

**MINUTES
OF THE
SPECIAL MEETING OF ELECTORS
HELD IN THE
CONFERENCE ROOM, MELVILLE CIVIC CENTRE
AT 6.30PM ON
MONDAY
12 DECEMBER 2016**

DISTRIBUTED:

MINUTES OF THE SPECIAL MEETING OF ELECTORS HELD IN THE CONFERENCE ROOM, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING 6.30PM ON MONDAY 12 DECEMBER 2016.

1. OFFICIAL OPENING

His Worship the Mayor, R Aubrey, welcomed Ratepayers and Electors of the City of Melville and opened the meeting at 6.30pm.

His Worship the Mayor advised the meeting had been called to discuss the proposed development at 855-857 Canning Highway and 37-39 Reynolds Road Mt Pleasant and that no other matter could be addressed at this meeting.

2. PRESENT

His Worship the Mayor R Aubrey

COUNCILLORS

Deputy Mayor R Aubrey
Cr D Macphail
Cr N Pazolli,
Cr J Barton, Cr G Wieland
Cr C Robartson
Cr P Phelan
Cr N Foxtton, Cr T Barling

WARD

City
City
Applecross/Mount Pleasant
Bicton/Attadale
Bull Creek/Leeming
Palmyra/Melville/Willagee
University

IN ATTENDANCE

Dr S Silcox
Mr M Tieleman
Ms C Young
Mr J Christie
Mr S Cope
Mr L Hitchcock
Ms K Johnson

Mr J Clark

Mr T Capobianco

Ms K Brosztl
Mr P Prendergast
Mr N Fimmano
Ms C Newman

Chief Executive Officer
Director Corporate Services
Director Community Development
Director Technical Services
Director Urban Planning
Executive Manager Legal Services
Executive Manager Organisational
Development
Governance and Compliance Program
Manager
Manager Building and Environmental
Health Services
Manager Engineering
Manager Statutory Planning
Governance and Property Officer
Executive Support and Governance
Officer

At the commencement of the meeting there were 171 electors of the City, 8 members of the public and one member of the press in attendance.

3. APOLOGIES

Cr L O'Malley - Palmyra/Melville/Willagee Ward
Cr C Schuster - Applecross/Mount Pleasant
Cr T Barling late arrival (6:32pm)

4. LEAVE OF ABSENCE

Cr M Woodall – Bull Creek-Leeming Ward

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

Nil

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, 26 November 2016 and the Melville Times Community Newspaper on Tuesday, 6 December 2016 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, 12 December 2016**

A Special Meeting of Electors of the City of Melville will be held in the Conference Room at the Civic Centre, 10 Almondbury Road, Booragoon **commencing 6.30pm** on Monday 12 December 2016 to consider a request signed by 313 electors to discuss -

The proposed development at 855-857 Canning Highway and 37-39 Reynolds Road Mt Pleasant.

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

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

**Shayne Silcox
Chief Executive Officer”**

His Worship the Mayor 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 immediately before the entry to the Council Chambers.
3. All present are required to sign the attendance register at the entry to the Conference Room.
4. Each person who participates in a vote or speaks must be an Elector 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. Only Electors of the City of Melville may move or second a motion.
10. 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 Electors present (*Local Government (Administration) Regulations 1996 Regulation 17*)
11. 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).
12. 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.

His Worship the Mayor gave an overview of the order of business of the meeting, for the benefit of attendees.

8. PRESENTATIONS

8.1 Presentation by Mr S Cope, Director Urban Planning –

Proposed Non-Residential Development

The development proposal is for a two storey development comprising a ground floor supermarket and specialty retail tenancy, first floor medical centre, pharmacy and office tenancy and two basement car parking levels. The application was received on 23 September 2016, the subject site is located at the south-west corner of Canning Highway and Reynolds Road, Mount Pleasant, within a Local Centre. All vehicle access is from Reynolds Road and the development application is currently under assessment.

This is a mandatory Development Assessment Panel application as the cost of the development is greater than \$20million. The decision maker is the Metro Central Joint Development Assessment Panel. The City acts in the role of Responsible Authority and will assess the application against the Local Planning Framework and prepare a Responsible Authority Report to the Metro Central Joint Development Assessment Panel.

8.2 Presentation by Mr J Stubing, Mount Pleasant, Ms H Hergert, Booragoon, Mr P Katsoglo, Perth and Mr G Franche, Mount Pleasant.

Mr Stubing, Mount Pleasant advised the group were speaking against the proposal on behalf of the community and the “No Woolies on Reynolds” movement.

Mr Katsoglo, Planning Solutions, Perth

Spoke on behalf of residents against the proposed development. The subject site falls within the area of the City of Melville, under the provisions of the Local Planning Scheme No 6. The area is zoned “Centre” and has a designation of “C4 – Neighbourhood and Local Centre”.

