

MINUTES.

Special Council Meeting

19 June 2018

Mayor and Councillors

Here within are the Minutes of the Special Council Meeting of the City of South Perth Council held Tuesday 19 June 2018 in the City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth.



GEOFF GLASS
CHIEF EXECUTIVE OFFICER

22 June 2018

Welcome to Country

Kaartdjinin Nidja Nyungar Whadjuk Boodjar Koora Nidja Djining Noonakoort kaartdijin wangkiny, maam, gnarnk and boordier Nidja Whadjul kura kura.

We acknowledge and pay our respects to the traditional custodians of this land, the Whadjuk people of the Noongar nation and their Elders past, present and future.

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.

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Special Council Meeting - 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 7.00pm on Tuesday 19 June 2018.

1. DECLARATION OF OPENING

The Presiding Member opened the meeting at 7.07pm and welcomed everyone in attendance. He 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 which provides rules and guidelines that 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 'Recording of Proceedings'.

He then gave his 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

Deputy Mayor Glenn Cridland Como Ward (Presiding Member)

Councillors

Councillor Tracie McDougall	Como Ward
Councillor Blake D'Souza	Manning Ward
Councillor Colin Cala	Manning Ward
Councillor Greg Milner	Moresby Ward
Councillor Cheryle Irons	Mill Point Ward (arrived at 7.08pm)
Councillor Ken Manolas	Mill Point Ward (arrived at 7.08pm)

Officers

Mr Mark Taylor	Acting Chief Executive Officer
Mr Colin Cameron	Director Corporate Services
Ms Vicki Lummer	Director Development and Community Services
Mr Bruce Moorman	Acting Director Infrastructure Services
Mr Stevan Rodic	Manager Development Services
Ms Elyse Maketic	Manager Strategic Planning
Mr Andre Brandis	Manager Finance
Ms Pele Phillips	Manager Human Resources
Mr Sean Foster	Design Office Coordinator

Ms Christine Lovett	Governance Officer
Ms Sharron Kent	Governance Officer
Ms Katie Roberts	Senior Executive Support Officer

Gallery

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

3.1 APOLOGIES

Sue Doherty	Mayor <i>(attending the National General Assembly of Local Government, Canberra)</i>
Councillor 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. 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 no Declarations of Interest had been received.

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 advised the meeting that questions are to be in writing and submitted 24 hours prior to the meeting. Forms are available on the City's website and at the City's Reception. Questions received 24 hour prior to the meeting would be answered this evening. Questions received at the meeting would be Taken on Notice.

The Presiding Member then opened Public Question Time at 7.10pm.

Written questions were received prior to the meeting from:

- Mr Craig Dermer of Mill Point Road, South Perth
- Mr Mark Paskos of Hartington Way, Carine

A table of questions received and answers provided can be found in the **Appendix**.

The Presiding Member then closed Public Question Time at 7.16pm.

6. DEPUTATIONS

A formal process where members of the community may, with prior permission, address Council on Agenda items on the Special Council Meeting Agenda.

Deputations were heard from:

- Mr Mark Paskos of Hartington Way, Carine
- Mr Craig Dermer of Mill Point Road, South Perth
- Ms Vicki Redden of Mill Point Road, South Perth

7. REPORTS

7.3 STRATEGIC DIRECTION 3: ENVIRONMENT (BUILT AND NATURAL)

7.3.1 Proposed Mixed Development (29 Storeys Plus Basement) - Lots 2-20 (Nos. 72-74) Mill Point Road, South Perth

Location:	Lots 2-20 (Nos. 72-74) Mill Point Road, South Perth
Ward:	Mill Point Ward
Applicant:	Hillam Architects
File Reference:	D-18-60121
DA Lodgement Date:	17 May 2018
Meeting Date:	19 June 2018
Author(s):	Cameron Howell, Senior Statutory Planning Officer
Reporting Officer(s):	Vicki Lummer, Director Development and Community Services
Strategic Direction:	Environment (built and natural): Sustainable urban neighbourhoods
Council Strategy:	3.2 Sustainable Built Form

Summary

This report seeks Council's consideration of a Responsible Authority Report (RAR) and development application for a proposed mixed development within a 29 storey plus basement building, on Lots 2-20 (Nos. 72-74) Mill Point Road, South Perth.

