplanade properties but include Stone Street and Melville Parade properties. This dissects No. 9 Melville Parade and 83 Mill Point Road.
3. Exclude all properties situated to the east and west of the Mill Point Road properties. This would limit the 'exclusion' to the Special Design Area on Mill Point Road, which is more logical. Given the current Scheme provisions and the current development application at 74 Mill Point Road, which is recommended for approval at a DAP meeting, this option only serves to exclude a 'short to medium term' development ~~of~~ proposal for No. 78 Mill Point Road, as all other Mill Point Road properties north of Ferry Street are either strata titled with many owners, or too small for consideration of building height variations under the 'Special Design Area' provisions.

As stated in the legal advice at attachment 1, an amendment to the Town Planning Scheme to alter the boundary of the station precinct would not give rise to an ability under the Planning and Development Act for property owners to claim compensation from the City for injurious affection.

The creation of the South Perth Station Precinct with its special development provisions was the outcome of a robust visioning and strategic planning study conducted over many years. That study and the subsequent town planning scheme amendment have undergone several advertising rounds, with opportunities for involvement by the community. The precinct is suitable for higher density development due to its proximity to public transport and amenities and is recognised as a district centre in "Directions 2031" and the draft "Perth and Peel @3.5 million" document recently released by the state government.

In accordance with the officer's recommendation to this report, it is considered that the geographic boundaries of the precinct should be reviewed as part of a future review of the Scheme provisions for the precinct.

Motion No. 1 of the Special Electors' meeting cannot be adopted due to its ambiguous wording.

Motion 2

As in Motion 1 above, the exact geographic location referred to in this Motion is not clear. In any event a Local Planning Strategy (LPS) document is prepared for a whole Local Government area, not a small portion of the area.

A local planning strategy sets out the framework for local planning and the strategic basis for local planning schemes. The City already has such a framework in the form of the South Perth Station Precinct Plan. The procedural steps taken in the preparation of the Precinct Plan mirror those required for a local planning strategy, in terms of community input, advertising and Council and WAPC endorsement. The WAPC's Local Planning Manual, March 2010 provides details of the content of a LPS and the procedural steps involved in its implementation.

There are other areas in the City of South Perth that are also planned on this basis, such as Canning Bridge Precinct and Waterford Triangle (future).

Whilst table 5.5 in the "South Perth Station Precinct Plan", referred to in the Motion, does indicate the intention to prepare a local planning strategy, the City followed the statutory process indicated at clause 5.1 of that document, by preparing a scheme amendment. The dot points in clause 5.1 do not mention a Local Planning Strategy. In any event the South Perth Station Precinct Plan is not a binding document, but a strategic guiding document.

Legal advice confirms that the City is not obliged to prepare a Local Planning Strategy and that the purpose of preparing one has been superseded by Scheme Amendment 25 which is now operative as part of the district Scheme.

Motion 3

The development at 74 Mill Point Road must be assessed and determined in accordance with the Town Planning Scheme. To do otherwise would be ultra vires, beyond the powers of the Council / DAP. Therefore this Motion cannot be supported. As determined above in the discussion of Motion 1, this would only affect 74 and 78 Mill Point Road in the short to medium term.

Legal advice confirms that if Motion 3 was adopted and acted upon by Council, it would involve Council recommending to the DAP that it act in an unlawful manner.

Motion 4

The purpose of Amendment 46 to Town Planning Scheme No. 6 is to make improvements to the provisions of the Scheme and assist with the exercise of discretion given the scale of developments being proposed. It is intended that a report on this matter will be presented to the June Council meeting, responding to the submissions received during advertising. It is not in the best interests of orderly and proper planning to stop action on this amendment, since in the officer's opinion it improves the application of the Scheme. Further, it has been discussed with elected members at the briefing held on 8 April, that an independent review of the Scheme provisions be undertaken, specifically looking at design elements associated with higher buildings, using other well respected design frameworks such as that produced by the Commission for Architecture and the Built Environment UK (CABE) or SEPP 65 in NSW.

Legal advice confirms that Council has no power to implement a moratorium on developments, as suggested by the Motion.

Motion 5

The planners at the City take advice on design issues from the Design Advisory Consultants. In addition, in this case the Development Assessment Panel asked for an independent review of the design. The City was pleased to secure the services of the Government Architect for this review. The City and the developer welcomed the comments from the Government Architect, which included many positive comments in addition to a number of recommendations to improve the design. As mentioned above, a LPS is a strategic level document and would not assist in the determination of development applications.