There are a range of considerations that should be taken into account and addressed as part of the assessment for the proposed use. These include:

- that the uses proposed include Permitted Uses and Discretionary Uses;
- matters including the Regulations;
- the site is proposed to incorporate a development in excess of 5,000m² of commercial and retail uses;
- that setback variations have been sought;
- that deemed provisions do apply under these circumstances;
- the aims and objectives of the Planning Scheme
- orderly and proper planning strategies;
- State Planning Policies;
- that this centre is identified as a ‘Local Centre’, which refers to a 1,500m² floor space for retail and commercial activities;
- The Local Commercial Activity Centre Strategy identifies a range of considerations including the context of the development on the site in which this proposal is located. This is a substantial increase in the floor space considered for the proposed development.

The proposal in our view has not considered all the relevant considerations as part of the justification for the proposal.

The proposed development impacts considerably the local community in a series of ways, these matters should be taken into account as part of the application assessment process.

A Local Centre is not a Town Centre or District Centre. The assessment by which we understand the proposal is following has some potential to produce a district type centre if you disregard the standards that are laid out in the Local Commercial Activity Centre Strategy.

We say the scale of the development is inappropriate. The scale of development with the exceeding number of car parking bays and the floor space are not what should be approved on the site and we ask that the matter be rejected.

Ms Hergert, Booragoon – Traffic Engineer

Has undertaken a very detailed review of the initial transport assessment that was part of the information provided on the City of Melville website and highlights the following concerns:

- Understands this is the original (version 1) is under review in consultation with Main Roads WA and the City of Melville and may be made redundant in the near future.
- Believes the initial assessment is fundamentally flawed and not consistent with good traffic engineering practice. It suggests that the application will generate 6,000 trips per day. This has been significantly reduced by 35% to account for passing trade. This should be increased by 5,000 trips per day on a small section of road south of Canning Highway.
- There is no access from Canning Highway which is where the passing trade will be generated from and all of the traffic will be concentrated on Reynolds Road. This is not reflected in the report.
- This proposal will push daily volumes on Reynolds Road beyond 10,000 vehicles per day. This section of Reynolds road is classified as a Local Distributor Road it has a broader daily capacity of 7,000 – 10,000 per day. This road currently serves a residential catchment.
- Report refers to a south bound right turn pocket – but does not detail where this would be located as there does not appear to be sufficient road reserve to accommodate this.
- No consideration of manoeuvring for driveways opposite the site has been given.
- Proposal for service delivery functions associated with the site to be accommodated in the basement limited to 12.5 metre delivery vehicles. It is typical to use 19 metre trucks for a large format supermarket such as this proposal.
- The impact on Reynolds Road has not been taken into consideration in the assessment.

Traffic generated from this proposal and the impact to the broader community are unsustainable and cannot be accommodated safely and is going to result in and unacceptable impact to the risk profile not just south of Canning Highway, but also north and at other parallel locations in the road network. There will be detrimental impact to the local road network.

8.3 Introduction of representatives from the Development:

Mr L Saraceni, Executive Chairman Saracen Properties

Mr W Dose, Senior Development Manager Woolworths

Mr K Nolan, Director Urbis

The Mayor invited questions on the presentations from the meeting attendees:

8.4 Ms L Oeij, Mt PleasantQuestion

Will the developers commute using the public transport and see how long it takes?

Response

City of Melville is aware of the issues on Canning Highway.

8.5 Mr N Williams, Mt PleasantQuestion

Do people know of Moolyeen Road? Ms Hergert mentioned that Main Roads WA classifies Reynolds Road and Moolyeen Road as one road? What is the City's interest in Reynolds Road? Is it owned by Main Roads WA?

Response

Ms Hergert advised that Canning Highway is Primary Distribution Road owned, operated and maintained by Main Roads WA. Reynolds Road is a Local Distributor Road owned, operated and maintained by the City of Melville. The intersection is signalised and thereby a Main Roads WA asset.

There are two different agencies that need to consider to impact of this proposal on the road network and traffic.

The Mayor advised the City will know more once the traffic studies have been completed and forwarded to the City.

Question 2

The major flow of traffic on Reynolds Road is north to the CBD, what will be the impact of people turning into the driveway access to the underground car park and are any projected numbers available?

Response

The Director Technical Services advised that the City does not have projected figures for turning traffic at this time. This is all part of the study and assessment being undertaken and the information will be forwarded to the City in due course.

Question 3

Is there any information available on the traffic that is going to turn left off Canning Highway and then right into the driveway to access the car park?

Response

That information is all part of the study and assessment being undertaken and the information will be forwarded to the City in due course.

Question 4

With regard to the scale of the project and that this is a local neighbourhood. Are there any comments on the fact that it larger than what a "C4 – Neighbourhood and Local Centre" would usually be?

