



**THIS DOCUMENT HAS BEEN REDACTED AND
MADE PUBLIC IN ACCORDANCE WITH THE
COUNCIL RESOLUTION MOVED AT THE JULY 2026
ORDINARY MEETING OF COUNCIL IN RELATION TO
ITEM 16.2 MOTION WITHOUT NOTICE – STATEMENT
OF IMPACT.**

COUNCIL RESOLUTION (16.2)

At 8:52pm Cr K Wheatland moved, seconded Cr D Lim

That in respect of the Notice of Revocation Motion - UP23/4033 Canning Bridge POS Option Analysis Report and in accordance with section 5.95(7) of the *Local Government Act 1995*, the Council makes available to the public the Statement of Impact subject to the following information being redacted:

- 1. legal advice received in preparing the Statement of Impact;**
- 2. any commercial sensitivities including information of a commercial value or financial affairs of third parties; and**
- 3. information in relation to procurement and contractor impacts.**

At 8:55pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (13/0)

RESCISSION MOTION - STATEMENT OF IMPACT

CONFIDENTIAL – NOT FOR DISTRIBUTION



City of Melville Local Government (Meeting Procedures) Local Law 2022 Clause 15.4(3) of Meeting Procedures requires:

- (3) The Council or a committee shall not vote on a motion to revoke or change a decision of the Council or committee whether the motion to revoke or change the decision is moved with or without notice, if at the time the motion is moved or notice is given -
- (a) valid action has been taken by the local government to implement the decision; or
 - (b) where the decision concerns the issue of an approval or the authorisation of a licence, permit or certificate and the decision has been put into effect by notice in writing to the applicant or the applicant's agent by an employee of the local government authorised by CEO to do so;
- unless the Council or committee has considered a statement of impact prepared by or at the direction of the CEO of the legal and financial consequences of the proposed revocation or change.

Reference Number:	
Responsible Officer:	Chief Executive Officer
Officer Disclosure of Interest:	No officers involved in the preparation of this Statement of Impact have a declarable interest in the matter
Attachments:	Attachment 1 - Confidential Legal Advice Attachment 2 - Timeline of Council decisions

INTRODUCTION

The following Rescission Motion was submitted by Cr Michael McGoldrick on Friday 3 July 2026, supported by:

- Cr Jennifer Spanbroek
- Cr Crawford Yorke
- Cr George Panayotou
- Cr Matthew Woodall

That the Council:

1. **revoke point 5 of Council's Resolution of 18 and 19 April 2023 UP23/4033 – Canning Bridge Public Open Space Option Analysis Report, as follows:**

“5. with regard to the City owned land at 50-52 Kishorn Road and 23, 29 and 31 Moreau Mews, Applecross, resolves to forthwith progress conversion of 100% of the site to public open space, to include extensive tree planting, a children's playground, and seating.”
2. **requests that the Chief Executive Officer prepare a presentation to an Elected Member Engagement Session and a further comprehensive report to Council detailing the implications of reviewing the future use and delivery of the Moreau Mews sites, including options for a mixed public open space and property development outcome by December 2026.**

The reasons for the Rescission Motion as provided by Cr McGoldrick are:

1. The intent of the original motion was to progress the conversion of 100% of the site located at 50-52 Kishorn Road and 23, 29 and 31 Moreau Mews Applecross to public open space.
2. Council has previously resolved to progress the Moreau Mews site as a public open space project. Since those decisions, the City has undertaken community engagement, progressed concept planning and detailed design, undertaken implementation steps and progressed a tender process for construction.

3. Given the extent to which the project has progressed, any change in direction should occur transparently and through the proper governance pathway. This motion therefore seeks to stop the current procurement and delivery pathway, revoke or change the relevant previous Council decisions to the extent required, and call the matter back to Council for a full review.
4. It is noted that completed actions, including community engagement, vacant possession, demolition, design work, procurement, and expenditure already incurred, cannot practically be undone and are instead to be addressed as part of the financial, legal, governance and project implementation implications in the report requested.
5. The purpose of the review is to allow Council to properly consider whether the site should continue as a full public open space project or whether an alternative mixed public open space and development outcome should be investigated.
6. Before making that decision, Council requires clear advice on the planning, financial, legal, statutory, procurement, community and governance implications of changing direction. This includes advice on costs already incurred, abortive costs, tender implications, potential revenue, development and planning parameters, public open space outcomes, community expectations and any statutory requirements associated with sale, lease, development or other land transaction options.
7. The motion does not predetermine the final use of the land. It ensures Council has sufficient information to make a properly informed decision before any further commitment is made.

BACKGROUND

Item UP23/4033 – Canning Bridge Public Open Space Option Analysis Report was presented to the 18 & 19 April 2023 Ordinary Meeting of Council. This report originated from a motion moved at the Annual General Meeting of Electors held 2 February 2022 and presented to the Council at the Ordinary Meeting of Council held 15 March 2022.