The RAR and its attachments are attached to this report for review and consideration, prior to determination of the Metro Central Joint Development Assessment Panel (Metro Central JDAP) at the meeting scheduled to commence at 10.00am on Monday 25 June 2018 in the City's Council Chambers.

Officer Recommendation

Moved: Councillor Tracie McDougall

Seconded: -

That Council notes the Responsible Authority Report (RAR) prepared for the Metro Central Joint Development Assessment Panel (Metro Central JDAP) regarding the proposed Mixed Development (29 Storeys Plus Basement) located on Lots 2-20 (Nos. 72-74) Mill Point Road, South Perth.

LAPSED FOR WANT OF A SECONDER

ALTERNATIVE MOTION AND COUNCIL DECISION

Moved: Councillor Ken Manolas

Seconded: Councillor Cheryle Irons

That Council notes the Responsible Authority Report (RAR) prepared for the Metro Central Joint Development Assessment Panel (Metro Central JDAP) regarding the proposed Mixed Development (29 Storeys Plus Basement) located on Lots 2-20 (Nos. 72-74) Mill Point Road, South Perth but recommends the Metro Central JDAP refuses the development application.

CARRIED (6/1)

Reasons for Alternative

Matters for refusal by JDAP remain unresolved. Some of the matters of concern are:

1. Building height is inconsistent with the surrounding built form
2. The extent of the discretion being sought in relation to height is outside what is appropriate for this portion of the Mends Street Precinct
3. The significant traffic impact on the surrounding road network
4. The bulk of the building
5. The setback of the building

Comment

As requested by Council, the RAR is attached for Council to consider. The Metro Central JDAP meeting is scheduled to commence at 10.00am on Monday 25 June 2018 in the City's Council Chambers.

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: Environment (built and natural): Sustainable urban neighbourhoods

Council Strategy: 3.2 Sustainable Built Form

Attachments

- 7.3.1 (a):** Responsible Authority Report (RAR) - DAP/17/01331 | 11.2017.409.2
- 7.3.1 (b):** RAR Attachment 1 - Development Plans
- 7.3.1 (c):** RAR Attachment 2 - Applicant's Report & 3D Perspectives
- 7.3.1 (d):** RAR Attachment 3 - Public Consultation Submissions
- 7.3.1 (e):** RAR Attachment 4 - Department of Biodiversity, Conservation and Attractions Comments
- 7.3.1 (f):** RAR Attachment 5 - Planning Refusal 7 March 2018
- 7.3.1 (g):** RAR Attachment 6 - DAP Form 1 Responsible Authority Report

8. CLOSURE

The Presiding Member thanked everyone for their attendance and closed the meeting at 8.14pm.

RECORD OF VOTING

7.3.1 Alternative Motion: Proposed Mixed Development (29 Storeys Plus Basement) - Lots 2-20 (Nos. 72-74) Mill Point Road, South Perth

For: Councillor Ken Manolas; Councillor Cheryle Irons; Councillor Colin Cala; Councillor Blake D'Souza; Councillor Glenn Cridland; Councillor Tracie McDougall