The legal advice confirms that the nature of local planning strategies is that they are a strategic planning instrument that is a prerequisite to the preparation of a town planning scheme. The provisions of Schedule 9 do not require a planning strategy.

In place of the Motions passed by the Special Elector's meeting, the following recommendations are made :

That

- (a) in relation to the No. 6 Town Planning Scheme provisions pertaining to the South Perth Station Precinct, a consultant be engaged to conduct an independent review of those provisions and the geographic extent of that precinct;
- (b) as part of that review, the consultant is to examine design elements associated with higher buildings, using other well respected regulatory and design frameworks such as that produced by the Commission for Architecture and the Built Environment UK (CABE's): "Guidance on Tall Buildings" or "SEPP 65" from New South Wales; and
- (c) based on the findings of the review, the consultant is to prepare a draft of a new amendment to Town Planning Scheme No. 6 for consideration by the Council.

A full list of the matters to be considered by the consultant as part of the review referred to above will be included in the recommendation in the officer's Report on Submissions on Amendment No. 46, which is expected to be presented to the June Council meeting.

Consultation

The five Motions under consideration were passed by ratepayers who attended the Special Meeting of Electors on 6 May 2015. No further consultation is required before the Council considers the Electors' motions and decides how to respond.

During the 6 May Electors' Meeting, comments were made regarding lack of consultation with the community during the course of formulating development controls for the South Perth Station Precinct. This contention is not factual and is refuted. At each stage of the Planning process over more than eight years, there has been extensive community engagement.

Stage I of the South Perth Station Precinct project, undertaken by consultants Estill and Associates in 2006-07, comprised a dedicated community engagement program, in which all members of the community were invited to participate. The purpose of that study was to invite comments and suggestions from the community as to their aspirations; and also to explain the objectives of the ongoing study.

7.4.1 Electors' Motions - Special Electors' Meeting - 6 May 2015

Stage 2 of the project, undertaken by a team headed by consultants Syme Marmion and Company during 2008-10, incorporated the findings of the Stage 1 study, and invited the community to participate in a series of workshops and make written submissions identifying their preferred 'Vision' for the future development of the Precinct.

The next stage, undertaken by consultants Allarding and Associates between 2010-13, used the findings of the Stage 2 study to prepare a set of statutory Town Planning Scheme provisions for the Precinct. This was implemented through Amendment No. 25 to Town Planning Scheme No. 6, which involved consultation at two stages with all owners of land within and near the Precinct.

Most recently, Amendment No. 46 to TPS6 has been implemented to correct anomalies, clarify certain provisions and strengthen the performance criteria for building height variations. Amendment No. 46 also involved Precinct-wide consultation.

The following schedule itemises the key stages and types of consultation and information elements undertaken by the City during this project:

	DATE	DETAILS
STAGE 1 SOUTH PERTH STATION PRECINCT VISION – ESTILL AND ASSOCIATES (2006 – 2007)		
1.	During 2006	Type of event: Estill – Awareness raising, including – <ul style="list-style-type: none"> • an information brochure that outlined the purpose and scope of the project and opportunities for community involvement; • information and media statements on the City of South Perth website; • media statements and community forum advertisements in the Southern Gazette; and • community forum postcard advertisements sent to residents in the immediate vicinity of the South Perth Station.
2.	During 2006	Type of event: Estill – Interviews with stakeholders – <ul style="list-style-type: none"> • City of South Perth Youth Advisory Committee; • TravelSmart / Roadwise Advisory Group; • Perth Zoo; • South Perth Hockey & Cricket Clubs; and • Royal Perth Golf Club. • Department for Planning and Infrastructure; • Public Transport Authority; • Main Roads WA; and • Office of Crime Prevention.