The Ordinary Meeting of Council, 18 & 19 April 2023, resolution is as follows:

Substantive Motion As Amended

At 7:41pm Cr Ross moved, seconded Cr Mair –

That the Council:

1. notes the additional information regarding open space in the Canning Bridge Activity Centre prepared in response to the Council resolution of 18 October 2022;
2. acknowledges that the additional information regarding open space in the Canning Bridge Activity Centre will inform Council deliberations on the review of the Canning Bridge Activity Centre Plan;
3. with regard to the City owned land at 13 The Esplanade and 64 Kishorn Road, Mt Pleasant, resolves to forthwith progress conversion of 100% of the site to public open space, to include extensive tree planting, a children's playground, and seating."
4. resolves that the lead petitioners for the petition and multi-signature letter received relating to the future use of 13 The Esplanade and 64 Kishorn Road, Mt Pleasant be advised of (3) above;
5. with regard to the City owned land at 50-52 Kishorn Road and 23, 29 and 31 Moreau Mews, Applecross, resolves to forthwith progress conversion of 100% of the site to public open space, to include extensive tree planting, a children's playground, and seating."

At 8:44pm the Mayor declared the motion

CARRIED (8/5)

For	8	Mayor G Gear, Cr T Fitzgerald, Cr G Barber, Cr J Edinger, Cr K Mair, Cr C Ross, Cr M Sandford, Cr K Wheatland
Against	5	Cr D Macphail, Cr N Robins, Cr J Spanbroek, Cr M Woodall, Cr N Pazolli

The motion resolved by the Council in April 2023 has 5 parts. The rescission motion deals only with point 5 of the resolution.

CONSIDERATIONS – IMPACT

• Validity of Recission Motion

Consideration of the validity of the recission motion under the Local Government Act 1995, Local Government (Administration) Regulations 1995 and City of Melville Local Government (Meeting Procedures) Local Law 2022

- Reg 10 Local Government (Administration) Regulations 1996 and s5.25(1)(e) of the Local Government Act 1995.
 - Supported by 1/3 of the number of offices (whether vacant or not) of members of the Council.

The recission motion is supported by 5 Elected Members and complies the requirements of the Local Government Act and Regulations.

- Clause 15.3 of the City of Melville Local Government (Meeting Procedures) Local Law 2022.
 - be in writing
 - specify the decision proposed to be revoked or changed
 - state the reason(s) for the motion to be revoked or change the decision
 - be supported by the number of Members required under the Regulations
 - specify the date of the ordinary or special meeting of the Council or committee where it is to be presented; case may be; and
 - be given to the CEO in accordance with the notice of motion provision in clause 7.3

The recission motion is considered to comply with the requirements of the Meeting Procedures.

- Clause 15.4 of the City of Melville Local Government (Meeting Procedures) Local Law 2022.
 - Requires determination of any valid action undertaken in relation to the decision the subject of the recission motion.
 - No valid action be undertaken once a recission motion is received.
 - The requirement for a statement of impact to be prepared by the CEO, which includes the legal and financial consequences of the recission motion.

The recission motion was received from Cr McGoldrick on Friday 3 July 2026, and had been signed by Cr McGoldrick and four other Elected Members.

• Rescission of Point 5 of the resolution

The Rescission motion proposes that point 5 of the 18 & 19 April 2023 Council resolution be revoked, as follows:

5. with regard to the City owned land at 50-52 Kishorn Road and 23, 29 and 31 Moreau Mews, Applecross, resolves to forthwith progress conversion of 100% of the site to public open space, to include extensive tree planting, a children's playground, and seating."

- Planning Considerations

This section does not express a preferred planning outcome. It identifies the planning matters that would require further assessment if the Council resolves to review the current 100% public open space delivery direction. Any alternative outcome would require further Council consideration and any necessary statutory planning processes.

The motion does not determine an alternative final use of the land. It requests further advice on the implications of reviewing the future use and delivery of the site, including whether any alternative mixed public open space and property development outcome is capable of being further considered.

Planning framework

Matter	Current position	Planning consideration
Land tenure	City-owned freehold land	The land is not reserved for public open space under the Local Planning Scheme. The fact that the land is not reserved under the Local Planning Scheme does not determine the planning merit of any alternative use. The Canning Bridge Activity Centre Plan (CBACP) position, SPC decision, previous Council resolutions and public open space function remain relevant planning considerations.
Local Planning Scheme No. 6	Centre zone, R-AC0	The Centre zoning provides the statutory zoning framework. More detailed guidance is provided through the Canning Bridge Activity Centre Plan.
Current CBACP	Mixed Use M15 under the current operative framework	The CBACP is a planning framework to which decision-makers are required to give due regard. While it does not itself reserve the land or determine tenure, it is a planning consideration for any future proposal.
SPC decision – 10 June 2026	Requires the City to modify the CBACP to identify the land as public open space	The City is required to have regard to this position. If an alternative mixed outcome is pursued, further consideration would be required as to whether a CBACP amendment, WAPC consideration or other statutory process is required.
Subject motion	Seeks to revoke the current 100% public open space delivery direction and request further reporting	The motion does not approve development, amend the CBACP, dispose of land or determine the final use of the site.