Response

The Director Urban Planning advised that there is a Local Planning Framework and a State Planning Framework, this is essentially strategic and specifies broad planning requirements for the development of new activity centres. There are no enforceable prescriptive floor space figures that apply to local centres in practice. The Policy notes that the size of centres can vary on a case by case basis. The emphasis that local centres have a function to meeting the daily needs of the community for shopping and community services.

Question 5

What is the catchment area of this centre? Is there an estimate from Woolworths on the how big the catchment is for the proposed premises?

Response

Mr Dose from Woolworths advised he would provide information to response to this question to the City.

Question 6

How does the project fit with the residential amenity of the area and small scale medical business that operates on that site?

Response

The Director Urban Planning advised that the City is required to take into consideration the Local Planning Framework, Local Planning Scheme 6, Council Policies and the State Planning Framework and the amenity of surrounding properties is a consideration. The City has given consideration to that in advertising to immediately abutting landowners and properties to the west and the south.

Question 7

Is it correct that you only contacted four persons around the development site and not the people across the road?

Response

The Director Urban Planning advised this is not correct that the City only contacted four landowners or occupiers. The City contacted multiple landowners and occupiers to the west and south of the property in accordance with Council Policy 056 – Planning Process and Decision Making.

8.6 Mr K Chidlow, Mount PleasantQuestion

Why were all the alterations done to Reynolds Road, a few years ago? Was it to slow traffic down or to make access easier? It seems this proposal will negate that work?

Response

Due to a disruption of the meeting at this point, this question was not responded to. A response to this question will be provided in writing

8.7 Mr W Hosja, BullcreekQuestion

Has Woolworths made any attempts to purchase the block adjoining the development site containing 12 units (853 Canning Highway) and indicating that the properties are only worth the value of the land?

Response

Mr Dose, Woolworths advised absolutely not. Woolworths have not made any offers or made any contact with the owners of that property.

Mr Saraceni, representing Saraceni Property also confirmed that they had not made any offers to purchase property or contacted the owners of that property.

Question 2

Are the developer representatives aware of anyone attempting to purchase the land on behalf of Woolworths?

Response

Mr Dose, representing Woolworths advised he was not aware of anyone attempting to purchase land.

8.8 Mr M Oosterhof, ApplecrossQuestion

Mr Oosterhof requested to make a statement.

Response

His Worship the Mayor and the Executive Manager Legal Services provided an outline of the order of business and the opportunity to make statements when Motions are moved later in the meeting

8.9 Ms M Beilin, ApplecrossQuestion

Previous resident of Reynolds Road, during the processes associate with the development of McDonalds site, residents were advised McDonalds would be happy to negotiate with the local residents on the conditions placed on the development. Are Woolworths approachable to having discussions with the interested local community on their concerns?

Response

Mr K Nolan representing Urbis, advised that Woolworths are holding a community open session on Thursday night, at Heathcote, and again on Saturday morning. This is an opportunity for the community to have a discussion about the development.

Question 2

Would Woolworths forward the contact details of the appropriate person for the community to contact on this?

Response

Mr K Nolan representing Urbis, advised that Ms Karen Gregory is the contact for the two open sessions to be held at Heathcote and for community liaison in the future. Ms Gregory's contact details can be forwarded to interested community members.

8.10 Ms J Fewster, Mount PleasantQuestion

I live directly opposite the proposed only entry to the proposed Woolworths building if I live directly opposite why wouldn't I have gotten a letter to let me know about this development?

Response

The Director Urban Planning advised that City officers have followed the Council's Policy 056 – Planning Process and Decision making guidelines in relation to advertising. This focusses on amenity impacts created by the development and for that reason the focus was on the properties, land owners and occupiers, to the south and to the west.

It is recognised that there are other land owners and occupiers in the area, it has been taken into account that Reynolds Road has an existing traffic function and that the traffic implications of the development are being fully assessed.

Question 2

Am I able to find out of who was notified?

Response

The Director Urban Planning advised that this information can be provided.

8.11 Mr D Nash, Mount Pleasant

With regard to entry and exit off Canning Highway has this been considered in the development proposal at any stage given that Caltex and IGA (new redevelopment) has entry and exit off Canning Highway?

Response

Mr Saraceni, representing Saraceni Property advised that entry and exit off Canning Highway had been considered but there was no possibility of this being approved by Main Roads WA.

8.12 Mr G Church, ArdrossQuestion

Are there two levels of parking? And some sort of lift arrangement to move cars from level one to level two?

Response

The Director Urban Planning advise that there are two levels of parking, one of which is in a basement with a ramp down to it.

Question 2

Will this slow down the traffic as they drive in and wind their way down under the building?