	DATE	DETAILS
3.	During 2006	Type of event: Estill – Focus group meeting. Who was affected: Ten randomly-selected residents from the Precinct. Venue: George Burnett Leisure Centre. Purpose: to seek input into the future planning of the precinct with particular emphasis on: access and parking; the use of land around the stations and; safety concerns. Method of selection: Focus group participants were selected via telephone contact with approximately 400 residents to ensure that the group was mixed in terms of residential location, age, gender and occupation.
4.	8 July 2006	Type of event: Estill – Community Forum. Who was affected: Interested landowners and community groups within the study area. Venue: Technology Park Function Centre, Bentley. Purpose: Two-way exchange of information; a forum for creative ideas for the future vision. Attendees: 40 residents and community group representatives.
5.	November 2006	Type of event: Estill – Community Postal Survey. Who was affected: 1,000 sent to residents in the Precinct; and a further 1,000 sent to randomly selected residents elsewhere in the City. Response: 267 surveys returned.
6.	28 June 2007	Method of information: Media Release on City web site and in <i>Southern Gazette</i> – 'Canning Bridge and South Perth Train Stations'. Who was affected: Unlimited.
7.	8 November 2007	Method of information: Media Release on City web site and in <i>Southern Gazette</i> – 'City urges reconsideration of South Perth Train Station Delay'. Who was affected: Unlimited.

STAGE 2 SOUTH PERTH STATION PRECINCT VISION – SYME MARMION AND COMPANY (2008 – 2010)

8.	11 Dec 2008	Type of event: Precinct Stakeholder Workshop. Method of consultation: Personalised letters. Who was affected: Government infrastructure agencies. Venue: City of South Perth Reception Room, Civic Centre, Sandgate Street, South Perth. Other: Written submissions also invited. Attendance: City of South Perth, Department of Planning, Public Transport Authority, Western Power, Water Corporation.
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	DATE	DETAILS
9.	2 February 2009	Type of event: Community Forum and Information Session. Methods of consultation: <ul style="list-style-type: none"> Flyer addressed to every landowner and other stakeholder within the precinct; <i>City Update</i> article in <i>Southern Gazette</i> on 27 January 2009 – 'South Perth Station Precinct Study'. Who was affected: Any interested Precinct landowners and community groups, and government agencies. Venue: South Perth Bowling Club, Mends Street cnr Labouchere Road, South Perth. Other: Written submissions also invited. Attendees: About 60 people.
10.	3 February 2009	Type of event: Follow-up Open House Studio, including individual consultations and discussions. Method of consultation: By appointment. Who was affected: Landowners and their representatives and other interested groups or individuals. Venue: South Perth Bowling Club, Mends Street cnr Labouchere Road, South Perth. Other: Written submissions also invited.
11.	6 April 2009	Type of event: Public Forum. Method of consultation: Personalised flyer. Who was affected: Addressed to all landowners and community groups within the study area and open to any other interested person. Venue: South Perth Bowling Club, Mends Street cnr Labouchere Road, South Perth. Other: Information available on City web site. Written submissions also invited. Attendees: 35 interested landowners and others (not including 14 Councillors and officers, Consultants and Department of Planning officers.)
12.	8 June 2010	Method of information: <i>City Update</i> article on City web site and in <i>Southern Gazette</i> – 'Strategic Planning Projects'. Who was affected: Unlimited.
13.	27 August 2010	Method of information: Media Release on City web site – 'Council Approves South Perth Station'. Who was affected: Unlimited.
14.	3 September 2010	Method of information: Media Release on City web site – 'Long Term Planning Addresses Future Housing Needs'. Who was affected: Unlimited.
15.	21 September 2010	Method of information: <i>Peninsula Snapshot</i> article on City web site and in <i>Southern Gazette</i> – 'City Adopts South Perth Station Plan'. Who was affected: Unlimited.

	DATE	DETAILS
1 6.	3 December 2010	Method of information: Media Response on City web site and in <i>Southern Gazette</i> – 'Civic Triangle'. Who was affected: Unlimited.
1 7.	11 February 2011	Method of information: Media Release on City web site and in <i>Southern Gazette</i> – 'Transit Oriented Development Plan for South Perth Station Precinct'. Who was affected: Unlimited.
	18 March 2011	Method of information: Media Response on City web site and in <i>Southern Gazette</i> – 'South Perth Train Station Precinct Plan'. Who was affected: Unlimited.