The Canning Bridge Activity Centre Plan (CBACP) position identifying the land for public open space is not proposed to be revoked by this motion. That matter sits within the planning framework and would need to be addressed separately if the Council later pursued an alternative outcome inconsistent with the CBACP.



Figure 1 Canning Bridge Activity Centre Plan

Public open space need in a high-density activity centre

Canning Bridge is an emerging high-density apartment precinct. Population growth, reduced private open space, increased building intensity and the precinct's transit-oriented role all increase the importance of high-quality public open space, streetscape amenity, shade, tree canopy and accessible civic gathering spaces.

In this context, public open space should not be assessed only by applying broad per-person or greenfield-style land area standards. Those standards remain useful as strategic indicators, but they are difficult to satisfy literally in an established activity centre where land is scarce, fragmented, expensive and largely developed.

A more complete planning assessment should consider both:

1. Quantitative provision, including land area and population-based metrics.
2. Qualitative and network-based provision, including accessibility, function, shade, tree canopy, activation, streetscape quality, public realm upgrades, urban plazas and walkable catchments.

The per-person public open space guide demonstrates the scale of the long-term challenge. However, Moreau Mews cannot, by itself, resolve the public open space demand generated by forecast population growth. The relevant planning question including for the requested report is how any future option would affect the site's role within the broader public open space and public realm network.

Public open space statistics

Table 1 – Public open space based on 10% land area guide

POS required to meet 10%	% POS including all Moreau Mews Land	% POS including half of Moreau Mews Land
29.65 hectares	9.95% POS achieved – 29.5 hectares (shortfall of 1,441sqm, across suburb)	9.88% POS achieved – 29.3 hectares (shortfall of 3,467 sqm across suburb)

Planning observation:

On the 10% land area guide, the difference between including all of the Moreau Mews land as POS and a partial POS outcome is measurable at the Applecross suburb scale. Notwithstanding, a reduction will increase the shortfall.

Population	POS required to meet 3.36 Hectares/1,000 population	POS Area including all Moreau Mews Land	% POS including half of Moreau Mews Land
2021 7,228	24.3 hectares	29.5 hectares (5.2 hectare surplus)	29.3 hectares (5.0 hectare surplus)
2031 (forecast) 9,736	32.7 hectares	29.5 hectares (3.2 hectare shortfall)	29.3 hectares (3.4 hectare shortfall)
2046 (forecast) 16,222	54.5 hectares	29.5 hectares (25 hectare shortfall)	29.3 hectares (24.8 hectare shortfall)

Table 2 – Public open space based on population guide

Planning observation:

The population-based guide indicates a substantial long-term public open space shortfall as population increases. The Moreau Mews site is approximately 4,000sqm and cannot materially resolve that broader population-based shortfall on its own. This supports a network-based approach to public open space planning in Canning Bridge. Notwithstanding, a reduction will increase the shortfall.

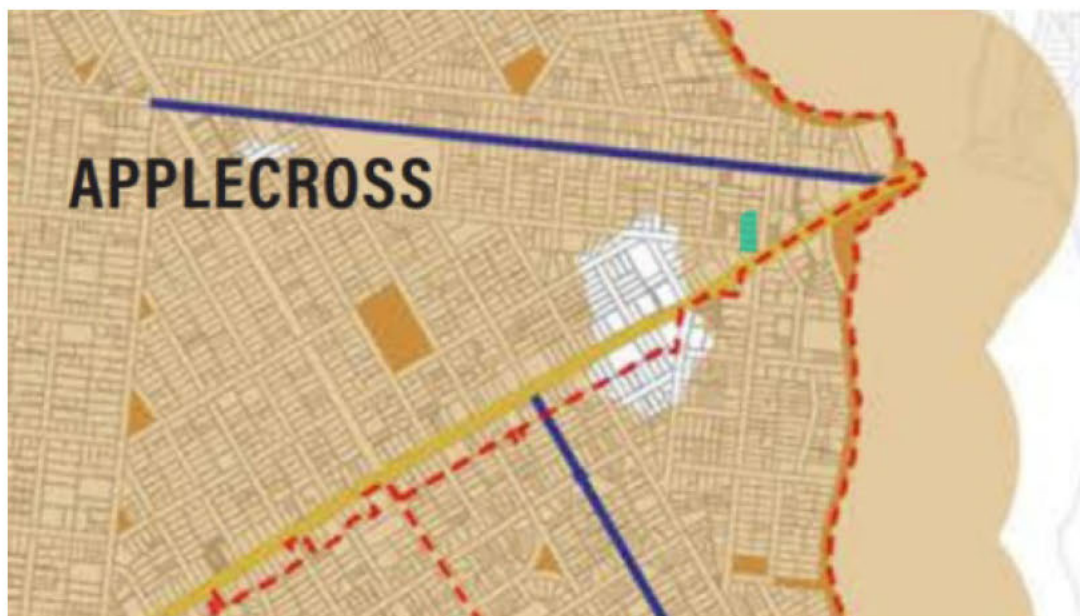


Figure 2: Public open space walkable catchment access to public open space within the northern portion of the Canning Bridge Activity Centre.