Response

The Manager Statutory Planning advised that both levels of parking are proposed to be below ground. The layout and functionality of car parking will be assessed as part of the development and along with the information in traffic impact and assessment that is still to be submitted.

Question 3

So there is no guarantee that traffic can flow into the car park and go down to the lower level without having to stop and go onto some sort of lift arrangement?

Response

The Manager Statutory Planning advised that unless the car park is demonstrated to function efficiently and is fit for purpose it wouldn't be acceptable. The car park layout needs to be acceptable and demonstrate it can function without compromising free flow of traffic. All these issues would need to be addressed as part of the assessment and the assessment has not been concluded.

Question 4

My concern is when you have mechanical devices versus concrete structures there is a difference as to whether or not it works.

Response

The Manager Statutory Planning clarified that are no mechanical devices, car lifts or car stackers associated with this proposed development. All the car parking will be on the ground.

Question 5

I understand that the western wall will be double the height that it currently is, is that correct?

Response

The Director Urban Planning advised that the western wall is proposed to be nine metres, plus in some cases, height for approximately 43m in length, in comparison to the R-codes requirements of 3.5m average.

Question 6

What is on the immediate western side of that wall?

Response

The Director Urban Planning advised that on the Canning Highway frontage there is a five metre wide access into the adjoining development, an older unit development, with a gable end facing that boundary.

8.13 Ms M Tapper, ApplecrossQuestion 1

Are Woolworths intending to be open 24 hours?

Response

Mr Dose representing Woolworths advised that there was no intention for Woolworth to operate 24 hours.

Question 2

Was this site selected is due to the competition with Coles? There seems to be a lot of Woolworths stores in the area.

Response

Mr Dose representing Woolworths advised that the site had been assessed as a suitable location for the supermarket network.

Question 3

Who owns the site? Is it an individual or is it a group?

Response

Mr Saraceni, representing Sarcen Property advised that a group of individuals currently own the site and he currently has it under contract to purchase in a joint venture with Woolworths.

8.14 Ms E Nicholson, ApplecrossQuestion 1

Can I confirm that the City writes the Responsible Authority Report?

Response

The Mayor confirmed that the officers of the City prepare the Responsible Authority Report.

Question 2

This report is then submitted to the Joint Development Assessment Panel (JDAP)?

Response

The Mayor confirmed that is correct.

Question 3

Does the Joint Development Assessment Panel (JDAP) rely on that Responsible Authority Report?

Response

The Mayor advised that the Joint Development Assessment Panel need not rely on the Responsible Authority Report.

Question 4

Does the Joint Development Assessment Panel take the report into account in their judgement?

Response

The Mayor advised that the JDAP can take the Responsible Authority Report into account in their judgement.

Question 5

Do the Elected Members have any responsibility in the writing of that report?

Response

The Mayor advised that they do not.

Question 6

The officers have total responsibility for writing the Responsible Authority Report?

Response

The Mayor confirmed that is correct.

Question 7

So the elected members do not have any input in the Responsible Authority Report?

Response

The Mayor confirmed that is correct.

8.15 Mr K Campbell, Applecross

Question 1

In considering the magnitude of the development in a residential area, and whilst it will bring more people and shoppers to the area has any security risk assessment been undertaken by the developers or has one been requested by the City or the Joint Development Assessment Panel, and if it has will be considered as part of the process?

Clarification that a security risk assessment referred to in this question is the impact of the development on the community in terms of contributing to crime.

Response

The Director Urban Planning advised that to the City's knowledge this hasn't been a security risk assessment undertaken of the kind referred to in the question. The City relies on Local Planning Framework and in particular the design of the building and how it activates the streets around the building and other associated urban planning and design issues.

Question 2

Are you saying that no consideration of security has been given?

Response

The Director Urban Planning advise that the application is still under assessment and that an assessment of this nature has not been requested at this time.

8.16 Ms S Faulkner, Mt PleasantQuestion

If the retail footprint is 5,000m² and the Woolworths component will be 3,400m², which allows substantial amount of space for additional retail. Is there a proposal for an alcohol outlet at this site?

Response

Mr Dose, representing Woolworths advised that the figures are correct. There is a mezzanine level, where it is proposed to be used for the pharmacy, medical centre and office space at this point there has been no application for a liquor license of any sort, but that is potentially under review going forward.

Question 2

Is it an appropriate planning consideration to take into account the potential for a tenant to retail alcohol at this location when we already have a large number of retail alcohol outlets in the City? Is that something that can be taken into account in the planning assessment process?

Response

The Director Urban Planning advised that in the scenario where there is no proposal to sell alcohol, the Responsible Authority Report would not this matter into consideration. There is some consideration of these issues in planning around the State and the conventional position is not a consideration that can be taken into account as part of the assessment process.

Question 3

What are the proposed trading hours for Woolworths?

