

# MINUTES.

## Special Council Meeting

**6 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 Thursday 6 October 2016 in City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth.



GEOFF GLASS  
CHIEF EXECUTIVE OFFICER

7 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 19.9km<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 STANDING ORDERS LOCAL LAW 2007</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 34-Storey Mixed Development on Lot 2, 15 & 16 (No. 86, 88 & 90) Mill Point Road, South Perth	6
<b>8. REQUESTS FOR A LEAVE OF ABSENCE</b>	<b>9</b>
<b>9. CLOSURE</b>	<b>9</b>
<b>RECORD OF VOTING</b>	<b>10</b>
<b>DISCLAIMER</b>	<b>11</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 5.30pm on Thursday 6 October 2016.

## 1. DECLARATION OF OPENING

The Presiding Member opened the meeting at 5.30pm 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 (from 5.40pm)
Jessica Black	Como Ward
Colin Cala	Manning Ward
Sharron Hawkins-Zeeb	Manning 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
Les Croxford	Manager Engineering Infrastructure
Sharron Kent	Governance Officer

## Gallery

There were approximately 13 members of the public and no members of the media present.

### **3.1 APOLOGIES**

Travis Burrows                      Moresby 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 Councillor Jessica Black in relation to Agenda Item 7.3.1 Proposed 34-Storey Mixed Development on Lot 2, 15 & 16 (No. 86, 88 & 90) 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 5.32pm.

There being no questions received the Presiding Member closed Public Question Time at 5.32pm.

## **6. DEPUTATIONS**

Deputations were heard from the following, all speaking FOR the Officer's Recommendation at Item 7.3.1 Proposed 34-Storey Mixed Development on Lot 2, 15 & 16 (No. 86, 88 & 90) Mill Point Road, South Perth:

- Vicki Redden of 14/63 Mill Point Road, South Perth
- Craig Dermer of 14/63 Mill Point Road, South Perth
- Nicholas Read representing The Leaf Directional Vortex Conservatory for High Air Filter Plants of PO Box 712, South Perth

## 7. REPORTS

At this point 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 Mixed Development on Lot 2, 15 & 16 (No. 86, 88 & 90) Mill Point Road, South Perth* on the Council Agenda for the Special Council meeting of 6 October 2016. I declare that my employer TPG + Place Match has been engaged to provide professional services on this project and therefore has a financial interest in the project. It is my intention to leave the Chamber before the Item is discussed and voted on'.

At 6.01pm Councillor Jessica Black vacated the Chamber.

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

#### 7.3.1 Proposed 34-Storey Mixed Development on Lot 2, 15 & 16 (No. 86, 88 & 90) Mill Point Road, South Perth

Location:	Mill Point Road
Ward:	Mill Point Ward
Applicant:	TPG Town Planning, Urban Design and Heritage
File Ref:	D-16-76525
Date:	6 October 2016
Author:	Peter Ng, Senior 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

On 14 March 2016 the Metro Central Joint Development Assessment Panel (JDAP) resolved to refuse a proposed 38 storey mixed use development on Lots 2 (86), 15 (88) and 16 (90) Mill Point Road, South Perth.

The applicant lodged an application for the review of the decision of the Metro Central JDAP with State Administrative Tribunal (SAT). Following SAT Mediation on 3 August 2016 the applicant lodged revised plans and supporting information for the proposed development on 23 August 2016.

The SAT application (DR 115 of 2016) Responsible Authority Report (RAR) for a proposed 34 storey mixed development: Lot 2, 15 & 16 (No. 86, 88 & 90) Mill Point Road, South Perth, is attached for Council's consideration at the Special Council meeting scheduled for 6 October 2016, prior to reconsideration and determination by the Metro Central JDAP.

### 7.3.1 Proposed 34-Storey Mixed Development on Lot 2, 15 & 16 (No. 86, 88 & 90) Mill Point Road, South Perth

#### **Officer Recommendation**

**Mover:** Councillor Fiona Reid

**Seconder:** Councillor Cheryle Irons

That Council notes the Responsible Authority Report prepared for the Metro Central Joint Development Assessment Panel regarding the Proposed 34 storey mixed development on Lot 2, 15 & 16 (No. 86, 88 & 90) Mill Point Road, South Perth.