Role of Moreau Mews

The April 2023 investigations identified Moreau Mews as well located to respond to public open space needs and contribute to a focal point within the Canning Bridge precinct. The same investigation identified that the site could be further assessed for more than one role, including public open space, activation, public realm interface and potential revenue-generating use.

The investigations considered scenarios where a public open space area in the order of 1,500sqm to 2,000sqm may accommodate a range of functions, such as seating, play, gathering space and grassed areas. Whether such an area would function adequately as a town square would require further design and planning assessment.

Matters requiring assessment if an alternative mixed outcome is investigated:

Consideration	Potential opportunity	Matter requiring assessment
Public open space function and provision	A retained public open space area may continue to serve the same local catchment if well located, visible and accessible.	Whether the retained space could still function as a town square for the precinct and contribute towards POS.
Public realm network	Streets, plazas and surrounding public realm could strengthen the function of the site beyond its freehold boundary.	Whether any road reserve, streetscape or public realm changes are feasible and deliverable.
Activation	Development could provide active edges, passive surveillance, civic/commercial activation or public parking.	Whether development would support or compromise the public open space function.
Built form interface	Built form may assist with sleeving inactive edges and improving the relationship between the park and adjoining land.	Overshadowing, bulk, access, servicing, privacy and public realm impacts would need to be assessed.
Financial sustainability	Revenue could contribute to future public realm, public open space or broader City outcomes.	Revenue assumptions, valuation, transaction structure and statutory obligations would need independent testing.
Planning framework	A mixed outcome may be capable of being considered under the zoning framework.	Consistency with the CBACP/SPC position and the need for any amendment or approval process must be assessed.

Planning Process Implications

The motion would pause the current 100% public open space delivery pathway and require further advice. It would not:

- Approve development on the land.
- Approve sale, lease or disposal of the land.
- Amend the Canning Bridge Activity Centre Plan.
- Remove the need to have due regard to the CBACP.
- Remove the need for WAPC consideration or any statutory planning approval.
- Predetermine the future use of the site.

If Council ultimately wished to pursue a mixed public open space and development outcome, the further report would need to address:

- Consistency with Local Planning Scheme No. 6 and the CBACP.
- Implications of the 10 June 2026 SPC decision.
- Whether a CBACP amendment or further WAPC process is required.
- Appropriate public open space provision, size, configuration and function.
- Whether the retained public open space would still operate as a town square.
- Potential development parameters, including land use, height, plot ratio, setbacks, parking, access, servicing, tree canopy and public realm interface.
- Opportunities for streetscape, plaza and public realm integration.
- Financial implications, including sunk costs, abortive costs, potential savings, revenue potential and valuation advice.
- Statutory and governance implications, including disposal, lease, major land transaction, procurement and probity requirements.

Planning Conclusion

There is a clear planning basis for public open space at Moreau Mews. The site is centrally located within the northern portion of the Canning Bridge Activity Centre and has been identified through Council and CBACP processes as contributing to public open space outcomes.

If the Council resolves to review the current direction, there is a planning basis for the requested report to examine whether any alternative mixed public open space and development outcome would be appropriate, feasible and consistent with the applicable planning framework.

The key planning consideration is that Moreau Mews should not be assessed as though it can, by itself, resolve the population-based public open space demand generated by high-density growth. Public open space planning in an established activity centre requires a network-based and place-based approach, including high-quality urban plazas, streetscapes, tree canopy, public realm upgrades, developer contributions, community benefit mechanisms and possible future land acquisition.

The motion should therefore be understood as a request for further assessment and advice only. It should not be read as officer support for development on the land, support for reducing public open space, or a final decision on the future use of the site.

Risk: Stakeholder and community expectations that the sites would be developed as POS are not met.		
Consequence	Likelihood	Rating
Moderate	Likely	High
Action/Strategy		
Ensure comprehensive stakeholder engagement and communications strategy depending on the decision of Council.		

- Procurement



Each of the procurement activities are in the evaluation stage, with no tenders or quotes awarded nor any contracts entered into.

