

MINUTES.

Special Electors Meeting

18 December 2017

The Electors of the City of South Perth

Here within are the Minutes of the Special Electors' Meeting held Monday 18 December 2017 in the City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth.

The purpose of the meeting was *in response to a petition received to discuss matters relating to Development Application 367/2017, 264 Canning Highway, South Perth (Farmer Jacks)*.



GEOFF GLASS
CHIEF EXECUTIVE OFFICER

22 December 2017

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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Special Electors' Meeting - Minutes

Minutes of the Special Electors' Meeting held in City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth at 6pm on Monday 18 December 2017.

1. DECLARATION OF OPENING

1.1 Welcome introduction

The Presiding Member opened the meeting at 6.04pm 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.

1.2 Presiding Member's statement

The Presiding Member outlined the following points in relation to proceedings of the 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.
- To vote on any Motion raised this evening you must be an elector of the district. The registration (attendance) list is to be completed in the foyer.
- This meeting is not a Council meeting but a meeting requested by the Electors. Councillors are not obliged to attend Special Electors' Meetings. Those present here this evening have chosen to do so to listen to the comments made by the residents and ratepayers of the City.
- Councillors will not respond to any questions. Any Councillor wishing to speak does so as an Elector.
- The meeting will commence with the reading of the Petition received on 1 December 2017 from Mr Mark Goodwin.
- The City's Director Development and Community Services, Ms Vicki Lummer, will then provide the details of the Development Application 367/2017, 264 Canning Highway, South Perth (Farmer Jacks).
- Steve Russell of Hobbs Avenue, Como will be invited to make a statement on behalf of the Petitioner, Mr Mark Goodwin and the signatories.
- Consultant Mr Steve Fairfoul of Rowe Group will be invited to make a presentation on behalf of the signatories.

- Those who submitted questions prior to the meeting will be invited to the microphone. Each speaker will have 10 minutes to address the meeting.
- I will then invite Mr Mark Goodwin, as Petitioner, to read aloud the proposed Motions as listed in the petition; which will be read as one motion together.
- I will call for a Secunder for the motion.
- Speakers FOR and Speakers AGAINST the Motion will then have the opportunity to speak.
- I will then put the Motion to a vote and ask that those Electors present raise their hands FOR the Motion, followed by a raising of hands AGAINST the Motion - please note again that only Electors of the district are entitled to vote.
- Any Motion passed this evening will be considered by Council at a future Council Meeting.

2. ATTENDANCE

Elected Members and Council Staff

Councillors (as Electors)

Deputy Mayor Glenn Cridland	Como Ward (Presiding Member)
Councillor Colin Cala	Manning Ward
Councillor Blake D'Souza	Manning Ward
Councillor Greg Milner	Moresby Ward
Councillor Cheryle Irons	Mill Point Ward
Councillor Ken Manolas	Mill Point Ward from 6.11pm

Note:

The following Councillors are on an Approved Leave of Absence:

Mayor Sue Doherty	
Councillor Travis Burrows	Moresby Ward
Councillor Tracie McDougall	Como Ward

Officers

Mr Geoff Glass	Chief Executive Officer
Ms Vicki Lummer	Director Development and Community Services
Mr Phil McQue	Manager Governance and Marketing
Mr Cameron Howell	Planning Officer
Ms Christine Lovett	Governance Officer

Gallery

There were 63 members of the public and 1 member of the press present.

3. PETITION

The Presiding Member stated that the meeting had been called in response to a petition received on 1 December 2017 together with 127 signatures. He then read aloud the text of the petition as follows:

'To the Mayor of City of South Perth

- 1. Under section 5.28 of the Local Government Act 1995, the electors of Como, Kensington and South Perth Communities whose names, addresses and signatures are set out in the attached list and who comprise (1) 100 electors/5% of the number of electors request that a special meeting of the electors of the district be held.*
- 2. The details of the matter to be discussed at the special meeting are The purpose of the meeting is to discuss matters relating to Development Application 367/2017, 264 Canning Highway South Perth. The following points are submitted for discussion:*
 - 1. The concerns of electors about the proposed Farmer Jacks development on Canning Highway Como, including but not limited to:*
 - a) Noise*
 - b) Traffic & vehicle safety*
 - c) Parking*
 - d) Impacts on adjoining properties and residents in the surrounding area.*
 - 2. To provide an opportunity for the Mayor to indicate Council's current position on the matters.*
 - 3. To consider the following motions:*
 - a) That the people of South Perth & Como oppose the development of this Supermarket development at 264 Canning Highway, Como;*
 - b) b. That the people of South Perth & Como request the City prepare a submission to the JDAP opposing DA367/2017;*
 - c) That the people of South Perth & Como request the City officers support the objections from the community and detail this in their Responsible Authority Report to the JDAP;*
 - d) The electors of the South Perth & Como community strongly recommend that the Development Assessment panel refuse the development application as it is contrary to orderly and proper planning and the preservation of the amenities of the locality.'*

4. PRESENTATION FROM THE DIRECTOR DEVELOPMENT AND COMMUNITY SERVICES

The Presiding Member invited the Director Development and Community Services, Ms Vicki Lummer to the microphone.

Ms Lummer provided a power point presentation giving an overview of Development Application 367/2017, 264 Canning Highway, South Perth (Farmer Jacks) which can be found in the **Appendix** of these Minutes.

5. PETITIONER'S STATEMENT

The Presiding Member invited Mr Stephen Russell of Hobbs Avenue to speak on behalf of the petitioner Mr Mark Goodwin and the signatories.

The Presiding Member then invited Sean Fairfoul to the microphone to speak on behalf of the signatories.

6. PUBLIC QUESTION TIME

Public Question Time

The Presiding Member then opened Public Question Time at 6:32pm and invited those who submitted their expressions of interest to ask questions to the microphone:

- Mr Paul Crock of Bessell Avenue, Como
- Mr Steve Russell of Hobbs Avenue, Como
- Mr Mark Goodwin of Hobbs Avenue, Como

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

The Presiding Member then closed Public Question Time at 6.50pm.

7. ELECTORS MOTION

The Presiding Member read aloud the proposed Electors' Motion.

The following electors spoke FOR the Motion:

Mr Mark Goodwin of Hobbs Avenue, Como
Ms Eva Makowiecki of Hobbs Avenue, Como
Ms Emma Farrell of Bessell Avenue, Como
Mr Paul Crock of Bessell Avenue, Como
Mr Steve Russell of Hobbs Avenue, Como
Mr Sam Parr of Hobbs Avenue, Como

The following Electors spoke AGAINST the Motion:

Ms Christie Young of Sixth Avenue, Kensington
Mr Andrew Woodcock of Collins Street, Kensington
Ms Kelly Chapman of Mill Point Road, South Perth
Mr Darryll Ashworth of Hurlingham Road, South Perth

Following the speakers FOR and AGAINST the motion, the Presiding Member put the Motion to the vote.

ELECTORS' MOTION

Moved: Mr Mark Goodwin

Seconded: Mr Paul Crock

That the people of South Perth and Como:

- a) oppose the development of this Supermarket development at 264 Canning Highway, Como;
- b) request the City prepare a submission to the JDAP opposing DA367/2017;
- c) request the City officers support the objections from the community and detail this in their Responsible Authority Report to the JDAP;
- d) The electors of the South Perth & Como community strongly recommend that the Development Assessment panel refuse the development application as it is contrary to orderly and proper planning and the preservation of the amenities of the locality.'

LOST (26/28)

Nil

8. CLOSURE

The Presiding Member thanked everyone for their attendance and closed the meeting at 7:41pm.

