

# AGENDA

## Special Council

16 February 2016

### Notice of Meeting

To: The Mayor and Councillors

A Special Meeting of Council has been scheduled for 7.30pm Tuesday 16 February 2016 in the City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth.

The purpose of this meeting is to consider the following Metro Central Joint Development Assessment Panel (JDAP) matter:

- Proposed Nine Storey Mixed Development. Lots 156, 157 & 158 (Nos. 26 & 28A) Charles Street, South Perth.



GEOFF GLASS  
CHIEF EXECUTIVE OFFICER

12 February 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 AUDIO RECORDING OF COUNCIL MEETING</b>	<b>4</b>
<b>3. ATTENDANCE</b>	<b>4</b>
<b>3.1 APOLOGIES</b>	<b>4</b>
<b>3.2 APPROVED LEAVE OF ABSENCE</b>	<b>4</b>
<b>4. DECLARATION OF INTERESTS</b>	<b>4</b>
<b>5. PUBLIC QUESTION TIME</b>	<b>4</b>
<b>6. DEPUTATIONS</b>	<b>4</b>
<b>7. REPORTS</b>	<b>5</b>
<b>7.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES</b>	<b>5</b>
7.3.1 Proposed Nine Storey Mixed Development. Lots 156, 157 & 158 (Nos. 26 & 28A) Charles Street, South Perth.	5
<b>8. CLOSURE</b>	<b>8</b>

# Special Council Meeting - Agenda

## 1. DECLARATION OF OPENING

## 2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

### 2.1 AUDIO RECORDING OF COUNCIL MEETING

*The meeting is audio recorded in accordance with Council Policy P673 “Audio Recording of Council Meetings” and Clause 6.15 of the Standing Orders Local Law 2007.*

## 3. ATTENDANCE

### 3.1 APOLOGIES

### 3.2 APPROVED LEAVE OF ABSENCE

## 4. DECLARATION OF INTERESTS

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

## 5. PUBLIC QUESTION TIME

## 6. DEPUTATIONS

## 7. REPORTS

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

#### 7.3.1 Proposed Nine Storey Mixed Development. Lots 156, 157 & 158 (Nos. 26 & 28A) Charles Street, South Perth.

Location:	Lots 156, 157 and 158 (Nos. 26 & 28A) Charles Street, South Perth
Ward:	Mill Point Ward
Applicant:	McDonald Jones Architects
File Ref:	D-16-11236
Lodgement Date:	30/10/2015
Date:	16 February 2016
Author:	Cameron Howell, 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:	3.3 Review and establish contemporary sustainable buildings, land use and environmental design standards.

#### Summary

The Form 1 Responsible Authority Report (RAR) for a planning application for a proposed Nine Storey Mixed Development, located at Lots 156, 157 and 158 (Nos. 26 & 28A) Charles Street, South Perth, is attached for Council to consider, prior to determination by the Metro Central Joint Development Assessment Panel (Metro Central JDAP).

Council is also requested to reconsider the August 2015 resolution in light of the past and future experience when dealing with DAP applications.

#### Officer Recommendation

1. That Council notes the Responsible Authority Report prepared for the Metro Central Joint Development Assessment Panel regarding the proposed Nine Storey Mixed Development, located at Lots 156, 157 and 158 (Nos. 26 & 28A) Charles Street, South Perth.
2. All Form 1, Form 2 and SAT RARs to be considered by Council on a "call in" basis only.

#### Comment

In accordance with the Council resolution in August 2015, the RAR is attached for Council to consider. The Metro Central JDAP meeting is scheduled for Monday 22 February 2016 at 9:30am at the City of South Perth (Council Chambers).

In August 2015 the following was resolved by Council:

*That Council implements the following practice in relation to the Joint Development Assessment Panel (JDAP) meetings:*

1. All Form 1 Responsible Authority Reports (RAR's) are to be considered by Council either by a scheduled meeting of Council, or via a Special Council Meeting prior to the relevant JDAP meeting;
2. Form 2 and SAT RARs to be considered by Council on a "call in" basis.

**7.3.1 Proposed Nine Storey Mixed Development. Lots 156, 157 & 158 (Nos. 26 & 28A) Charles Street, South Perth.**

3. A Special Council Meeting is to be convened to consider any Responsible Authority Reports currently being assessed that will be considered by the JDAP in September; and
4. Should the Regulations in relation to Development Assessment Panels be amended, that Council revisit this practice.

Currently the City has 12 DAP applications “in the system”. This number of applications is creating a very large workload for officers, administration and governance staff, due to their complexity, detailed and widespread consultation requirements and the administrative burden of having a special council meeting or sending each one to an Ordinary Council Meeting. This burden is unlikely to reduce, given the current development numbers in the South Perth Station Precinct and the future applications that will be received in the Canning Bridge Precinct, probably from mid year.

The last 3 DAP applications (Responsible Authority Reports) considered by Council received deputations only from the applicants and one community member and the Council resolved only to “note” the applications, thus providing very little benefit or value to the Community, the DAP or the outcome of the application.

All DAP applications received are detailed in a bulletin item and the following applications are only reported to Council on a “call in” basis – that is if an elected member would like the report to go to Council, they advised the Director Development and Community Services:

- Form 2 – Responsible Authority report for amending or cancelling a DAP development approval
- Appeals to the State Administrative Tribunal

It is recommended, that to reduce the administrative burden on officers and to only send applications to Council when benefit expected, that Form 1 – Responsible Authority Reports for DAP applications are also managed on a “call in” basis.

### **Policy and Legislative Implications**

Comments are provided in the RAR in relation to Scheme and Policy requirements.

### **Financial Implications**

Nil.

### **Strategic Implications**

This matter relates to Strategic Direction 3 “Housing and Land Uses” identified within Council’s Strategic Plan 2015-2025 which is expressed in the following terms:  
***Accommodate the needs of a diverse and growing population.***

### **Attachments**

- |                   |  |
|-------------------|--|
| <b>7.3.1 (a):</b> | Responsible Authority Report (RAR) - DAP/15/00933   11.2015.540.1  |
| <b>7.3.1 (b):</b> | RAR Attachment 1 - Development Plans                               |
| <b>7.3.1 (c):</b> | RAR Attachment 2 Part 1 - Applicant's Supporting Reports & Letters |
| <b>7.3.1 (d):</b> | RAR Attachment 2 Part 2 - Applicant's Supporting Reports & Letters |

**7.3.1 Proposed Nine Storey Mixed Development. Lots 156, 157 & 158 (Nos. 26 & 28A) Charles Street, South Perth.**

- 7.3.1 (e):** RAR Attachment 2 Part 3 - Applicant's Supporting Reports & Letters
- 7.3.1 (f):** RAR Attachment 3 - Photographs of the Subject Site
- 7.3.1 (g):** RAR Attachment 4 - Public Submissions
- 7.3.1 (h):** RAR Attachment 5 - Comments from the City's Engineering Infrastructure Department
- 7.3.1 (i):** RAR Attachment 6 - Comments from the City's Environmental Health Services
- 7.3.1 (j):** RAR Attachment 7 - Comments from the Department of Parks and Wildlife, Rivers and Estuaries Division .

**8. CLOSURE**