The City's procurement documentation and processes support unilateral cancellation or nonacceptance by the City, noting that the City may "at any time and from time to time, cancel, vary, supplement, supersede or replace" the request or any part of it. The City is under no obligation to accept any offer and may reject any or all offers, including where it cancels due to "changes of policy or for commercial reasons". Any cancellation or non-acceptance must be advised to all respondents confirming that they have no recourse for any of their costs or expenses.

Tender and quotation specifications are developed to reflect the specific scope, requirements, risks, and deliverables of each individual project. If the project scope or requirements were to change substantially, the relevant tender and quotation documentation would need to be reviewed, re-scoped, and re-specified to ensure it remains fit for purpose and accurately reflects the revised project outcomes.

The current concept design for the Moreau Mews Public Open Space is set out as Attachment 1. The impact of any significant change would likely require full redesign, updated documentation, revised procurement specifications, and potentially a new or amended procurement process to ensure compliance, transparency, and value for money.

Risk:

Respondents to tender and quotations processes may not respond to further procurement processes.

Consequence	Likelihood	Rating
Minor	Likely	Medium
Action/Strategy		
Engage with the respondents early to inform them of the potential that Council may not proceed with the construction of the Moreau Mews public open space in accordance with current concept designs		

- Financial

[REDACTED]

[REDACTED]

[REDACTED]		[REDACTED]	
[REDACTED]		[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]		[REDACTED]	[REDACTED]

[REDACTED]

Loss of previous revenue streams

As part of progressing the Moreau Mews Town Square Public Open Space project, the City issued notices to vacate and has ceased receiving revenue previously generated from the site through residential tenancies, commercial leases, car parking and a not-for-profit tenancy. There are no outstanding issues or claims, nor any exposure to the City in respect of the cessation of the tenancies as all related matters have been resolved.

Based on rental and leasing arrangements in place prior to vacant possession being obtained, the site generated annual revenue of approximately \$272,657, comprising residential rental income, commercial and car parking revenue, and a discounted not-for-profit tenancy.

The cessation of these revenue streams reflects previous Council decisions to progress the site for public open space and associated community purposes. While these revenues are no longer available to the City and may be regarded as an opportunity cost, the current project is intended to deliver public open space, recreation and place-making benefits for the community.

Sunk costs incurred to date

The City to date has incurred approximately **\$644,759** in expenditure associated with the Moreau Mews project, including planning and design activities, demolition works, and internal staff resources. These costs have been incurred in progressing the project in accordance with previous Council decisions and are largely unrecoverable. While these costs are largely unrecoverable, they should be considered alongside future costs, opportunities, risks and benefits associated with either continuing or modifying the current project. Consistent with sound financial decision-making principles, sunk costs alone should not determine future investment decisions.

Budget Implications

2026/27 Budget Allocation **\$4,000,000**

2027/28 Proposed Budget **\$2,500,000**

Proposed works current tenders and formal request for quotations [REDACTED]

Strategic Property Implications

23, 25, 27, 29 & 31 Moreau Mews and 50-52 Kishorn Road, Applecross

• 23, 25 & 27 Moreau Mews – three residential grouped dwellings	1,013m ²
• (also referred two as 27A, 27B & 27C Moreau Mews)	
• 29 Moreau Mews – City of Melville owned car park	1,012m ²
• 31 Moreau Mews – commercial office building	1,012m ²
• 50-52 Kishorn Road – commercial office building	<u>1,020m²</u>
Total Land Area	4,057m²

The Moreau Mews site comprises a strategically assembled Council-owned landholding within the Canning Bridge Activity Centre and represents a site of a scale that is relatively uncommon within the Applecross locality. The current approved project will deliver public open space and associated community benefits in accordance with previous Council decisions. However, should Council determine to further review the site as proposed under the rescission motion, there may be an opportunity to assess a range of alternative land use and delivery options, including public open space, community, commercial, residential or mixed-use outcomes, or combinations thereof.

Any future consideration of alternative uses would require detailed assessment of planning, financial, community, governance and strategic implications, together with consideration of how any proposal aligns with Council's broader strategic objectives, community expectations and land optimisation principles

Asset Management Implications

The future use of the Moreau Mews site has potential asset management implications regardless of the ultimate development outcome. Should the site be retained as public open space, the City would assume ongoing responsibilities associated with maintaining public infrastructure, landscaping, irrigation, amenities and associated lifecycle renewal and replacement costs over the life of the asset. The current approved design incorporates a range of features, including a mural wall, interactive water play, shelters, accessible public toilets, a BBQ area, destination playground equipment and climbing towers, open space for community events and recreation, and public art. The design is underpinned by contributions from First Nations artists, which connect the space to the two rivers theme.

Conversely, should Council pursue a commercial, residential, mixed-use or other built-form outcome, ongoing obligations may arise in relation to asset maintenance, building renewal, operational management and future capital investment requirements, depending on the delivery model adopted.

Accordingly, any future decision regarding the site should consider the whole-of-life financial implications, including operating costs, maintenance requirements, asset renewal obligations, revenue opportunities, community benefits and financial sustainability outcomes.

