

# MINUTES

## Special Council Meeting

27 January 2016

To: The Mayor and Councillors

Here within are the Minutes of the Meeting of the City of South Perth Council held Wednesday 27 January 2016 in City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth.



GEOFF GLASS  
CHIEF EXECUTIVE OFFICER

28 January 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 / ANNOUNCEMENT OF VISITORS</b>	<b>4</b>
<b>2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER</b>	<b>4</b>
<b>2.1 REQUESTS TO ADDRESS COUNCIL</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>5.1 PUBLIC QUESTION TIME: 27 JANUARY 2016</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 9 Storey Mixed Use Development - Lot 101 (Nos 5- 7) Harper Terrace, South Perth	6
<b>8. MEETING CLOSED TO PUBLIC</b>	<b>8</b>
8.1.1 Lot 801 Bradshaw Crescent Manning - Proposed Land Disposal	8
<b>9. PRESENTATIONS</b>	<b>9</b>
<b>9.1 SERVICE AWARDS – OUTGOING COUNCILLORS</b>	<b>9</b>
<b>9.2 HONORARY FREEMAN OF THE CITY PRESENTATION</b>	<b>9</b>
<b>10. CLOSURE</b>	<b>9</b>
<b>9. RECORD OF VOTING</b>	<b>10</b>
<b>DISCLAIMER</b>	<b>11</b>

# Minutes

Minutes of the Special Council Meeting held in the City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth at 5.30pm on Wednesday 27 January 2016.

## 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member opened the meeting at 5.33pm 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. A special welcome was made to guests, Former Mayors and Freemen of the City - John & Fay Collins, Susanne MacMillan, Bill Grayden, John & Kerry Hardwick, Peter & Joan Campbell, Kevin Trent OAM RFD JP & Maureen Trent.

## 2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

### 2.1 REQUESTS TO ADDRESS COUNCIL

The Presiding Member advised the public gallery that, for anyone wanting to ask a question of Council or address Council on Agenda Items where they have a direct interest, the appropriate forms are to be completed and submitted prior to the meeting.

The forms are available on the City's website and can be submitted electronically.

### 2.2 AUDIO RECORDING OF THE COUNCIL MEETING

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

## 3. ATTENDANCE

Mayor Sue Doherty (Presiding Member)

### Councillors

Jessica Black	Como Ward
Colin Cala	Manning Ward
Travis Burrows	Moresby Ward
Fiona Reid	Moresby Ward
Cheryle Irons	Mill Point Ward
Ken Manolas	Mill Point Ward

### Officers

Geoff Glass	Chief Executive Officer
Vicki Lummer	Director Development and Community Services
Michael Kent	Director Financial and Information Services
Mark Taylor	Director Infrastructure Services
Phil McQue	Manager Governance and Administration
Rod Bercov	Strategic Urban Planning Advisor
Sharron Kent	Governance Officer
Coquessa Jones	Graphic Design Officer
Jane Witcombe	Marketing Officer

## Gallery

There were approximately 16 members of the public and no members of the media present.

### **3.1 APOLOGIES**

Nil

### **3.2 APPROVED LEAVE OF ABSENCE**

Sharron Hawkins-Zeeb	Manning Ward
Glenn Cridland	Como Ward

## **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. 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:

- Councillor Jessica Black in relation to Agenda Item 7.3.1 Proposed 9 Storey Mixed Use Development – Lot 101 (Nos 5-7) Harper Terrace, South Perth.

This Declaration will be read out immediately before Item 7.3.1 is discussed.

## **5. PUBLIC QUESTION TIME**

### **5.1 PUBLIC QUESTION TIME: 27 JANUARY 2016**

*Questions are to be in writing and questions received prior to the meeting will be answered at the meeting, if possible, or may be taken on notice.*

The Presiding Member then opened Public Question Time at 5.36pm.

There being no questions, the Presiding Member closed Public Question Time at 5.36pm.

