

MINUTES.

Special Council Meeting

18 October 2016

To: The Mayor and Councillors

Here within are the Minutes of the Special Council Meeting of the City of South Perth Council held Tuesday 18 October 2016 in City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth.



GEOFF GLASS
CHIEF EXECUTIVE OFFICER

21 October 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 19.9km² 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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Minutes

Minutes of the Special Council Meeting held in City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth at 6.30pm on Tuesday 18 October 2016.

1. DECLARATION OF OPENING

The Presiding Member opened the meeting at 6.42pm 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 STANDING ORDERS LOCAL LAW 2007

This meeting is held in accordance with the City's Standing Orders Local Law 2007 which provides rules and guidelines which apply to the conduct of meetings.

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
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
Mark Taylor	Director Infrastructure Services
Phil McQue	Manager Governance and Administration
Sharron Kent	Governance Officer

Gallery

There were approximately 10 members of the public and no members of the media present.

3.1 APOLOGIES

Nil

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.

A Declaration of Interest was received from Councillor Jessica Black in relation to Agenda 7.3.1 *Proposed 34 Storey, Plus Upper Mezzanine and Basement Levels, Mixed Use Development - Lots 2-20 (No. 74) Mill Point Road, South Perth.*

This Declaration will be read out prior to the Item being considered.

5. PUBLIC QUESTION TIME

Public Question Time is operated in accordance with Local Government Act Regulations and the City's Standing Orders Local Law.

The Presiding Member opened Public Question Time at 6.44pm.

There being no questions received the Presiding Member closed Public Question Time at 6.44pm.

6. DEPUTATIONS

A Deputation was heard from Craig Dermer of 14/63 Mill Point Road, South Perth speaking FOR the Officer Recommendation at *Item 7.3.1 Proposed 34 Storey, Plus Upper Mezzanine and Basement Levels, Mixed Use Development - Lots 2-20 (No. 74) Mill Point Road, South Perth.*

7. REPORTS

At this stage the Presiding Member read aloud Councillor Jessica Black's Declaration of Interest:

'I wish to declare a financial interest in Agenda Item 7.3.1 Proposed 34 Storey, Plus Upper Mezzanine and Basement Levels, Mixed Use Development - Lots 2-20 (No. 74) Mill Point Road, South Perth on the Council Agenda for the Special Council meeting of 18 October 2016. I declare that my employer, TPG and Place Match have been engaged to provide professional services and therefore have a financial interest in the project. It is my intention to vacate the Council Chamber before the Item is discussed and voted on'.

Councillor Jessica Black then vacated the Chamber at 6.52pm.

1.3 STRATEGIC DIRECTION 3: HOUSING AND LAND USES

7.3.1 Proposed 34 Storey, Plus Upper Mezzanine and Basement Levels, Mixed Use Development - Lots 2-20 (No. 74) Mill Point Road, South Perth

Location:	South Perth
Ward:	Mill Point Ward
Applicant:	Hillam Architects
File Ref:	D-16-78975
Lodgement Date:	12 October 2016
Date:	18 October 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

This Report seeks Council's consideration of the Responsible Authority Report (RAR) for the proposed Mixed Use Development within a 34 Storey, Plus Upper Mezzanine and Basement Levels, Building at Lots 2-20 (No. 74) Mill Point Road, South Perth.

Officer Recommendation

Moved: Cr Cheryle Irons
Seconded: Cr Ken Manolas

That Council notes the Responsible Authority Report (RAR) and supports the recommendation prepared for the Metro Central Joint Development Assessment Panel (JDAP) regarding the proposed Mixed Use Development within a 34 Storey, Plus Upper Mezzanine and Basement Levels, Building at Lots 2-20 (No. 74) Mill Point Road, South Perth.

Amendment to Officer Recommendation

Moved: Cr Fiona Reid
Seconded: Cr Travis Burrows

That the Officer Recommendation be amended as follows (in red):

That Council:

- a) notes the Responsible Authority Report (RAR) and **strongly** supports the recommendation prepared for the Metro Central Joint Development Assessment Panel (JDAP) regarding the proposed Mixed Use Development within a 34 Storey, Plus Upper Mezzanine and Basement Levels, Building at Lots 2-20 (No. 74) Mill Point Road, South Perth
- b) **requests that the JDAP give due consideration and respect to Amendment 46 and the Council's future planning for this Precinct.**

CARRIED (8/0)

Reason for Amendment

Amendment 46 is about to be sent to the Minister for Planning, following its consideration by the Statutory Committee of the Western Australian Planning Commission.

When the JDAP considers this Development Application Amendment 46 should be given due consideration and respect, as a seriously entertained (and likely) Amendment to the City of South Perth's local Town Planning Scheme.

