



City of  
**Melville**

## **AGENDA**

### **SPECIAL ELECTORS MEETING**

#### **NOTICE OF MEETING**

I respectfully bring to the attention of Elected Members that a Special Meeting of the Electors will be held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon on Monday, 25 March 2024 commencing at 7:30pm.

The Special Meeting is for the purpose of considering:

- *The February 2024 Rescission Motion signed by the Mayor and 4 other Councillors to rescind Council's April and July 2023 decisions to convert 100% of the City-owned land at 13-15 The Esplanade and 64 Kishorn Road, Mt Pleasant; and 50-52 Kishorn Rd and 23, 29 and 31 Moreau Mews, Applecross ("Sites") into public open space.*
- *Whether the Mayor and Councillors who signed the said Rescission Motion lodged by Cr Scott Green for decision at the 20 February 2024 Ordinary Meeting of Council, and subsequently withdrawn, acted with due care and diligence to ensure that the reasons cited in the Rescission Motion were true and accurate, and would not bring the City into disrepute; and whether the Mayor considered that the late publication of the Rescission Motion in the Agenda late on Friday 16 February 2024 would prejudice the wider community in being able to engage with the City as to their views.*
- *Whether to conversion of the Sites to parks are an integral part of the Canning Bridge Activity Centre Plan ("CBCAP") and Vision; a vital component of the Review of the CBACP submitted to the WACP in 2023; and would contribute towards to the goal of providing walkable public open space within 400 metres or 5 minute walk of every dwelling; and provide green linkages for the community to mitigate against the urban heat island effect of high rise development; and numerous other social, health and economic benefits.*

**Gail Bowman**  
**Chief Executive Officer**

The City of Melville acknowledges the Bibbulmun people as the Traditional Owners and custodians of the lands on which the City stands today and pays its respect to the Whadjuk people, and Elders both past, present and emerging.

Use the links below to register your attendance for the Special Meeting of Electors to be held on Monday, 25 March 2024:

[Register to Attend Electronically](#)

[Register to Attend in Person](#)



## Our Vision

Engaging with our diverse community to achieve an inclusive, vibrant and sustainable future.

## Our Mission

To provide good governance and quality services for the City of Melville community.

## Our Values

### Excellence

Striving for the best possible outcomes

### Participation

Involving, collaborating and partnering

### Integrity

Acting with honesty, openness and with good intent

### Caring

Demonstrating empathy, kindness and genuine concern



## Making A Deputation

A deputation is a verbal presentation by one or more members of the public on a matter to be considered at the Council meeting. Deputations are made at the relevant Agenda Briefing Forum, held one week prior to the Ordinary Meeting of Council.

Information on making a deputation is available on the City's website. [Request to make a Deputation.](#)

## Public Question Time

You can ask a question at a Council meeting during Public Question Time. Information on how to ask a question can be found on the City's website. [Public Question Time.](#)

Complex questions or those related to matters on the agenda and requiring a response at the meeting are "questions on notice" and should be submitted in writing, by the close of business the Tuesday prior to the meeting.

## Disclaimer

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Any statement, comment or decision made at a Council or Committee meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the City must obtain, and should only rely on, written notice of the City's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council or Committee meeting.

Any advice provided by an employee of the City on the operation of written law, or the performance of a function by the City, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the City. Any advice on a matter of law, or anything sought to be relied upon as representation by the City should be sought in writing and should make clear the purpose of the request.

## Audio Recording/ Access to Recording

In accordance with the Council Policy CP- 088 Creation, Access and Retention of Audio Recordings of the Public Meetings this meeting is electronically recorded. All recordings are retained as part of the City's records in accordance with the State Records Act 2000 and the General Disposal Authority for Local Government Records. The Audio recording may be accessed at [www.melvillecity.com.au/agendas](http://www.melvillecity.com.au/agendas).

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The nature of the Council's decision making role in the matter:

<b>Advocacy</b>	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<b>Executive</b>	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<b>Legislative</b>	<i>Includes adopting local laws, town planning schemes &amp; policies.</i>
<b>Review</b>	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<b>Quasi-Judicial</b>	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>

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**1 OFFICIAL OPENING**

**2 ATTENDANCE AND APOLOGIES**

**In Attendance**

Councillors

Ward

**Officers**

**Apologies**

**On Approved Leave of Absence**

**3 DECLARATIONS BY MEMBERS**

- 3.1 Declarations by Members who have not read and given due consideration to all matters contained in the business papers presented before the Meeting**

**4 INTRODUCTION OF ELECTED MEMBERS AND OFFICERS**

**5 DISCLOSURE OF INTEREST**

**5.1 Financial or Proximity Interests**

Under sections 5.60A and/or 5.60B of the *Local Government Act 1995*

**5.2 Disclosure of Interest That May Cause a Conflict**

Under *22 Local Government (Model Code of Conduct) Regulations 2021* or a City of Melville Code of Conduct)

## 6 BUSINESS

### 6.1 Notice of Special Meeting of Electors

The following Notice of Meeting was advertised:

- on the City's website;
- on public notice boards at the Civic Centre and all the City of Melville libraries;
- in Fremantle Herald on Saturday, 9 March 2024; and
- in the City's electronic Newsletter; and
- via the City's social media platforms.

