

MINUTES

OF THE

SPECIAL MEETING OF ELECTORS

HELD IN THE

MAIN HALL, MELVILLE CIVIC CENTRE

AT 6.30PM ON

MONDAY, 2 SEPTEMBER 2013

**MINUTES OF THE SPECIAL MEETING OF ELECTORS HELD IN THE MAIN HALL,
MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING
AT 6.30PM ON MONDAY, 2 SEPTEMBER 2013.**

OPENING

His Worship the Mayor, R Aubrey, welcomed those in attendance to the meeting and declared the meeting open at 6.30pm.

1. PRESENT

His Worship the Mayor R Aubrey

2. COUNCILLORS

Cr D Macphail
Cr C Robartson, Cr R Willis
Cr R Hill
Cr M Reynolds, Cr N Foxtan
Cr N Pazolli (from 6.53pm), Cr P Reidy
Cr J Barton, Cr S Taylor-Rees

WARD

Deputy Mayor
Bull Creek/Leeming
Palmyra/Melville/Willagee
University
Applecross/Mount Pleasant
Bicton/Attadale Ward

3. IN ATTENDANCE

Dr S Silcox
Mr J Christie
Ms C Young
Mr L Hitchcock
Mr J Clark

Mr J Bird
Ms J Miller
Mr R de Silva
Mr N Fimmano
Ms J Paparella
Mr Laurie Caporn
Mr Craig Olejnik

Chief Executive Officer
Director Technical Services
Director Community Development
Executive Manager Legal Services
Governance and Compliance Program
Manager
Manager Parks and Environment
Environmental Coordinator
Coordinator Social Sustainability
Governance and Property Officer
Minute Secretary
Riverpark Manager, Swan River Trust
Nature Conservation Coordinator, Swan
Coastal District, Department of Parks
and Wildlife

There were 42 Electors of the City of Melville and no members from the press in attendance.

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE**4.1 APOLOGIES**

Cr A Nicholson
Cr B Kinnell

City Ward
Palmyra-Melville-Willagee Ward

4.2 LEAVE OF ABSENCE

Nil.

5. INTRODUCTION OF ELECTED MEMBERS AND OFFICERS

His Worship the Mayor, R Aubrey, introduced individual Elected Members and Senior Staff to the meeting.

6. DECLARATIONS OF INTEREST**6.1 FINANCIAL INTERESTS**

Nil.

6.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

Nil.

7. BUSINESS

7.1 NOTICE OF SPECIAL MEETING OF ELECTORS

The following Notice of Meeting was advertised in the West Australian Newspaper on Saturday, 17 August, 2013 and the Melville Times Community Newspaper on Tuesday, 20 August 2013 in addition to being displayed on public notice boards at all the City of Melville libraries and the Civic Centre. The notice read:

“Special Meeting of Electors”

Monday, 2 September 2013

A Special Meeting of Electors of the City of Melville will be held in the Main Hall of the Civic Centre, 10 Almondbury Road, Booragoon commencing at 6.30pm on Monday, 2 September 2013 to consider a request signed by 139 electors to discuss -

**The closure of the historic footpath along a small section of the Attadale Foreshore.
To be replaced by a boardwalk.**

Should you require further information, please contact Corporate Support on 9364 0607.

Members of the public are welcome to attend. The Council Meeting Schedule, Agendas and Minutes of all meetings are available at www.melvillecity.com.au

**Dr Shayne Silcox
Chief Executive Officer”**

Mr J Clark, Governance and Compliance Program Manager read out the Manner of Conduct of the Meeting.

7.2 MANNER OF CONDUCT OF THE MEETING

1. It is a requirement to advise that in the event of an emergency, everyone should take direction from officers who will guide you to the exit points of the building.
2. Toilets are located upstairs outside of this room or to the left of the stage.
3. All present are required to sign the attendance register at the entry to the Main Hall.
4. Speakers must be Electors of the City of Melville.
5. The proceedings are being taped for the purpose of production of the minutes and speakers are requested to use the microphones each time they speak.

The Minutes will include a summary of any questions asked and a summary of the response provided.