APPENDIX

4. PUBLIC QUESTIONS– 18 DECEMBER 2017

Mr Paul Crock of 14 Bessell Avenue, Como	Response provided by: Ms Vicki Lummer, Director Development and Community Services
1. Will Council make its own submission to JDAP objecting to the proposed Farmer Jacks DA?	As the development application and the report to the DAP will be presented to a Council meeting, the Council will then make a recommendation to the JDAP that is separate to the Responsible Authority Report.
Mr Mark Goodwin of 12 Hobbs Avenue, Como	Response provided by: Ms Vicki Lummer, Director Development and Community Services
2. Is Council aware of the strong community opposition to the proposal?	The City is aware that a number of members of the community object to the proposal.
Mr Steve Russell of 9 Hobbs Avenue, Como	Response provided by: Ms Vicki Lummer, Director Development and Community Services
3. Are Council aware that the developer is proposing a 10.5 metre wall setback by only 1.5 metre from the boundary, running the entire length of 6 & 8 Hobbs Avenue, Como?	The Council will be made aware of this proposal, when they development application and report is presented for their consideration.
4. Will Council ensure that the traffic and safety concerns raised in the objections are reviewed in detail by the City's engineers?	The development application has been referred to the City's Engineering Infrastructure officers for their consideration.
5. Is Council aware of Main Roads WA's plans to widen Canning Highway and the impact such widening will have on the proposed Farmer Jacks site?	The City is aware that Canning Highway has a reservation to accommodate future widening and that this reservation impacts upon the car parking located in front of the proposed supermarket building.
Mr Mark Goodwin of 12 Hobbs Avenue, Como	Response provided by: Ms Vicki Lummer, Director Development and Community Services

6. Does Council believe the amount of community consultation undertaken to date has been adequate for this proposal?	Yes. Community consultation has been carried out in accordance with Council's consultation policy – P301 'Community Engagement in Planning Proposals'. Advertising was also extended, in terms of the distribution of consultation notices and the timeframe for the public to make submissions, taking into consideration the initial public comments received and the potential wider amenity impacts of the proposed development.
7. Is Council aware of the impact this proposal will have on the local access roads in proximity to the proposed Farmer Jacks site?	The City is aware that the proposed development is expected to increase traffic volumes on neighbouring streets, including local streets such as Birdwood Avenue and Hobbs Avenue.
Mr Paul Crock of 14 Bessell Avenue, Como	Response provided by: Ms Vicki Lummer, Director Development and Community Services
8. Is Council aware that Farmer Jacks is proposing a significant variation to the car parking requirements of the City's local planning scheme?	The Council will be made aware of this proposed variation, when they development application and report is presented for their consideration.
9. Is Council aware that the Farmer Jacks is proposing its loading facility be accessed via the residential street of Hobbs Avenue?	The Council will be made aware of this proposal, when they development application and report is presented for their consideration.

Proposed Commercial Development

Supermarket & Retail Tenancies

264-270 Canning Highway, Como

**Vicki Lummer,
Director Development and Community
Services**

**Development Application 11.2017.367.1 DAP/17/01314
Special Electors' Meeting | Monday 18 December 2017**



264-270 Canning Highway, Como



City of
South Perth





Proposed Development

The proposal incorporates the following:

- A new 2-storey commercial building with basement car parking.
- 3 Shop tenancies – A supermarket* and 2 smaller retail tenancies.
- 59 permanent car bays, located in the basement.
- 41 temporary car bays at ground level, located in land reserved for future highway widening.
- Car park access is from Canning Highway only.
- Supermarket delivery vehicles enter from Hobbs Avenue and exit onto Canning Highway. (Easement on Title)

** The applicant has advised that the supermarket tenancy is intended to operate as a Farmer Jack's supermarket.*



Aerial Views (Supplied by the Applicant)



Proposed Site Plans





Referrals Undertaken

- Public Consultation
- Main Roads WA
- City's Design Review Panel
- City's Engineering/Infrastructure officers
- City's Environmental Health & Waste officers





Next Steps

- City to finalise the planning assessment of the development application:
 - Town Planning Scheme requirements.
 - Local planning policy requirements.
 - State planning requirements.
- City to request any required additional information from the applicant.
- City to prepare a Responsible Authority Report (RAR) for Council's and DAP's consideration – currently due 10 January 2018
- Council recommendation to DAP – Tentative Special Council Meeting 16 January 2018.
- Determination by Metro Central Joint Development Assessment Panel (DAP).



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 on: .

Signed _____

Presiding Member at the meeting at which the Minutes were confirmed