The relative costs and benefits of alternative land use options would require further detailed assessment as part of any future review of the site.

The legal advice is confidential and subject to legal professional privilege. Elected Members must not disclose or discuss any aspect of the legal advice with any persons external to the City of Melville Administration or Elected Members.

Risk: Respondents to procurement processes may seek recourse against the City as a result of the cancellation and discontinuance of the procurement activities.		
Consequence	Likelihood	Rating
Moderate	Rare	Low
Action/Strategy		
Respondents to be informed of the legislative provisions and conditions related to procurement activities undertaken by the City, not that each of the respondents accepted these conditions before participating in the City's procurement activities.		

- Governance**

Set out at Attachment 3 is a timeline of the relevant Council resolutions in respect of the Moreau Mews project, the status of those resolutions including the resolutions that have been implemented. Council is to note that a significant number of Councils resolutions have been implemented in full or in part, however the resolution the subject of rescission motion has not been implemented because the procurement activities for the construction of the Moreau Mews public open space has not concluded. On this basis it is open to Council to resolve the rescission motion providing that it receives and considers the information set out in this Statement of Impact in accordance with the requirements of clause 15.4(3) of the City's Meeting Procedures Local Law.

Risk: Loss of community trust in the City's good governance practices and decision-making processes.		
Consequence	Likelihood	Rating
Moderate	Likely	High
Action/Strategy		
Ensure that Council decision-making is fully informed and transparent with detailed advice and information available to clearly articulate the reasons for Council's decisions.		

- Reputational**

Proceeding with the rescission motion presents a reputational risk for the City, particularly given the extent to which the Moreau Mews project has already been progressed through previous Council decisions, community engagement, concept planning, detailed design, demolition, vacant possession and procurement activity.

The City of Melville Council Plan for the Future 2024 emphasises the importance of trusted leadership, transparent decision-making, responsible asset management, sustainable financial stewardship and delivering outcomes that respond to community needs. A change in direction at this stage would be perceived by some stakeholders as inconsistent decision-making or a failure to follow through on publicly endorsed commitments, particularly where community expectations have been shaped over several years.

While the rescission motion does not predetermine the future use of the land and may support more informed decision-making, the reputational risk lies in how the decision is understood by the community, contractors and other stakeholders. This risk may be managed to some extent by explaining the governance basis for the rescission motion, the reasons for seeking further advice, the implications of work already undertaken, and how any future decision will continue to align with the Council Plan's objectives for liveable places, community wellbeing, financial responsibility and transparent civic leadership.

Contractor

Deferring or cancelling a project after completion of the tender and or quotation process may result in financial, operational and reputational consequences. In addition to delays in achieving the intended community outcomes and potential cost escalation should the project be re-tendered in the future, the City may experience a loss of confidence from the contracting market. This could reduce the willingness of high-quality contractors to participate in future tenders or result in increased tender prices to account for the perceived risk that projects may not proceed following significant bid preparation costs.

Risk. Stakeholders and community raise concern at the fact Council change decisions leading to a lack of confidence in the decisions of Council and impact reputation.		
Consequence	Likelihood	Rating
Major	Likely	High
Action/Strategy		
Ensure comprehensive stakeholder engagement and communications strategy with stakeholder before and after the decision of the Council.		

STAKEHOLDER CONSIDERATIONS

Community Members

The rescission motion presents a significant reputational risk with community stakeholders because the Moreau Mews Town Square Public Open Space project has been the subject of extensive, visible and repeated community engagement, and has been positioned publicly as a community-shaped project.

The City undertook staged engagement in late 2024 and again in 2025, including online surveys, direct mail, emails, on-site pop-ups, workshops, a dedicated project webpage, broad digital and print promotion, and targeted outreach to local residents, ratepayers, First Nations, local schools, previous participants and stakeholder groups.

The Stage 1 engagement received 310 contributions, and the Stage 2 engagement received 341 responses, with the project webpage attracting thousands of visits and the communications campaign reaching a very large audience. The engagement material also shows that the community was invited to help shape the vision, principles and preferred design approach for the space, with strong themes around greenery, shade, gathering spaces, connection, wellbeing and a desire for public open space in the Canning Bridge precinct. In this context, progressing a rescission motion may be perceived by some community members as Council disregarding or diminishing the value of their input, particularly where people have participated in good faith over multiple stages and where the project has been represented as aligning with the Council Plan for the Future 2024–2034, including meaningful participation, transparent decision-making, liveable places, community wellbeing and improved public open spaces.

The reputational impact is that community stakeholders may question whether engagement outcomes genuinely influence Council decisions, whether Council-endorsed projects can be relied upon, and whether the City follows through on commitments that have been publicly consulted on and progressively advanced. This risk is likely to reduce trust in future engagement processes even if the City clearly explains why the review is being undertaken, how previous community feedback will remain central to any future options analysis, and how Council will continue to honour the principles of transparency, accountability and community-informed decision-making.