6. No other audio or visual recording is to be undertaken without the permission of the Presiding Member.
7. Speakers are asked to clearly give their name and address each time they speak.
8. Upon a motion being proposed, each speaker is to address the Chair.
9. All addresses are to be limited to a maximum of five (5) minutes. Extension of time is permissible only with the agreement of a simple majority of Members present (9.6 of Standing Orders).
10. No persons are to use offensive or objectionable expressions in reference to any Member, employee of the Council, or any other person (8.3 of Standing Orders).
11. All Elected Members and Directors attend this meeting to observe the proceedings and hear comments from Electors. All questions and comments should be directed to the Mayor who may invite a response from the Chief Executive Officer, Presiding Members of Committees, Directors or Elected Members.

8. PRESENTATION

At 6.35pm the Director of Technical Services gave a PowerPoint presentation that included the following content:

- Roles and Responsibilities of the Swan River Trust, the Department of Parks and Wildlife and the City of Melville
- Current and future situation regarding foreshore erosion
- Swan River Trust Priority areas within the Swan and Canning River Park
- Discussions to date with Swan River Trust and Department of Parks and Wildlife
- Options considered over past 12 months
- Explanation of the final decision made by the City in agreement with Swan River Trust and Department of Parks and Wildlife

Attadale Foreshore Presentation DTS

Ms D Davies

At 6.57pm Ms D Davies from Attadale representing ratepayers, gave a presentation that included the following content:

- History of Site
- Community Enjoyment
- Affected Area
- Objections to the site development
- Conclusions

Ms G Westerfeld

At 7.03pm Ms G Westerfeld from Attadale, gave a presentation that included the following content:

- History of Site
- Lack of funds
- Observations from pictures from 2008 to 2013
- Effected Trees
- Waves on the foreshore
- Number of boats increased

Presentation by Mr M Nichol

At 7.09pm Mr M Nichol from Attadale - Chairman of Friends of Attadale Foreshore gave a presentation that included the following content:

- Attendance of Richard Newton – shown interest in cause
- Replaced by alternative path (boardwalk)
- Conservation
- Objections to the site development
- Noise/Rangers
- History of Site
- Prepared to apply for a grant

9. QUESTION TIME

His Worship the Mayor read out questions that had been received in writing prior to the meeting and invited Mr J Clark, Governance and Compliance Program Manager to read out the City's responses.

9.1 Mrs L Lloyd, Bicton

Question 1

Is the boardwalk going to replace the washed-out section of the path along of the river or is it going in another location?

Response

The reference to a boardwalk was contained in the request for this Special Meeting of Electors when submitted by Ms D Davies.

The City is not proposing to construct a boardwalk in this location. The City will be relocating the existing footpath closer to Burke Drive.

The City's decision to relocate the footpath was made in agreement with the Swan River Trust and the Department of Parks and Wildlife due to the ongoing foreshore erosion in this area.

Question 2

What happened to the petition with 637 names requesting that this section of the path be repaired so that the public may continue to use it?

Response

The petition bearing 591 signatures was presented to the Ordinary Meeting of Council on 16 July 2013, where the Council resolved as follows:

That the petition bearing 591 signatures be received and acknowledged in writing to the lead petitioner.

The lead petitioner was advised in writing on the 1st of August 2013 of the City's intention to proceed with the realignment of the footpath.

Question 3

What is the cost of in-filling with limestone boulders in the washed out area, as already undertaken at Point Walter, compared with installing a board-walk if this is not to be located where the existing wash-out path is?

9.1 Mrs L Lloyd, Bicton (Continued)

Response

While the City's initial preference was to reinstate the footpath in its current location, discussions with the Swan River Trust and the Department of Parks and Wildlife identified that this was not a viable solution and would not be supported by the Swan River Trust who are the approval authority.

Therefore the City has not considered the installation of limestone boulders in this location or considered a boardwalk, therefore is not in a position to estimate the cost of such works.

However, to give a cost comparison for similar works being undertaken at Point Walter. The limestone rock revetment in this area is currently estimated at \$170,000 for the 100 metre section adjacent to the eastern car park.

His Worship the Mayor invited questions from the Meeting floor.

9.2 **Mr C Walkley, Bicton**

Question 1

"We have representatives from the Parks and Wildlife here, however, there is no-one here from Birds Australia, and this is a very important area. One thing I don't think we can have is limestone blocks down there because that will curtail access by wading and small birds from the river to the embankments. Is that the general consensus of most authorities?"

Response

Mayor Russell Aubrey responded by saying that he believed that was the rationale Mr Christie offered earlier.