Response

Mr Dose representing Woolworths advised that normal trading hours were proposed these being 8am – 7pm.

At 7.41pm the Mayor closed questions on the presentations from meeting attendees.

9. QUESTIONS

His Worship the Mayor read out questions that were received in writing prior to the meeting.

9.1 Mr C Whelan, Mount Pleasant

Development of Site at Corner Canning Highway and Reynolds Road

Question 1

It seems the City of Melville Town Planning Scheme has as a core principle a hierarchical framework to distinguish between large, medium and smaller development areas within the City. The site in question appears to be classified as a "smaller" site with that scheme. Why does the proposed Retail Store have a footprint that is larger than the Woolworths footprint within Booragoon Shopping Centre? The very large scale of the proposed store is at variance with the principle outlined in the Town Planning Scheme. Ordinary citizens are forced to comply with the requirements of the Town Planning Scheme. Why is the site in question allowed to be at variance with these -same principles?

Response

This application remains under assessment. Whether the development as proposed is acceptable under the local planning framework including the activity centres hierarchy remains to be determined.

Question 2

The intersection of Reynolds Road and Canning Highway is very busy. During peak periods, it can take 5 traffic signal changes to get through the intersection. Traffic banks up into all the surrounding streets, including Bombard Street.

The location of the proposed development has a single entry/exit point that flows right into the traffic about 50 metres from the signals.

It will be impossible for traffic to enter/exit the site across this banked up traffic for several hours each day.

As the developments in the area become denser in the future this problem will get worse. It will be impossible for vehicles exiting the site to turn south across the banked up traffic. The Reynolds Road traffic will not let them enter the traffic lanes for fear of missing the next traffic signal changes.

Neither will they allow exiting traffic to exit north because that will compromise the queueing equity in the banked up traffic further south along the Reynolds Road.

As this traffic merging catastrophe is self-evident to the ordinary observer, what is the City going to do to overcome that problem in the proposed development.

And please do not say you will rely upon expert advice; because crowd behaviour will trump the expert's prediction on this occasion.

Response

This application remains under assessment. Further traffic surveys and analysis on the impact of the proposed shopping centre have been requested. Once the new information has been received it will be assessed and areas of concern will be addressed where possible. The City is working with State Government agencies to address congestion issues in the long term.

Question 3

If the development at the site proceeds there will be a significant increase in traffic seeking to arrive at the site.

What countermeasures will the City put in place to minimise the use of smaller side streets near the site being used as 'rat runs'?

In particular, what countermeasures will be put in place to prevent Bombard Street between Reynolds Road and Ardross Street from being used to avoid the Right Hand turn delay that is going to occur at the signals off Canning Highway into Reynolds Road (refer Question 2 previously submitted.)? The consequence is drivers will take a rat run pathway to enter Reynolds Road driving north, then wait for the queue move slowly to get them to the site entrance then turn in from the left-hand lane on Reynolds Road, then avoiding the Canning Highway congestion

That's fine except the traffic density along Bombard Street will increase even further than it already has in the past 5 years since Canning Highway became fully utilised.

Response

This application remains under assessment and further traffic information is still to be received. However it is unlikely that regional traffic would use Bombard Street to bypass any congestion on Canning Highway. Local traffic may use it but this would not significantly increase rat running.

Question 4

If the development of the site proceeds, what precautions will the City take to prevent the BP station from being developed for a similar purpose and thus exacerbate the congestion problems described above?

Response

Any development proposal received would be assessed under Local Planning Scheme 6 (LPS6) and the local planning framework in consultation with relevant referral agencies.

9.2 Mr B Turner, Mount PleasantQuestion 1

How have the effects of “rat running” been addressed for adjoining streets to the development?

Response

The recent optimisation of traffic signals along Canning Highway by Main Roads WA (MRWA) has given priority to traffic on Canning Highway and resulted in increased delays for vehicles entering Canning Highway from the side roads. This has reduced the number of vehicles travelling on adjoining streets such as Bombard Street.

The traffic volumes in adjoining streets are currently well within their expected maximum traffic volumes.

Question 2

Why has the proposed development not complied with the essence of a local centre zoning requirements in that it will be a regional centre instead of a local centre?

Response

This application remains under assessment. Whether the development as proposed is acceptable under the local planning framework including the activity centres hierarchy remains to be determined.

9.3 Ms M Franks, Mount PleasantQuestion 1

Why were the residents of 40 and 40A Reynolds Road, who are directly opposite from the carpark/delivery access of the proposed development, not informed by the City of Melville about the development application?

Response

Consultation was undertaken in accordance with CP-056. Under the provisions of CP-056 consultation is required to occur where an exercise of judgment is sought which may potentially have adverse impacts. In this case owners and occupiers of the western and southern adjoining properties were consulted in relation to boundary setbacks.