TOWN PLANNING SCHEME NO. 6 – AMENDMENT NO. 25 – ALLERDING AND ASSOCIATES (2010 – 2013)		
18.	4 – 30 March 2011	Type of event: Clause 9.8(3) preliminary consultation of TPS6 Amendment No. 25. Method of consultation: Personalised letters and other information, inviting written submissions. Who was affected: 930 landowners in and adjoining the Precinct, Main Roads WA, Swan River Trust, Perth Zoo, local sporting clubs, and others. Submissions received: 126 submissions received (65 supporting; 61 opposing certain aspects; comments from Swan River Trust, Water Corporation, Main Roads).
19.	3 May 2011	Type of event: Council meeting. Method of consultation: Personalised letter – invitation to attend Council meeting. Who was affected: 126 people who lodged submissions. Venue: Council Chamber, Civic Centre, Sandgate Street, South Perth.
20.	6 December 2011	Method of information: Public Notice in <i>Peninsula Snapshot</i> on the City web site and in the <i>Southern Gazette</i> – 'South Perth Station Precinct – Scheme Amendment No. 25'. Who was affected: Unlimited.
21.	24 January – 9 March 2012	Type of event: Statutory advertising of Amendment No. 25. Methods of consultation: <ul style="list-style-type: none"> • Personalised letter, notice, and other information to 1,244 land-owners within and near the Precinct, inviting written submissions. • 10 letters / notices mailed to potentially affected Government agencies. • Notices published in two issues of the <i>Southern Gazette</i> newspaper. • Notices and documents displayed in the Civic Centre foyer, Civic Centre foyer and Libraries, City web site 'Invitation to Comment – Town Planning Scheme No. 6 Amendment No. 25'. Who was affected: All persons within the State.

	DATE	DETAILS
		Submissions: 151 submissions received (106 supporting; 45 opposing).
2 2.	3 February 2012	Method of information: Media Response on City web site and in <i>Southern Gazette</i> – 'South Perth Train Station Precinct'. Who was affected: Unlimited.
2 3.	16 March 2012	Method of information: Media Response on City web site and in <i>Southern Gazette</i> – 'Civic Triangle'. Who was affected: Unlimited.
2 4.	25 May 2012	Method of information: Media Response on City web site and in <i>Southern Gazette</i> – 'City Gives Green Light for South Perth Station Precinct'. Who was affected: Unlimited.
2 5.	5 June 2012	Type of event: Council meeting. Methods of consultation: <ul style="list-style-type: none"> • Personalised letter. • Public Notice on City web site and in <i>Peninsula Snapshot</i> of <i>Southern Gazette</i> – 'Highlights from Council Meeting held on 22 May 2012 – South Perth Station Precinct'. Who was affected: Those who lodged written submissions. Venue: Council Chamber, Civic Centre, Sandgate Street, South Perth.
2 6.	2013	Method of information: Brochure – 'Revitalising South Perth – South Perth Station Precinct'. Who was affected: Unlimited.
2 7.	27 March 2013	Method of information: Media Release on City web site and in <i>Southern Gazette</i> – 'South Perth Paves the Way for Growth'. Who was affected: Unlimited.
2 8.	6 December 2013	Method of information: Media Response on City web site and in <i>Southern Gazette</i> – 'Living in South Perth'. Who was affected: Unlimited.
2 9.	19 August 2014	Method of information: Article in ' <i>Peninsula Snapshot</i> ' in the ' <i>Southern Gazette</i> ' – 'Developer to Create Iconic 30 storey Residential Tower in South Perth'. Who was affected: Unlimited.

TOWN PLANNING SCHEME NO. 6 – AMENDMENT NO. 46 (2014 –)		
30.	27 January – 13 March 2015	<p>Type of event: Statutory advertising of Amendment No. 46. Methods of consultation:</p> <ul style="list-style-type: none"> • Personalised letters and notices inviting written submissions – <ul style="list-style-type: none"> ○ 1,352 landowners within and near the Precinct; ○ 30 letters / notices mailed to architects, town planners and developers known to have an interest in the precinct; and ○ 10 letters / notices mailed to potentially affected Government agencies. • Notices published in two issues of the <i>Southern Gazette</i> newspaper. • Notices and documents displayed in the Civic Centre foyer, Libraries and City web site for duration of consultation. <p>Who was affected:</p> <ul style="list-style-type: none"> • Personalised letters to owners of all properties within and near the Precinct; • All persons within the State invited to lodge submissions. <p>Submissions: 40 submissions received (10 supporting; 30 opposing certain aspects of the Amendment).</p>
31.	6 May 2015	<p>Type of event: Special Electors' Meeting. Method of consultation: Notice published in <i>Southern Gazette</i> newspaper. Who was affected: All ratepayers within the City. Venue: Community Hall. Attendees: Approximately 200 ratepayers.</p>