## **6. DEPUTATIONS**

*Members of the community may, with prior permission, address Council on Agenda items where they have a direct interest.*

A Deputation was heard from Mr Harry Anstey of 21 River View Street, South Perth speaking against the Officer Recommendation at Agenda Item 7.3.1 Proposed 9 Storey Mixed Use Development – Lot 101 (Nos 5-7) Harper Terrace, South Perth.

## 7. REPORTS

At this point Councillor Jessica Black declared an interest in Agenda Item 7.3.1 Proposed 9 Storey Mixed Use Development – Lot 101 (Nos 5-7) Harper Terrace, South Perth as follows:

“I wish to declare a financial interest in Agenda Item 7.3.1 Proposed 9 Storey Mixed Use Development – Lot 101 (Nos 5-7) Harper Terrace, South Perth on the Council Agenda for the Special Council meeting of 27 January 2016. I declare that my employer, TPG Town Planning, Urban Design and Heritage, is engaged as a consultant on the project. It is my intention to vacate the Chamber before this Item is discussed and voted on.”

At 5.54pm Councillor Jessica Black vacated the Chamber.

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

#### 7.3.1 Proposed 9 Storey Mixed Use Development - Lot 101 (Nos 5-7) Harper Terrace, South Perth

Location:	Harper Terrace
Ward:	Mill Point Ward
Applicant:	Finbar
File Ref:	D-16-4901
Lodgement Date:	4 November 2015
Date:	27 January 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:	3.3 Review and establish contemporary sustainable buildings, land use and environmental design standards.

#### Summary

At its August 2015 Council meeting, Council adopted a motion in relation to the Joint Development Assessment Panel (JDAP) meetings that Responsible Authority Reports (RARs) be presented to Council to consider the development proposals. As such, Council is to review the RAR for the proposed application for a comprehensive new mixed use development which has been attached to this report.

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Fiona Reid  
**Seconded:** Councillor Travis Burrows

That Council notes the Responsible Authority Report prepared for the Metro Central Joint Development Assessment Panel regarding the proposed 9 Storey Mixed Use Development – Lot 101 (Nos 5-7) Harper Terrace, South Perth.

**CARRIED (6/0)**

### **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 the 2nd of February 2016. The time and location of the meeting shall be 10:00AM and the City of South Perth Council Chambers. All attachments referred to in the RAR also form attachments to this report.

### **Policy and Legislative Implications**

All policy and legislative impacts have been discussed in detail within the attached RAR, Please refer to **Attachment (a)** of this report.

### **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**

- 7.3.1 (a):** Responsible Authority Report - 5-7 Harper Terrace
- 7.3.1 (b):** Development Plans - 5-7 Harper Terrace
- 7.3.1 (c):** DA Report - 5-7 Harper Terrace
- 7.3.1 (d):** Transport Statement - 5-7 Harper Terrace
- 7.3.1 (e):** Waste Management Plan - 5-7 Harper Terrace
- 7.3.1 (f):** Infrastructure Service Comment - 5-7 Harper Terrace
- 7.3.1 (g):** Environmental Health Comment - 5-7 Harper Terrace
- 7.3.1 (h):** City Environment Comment - 5-7 Harper Terrace
- 7.3.1 (i):** Dept. Parks and Wildlife Comment - 5-7 Harper Terrace
- 7.3.1 (j):** Sustainability Strategy - 5-7 Harper Terrace
- 7.3.1 (k):** Landscaping Plan - 5-7 Harper Terrace
- 7.3.1 (l):** Perspective Image - 5-7 Harper Terrace .

At 5.55pm Councillor Jessica Black returned to the Chamber.

## 8. MEETING CLOSED TO PUBLIC

The Chief Executive Officer advises that there are matters for discussion on the Agenda for which the meeting may be closed to the public, in accordance with section 5.23(2) of the Local Government Act 1995. Reports regarding these matters have been circulated separately to Councillors.