Against: Councillor Greg Milner

APPENDIX

5. PUBLIC QUESTION TIME: 19 June 2018 Special Council Meeting

Mr Craig Dermer of Mill Point Road, South Perth		Received prior to the meeting 11 June 2018
<i>[Preamble] The council, Shawmac and Cardno claim that the new traffic light settings have significantly improved traffic throughput at the Lab Rd / Mill Pt Rd intersection.</i>		
1. Has this actually been sampled or are the statements based on results of microsimulation modelling?	<i>[Response provided by Mr Bruce Moorman, Acting Director Infrastructure Services]</i> Consultants working on behalf of the City have undertaken micro-simulation and Linsig modelling that demonstrated how improvements to the traffic signal phasing / timing could be achieved. The City then collaborated with Main Roads WA to implement the findings of the report where practicable, catering to competing priorities, which are generally around the off ramp in the AM and PM times”. While the changes have been made relatively recently (March the 29th) and therefore no in-depth analysis undertaken, neither two on-site inspections from Main Roads or their ongoing reviewing of CCTV has revealed any problems/issues at the intersections.	
2. Does the model use evenly spaced vehicle arrival times or a randomised distribution of arrival times?	<i>[Response provided by Mr Bruce Moorman, Acting Director Infrastructure Services]</i> The model is based on exponential (random) probability functions for the vehicle releases.	

[Preamble] TPS6 For all comprehensive new development in Precinct 15 'South Perth Station': (B) a horizontal surface supporting electrical transformers, air conditioning, fire service or water storage equipment, or similar plant or equipment, and used for no other purpose, is deemed not to comprise a floor. The mezzanine in 74 MPR contains none of this, but 20 car parks for Commercial, serviced apartments and visitors, and an ACROD bay, and 6 bike racks, a 'commercial lift lobby' with lifts.

3. Would you please explain the rationale for omitting what is called a mezzanine from the count of floors, and therefore 'storeys'?

[Response provided by Ms Vicki Lummer, Director Development & Community Services]

The reference to the number of storeys in the development description relates to a general review of the design of the proposal, taking into account the function and external appearance of the building, as opposed to a statutory analysis. The more detailed description in the responsible authority report includes a reference to the mezzanine parking level within the podium.

The quote in the preamble relates to the method to calculate building height in metres, on land which is not in the Special Design Area. This site is in the Special Design Area.

Developments within the South Perth Station Precinct are not subject to a storey restriction.

Mr Mark Paskos of Hartington Way, Carine

Received prior to the meeting 18 June 2018

1. What is the current figure for residential dwellings per gross hectare along both sides of Mill Point Road from Harper Terrace to the Old Mill? What is the source of your data?

[Response provided by Ms Vicki Lummer, Director Development & Community Services]

The City does not have data readily available that would allow us to accurately determine the gross dwellings per hectare for the specified area. However, we can advise that there are currently 20 dwellings per gross hectare in the area of the Peninsula north of Judd Street/Harper Terrace. This data is from 2016 census small area data (Australian Bureau of Statistics).

<p>2. The files posted on the DAP and CoSP websites for 74MPR were over 200Mb. Why don't you provide useful index to help users find information they are interested in.</p>	<p><i>[Response provided by Ms Vicki Lummer, Director Development & Community Services]</i></p> <p>The City's responsible authority report is prepared in the manner set by the Development Assessment Panel.</p> <p>If you down load the whole agenda, the individual attachments are bookmarked on the left hand side in the Agenda published on the DAP's website. The DAP Secretariat are responsible for publishing the Agenda.</p> <p>The RAR and other Attachments that form part of the City's Report are complex documents to build given their size. Every attempt is made to ensure ease of access to the document itself and specific information within it – for example this document was uploaded in four parts to minimise the time and effort of downloading and each attachment within the document had its own header referencing the content within.</p>
<p>3. Most development applications for review have a spreadsheet showing details supporting the plot ratio calculation. There does not appear to be one of these for the latest 74MPR revision. Was one prepared and where can I find it?</p>	<p><i>[Response provided by Ms Vicki Lummer, Director Development & Community Services]</i></p> <p>The City's assessment of the proposed plot ratio is included in the Responsible Authority Report.</p> <p>The applicant has provided a table showing details of the proposal, including plot ratio. This was provided separately from the main DA report that was advertised. The City will request the DAP Secretariat to include this table in the Attachments to the 25 June 2018 Agenda.</p>

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 the Ordinary Council Meeting held Tuesday 26 June 2018.

Signed _____

Presiding Member at the meeting at which the Minutes were confirmed