WEB SITE INFORMATION DISPLAY – SOUTH PERTH STATION PRECINCT STUDY (2007 – 2013)		
32.	Ongoing since 2007	<p>Display on the City's web site of information relating to various precinct studies, updated as circumstances require, including the following documents for the South Perth Station Precinct:</p> <p>Latest information –</p> <ul style="list-style-type: none"> • South Perth Station Precinct Brochure • View the Amendment No. 25 text and maps as finally approved • View Transport & Access Strategy final report – May 2012 http://www.southperth.wa.gov.au/Documents/Planning/Precinct-Studies/South-Perth-Station-Precinct/Amd-25-TEXT-and-MAPS-for-FINAL-APPROVAL---Modified-by-Minister.pdf • Where to from Here? (at 25 January 2013) <p>Background Information –</p> <ul style="list-style-type: none"> • Adopted South Perth Station Precinct Plan (WAPC Jan 2011) • Background • South Perth Station Public Forum report (April 2009) • Estill South Perth Community Engagement Final Report (April 2007)

Policy and Legislative Implications

As per s.5.33 of the Local Government Act 1995 which states:

5.33. Decisions made at electors' meetings

- (1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —
 - (a) at the first ordinary council meeting after that meeting; or
 - (b) at a special meeting called for that purpose,whichever happens first.
- (2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

Financial Implications

There will be costs involved in engaging a consultant to conduct a further review of the Town Planning Scheme but the full extent of the assignment has not yet been finalised.

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012-2015](#).

Attachments

7.4.1 (a): McLeods - Legal Advice

7.2 MATTERS REFERRED FROM THE CEO RECRUITMENT COMMITTEE

*This item is considered **confidential** in accordance with the Local Government Act 1995 section 5.23(2) (a) as it contains information relating to "a matter affecting an employee or employees"*

7.2.1 Recommendations from the CEO Recruitment Committee - 13 May 2015

Location:	City of South Perth
Ward:	Not Applicable
Applicant:	Council
File Ref:	D-15-32628
Lodgement Date:	15/05/2015
Date:	20 May 2015
Author:	Sharron Kent, Governance Officer
Reporting Officer:	Phil McQue, Manager Governance and Administration
Strategic Direction:	Governance, Advocacy and Corporate Management -- Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.1 Develop and implement innovative management and governance systems to improve culture, capability, capacity and performance.

Summary

This report considers the Recommendations of the CEO Recruitment Committee meeting held 13 May 2015.

Officer Recommendation

That Council:

- a) confirm the Minutes of the CEO Recruitment Committee Meeting held 13 May 2015 as a true and correct record; and
- b) adopt the CEO Recruitment Committee Recommendations of the CEO Recruitment Committee meeting held 13 May 2015.

Background

The CEO Recruitment Committee met and considered two confidential reports on 13 May 2015:

- Acting Chief Executive Officer
- Chief Executive Officer – Recruitment Process Update

Comment

The CEO Recruitment Committee resolved the following unanimously in relation to the two reports:

Report – Acting Chief Executive Officer

Officer Recommendation AND COMMITTEE RECOMMENDATION

The CEO Recruitment Committee recommends to Council that the City Directors, not applying for the vacancy of Chief Executive Officer, be placed on a monthly rotational basis in the position of Acting Chief Executive Officer, commencing 1 August 2015.

CARRIED (7/0)

7.7.1 Recommendations from the CEO Recruitment Committee - 13 May 2015

Report – Chief Executive Officer – Recruitment Process Update

COMMITTEE RECOMMENDATION

That the CEO Recruitment Committee note the Recruitment Process Update Report and recommend a revised Chief Executive Officer Position Description and Selection Criteria to the Special Council meeting for endorsement.

CARRIED (7/0)

Consultation

The CEO Recruitment Committee considered the two confidential reports in detail at the 13 May 2015 CEO Recruitment Committee meeting.

Policy and Legislative Implications

This Special Council Meeting was called in accordance with section 5.4 Calling Council Meetings, *Local Government Act 1995*.

Financial Implications

Nil.

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012-2015](#).

Attachments

Nil

8. CLOSURE