COUNCIL DECISION

Moved: Cr Cheryle Irons

Seconded: Cr Ken Manolas

That Council:

- a) notes the Responsible Authority Report (RAR) and strongly supports the recommendation and reasons for refusal prepared for the Metro Central Joint Development Assessment Panel (JDAP) regarding the proposed Mixed Use Development within a 34 Storey, Plus Upper Mezzanine and Basement Levels, Building at Lots 2-20 (No. 74) Mill Point Road, South Perth
- b) requests that the JDAP give due consideration and respect to Amendment 46 and the Council's future planning for this Precinct.

CARRIED (8/0)

Comment

In accordance with the Council resolution in August 2015, the final revision of Officer's RAR is attached (**Attachment (a)**) for Council to consider. The JDAP meeting for the determination of this application is scheduled to occur on 18 October 2016. The meeting is scheduled to commence at 6.30pm at the City of South Perth Council Chambers.

All Attachments referred to in the RAR also form Attachments to this report (**Attachments (b)-(v)**).

Please note this revised 34 storey proposal for the site is a result of SAT proceedings following the refusal of the previous 44 storey proposal that was refused at the last JDAP meeting on 13 July 2016.

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 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):** RAR - Proposed 34 Storey Mixed Use Development - Lots 2-20 (No. 74) Mill Point Road, South Perth.doc
- 7.3.1 (b):** 1. Development Application Report - August 2016 - Proposed 34 Storey Mixed Use Development - No. 74 Mill Point Road, South Perth .PDF
- 7.3.1 (c):** 2. Hillam Architects Supporting Letter - 26 August 2016 - .PDF
- 7.3.1 (d):** 3. Revised and Final Development Plans (29 August 2016) - Proposed 34 Storey Mixed Use Development - No. 74 Mill Point Road.PDF
- 7.3.1 (e):** 4. Revised and Final Carbay Summary (29 August 2016) - Proposed 34 Storey Mixed Use Development - No. 74 Mill Point Road.pdf
- 7.3.1 (f):** 5. Revised and Final Plot Ratio Summary (29 August 2016) - Proposed 34 Storey Mixed Use Development - No. 74 Mill Point Road.pdf
- 7.3.1 (g):** 6. Summary of Submissions and Applicant Response - Proposed 34 Storey Mixed Use Development -74 Mill Point Road, South Perth.pdf
- 7.3.1 (h):** 7. Infrastructure Services Comment - Proposed 34 Storey Mixed Use Development - 74 Mill Point Road, South Perth.pdf
- 7.3.1 (i):** 8. Environmental Health Comment - Proposed 34 Storey Mixed Use Development - No. 74 Mill Point Road.pdf
- 7.3.1 (j):** 9. Water Corporation Comment - Proposed 34 Storey Mixed Use Development - No. 74 Mill Point Road.pdf
- 7.3.1 (k):** 10. Traffic Impact Assessment (Shawmac) - 29 August 2016 - Proposed 34 Storey Mixed Use Development - No. 74 Mill Point Road.pdf
- 7.3.1 (l):** 11. Construction Management Plan (Jaxon) - 26 August 2016 - Proposed 34 Storey Mixed Use Development - No. 74 Mill Point Road .pdf
- 7.3.1 (m):** 12. Waste Management Plan (Talis) - 26 August 2016 - Proposed 34 Storey Mixed Use Development - No. 74 Mill Point Road.pdf
- 7.3.1 (n):** 13. Economic Impact Assessment (AEC) - August 2016 - Proposed 34 Storey Mixed Use Development - No. 74 Mill Point Road.pdf

- 7.3.1 (o):** 14. Economic Impact Assessment Review (Pracsys) - August 2016 - Proposed 34 Storey Mixed Use Development - No. 74 Mill Point Road.pdf
- 7.3.1 (p):** 15. Wind Impact Assessment (VIPAC) - September 2016 - Proposed 34 Storey Mixed Use Development - No. 74 Mill Point Road.pdf
- 7.3.1 (q):** 16. Serviced Apartment Management Plan - 74 Mill Point Road, South Perth.PDF
- 7.3.1 (r):** 17. Serviced Apartment Operator Statement (Seashells Hospitality) - 8 August 2016 - Proposed 34 Storey Mixed Use Development.PDF
- 7.3.1 (s):** 18. ESD Strategy (CADDs Energy) - 1 September 2016 - Proposed 34 Storey Mixed Use Development - No. 74 Mill Point Road.pdf
- 7.3.1 (t):** 19. Additional Overshadowing Diagrams - Proposed 34 Storey Mixed Use Development - No. 74 Mill Point Road.pdf
- 7.3.1 (u):** 20. Landscaping Plans - Ground and Amenity Floors - Proposed 34 Storey Mixed Use Development - No. 74 Mill Point Road.pdf
- 7.3.1 (v):** 21. 3D perspective render - Proposed 34 Storey Mixed Use Development - 74 Mill Point Road.pdf .

8. CLOSURE

The Presiding Member thanked everyone for their attendance and closed the meeting at 7.06pm.

RECORD OF VOTING



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 25 October 2016.

Signed _____

Presiding Member at the meeting at which the Minutes were confirmed