

# MINUTES

## Special Council Meeting

20 April 2016

To: The Mayor and Councillors

Here within are the Minutes of the Special Council meeting of the City of South Perth Council held Wednesday 20 April 2016 in City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth.



GEOFF GLASS  
CHIEF EXECUTIVE OFFICER

21 April 2016



# 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 meetings of Council and its Committees 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/)

# Contents

<b>1. DECLARATION OF OPENING</b>	<b>4</b>
<b>2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER</b>	<b>4</b>
<b>2.1 PUBLIC QUESTION TIME FORMS</b>	<b>4</b>
<b>2.2 AUDIO RECORDING OF THE COUNCIL MEETING</b>	<b>4</b>
<b>3. ATTENDANCE</b>	<b>4</b>
<b>3.1 APOLOGIES</b>	<b>5</b>
<b>3.2 APPROVED LEAVE OF ABSENCE</b>	<b>5</b>
<b>4. DECLARATIONS OF INTEREST</b>	<b>5</b>
<b>5. PUBLIC QUESTION TIME</b>	<b>5</b>
<b>6. DEPUTATIONS</b>	<b>5</b>
<b>7. REPORTS</b>	<b>6</b>
<b>7.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES</b>	<b>6</b>
7.3.1 Proposed Mixed Use Development Within a 44 Storey Building - Lots 2-20 No. 74 Mill Point Road, South Perth.	6
<b>8. CLOSURE</b>	<b>9</b>
<b>DISCLAIMER</b>	<b>10</b>

# Minutes

Minutes of the Special Council meeting held in City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth at 6.00pm on Wednesday 20 April 2016.

## 1. DECLARATION OF OPENING

The Presiding Member opened the meeting at 6.02pm 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.

## 2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

### 2.1 PUBLIC QUESTION TIME FORMS

The Presiding Member advised the public gallery that Public Question Time forms are available on the Council's website and in the Chamber foyer for those wishing to submit a written question. She stated that those questions received at the meeting may be taken on notice.

### 2.2 AUDIO RECORDING OF THE COUNCIL MEETING

The Presiding Member reported that the meeting is being audio recorded in accordance with Council Policy P673 'Audio Recording of Council Meetings' and Clause 6.15 of the Standing Orders Local Law 2007 'Recording of Proceedings'.

She then gave her permission for the Administration to record proceedings of the Council meeting and requested that all electronic devices be turned off or on to silent.

## 3. ATTENDANCE

Mayor Sue Doherty (Presiding Member)

### Councillors

Glenn Cridland	Como Ward
Jessica Black	Como Ward
Colin Cala	Manning Ward
Sharron Hawkins-Zeeb	Manning Ward
Fiona Reid	Moresby Ward (from 6.27pm)
Ken Manolas	Mill Point Ward (from 6.33pm)

### Officers

Geoff Glass	Chief Executive Officer
Vicki Lummer	Director Development and Community Services
Mark Taylor	Director Infrastructure Services
Phil McQue	Manager Governance and Administration
Rajiv Kapur	Manager Development Services
Rod Bercov	Strategic Urban Planning Adviser
Sharron Kent	Governance Officer

### Gallery

There were approximately 25 members of the public and 0 members of the media present.

### 3.1 APOLOGIES

Cheryle Irons            Moresby Ward  
Travis Burrows        Mill Point Ward

### 3.2 APPROVED LEAVE OF ABSENCE

Nil

## 4. DECLARATIONS OF INTEREST

*Conflicts of Interest are dealt with in the Local Government Act, Rules of Conduct Regulations and the Administration Regulations as well as the City's Code of Conduct 2008. Members must declare to the Presiding Member any potential conflict of interest they have in a matter on the Council Agenda.*

The Presiding Member noted that a Declaration of Interest had been received from:

- Cr Jessica Black in relation to *Agenda Item 7.3.1 Proposed Mixed Use Development Within a 44 Storey Building – Lot 2-20 No. 74 Mill Point Road, South Perth.*

The Presiding Member advised that in accordance with the *Local Government (Rules of Conduct) Regulations 2007* this Declaration would be read out immediately before Item 7.3.1 was discussed.

## 5. PUBLIC QUESTION TIME

*Public Question Time is operated in accordance with Local Government Act Regulations.*

The Presiding Member advised the meeting that questions are to be in writing and questions received prior to this meeting would be answered tonight, if possible, and may be taken on notice. Questions received in advance of the meeting would be dealt with first.

The Presiding Member then opened Public Question Time at 6.04pm.

No written questions were received prior to the meeting.

Written questions were received at the meeting from:

- Craig Dermer of 14/63 Mill Point Road, South Perth.

A preliminary response was provided by the Director of Infrastructure Services. The question was taken on notice and the response will be made available in the Minutes of the May 2016 Ordinary Council Meeting.

The Presiding Member closed Public Question Time at 6.09pm.

## 6. DEPUTATIONS

*A formal process where members of the community may, with prior permission, address Council on Agenda Items where they have a direct interest.*

Deputations were heard from:

1. Craig Dermer of 14/63 Mill Point Road, South Perth speaking FOR the Officer Recommendation;
2. Greg Carter of 3/51 South Perth Esplanade, South Perth speaking FOR the Officer Recommendation; and
3. Harry Anstey of 21 River View Street, South Perth speaking FOR the Officer Recommendation.