Question 2

How does the proposed development fit with the overall planning for the City of Melville given that the Canning Bridge, Riseley and Garden City have been planned as the areas for large scale commercial activity and not the area on Reynolds Road?

Response

The proposed development is intended to cater for daily to weekly household shopping and community needs which is consistent with its Local Centre designation under the local planning framework.

Question 3

If the proposed development is approved: what compliance requirements do the construction companies have to adhere to with regards to site access, on-street parking, dust suppression, waste removal and continued safe use of footpath and road?

Response

Developments of this nature are managed during the construction phase by compliance with a Construction Management Plan. The details of a Construction Management Plan would be provided and approved by the City prior to the commencement of construction.

Question 4

What are the City of Melville requirements, and how will they be enforced, for construction activities with regards to: hours site activities can occur, how many days a week, traffic and noise management of vehicles and equipment? If the activities are non-compliant what recourse do residents have?

Response

Refer to response to Question 3 above. Where development is not undertaken in accordance with an approved Construction Management Plan, the City will respond. This may result in compliance action being taken.

Question 5

Does the City of Melville believe the traffic study has correctly estimated future traffic movements and taken into account future increased population density in the local area (Canning Bridge Precinct)?

Is the estimated material increase in traffic in the Reynolds Road south area of concern to the City of Melville and, if so how will it be addressed?

Is there any plan to restrict through traffic from the Leach Hwy from using Reynolds Road as Peak Hour access to Canning Highway/Kwinana Freeway?

Response

The application is still under assessment. Further traffic surveys and analysis on the impact of the proposed shopping centre have been requested. Once the new information has been received it will be assessed and areas of concern will be addressed where possible.

Reynolds Road is classified as a District Distributor B which carries traffic between industrial, commercial and residential areas and generally connects to Primary Distributors. Any restriction to traffic along Reynolds Road would also restrict local residents' access to the surrounding road network. The City has previously installed island treatments and roundabouts to improve the safety along Reynolds Road.

Question 6

*Will there be night time (22.00-7.00) deliveries / garbage collection for the supermarket?
How does the City of Melville ensure that delivery time restrictions are adhered to by any tenants of the proposed development?*

As Traffic levels are expected to increase in Reynolds Road south if the development is approved does the City of Melville anticipate that the residents of 36,38,40 and 40a Reynolds Road will have difficulty with vehicular access/exiting their properties at any time during the day?

Response

Part 1

All deliveries to the store will be governed by the *Environmental Protection (Noise) Regulations 1997* which regulates the noise allowed at various times of the day. These regulations will be enforced by the City as required.

Part 2

The City acknowledges that there may be an increase in traffic which results in delays for residents exiting the properties during the morning peak periods.

9.4 Ms D Brown, Mount Pleasant

Question 1

What provisions have been made for drop off/pick up traffic on the already busy street (including taxis etc)?

Response

All drop off/pick up will be on site not on Reynolds Road.

Question 2

How will traffic turning into Reynolds Road from Canning Highway be managed – With the traffic exiting Reynolds Road onto Canning Highway backed up – the traffic right into the shopping centre will back back and most likely block Canning Highway?

Response

Further assessments are being undertaken by the consultant to investigate the extent of the traffic queue on Reynolds Road and Canning Highway. The installation of a right turn pocket into the shopping centre is being considered at this stage.

Question 3

I recently tried to alter the front of my home so I do not have to reverse onto Reynolds Road, which did not work – so it remains that I am forced to reverse onto Reynolds Road from my driveway with restricted view between 2 very large trees – how will my safety be guaranteed with the increase in traffic flow?

Response

Residents along Reynolds Road are encouraged to exit in forward gear. If this is not possible and there are sight distance issues please contact the City for a detailed investigation.

Question 4

Where will the garbage be stored – this will constitute a health risk with the increase of pests and vermin? How often will this be emptied?

Response

All garbage will be stored in accordance with the relevant federal, state and local laws and regulations. The proposed design incorporates provision for the storage of recycling and garbage onsite. It will be emptied on a schedule determined by Woolworths but in compliance with hygiene and related rules.

Question 5

Garbage Trucks and Delivery Trucks – what time of the day and night will these be accessing the area? With their reversing sirens and loud noises associated with these actions they should be restricted to business hours – this will add the already chaotic traffic in the area.

Response

All deliveries to the store will be governed by the *Environmental Protection (Noise) Regulations 1997* which regulates the noise allowed at various times of the day. These regulations will be enforced by the City as required.

Question 6

There is a school located a bit further down the street – how will the safety of the children walking past this area be guaranteed as they walk down the footpath crossing the driveway for the carpark?

Response

The safety of pedestrians is catered for by a network of footpaths. Vehicles exiting on a crossover are required to give way to pedestrians.

