



— *City of* —  
***Melville***

**NOTES  
OF THE  
AGENDA FORUM  
HELD ON  
TUESDAY, 1 APRIL 2008**

**DISTRIBUTED: 4 APRIL 2008**



— City of —  
**Melville**

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Notes of the Agenda Forum held in the Swan Room, Melville Civic Centre, 10 Almondbury Road, Booragoon on Tuesday, 1 April 2008 commencing at 6.35pm.

## FORUM NOTES

### PRESENT

Cr H Everett JP (Presiding Member)	Applecross/Mount Pleasant
R A Aubrey	Mayor
Cr N Pazolli	Applecross/Mount Pleasant
Cr D J Macphail, Cr A Ceniviva	City
Cr R Subramaniam, Cr C W Robartson	Bill Creek/Leeming
Cr L M Reynolds,	University
Cr C M Halton	Palmyra/Melville/Willagee
Cr G Wieland, Cr M N Barton	Bicton/Attadale

### IN ATTENDANCE

Mr S Silcox	Chief Executive Officer
Mr M Tieleman	Director Customer & Corporate Services
Mr C McClure	Director Strategic Urban Planning
Mr J Cameron	A/Director Technical Development
	Services
Mr J Clark	Governance & Compliance Programme
	Manager
Mr D Vinicombe	A/Manager Planning & Development
Ms L Croxford	Minute Secretary

There were 11 people and 1 media representative present in the public gallery at the commencement of the Agenda Forum.

### APOLOGIES

Cr J Bennett	University
Cr P Phelan	Palmyra/Melville/Willagee

### LEAVE OF ABSENCE

Nil

## **DEPUTATIONS**

- Item P08/3033 – Mr Jamie Blanchard and Dr Case Sinclair
- Item P08/3033 – Ms Michelle Rogan-Gardiner and representative of Bicton Primary School Parent's and Citizens Association
- Item P08/3034 - Mr Alistair MacKinlay and Mr A Del Giacco.

Various questions were put to Councillors and Mr David Vinicombe during the Deputation presentations.

## **QUESTION TIME**

Nil

## **DISCLOSURES OF INTEREST**

Cr G Wieland – Item P08/3034

## **BUSINESS**

## **DISCLOSURE OF FINANCIAL INTERESTS LOCAL GOVERNMENT ACT 1995**

### **Members' interests in matters to be discussed at meetings to be disclosed**

S.5.65 (1) A member who as an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the Chief Executive Officer before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

Penalty: \$10,000 or imprisonment for 2 years.

### **Meeting to be informed of disclosures**

**S.5.66** If a member has disclosed an interest in a written notice given to the Chief Executive Officer before a meeting then before the meeting -

- (a) the Chief Executive Officer is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) the person who is to preside at the meeting is to bring the notice to the attention of the persons who attend the meeting.

### **Disclosing members not to participate in meetings**

**S.5.67** A member who makes a disclosure under Section 5.65 must not -

- (a) preside at the part of the meeting relating to the matter; or
- (b) participate in, or be present during, any discussion or decision making procedure relating to the matter,

unless, and to the extent that, the disclosing member is allowed to do so under Section 5.68 or 5.69.

Penalty: \$10,000 or imprisonment for 2 years.

**Please refer to your Handbook for definitions of interests and other detail.**

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P08/3035 – PROPOSED FOUR STOREY MIXED USE DEVELOPMENT (FOUR MULTIPLE DWELLINGS, FOUR OFFICES AND RESTAURANT) ON LOT 534 (26) KEARNS CRESCENT, ARDROSS (REC) (ATTACHMENT)

### **STRATEGIC URBAN PLANNING**

NIL

### **STRATEGIC COMMUNITY DEVELOPMENT**

NIL

### **CUSTOMER AND CORPORATE SERVICES**

C08/7000 – POINT WALTER GOLF COURSE – BELGRAVIA LEISURE (CONFIDENTIAL)

### **MANAGEMENT SERVICES**

Nil

### **STANDARD ITEMS TO APPEAR ON THE AGENDA FOR THE ORDINARY MEETING OF COUNCIL – 15 APRIL 2008**

C08/5000 – COMMON SEAL REGISTER  
C08/6000 – INVESTMENT STATEMENTS  
C08/6001 – SCHEDULE OF ACCOUNTS  
C08/6002 – FINANCIAL STATEMENTS