## 7. REPORTS

At this stage the Presiding Member read aloud Cr Jessica Black's Declaration of Impartiality Interest as follows:

*"I wish to declare an Impartiality Interest in Agenda Item 7.3.1 Proposed Mixed Use Development Within a 44 Storey Building – Lot 2-20 No. 74 Mill Point Road, South Perth on the Council Agenda for the Special Council meeting of 20 April 2016.*

*I declare that I have a friend whose employer is Hillam Architects, the Applicant for this Development.*

*It is my intention to remain in the Council Chamber, consider this matter on its merits and vote accordingly."*

### 7.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES

#### 7.3.1 Proposed Mixed Use Development Within a 44 Storey Building - Lots 2-20 No. 74 Mill Point Road, South Perth.

Location:	South Perth
Ward:	Mill Point Ward
Applicant:	Hillam Architects
File Ref:	D-16-27265
Lodgement Date:	14/04/2016
Date:	20 April 2016
Author:	Erik Dybdahl, Statutory Planning Officer
Reporting Officer:	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Housing and Land Uses -- Accommodate the needs of a diverse and growing population
Council Strategy:	3.1 Develop a new Local Planning Strategy and a new Town Planning Scheme to meet current and future community needs, cognisant of the local amenity.

#### Summary

This Report seeks Council's consideration of the Responsible Authority Report (RARs) for the proposed Mixed Use Development within a 44 Storey Building at Lots 2-20 (No. 74) Mill Point Road, South Perth.

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Cr Fiona Reid  
**Seconded:** Cr Ken Manolas

That Council notes the Responsible Authority Report prepared for the Metro Central Joint Development Assessment Panel regarding the proposed Mixed Use Development within a 44 Storey Building at Lots 2-20 (No. 74) Mill Point Road, South Perth

With the agreement of the Seconder, Cr Ken Manolas, Cr Fiona Reid moved the Motion with an amendment to "add part b)" to the Officer Recommendation, as follows:

b) *supports the refusal of the proposed development.*

The amended motion then became the substantive:

**7.3.1 Proposed Mixed Use Development Within a 44 Storey Building - Lots 2-20 No. 74 Mill Point Road, South Perth.**

That Council:

- a) notes the Responsible Authority Report prepared for the Metro Central Joint Development Assessment Panel regarding the proposed Mixed Use Development within a 44 Storey Building at Lots 2-20 (No. 74) Mill Point Road, South Perth; and
- b) supports the refusal of the proposed development.

**CARRIED (7/0)**

**Comment**

In accordance with the Council resolution in August 2015, the final revision of Officer's RAR is attached for Council to consider. The JDAP meeting for the determination of this application is scheduled to occur on 28 April 2016. The meeting is scheduled to commence at 10:00am at the City of South Perth Council Chambers.

All attachments referred to in the RAR also form attachments to this report.

**Policy and Legislative Implications**

Comments have been provided elsewhere in this report, in relation to the various provisions of the Scheme, the R-Codes and Council policies, where relevant.

**Strategic Implications**

This matter relates to Strategic Direction 4 "Places" identified within Council's Strategic Plan 2015-2025 which is expressed in the following terms:

*'Develop, plan and facilitate vibrant and sustainable community and commercial places'*

**Attachments**

- 7.3.1 (a):** Responsible Authority Report - Proposed Mixed Use Development Within a 44 Storey Building - Lots 2-20 (No 74) Mill Point Road South Perth
- 7.3.1 (b):** 1. Amended DA Report (23rd March) - 44 Storey Mixed Use Development - 74 Mill Point Rd
- 7.3.1 (c):** 2. Revised Floor Plans for 74 Mill Point Road (16.03.16)
- 7.3.1 (d):** 3. Revised Elevations for 74 Mill Point Road (16.03.16)
- 7.3.1 (e):** 4. Perspective Drawing - Proposed 44 Storey Mixed Use Development - Lots 2-20 (No. 74) Mill Point Road, South Perth
- 7.3.1 (f):** 5. Plot Ratio and Car Parking Summary - Proposed 44 Storey Mixed Use Development - Lots 2-20 (No. 74) Mill Point Road, South Perth
- 7.3.1 (g):** 6. Consultation Submission Summary - Proposed 44 Storey Mixed Use Development - 74 Mill Point Road, South Perth.docx
- 7.3.1 (h):** 7. Amended Traffic Management Plan - Proposed 44 Storey Mixed Use Development - 74 Mill Point Road, South Perth
- 7.3.1 (i):** 8. Amended Waste Management Plan - Proposed 44 Storey Mixed Use Development - 74 Mill Point Road, South Perth
- 7.3.1 (j):** 9. Serviced Apartment Management Plan - 74 Mill Point Road, South Perth
- 7.3.1 (k):** 10. Overshadowing Diagrams - Proposed 44 Storey Mixed Use Development - Lots 2-20 (No. 74) Mill Point Road, South Perth

**7.3.1 Proposed Mixed Use Development Within a 44 Storey Building - Lots 2-20 No. 74 Mill Point Road, South Perth.**

- 7.3.1 (l):** 11. Environmental Health Planning Approval Comments for Revised Plans 74 Mill Point Road, South Perth
- 7.3.1 (m):** 12. Updated Infrastructure Engineering Comments - 74 Mill Point Road
- 7.3.1 (n):** 13. Cardno Peer Review - Traffic Impact Assessment - Proposed 44 Storey Mixed Use Development - 74 Mill Point Road, South Perth
- 7.3.1 (o):** 14. DPAW Comment - Proposed Mixed Use Development No. 3-774 Mill Point Road
- 7.3.1 (p):** 15. Cadds Energy - Statement of Intent and ESD Strategy - 74 Mill Point Road, South Perth
- 7.3.1 (q):** 16. History of Development Site Inclusion in SCA-1 & Special Design Area - 74 Mill Point Road, South Perth .



## **8. CLOSURE**

The Presiding Member thanked everyone for their attendance and closed the meeting at 6.58pm.

**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 Minutes were confirmed at a meeting on Tuesday 26 April 2016.

Signed \_\_\_\_\_  
Presiding Member at the meeting at which the Minutes were confirmed