Question 7

How does the Council intend on managing the increase of waste in the area? We already end up with McDonalds rubbish on our front lawn – will the Council be doing rubbish runs to clean this up?

Response

The City will continue to manage the collection of waste from streets and public areas.

Question 8

Reynolds Road is already used as a race track at times – will the Council be implementing traffic calming measures in the area with the substantial increase of traffic?

Response

The most recent traffic survey taken in August 2014 on Reynolds Road, 150 metres south of Canning Highway recorded an 85th percentile speed of 45km/h. There are no plans to install traffic calming measures in this section of Reynolds Road.

The Mayor read out the questions that had been received in writing at the meeting.

9.5 Mr B Turner, Mount PleasantQuestion

Mayor Aubrey, do you support or oppose this development and why?

Response

At this stage I have no opinion.

9.6 Ms K Ramsay, Applecross

This development should fail for three reasons:

- i) It has not been adequately advertised. This proposal requires thorough community consultation*
- ii) Traffic. With the traffic on Reynolds set to double, this street will be unable to cope. Already there is considerable congestion and that is WITHOUT the increase from the new McDonalds across the road.*
- iii) Planning. This area is zoned for local shopping only*

I appreciate this is an attractive development to Council, as the increase in rates will be considerable. My question is what assurance and comfort can the Council give us that they will direct the administrative staff to apply the law and common sense in assessing this project?

Response

The Mayor advised that the City and its officers will apply the appropriate planning laws and regulations and the provisions of the new Local Planning Scheme in assessing this proposal.

9.7 G Franche, Mount PleasantQuestion 1

Are there any plans to start rezoning the areas adjacent to the Reynolds Road, McDonalds and BP developments once they are finished?

Response

The Director Urban Planning advised that there are no plans in progress or being considered at this time to up-zone any adjoining areas. There may be consideration in the future for strategic changes, but there is nothing under consideration at this point in time.

Question 2

What do the developers have in place to help or compensate residents whose properties have been affected by subsidence and vibration caused by the building and excavation process?

Response

The Director Urban Planning advised that the developer can undertake a dilapidation report to identify existing conditions and structural defects and it may be in the developer's interest to do so.

Question 3

What provisions have been put in place to protect trees, bores and vegetation from the drop in water table caused by the excavation for the underground carpark and who will be responsible to replace those that die?

Response

The Director Urban Planning advised that this is a matter for assessment as to whether there are trees that are likely to be affected and any approval will take into account appropriate conditions that need to be in place with regard to any excavation.

9.9 Mr T Molrone, Mount PleasantQuestion

Who is the developer?

Response

The Mayor advised that it is Mr Saraceni of Saracen Property, in a joint venture with the current owners of the site.

Question 2

Are they well known for undertaking developments?

Response

The Mayor advised that, yes, they are well known for undertaking developments.

Question 3

If the project is initially approved it could be possibly sold to other developers opening up the opportunity for other modifications to the plans. If so, would these need to go back to the DAP?

Response

The Director Urban Planning – Joint Development Assessment Panel processes require significant amendments to be resubmitted to JDAP for approval.

Question 4

How important is the unacceptable traffic congestion problem in considering approval (Canning Highway has limited access both ways)?

Response

The Director Urban Planning advised that the traffic implications of the proposal are being assessed and it is a matter of significant importance.

Question 5

Can already zoning and town planning plans be contravened by the Development Approval Panel (DAP)?

Response

The Director Urban Planning advised that Development Approval Panels are obliged to have regard to the established local planning and State planning frameworks.

At 8.04pm the Mayor invited further questions from the meeting attendees

9.10 Mr Geoff Pearson, Myaree

Question 1

Is the DAP required to take any notice of the Responsible Authority report?

Response

The Director Urban Planning advised that under the legislative arrangement the Responsible Authority Report is the key input that the Development Assessment Panel takes into account in making a decision. Whilst the DAP has the ability to arrive at different conclusions, based on past precedence the Development Assessment Panel has high regard for the Responsible Authority Report.

Question 2

The Responsible Authority Report is developed by staff, is not voted on by elected members, and does not have to be followed by the Development Assessment Panel. The two Councillors who are on the five person (DAP) panel are, under legislation, not specifically representing the City of Melville. Where in this system is the people's voice actually represented?

Response

The Executive Manager Legal Services advised that all the authority that a Local Government Authority has is delegated to it from the State. Where the State has chosen to limit or take that delegation away, the City is limited to what it can do, but it can advocate on behalf of its community.

The City's planning officers undertake planning assessments based on existing planning guiding documents.

The Council has the right to comment on what goes to the Joint Development Assessment Panel. The Council has the ability to make its own comments to the Joint Development Assessment Panel.