#### **Amendment**

With the agreement of the Seconder, Councillor Fiona Reid put forward an amendment to add the words *'and strongly supports the Officer Recommendation that the proposed development be refused for the reasons outlined in the RAR'*.

#### **COUNCIL DECISION**

**Mover:** Councillor Fiona Reid

**Seconder:** Councillor Cheryle Irons

That Council notes the Responsible Authority Report prepared for the Metro Central Joint Development Assessment Panel regarding the Proposed 34 storey mixed development on Lot 2, 15, & 16 (No. 86, 88 & 90) Mill Point Rd, South Perth, and strongly supports the Officer Recommendation that the proposed development be refused for the reasons outlined in the Responsible Authority Report.

**CARRIED (7/0)**

#### **Comment**

In accordance with the Council resolution in August 2015, the RAR is attached for Council's consideration at the Special Council Meeting scheduled for 6 October 2016. The RAR is due to be sent to the DAP Secretariat on Monday 3 October 2016. The Metro Central Joint Development Assessment Panel (Metro Central JDAP) meeting is scheduled on Monday 10 October 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.

#### **Financial Implications**

Nil.

#### **Strategic Implications**

This report is aligned to the City's [Strategic Community Plan 2015-2025](#).

#### **Sustainability Implications**

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

**7.3.1 Proposed 34-Storey Mixed Development on Lot 2, 15 & 16 (No. 86, 88 & 90) Mill Point Road, South Perth**

**Attachments**

- 7.3.1 (a):** Responsible Authority Report
- 7.3.1 (b):** Development Plans
- 7.3.1 (c):** Summary of Neighbour Consultation Submissions
- 7.3.1 (d):** Engineering Infrastructure Comments
- 7.3.1 (e):** Environmental Health Services Comments
- 7.3.1 (f):** Office of the Government Architects Comments
- 7.3.1 (g):** Department Parks and Wildlife Comments
- 7.3.1 (h):** Water Corporation Comments
- 7.3.1 (i):** Applicant's Waste Management Plan
- 7.3.1 (j):** Applicant's Engineering Traffic Report
- 7.3.1 (k):** Applicant's Aged Care Operational Statement
- 7.3.1 (l):** Site Photographs and Perspectives .



At 6.08pm Councillor Jessica Black returned to the Chamber.

## **8. REQUESTS FOR A LEAVE OF ABSENCE**

Requests for a Leave of Absence were received from:

- Councillor Cheryle Irons for the period 9 – 14 October 2016 inclusive and 21 – 28 October 2016 inclusive
- Councillor Glenn Cridland for the period 11 – 14 October 2016 inclusive

### **Motion AND COUNCIL DECISION**

That Council approve the Leave of Absence requests received from:

- Councillor Cheryle Irons for the period 9 – 14 October 2016 inclusive and 21 – 28 October 2016 inclusive
- Councillor Glenn Cridland for the period 11 – 14 October 2016 inclusive

**CARRIED (8/0)**

## **9. CLOSURE**

The Presiding Member thanked everyone for their attendance and closed the meeting at 6.09pm.

## RECORD OF VOTING

6/10/2016 6:03:22 PM

### **7.3.1 Proposed 34-Storey Mixed Development on Lot 2, 15 & 16 (No. 86, 88 & 90) Mill Point Road, South Perth**

Motion Passed 7/0

Yes: Mayor Sue Doherty, Cr Fiona Reid, Cr Cheryle Irons, Cr Ken Manolas, Cr Glenn Cridland, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

Absent: Cr Travis Burrows, Cr Jessica Black

6/10/2016 6:08:48 PM

### **8. Requests for a Leave of Absence**

Motion Passed 8/0

Yes: Mayor Sue Doherty, Cr Fiona Reid, Cr Cheryle Irons, Cr Ken Manolas, Cr Glenn Cridland, Cr Jessica Black, Cr Sharron Hawkins-Zeeb, Cr Colin Cala

Absent: Cr Travis Burrows

## 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