



Additional documents

Ordinary Meeting of Council

Wednesday, 23 September 2020, 6.00 pm

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FPOL2009-5 PROPOSED PROPERTY LOCAL LAW AMENDMENT 2020

Proposed amendment submitted by Cr Su Groome

To amend new clause 3.3 (4) of the proposed Property Local Law Amendment 2020 to read:

- (4) The local government may, at any time, amend a condition of approval and the amended condition takes effect **30 days when after** written notice of it is given to the permit holder.

Reason for change:

To include a requirement for the amended conditions to not take effect immediately to allow the permit holder time to enact the conditions.

This is because changes to permits may have business/financial impacts, and we need to take care they don't cause the activity to cease.

FPOL2009-5 PROPOSED PROPERTY LOCAL LAW AMENDMENT 2020

Proposed officer's recommendation

The item be deferred to the Finance, Policy, Operations and Legislation Committee meeting on Wednesday, 14 October 2020 to enable officers to prepare a further amendment to the proposed local law.

Reason for change:

Officers are seeking further legal advice on the definition of "local government property", therefore it is recommended that this item be deferred to the next Finance, Policy, Operations and Legislation Committee meeting for officers to prepare the appropriate amendments prior to consideration of public notice being given.

URGENT BUSINESS

Cr Bryn Jones and Cr Andrew Sullivan request the following matter, not on the agenda, be raised at the meeting for consideration as 'Urgent Business':

SWAN RIVER CROSSING

There are numerous groups with wide ranging agendas all calling for a pause in the Main Roads WA process to replace the Fremantle Traffic Bridge, to enable meaningful conversations to happen. The campaign from the two main groups, the NFCA and the Better Bridges group, is a unified one calling for a pause in the process. Elected members have argued that this battle can only be won by a community-led campaign and that our role is to support what our community calls for. The community campaign is now clearly focussed on the call to 'Pause the Bridge' and so that is what we must now support. There is also widespread condemnation of the community engagement process.

There are grounds for urgency. The Council resolution (Ordinary Meeting of Council held on 24 June 2020), assumed there would be consultation and was establishing some principles to follow. Now it appears the consultation is not happening. The whole "consultation" thing could be over by next month and MRWA may go ahead with design.

OFFICER COMMENT

Consideration of urgent business without notice is permissible under the Meeting Procedures Policy in the following circumstances:

"cases of extreme urgency or other special circumstances that

- (a) have arisen after the preparation of the agenda that are considered by the meeting to be of such importance and urgency that they are unable to be dealt with administratively by the City and must be considered and dealt with by council before the next meeting; and
- (b) that, if not dealt with at the meeting, are likely to –
 - (i) have a significant adverse effect (financially or otherwise) on the City; or
 - (ii) result in a contravention of a written law."

A motion to consider this urgent motion is required to be carried to enable this matter to be considered.

OFFICER'S RECOMMENDATION

That the motion below be supported as urgent business and be considered at this meeting.

PROPOSED ELECTED MEMBER MOTION

Council support for a pause in the current Main Roads WA process to enable a higher level, whole of government consideration that includes meaningful community engagement to consider the broader planning, transport, economic, place making and heritage implications and opportunities to deliver the best transport infrastructure capable of serving future needs and reconnecting local communities to their centres of business and recreation spaces.