

5/04/2020

Dear Mayor and Councillors

Deputation regarding M20/5734 – ANNUAL GENERAL MEETING OF ELECTORS HELD 3 FEBRUARY 2020, MOTIONS CARRIED –

OFFICER RECOMMENDATION (5734 -4)

APPROVAL

Electors Motion 4

That the Council:

1. has considered Motion 4, carried at the Annual General Meeting of Electors held 3 February 2020, and the further information provided by the West Australian Ratepayers and Residents Association Incorporated relating to making a financial contribution to the Association, and
2. Whilst not approving any payment, as requested in the Motion at the Annual General Meeting, at this time, requests the CEO to inform the Council of any further information received by the City relating to the ongoing development and evolution of the Association, its activities and its demonstrated and potential value to the City.

This deputation is an opinion that supports the officer recommendation that ***no approving of any payment*** is made to the West Australian Ratepayers and Residents Association and I request that no future payment is ever made to this association based on the following opinion and elements, please note I have used italics, underlining and bold to separate the following information which contains excerpts of provided information for ease of reading:

1. The City of Melville has a council comprised of 13 elected representatives and with an election every 2 years allowing the entire registered CoM voting community the free democratic opportunity to implement their desires for local government direction and outcomes; this is exhibited with regards to every election outcome.
2. The City of Melville community has open access to the elected council through a number of means including community workshops and meetings enabling the expression of varied opinions allowing the council to validate their decision making against a backdrop of fundamental and technical information.
3. With regards to this association there appears to be no control over any type of political bias or outcome with an example of this being: *WEST AUSTRALIAN RATEPAYERS & RESIDENTS ASSOCIATION INCORPORATED - RULES AND GUIDANCE NOTES - Division 1 — Membership - 6. Dealing with membership applications (1) The committee must consider each application for membership of the Association and decide whether to accept or reject the application. - (5) The committee may reject an application even if the applicant — (a) is eligible under rule 4; and (b) has applied under rule 5. - (7) If the committee rejects the application, the committee is not required to give the applicant its reasons for doing so.* I cannot see how this association can be non political nor non biased, I could not find in any documentation any control measures being available to the CoM

- over funding use nor any policy outcome control being either positive or negative for the ratepayers, on these grounds alone there should be absolutely no funding provided by the CoM.
4. Financial use of funds are of great concern, under the WARRA business plan, page 2 -Application of Funds - *Funds received will be pooled and applied on the basis of the importance of the issue to the greater Community. Each LGA Community does not exist in isolation and all Communities in Western Australia are subject to the same Local Government and Planning rules. Consequently, changes that are beneficial to one group will be beneficial to all. Therefore, targeting the most important issues regardless of where the “test case” is located makes the most sense.* This would appear to mean that if the CoM are the only providers of funds then the CoM ratepayers funding would be used for issues raised in other council/shires WARRA associations, as this association is extremely small then it does not represent the majority interests of CoM residents as our elected representatives do. *(Page 85, Agenda for the Ordinary Meeting of the Council – “E. Previous Year Audited financial Statements. As the Association is a small Association”)*
 5. Financial - *WEST AUSTRALIAN RATEPAYERS & RESIDENTS ASSOCIATION INCORPORATED - RULES AND GUIDANCE NOTES -PART 7 — FINANCIAL MATTERS, page 30, 62. Control of funds - (3) The committee may authorise the treasurer to expend funds on behalf of the Association **up to a specified limit without requiring approval** from the committee for each item on which the funds are expended.* I could not find any reference to what this “specified limit” is, further to this, page 4, PART 2 — *ASSOCIATION TO BE NOT FOR PROFIT BODY - (3) A payment to a member out of the funds of the Association is authorised if it is — (a) the payment in good faith to the member as reasonable remuneration for any services provided to the Association, or for goods supplied to the Association, in the ordinary course of business; or (d) the reimbursement of reasonable expenses properly incurred by the member on behalf of the Association.* I could find no reference to whether this applies to any expense considered past expense incurred by a member nor examples of the limit of a “reasonable expense nor in good faith”.
 6. Financial – *page 3, Business Plan - Assets Volunteers and members with life experience and professional qualifications in Accounting, Engineering, Law, Financial Services, Corporate Management etc.* I would consider that with a backdrop of professionals that the association is trying to attract that it could easily self fund to the amount as requested from the CoM ratepayers. If this association was popular then surely it would be large enough to be entirely self funded, also of note upon general examination of the person’s the association currently have listed as Assests and wishes to attract, it would be considered that these individuals if they have the passion for the elements described would provide assistance “Pro Bono” to the association and their beliefs. I note that on page 4, *Staffing Until a revenue stream is established and workload requires staff, there will only be volunteers.* I read this meaning that if CoM funding is successful then ratepayers will be paying staff wages for an association the CoM has no control over.
 7. I would have preferred the officers recommendation remained as the previous recommendation regarding this motion being - **Payment of an annual fee to this newly established association to undertake services already undertaken by democratically elected or authorised representatives and agencies, with powers conferred by legislation would be an**

unnecessary and irresponsible expenditure of funds. *It is also outside the powers of the Council to commit to a payment in perpetuity. Officers recommend that motion 2 of the General Meeting of Electors held 5 December 2018, not be supported by the Council.” In relation to the 19 February 2019 motion the Council resolved the following 1. Notes the intent of the motion. 2. Notes that the objects and purpose of the West Australian Ratepayers and Residents Association Incorporated duplicate roles already undertaken by Elected Members, State Government Agencies and State legislation. 3. Resolves not to accept the Electors’ motion to make an annual payment, in perpetuity, to the West Australian Ratepayers and Residents Association Incorporated. 4. Directs that the Chief Executive Officer inform the mover of the Motion of the Council’s decision in writing.* I would again express the officers statement that the request for funding is an unnecessary and irresponsible expenditure of funds.

8. Representation – This association does not represent myself as a ratepayer nor other ratepayers that I know, with just one example being Bert Jefferies Park and the issue of ratepayers simply wanting to play cricket on a whole of community owned sports oval and the necessary requirement for change room facilities. If funding was provided to the small WARRA what will happen if they utilise wholly owned ratepayer funding against other CoM ratepayers viewpoints, this would not be balanced nor fair, what sport would be next?
9. It would be a timely reminder with reference to “conflict of interest” that any councilors having had association/relationship/membership or any other connection such as election support with the members of this association, that they exclude themselves from voting on this matter. There is an old saying in Local Government with regards to “conflict of interest” and that is “when in doubt, leave”.

Councillors you have the privileged position of protecting The City of Melville’s ratepayers money and assets, please protect us by not funding this very small associations request, now and at any other time in the future.

Regards
Guy Wieland
53 Waddell Road
Bicton 6157
0411206091