The timing of the review may further heighten community concern given concurrent public discussion regarding tree canopy, vegetation retention and open space outcomes across the City, including the John Connell Reserve Field Extension Project.

Government and Funding Partners

Reconsidering the future use of the site at this stage may create risks beyond local community perception. External stakeholders, including State Government elected representatives, agencies, Federal Government representatives, grant providers and potential funding partners such as Lotterywest, assess an organisation's ability to progress and deliver projects consistent with adopted strategies and Council decisions.

A perception that significant projects may be substantially altered after extensive engagement, planning and endorsement processes could potentially:

- Reduce confidence in the City's ability to deliver major projects.
- Undermine advocacy efforts where the City is seeking State or Federal investment.
- Weaken future grant applications where project certainty and organisational capability are assessment criteria.
- Create reluctance amongst funding bodies to invest in projects that may be subject to significant changes after funding commitments or project development milestones.
- Impact the City's reputation as a reliable delivery partner for precinct renewal and place-based investment initiatives.

CONCLUSION

The rescission motion submitted by Cr McGoldrick is deemed a valid rescission motion that complies with the relevant requirements of the *Local Government Act 1995*, the *Local Government (Administration) Regulations 1996* and the City's Meeting Procedures Local Law.

The rescission motion relates only to point 5 of the Council resolution made at the Ordinary Meeting of Council held on 18 and 19 April 2023, which resolved to progress the City-owned land at Moreau Mews and Kishorn Road for 100% public open space.

The rescission motion does not determine an alternative future or final use for the site, approve development, authorise disposal of land, amend the Canning Bridge Activity Centre Plan, or remove the need for any further statutory planning, governance or financial assessment but rather seeks further formal advice on a broad range of issues, in the form of report to the Council by the end of the this calendar year.

As procurement processes for the construction of the public open space have not yet resulted in the award of contracts, it remains open to the Council to consider the rescission motion, provided it has regard to the matters outlined in this Statement of Impact.

The project has already progressed through significant Council decision-making, community engagement, design, demolition, vacant possession and procurement activity. A change in direction may therefore create risks relating to community trust, contractor confidence, stakeholder expectations, funding partner confidence and the City's reputation for transparent and consistent decision-making. These risks can be mitigated, but not eliminated, through clear communication, careful stakeholder engagement and transparent explanation of the reasons for any further review.

The rescission motion should be understood as a decision point about whether Council wishes to pause the current 100% public open space delivery pathway and seek further advice as to other options available to Council.

Attachment 1 - Moreau Mews Public Open Space Concept Designs

Concept adopted by the Council - OMC 17 June 2025



This concept is for indicative use only.

Extract OMC Minutes 17 June 2025 pg 803 – Attachment 6

OFFICIAL - SENSITIVE



KEY FEATURES

- ① Feature wall - artistic story-telling element
- ② Interactive Water Feature
- ③ Open Turf for Recreation
- ④ Kiosk, Shelter & Accessible Toilets
- ⑤ Additional Parking
- ⑥ Adjacent Interface opportunity
- ⑦ Playspace with Accessible elements
- ⑧ Shelter & BBQ area
- ⑨ Space for Community Events
- ⑩ Opportunity for Public Art

FUTURE WORKS

- ⑪ Future Streetscape Upgrade

CANNING BRIDGE PALETTE

Ogilvie Rd, Mount Pleasant



APPROVED CONCEPT
MOREAU MEWS TOWN SQUARE



ALL IMAGES SHOWN ARE CONCEPTUAL AND
FOR INDICATIVE USE ONLY.



City of
Melville

**CANNING
BRIDGE**

OFFICIAL - SENSITIVE



2-RIVERS PARK

As the meeting place of the Swan and Canning rivers, this project has great significance to many people. An over-arching concept has been developed for this park in collaboration with Whadjuk Noongar elders, outlining the importance of these waterways to all who live, dwell, and recreate upon their shores.

The concept for this park responds to Noongar cultural advice regarding the confluence of the Derbal Yerrigan (Swan) and Dyarlgaaro Beeliar (Canning) waterways, the meeting point of two Waugul and the landscape they created. This story is represented in the landscape architecture of the environment and the two serpentine pathways which run through it (please see plan above).

The concept of 2 Rivers also provides an opportunity to reflect on two rivers in time; being an immeasurable Noongar history upon a deep connection with this Country; and the very recent relationship still in development by contemporary communities accessing the rivers for recreation and revitalisation. Not only do the 2 Rivers physically define our city- they are an important part of our collective identity.

As part of this project the City will be engaging a Whadjuk Noongar artists to explore this concept in key features throughout the site.