Prior to closing the meeting to the public, the Presiding Member asked if any Member would like to discuss the following confidential Item. As no Member sought to do so, the Presiding Member kept the Chambers open to the public and put the Item to the vote.

### 8.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

#### 8.1.1 Lot 801 Bradshaw Crescent Manning - Proposed Land Disposal

*This item is considered **confidential** in accordance with the Local Government Act 1995 section 5.23(2) (c) as it contains information relating to "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting"*

Location:	Manning
Ward:	Manning Ward
Applicant:	City of South Perth
File Ref:	D-16-4859
Date:	27 January 2016
Author:	Phil McQue, Manager Governance and Administration
Reporting Officer:	Geoff Glass, Chief Executive Officer
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

The Council previously resolved in December 2015 to dispose of Lot 801 Bradshaw Crescent Manning to Triple Streams Pty Ltd and / or nominated entity for \$2,000,000 (exc GST), and authorised the Chief Executive Officer to give statutory public notice of the proposed disposition.

Triple Streams Pty Ltd were unable to secure the required financial funding, however in their investigations, secured another developer with financial funding.

This report recommends that Council note that Triple Streams Pty Ltd have withdrawn from the purchase and approve the sale to the developer as detailed in the *Confidential* Report.

#### Officer Recommendation AND COUNCIL DECISION

**Moved:** Councillor Colin Cala

**Seconded:** Councillor Jessica Black

That Council adopt the Officer Recommendation as per the *Confidential* Report.

**CARRIED (7/0)**



## **8.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC**

### **8.2.1 Lot 801 Bradshaw Crescent Manning - Proposed Land Disposal**

The Governance Officer read aloud the Resolution at Item 8.1.1.

*Note: the Resolution remains confidential.*

## **9. PRESENTATIONS**

### **9.1 SERVICE AWARDS – OUTGOING COUNCILLORS**

Outgoing Councillors Kevin Trent and Michael Huston received Certificates of Service in recognition of their commitment to the City of South Perth Council as Elected Members.

Outgoing Councillor Veronica Lawrance was unable to attend the meeting. The Presiding Member acknowledged her service to the City in her absence.

### **9.2 HONORARY FREEMAN OF THE CITY PRESENTATION**

As per Council Resolution of 15 December 2015, in view of his long and meritorious service as a community worker within the City of South Perth, Mr Kevin Richard Trent was awarded the honour of being made an Honorary Freeman of the City.

The Presiding Member and Councillor Fiona Reid gave background to his nomination and spoke of Mr Trent's service to the community, to the state and to the nation.

Mr Trent was awarded with a medal and framed certificate to mark the occasion.

The Presiding Member then presented Maureen Trent with an orchid as a thank you for the support she has given to her husband whilst he served on Council.

## **10. CLOSURE**

The Presiding Member closed the meeting at 6.18pm and thanked everyone for their attendance.

## 9. RECORD OF VOTING

27/01/2016 5:45:42 PM

### **7.3.1 Proposed 9 Storey Mixed Use Development - Lot 101 (Nos 5- 7) Harper Terrace, South Perth**

Motion Passed 6/0

Yes: Mayor Sue Doherty, Cr Travis Burrows, Cr Fiona Reid, Cr Cheryle Irons, Cr Ken Manolas, Cr Colin Cala

Absent: Cr Glenn Cridland, Cr Jessica Black, Cr Sharron Hawkins-Zeeb

27/01/2016 5:47:08 PM

### **8.1.1 Lot 801 Bradshaw Crescent Manning - Proposed Land Disposal**

Motion Passed 7/0

Yes: Mayor Sue Doherty, Cr Travis Burrows, Cr Fiona Reid, Cr Cheryle Irons, Cr Ken Manolas, Cr Jessica Black, Cr Colin Cala

Absent: Cr Glenn Cridland, Cr Sharron Hawkins-Zeeb

## 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 23 February 2016.

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