Mr Pearson made a statement to the meeting attendees

9.11 Mr M Oosterhof, Applecross

Mr Oosterhof made a statement to the meeting attendees

The Mayor called for motions from the meeting attendees

10. MOTIONS**MOTION FROM MR J STUBING, MOUNT PLEASANT**Question

Is the Council required to take into account the Melville Local Commercial Centre Strategy?

Response

The Director Urban Planning advised that the relevant content of the Local Commercial Centre Strategy that is required by the Western Australian Planning Commission to be incorporated into the LPS6 will be considered by staff in preparing a Responsible Authority Report.

Motion 1

At 8:16pm moved Mr J Stubing, Mount Pleasant,

That Councillors recommend to staff the refusal of this development application to the Development Assessment Panel for its failure to comply with the City of Melville Local Commercial Centre Strategy.

LAPSED

The Chief Executive Officer advised that the Westminster system that the local government operates under requires the separation of powers. The City staff undertake assessments and provide relevant information. The City's officers are not the decision makers in this matter.

MOTION FROM MR B TURNER, MOUNT PLEASANT**Motion 2**

8.19pm moved Mr B Turner, Mount Pleasant, seconded Mr D Ramsay, Applecross

We the electors request the Council should recommend the Joint Development Assessment Panel refusal of this development application based on the implications of traffic generated and setback issues

At 8.23 pm the Mayor submitted the motion, which was declared

CARRIED**MOTION FROM MR S STENVERS, ARDROSS****Motion 3**

8:24pm moved Mr S Stenvers, Ardross, seconded Mr B Turner, Mount Pleasant

We the electors request the Council make a submission to the Joint Development Assessment Panel that this development application be rejected.

At 8:26 pm the Mayor submitted the motion, which was declared

CARRIED

MOTION FROM MR D RAMSAY, APPLECROSS**Motion 4**

8:26pm moved Mr D Ramsay, Applecross, seconded Mr S Stenvers, Ardross

We the electors request that Councillors reconsider the consultation process around major Joint Development Assessment Panel developments.

At 8:26 pm the Mayor submitted the motion, which was declared

CARRIED

MOTION MR B TURNER, MOUNT PLEASANT**Motion 5**

8.30pm moved Mr B Turner, Mount Pleasant, seconded Mr D Ramsay, Applecross

We the electors request that the Council recommend to the Joint Development Assessment Panel that this development proposal be refused as it fails to protect the amenity of the existing community under clause 67 of *Planning Development Regulations 2015*.

At 8:31 pm the Mayor submitted the motion, which was declared

CARRIED

On behalf of the Elected Members and Staff of the City of Melville, His Worship the Mayor thanked everyone for their attendance and for presentations and questions and wished everyone a Merry Christmas.

11. CLOSURE

There being no further business to discuss, his Worship the Mayor closed the meeting at 8.32pm.



City of
Melville

Special Electors Meeting – 12 December 2016
Proposed Non-Residential Development Incorporating Shops,
Medical Centre and Office Tenancies
855 and 857 Canning Highway and 37-41 Reynolds Road.
Presenter: Steve Cope – Director Urban Planning

Development Proposal

- The proposed two storey development comprises the following:
 1. Ground floor supermarket and specialty retail tenancy.
 2. First floor Medical Centre, Pharmacy and Office tenancy.
 3. Two basement car parking levels.
- Application received on 23 September 2016.
- Subject site is located at on the south west corner of Canning Highway and Reynolds Road within a Local Centre.
- All vehicle access is taken from Reynolds Road.
- The development application is currently under assessment.



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Figure 1 – Application site



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Figure 2 – Zoning LPS6



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Elevated View of Proposed Development



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Proposed Perspective to Corner



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Proposed Elevation Facing Canning Highway



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Proposed Elevation Facing Reynolds Road



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Development Details

LPS6 requirements	
Land use	Shop 'P', Office 'P', Medical Centre 'D'
Plot ratio	Permitted 1.0 Proposed 0.93
Building Height	Permitted 16m Proposed 12.5m
Car Parking	Required 217 bays Proposed 236 bays
Landscaping	Required 10% of site area Proposed 14%



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Development Details

Side Setbacks	West Required 4m-4.5m Proposed 3m-3.9m South Required 1.5m-3m Proposed 1.5m	
Western Boundary Wall	Permitted Max Height 3m Average Height 3.5m Length 2/3 boundary length 68.2m	Proposed Max Height 7.8m-9.4m Average Height 7.8m-9m Length 43.5



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Assessment Process

- Design Review Panel (Pre application)
- Application lodged (23 September 2016)
- Internal and external referrals
- Design Review Panel
- Consultation (in accordance with Council Policy CP-056)
- The Responsible Authority Report is required to be submitted to the JDAP by 5 January 2017
- Meeting of the Metro Central JDAP to be advised
- All submitters will be advised in writing of the meeting of the Metro Central JDAP