**AGENDA ITEMS FOR PRESENTATION**

<b>ITEM NO. DESCRIPTION / ATTACHMENT</b>	
<b>TECHNICAL AND DEVELOPMENT SERVICES</b>	
<b>P08/3033</b>	<b>HOME OCCUPATION (CHIROPRACTIC PRACTICE) ON 244-246E PRESTON POINT ROAD BICTON (REC) (ATTACHMENT)</b>  <b>Description</b> <ul style="list-style-type: none"><li>• The application is for a home occupation for a chiropractic practice at 244-246E Preston Point Road Bicton.</li><li>• The application complies with the home occupation provisions of the Community Planning Scheme No. 5.</li><li>• Concern in relation to traffic safety, noise and the appropriateness of the land use in a primarily residential area has been raised by some residents.</li><li>• The proposed home occupation should not be problematic in relation to those concerns expressed by some residents.</li><li>• It is recommended that the application be supported.</li></ul> <b>Attachment</b> <p>The draft report formed part of the attachments to the Agenda distributed to members of the Council on 28 March 2008. <a href="#">3033 Draft Report 2008.pdf</a></p> <p>The property map formed part of the attachments to the Agenda distributed to members of the Council on 28 March 2008. <a href="#">3033 PROPERTY MAP.pdf</a></p> <p>The site plan formed part of the attachments to the Agenda distributed to members of the Council on 28 March 2008. <a href="#">3033 April 2008.pdf</a></p>

**Meeting Notes:**

Prior to addressing this Item, the following Deputations were presented;

1. Mr Jamie Blanchard (Legal representative for Dr Case Sinclair) presented a deputation to Elected Members requesting that Mr Sinclair's application be supported and approved.
2. Ms Michelle Rogan-Gardiner and a representative of the Bicton Primary School Parent's and Citizens Association presented a deputation to Elected Members expressing parking and traffic concerns with regards to Dr Sinclair's application. Council has received a 'multi-signature' letter containing 113 signatures against the application, a further letter of objection from a neighbour and a letter of concern from the Bicton Primary School Roadwise Committee about traffic and parking problems.

Cr C Halton requested a 'parking facilities plan' be included in the Report

Cr Reynolds suggested an addition to the recommendations; that 'No Parking' signs be erected along Harris Street in the vicinity of the proposed Chiropractic Practice site.

Cr Barton suggested an addition to the recommendations that concerned neighbours document their objections in writing directly to the Council over the next 12 month period.

**Disclosure of Interest:**

**Item No:** P08/3034 – Application for Retrospective Planning Approval for Change of Use from Hobby Ceramics Et Al to Storage on Portion of Lot 41 (1) Thurso Road, Myaree  
**Member:** Cr G Wieland  
**Type of Interest:** Interest under Code of Conduct  
**Nature of Interest:** Cr Wieland employed by the Applicant  
**Request:** Leave meeting  
**Decision of Council:** Permission to leave meeting.

**At 7.11pm Cr Wieland left the meeting due to disclosure of interest in Item P08/3034.**

<b>ITEM NO. DESCRIPTION / ATTACHMENT</b>	
<b>TECHNICAL AND DEVELOPMENT SERVICES</b>	
<b>P08/3034</b>	<p><b>APPLICATION FOR RETROSPECTIVE PLANNING APPROVAL FOR CHANGE OF USE FROM HOBBY CERAMICS ET AL TO STORAGE ON PORTION OF LOT 41 (1) THURSO ROAD MYAREE (REC) (ATTACHMENT)</b></p> <p><b>Description</b></p> <ul style="list-style-type: none"><li>• Change of use from hobby ceramics et al to storage.</li><li>• Current and proposed use for storage relates to the stage and entertainment industry.</li><li>• Application has resulted from noise complaint investigations relative to the unauthorized change of use.</li><li>• Error on proposed site plan. A dwelling is shown close to the boundary on Lot 34. This dwelling is in fact on Lot 35. The dwelling on Lot 34 is well setback from the site.</li><li>• Sufficient car parking and drainage on the site.</li><li>• Noise report submitted which recommends remedial action to reduce the impact of the development on adjoining residential properties.</li><li>• The applicant has agreed to all of the remedial actions and submitted a further raft of operational concessions to address concerns raised by adjoining residents relative to the former application.</li><li>• Recommended that the application be supported subject to recommendations of the report, which specifically address noise and amenity concerns.</li></ul> <p><b>Attachments</b></p> <p>The draft report formed part of the attachments to the Agenda distributed to members of the Council on 28 March 2008. <a href="#">3034 Draft Report 2008.pdf</a></p> <p>The previous Council Report formed part of the attachments to the Agenda distributed to members of the Council on 28 March 2008. <a href="#">3025 Report2.pdf</a></p> <p>The property map formed part of the attachments to the Agenda distributed to members of the Council on 28 March 2008. <a href="#">3034 PROPERTY MAP.pdf</a></p> <p>The previous site plan formed part of the attachments to the Agenda distributed to members of the Council on 28 March 2008. <a href="#">3034 April 2008.pdf</a></p>