Question 2

"Basically that excludes cement blocks; we haven't got the cement blocks so we are going to go have erosion unless we change the path?"

Response

Mr Christie advised:

- 1 The premise of the question was correct.
- 2 The preferred course of action is to relocate the path.
- 3 In an A Class Reserve, hard structures such as limestone walls or rock revetting are not preferred.
- 4 Hard structures interfere with habitat for migratory wading birds.

9.2 Mr C Walkley, Bicton (Continued)

Mr Craig Olejnik from the Department of Parks and Wildlife added:

- 1 The area is classed as a Nature Reserve and also abuts the Swan Estuary Marine Park.
- 2 The primary reason of the Marine Park as suggested is because the wading birds forage in this area.
- 3 The two agencies agree that hard structures are not the best option in this location.

Question 3

“The boardwalk, how would that impact on the wading birds?”

Response

Mr Craig Olejnik from the Department of Parks and Wildlife advised:

- 1 The Boardwalk would potentially have less of an impact on wading birds.
- 2 Wading birds are more likely to use the area.
- 3 The problem of continual erosion will affect any boardwalk, should that occur.

Mayor Russell Aubrey added that Mr Christie did point out there was an ongoing erosion problem which will create an additional problem for the construction and maintenance of the boardwalk.

9.3 Mr D Rowney, Attadale**Question 1**

Mr Rowney advised:

- 1 *The specific area where erosion occurs is approximately 100 metres.*
- 2 *The amount of bird life in this area is almost zero.*
- 3 *He walks this area at least five days a week.*
- 4 *The area is a bush setting in suburbia.*

Mr Rowney requested that the path be maintained.

Response

Mr Christie advised:

- 1 Hard structures in an A Class marine reserve are not recommended and would not be supported.
- 2 Approval of the Swan River Trust would be required for any hard engineering works on the City side of the fence and would be subject to Marine Parks and Reserves approval if located in the Department of Parks and Wildlife’s side of the fence. They apply strict conditions of environment and habitat to any approval.
- 3 A sea wall similar to South Perth river foreshore would cost \$8 million a kilometre.
- 4 That erosion is continuing in this area and constructive engineering solutions would be required to halt the progress of erosion.

9.4 Mr A Clarke, AttadaleQuestion 1

“Is there planning or some financial contingency to build a Berlin style wall to actually stop people walking along the river and is Council going to mind the path so people do not go through there because people are just going to jump over the fence and knock the barrier over? What is the plan in relation to diverting people away from the historical path?”

Response

Mr Christie responded:

- 1 That the dual use path would be realigned to encourage pedestrians and cyclists to use the formalised dual use path.
- 2 Fences have been erected because there is no footpath in this location. The fences provide a similar route on grass, that Council is proposing to formalise.
- 3 People cannot be restricted to walking along the foreshore.
- 4 People walk along the foreshore at low tide.
- 5 The rational is to divert people and cycles along a safe route to reverse the dieback of the bush.

9.5 Mr T Douglas, Attadale

Mr Douglas commented:

- 1 The location of the proposed path will impact the visual amenity of his house.
- 2 People walking will be closer to his house and increase noise levels.
- 3 He considered that the Council, the Swan River Trust or Department of Parks and Wildlife did not provide a “proper solution” to the matter.
- 4 Many areas along the Swan River and Canning River subject to stabilisation works are quite unobtrusive.
- 5 The erosion might reach Burke Drive.
- 6 Local residents were not consulted for comment.

Response

Mr Laurie Caporn responded:

- 1 The perspective is that the Swan River is a dynamic system.
- 2 He advised that nature is a dynamic changeable system that may impact structures built by people.
- 3 Some infrastructure such as the Kwinana Freeway requires protection for the community benefit and there is little room to move.

9.6 Mr K Cleggett, Alfred Cove

Mr Cleggett commented:

- 1 *"I cannot see how a limestone wall would deter migratory and wading birds anymore than the fence."*
- 2 *He did not hear whether costings for this area had been obtained.*

Response

Mr Christie responded:

- 1 As a boardwalk is not the City's preferred option, no costings have been sought.
- 2 No excavations to test the depth of any bed rock has been carried out as any attempt to do that will need approval from Department of Indigenous Affairs under the Aboriginal Heritage Act therefore testing could not progress without approval from the Department.
- 3 In the Point Walter area where the City is undertaking significant foreshore restoration, there was no indication of any bedrock during the installation of the piles or for any of the gabions.
- 4 A 50m section of boardwalk would be roughly the same cost as the footpath when one takes into consideration all the approval, processes, detailed design, any approvals through Swan River Trust and obviously the cost of construction.
- 5 The City believes that the option that has been recommended to be the most sustainable in the longer term.