The notice read:

*"We invite City of Melville residents to the City of Melville Special Meeting of Electors (SME)*

**Date:** Monday 25 March 2024

**Time:** 7:30pm

**Venue:** Conference Room, City of Melville Civic Centre,  
10 Almondbury Road, Booragoon  
and live-streamed via Zoom.

*To consider the following request signed by 377 electors:*

- (A) *The February 2024 Rescission Motion signed by the Mayor and 4 other Councillors to rescind Council's April and July 2023 decisions to convert 100% of the City-owned land at 13-15 The Esplanade and 64 Kishorn Road, Mt Pleasant; and 50-52 Kishorn Rd and 23, 29 and 31 Moreau Mews, Applecross ("Sites") into public open space.*
- (B) *Whether the Mayor and Councillors who signed the said Rescission Motion lodged by Cr Scott Green for decision at the 20 February 2024 Ordinary Meeting of Council, and subsequently withdrawn, acted with due care and diligence to ensure that the reasons cited in the Rescission Motion were true and accurate, and would not bring the City into disrepute; and whether the Mayor considered that the late publication of the Rescission Motion in the Agenda late on Friday 16 February 2024 would prejudice the wider community in being able to engage with the City as to their views.*
- (C) *Whether to conversion of the Sites to parks are an integral part of the Canning Bridge Activity Centre Plan ("CBCAP") and Vision; a vital component of the Review of the CBACP submitted to the WACP in 2023; and would contribute towards to the goal of providing walkable public open space within 400 metres or 5 minute walk of every dwelling; and provide green linkages for the community to mitigate against the urban heat island effect of high rise development; and numerous other social, health and economic benefits."*

## 6.2 Manner of Conduct

Welcome to the City of Melville Special Meeting of Electors. The purpose of the meeting is to discuss:

- *The February 2024 Rescission Motion signed by the Mayor and 4 other Councillors to rescind Council's April and July 2023 decisions to convert 100% of the City-owned land at 13-15 The Esplanade and 64 Kishorn Road, Mt Pleasant; and 50-52 Kishorn Rd and 23, 29 and 31 Moreau Mews, Applecross ("Sites") into public open space.*
- *Whether the Mayor and Councillors who signed the said Rescission Motion lodged by Cr Scott Green for decision at the 20 February 2024 Ordinary Meeting of Council, and subsequently withdrawn, acted with due care and diligence to ensure that the reasons cited in the Rescission Motion were true and accurate, and would not bring the City into disrepute; and whether the Mayor considered that the late publication of the Rescission Motion in the Agenda late on Friday 16 February 2024 would prejudice the wider community in being able to engage with the City as to their views.*
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In accordance with the *Local Government (Administration) Regulations 1996*, the Mayor is to preside at a general or special meeting of electors and is to determine the procedure to be followed and will give regard to the *City of Melville Local Government (Meeting Procedures) Local Law 2022*.

1. 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 physically present are required to sign the attendance register at the entry to the meeting.
4. Each person who participates in a vote or speaks must be an Elector of the City of Melville.
5. The proceedings are being recorded 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 responses provided.
6. Speakers are asked to clearly give their name and address each time they speak and are required to address the Mayor as the Chair of the meeting.
7. Only Electors of the City of Melville may move or second a motion. Motions are to be submitted in writing prior to the commencement of the meeting.
8. 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*).
9. The community are welcome to participate in the meeting. To ensure the efficient conduct of the meeting, please participate in a concise and respectful manner.
10. All Elected Members and officers 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 or Elected Members.

**7 PUBLIC QUESTION TIME**

**7.1 Questions Received Prior to the Meeting**

**8 GENERAL BUSINESS**

**8.1 Speakers:**

8.1.1 Mr I Peacock, Myaree, Chairperson Melville City Climate Action Network

8.1.2 Ms R Waldron-Hartfield, Mount Pleasant, Member Council Reference Group

8.1.3 Dr A Cabanek, Bicton

8.1.4 Dr J Horton, Kardinya

8.1.5 Ms M Sandford, Applecross

8.1.6 Ms O Abrugiato, Mount Pleasant

**8.1 Motions**

**9 CLOSURE**