**Meeting Notes:**

Prior to addressing this Item, the following deputation was presented;

- Alistair MacKinlay (Legal representative) and Mr A Del Giacco presented a deputation to the Elected Members in favour of the recommendations of this report.

**At 7.41pm Cr Wieland returned to the meeting.**

<b>ITEM NO. DESCRIPTION / ATTACHMENT</b>	
<b>STRATEGIC URBAN PLANNING</b>	
<b>P08/3035</b>	<p><b>PROPOSED FOUR STOREY MIXED USE DEVELOPMENT (FOUR MULTIPLE DWELLINGS, FOUR OFFICES AND RESTAURANT) ON LOT 534 (26) KEARNS CRESCENT, ARDROSS (REC) (ATTACHMENT)</b></p> <p><b><u>Description</u></b></p> <ul style="list-style-type: none"><li>• The application is for a four-storey mixed use development on the subject property.</li><li>• The development comprises four multiple dwellings, four office units, and a restaurant on the ground floor. A semi-undercroft car park is proposed in conjunction with the ground floor of the development.</li><li>• The application proposes variations to the residential plot ratio and on-site landscaping and requires consideration in relation to works in the verge area and the location of bin storage.</li><li>• Two submissions were made regarding the proposed development, in which objections were made on the grounds of plot ratio, landscaping, building height, mix of uses, size and scale of development, and overlooking.</li><li>• The application suitably satisfies the requirements of CPS No. 5, Council Policy and the Residential Design Codes and is accordingly recommended for conditional approval.</li></ul> <p><b><u>Attachments</u></b></p> <p>The draft report formed part of the attachments to the Agenda distributed to members of the Council on 28 March 2008. <a href="#">3035 Draft Report 2008.pdf</a></p> <p>The property map formed part of the attachments to the Agenda distributed to members of the Council on 28 March 2008. <a href="#">3035 PROPERTY MAP.pdf</a></p> <p>The site plan formed part of the attachments to the Agenda distributed to members of the Council on 28 March 2008. <a href="#">3035 April 2008.pdf</a></p>

**Meeting Notes:**

Cr Ceniviva and Cr Wieland suggested a coloured artist's impression of the proposed development be included in the report for visual purposes.

Due to the confidentiality of this Item, those present in the public gallery and any media representatives were requested to leave the meeting.

<b>ITEM NO. DESCRIPTION / ATTACHMENT</b>	
<b>STRATEGIC COMMUNITY DEVELOPMENT</b>	
<b>C08/7000</b>	<b>POINT WALTER GOLF COURSE – BELGRAVIA LEISURE (REC)</b> <b>(CONFIDENTIAL)</b>  <b>Description</b> Belgravia Leisure has requested some conditions of the Management Agreement for Point Walter Golf Course be amended.  <b>Attachments</b>  Nil  The contents and recommendations of this Report were Confidential under Section 5.23 (2) of the Local Government Act 1995.

**Meeting Note:**

Cr Pazolli requested that a financial statement from Belgravia Leisure be included in this report.

Cr Barton suggested that a working party of Councillors and Staff be established to monitor the following;

- Marketing of Point Walter Golf Course and function centre
- Improvement of the condition of the golf course
- Lack of air conditioning in function centre

The Chief Executive Officer requested an additional recommendation be included in this item being that during the next six months, Belgravia Leisure develop and submit a business and marketing plan to Council.

**CLOSURE**

**There being no further business, the Presiding Member declared the forum closed at 9.00pm.**