9.7 Ms J Harmson, Attadale

Ms J Harmson commented:

- 1 *Should erosion continue then more salt water will enter the Reserve and vegetation will be lost.*
- 2 *The City is trying to fix the die-back problem. That money will be wasted if erosion continues.*

Question 1

I would like to know where the City stands on that position?"

Response

Mr Laurie Caporn from the Swan River Trust advised:

- 1 That the best information available suggests that there will not be a decrease in the height of sea level.
- 2 It is expected that coupled with more erratic weather patterns, it is quite likely going to result in higher levels of erosion than we have experienced in the past.
- 3 In terms of the question what can one do about it, there are a number of options, some have already been canvassed at this meeting.
- 4 The option chosen is a more natural approach to this circumstance.

9.7 Ms J Harmson, Attadale (Continued)

- 5 There would need to be a build up of vegetation behind the existing structure that would cope with the full force of the current situation. By doing it in that fashion, you can actually slow down those particular processes and control erosion so that you don't end up having to spending big dollars in terms of putting hard structures in location

9.8 Mr F Jian, Attadale

Question 1

*“Here the key is erosion, if the path is moved to Burke Drive the erosion is very quickly going to push to Burke Drive, so how are you going to stop the erosion? The options are either the hard engineering or natural option? Definitely no hard engineering, we have to take the natural one.
Can we plant the seed grass to stop the erosion?”*

Response

Mr Laurie Caporn responded:

- 1 Temporary protection that can be removed rather than rocks that is more permanent which will be harder to remove.
- 2 The Swan River Trust and Parks and Wildlife have received a grant for this section of nature reserve. Part of that grant will be utilised to put in sedges and restoring the area where the path has been removed.
- 3 The other thing the Swan River Trust is looking at is to protect the casuarinas that are exposed. There is the potential for putting some type of hessian or geotec textile around those root balls and locking them in underneath with some kind of limestone rock.
- 4 To protect the further areas of path that are currently under threat, the Trust is considering preventative works in that section and part of that work will be planting sedges. The thicker and denser the sedges become, the more it can absorb the pressure of the storm surge. While boats and the speed of boats and number of boats in the estuary do have an impact, in this location, the actual storm surges, direction of the storms and height of the tides during certain storm events have by far the biggest impact through this section of the riverbank.

9.9 Mr T Leaver, Mt Pleasant

Mr Leaver commented on powerpoint images:

During high tide the water has to level or go over the back (behind the wall shown on the image). For most of the people who walk in the foreshore that level will be over the top of Point Walter jetty. The water level is going to be a crucial part."

Response

Mr Christie responded:

- 1 With regard to the foreshore restoration that is happening at Point Walter, the Swan River Trust and State Government have funded \$522,000 over three years as part of the restoration of Point Walter.
- 2 The total project cost is somewhere around \$1.3 or \$1.4 million for about a 800-900 metre section.
- 3 The State Government have contributed significantly to the restoration of Point Walter foreshore.

9.10 Ms S Griffin, Attadale

Statement

"I would like to congratulate Council for the work carried out at Point Walter, it looks really attractive and friendly. As Mr Caporn said we have a very special area, it is quite, it is shady, it is beautiful. We all have elderly parents that find they are having trouble walking. Walking and bike paths do not mix. Could we please have a walking friendly path that does not go with the bike path? I think is fairly important, it is a very special area that should be made as a walking friendly area. I think a good bike path along Burke Drive makes a lot of sense for the bikers, and I would like to have a connecting walking area from Point Walter just to that nice shady spot. It is a very special area."

Response

No Response

Ms D Davies, Attadale

At 7.53pm Ms D Davies of Attadale moved, seconded Mr M Nichol of Attadale -

"In view of the very short time ratepayers were given to find an alternative solution and perhaps funding that all works should cease until a more equitable outcome could be found where both the public and the environment in this recreation area will benefit".

At 7.56pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY

10. CLOSURE

There being no further business to discuss the Mayor declared the meeting closed at 7.58pm.