CONCEPT "2-RIVERS PARK"
MOREAU MEWS TOWN SQUARE



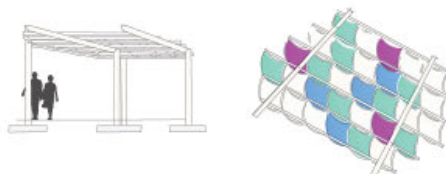
- 1 **MURAL WALL**
The mural wall creates a backing for a performance space. Artwork is across 3 material forms: Etched concrete, illuminated laser-cut steel and a painted mural.



- 2 **WATER FEATURE**
The interactive water feature is comprised of misters and lighting. The design represents native river flora, framing the performance space behind. The ground beneath provides an opportunity for etched artwork.



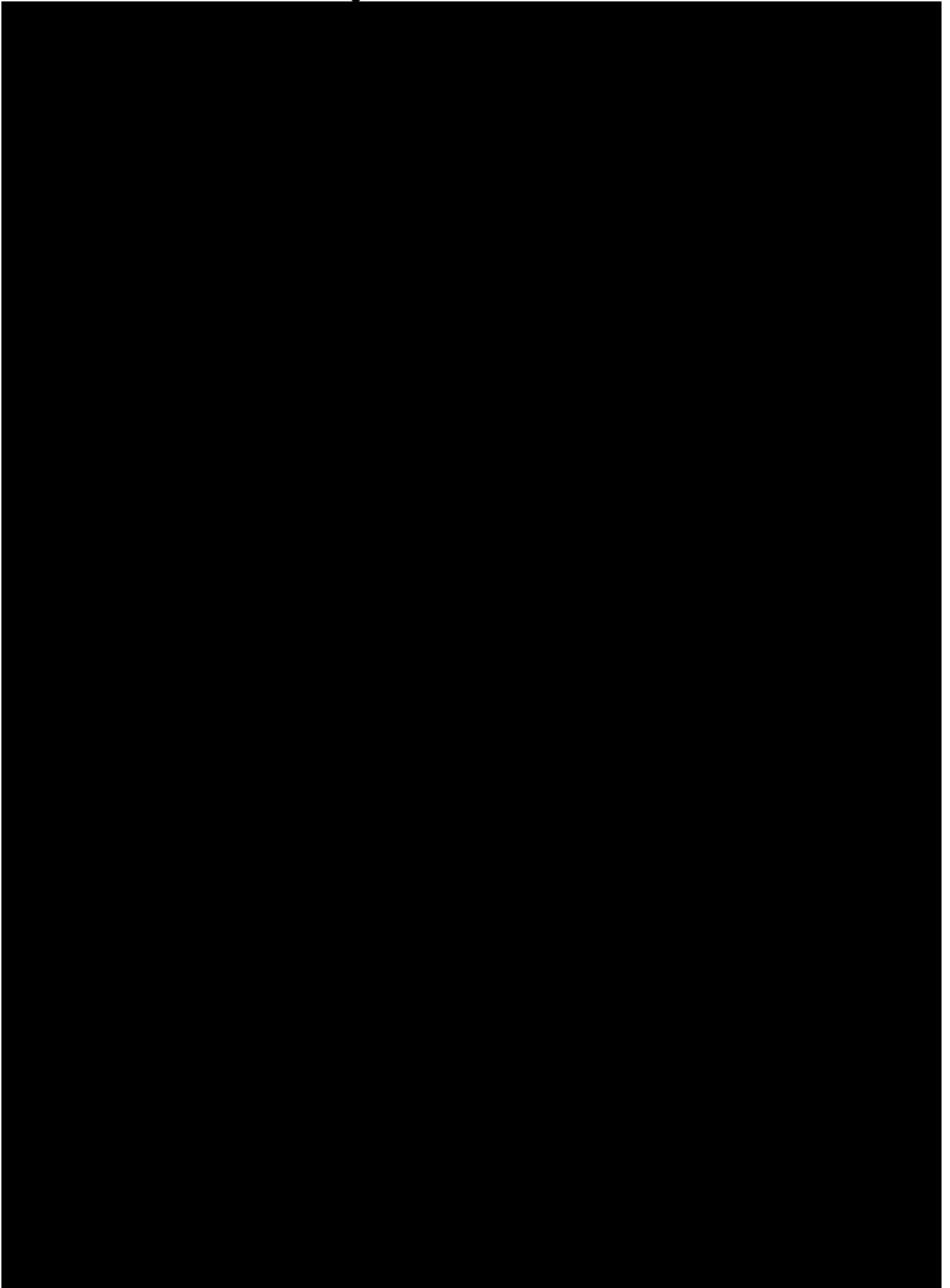
- 3 **BESPOKE SHELTERS**
The bespoke shelters are designed to emulate both the sails of boats and the scales of the Waugul. Roof panels consist of artwork in laser-cut steel and segments of tinted acrylic to cast colours of the Canning Bridge palette.

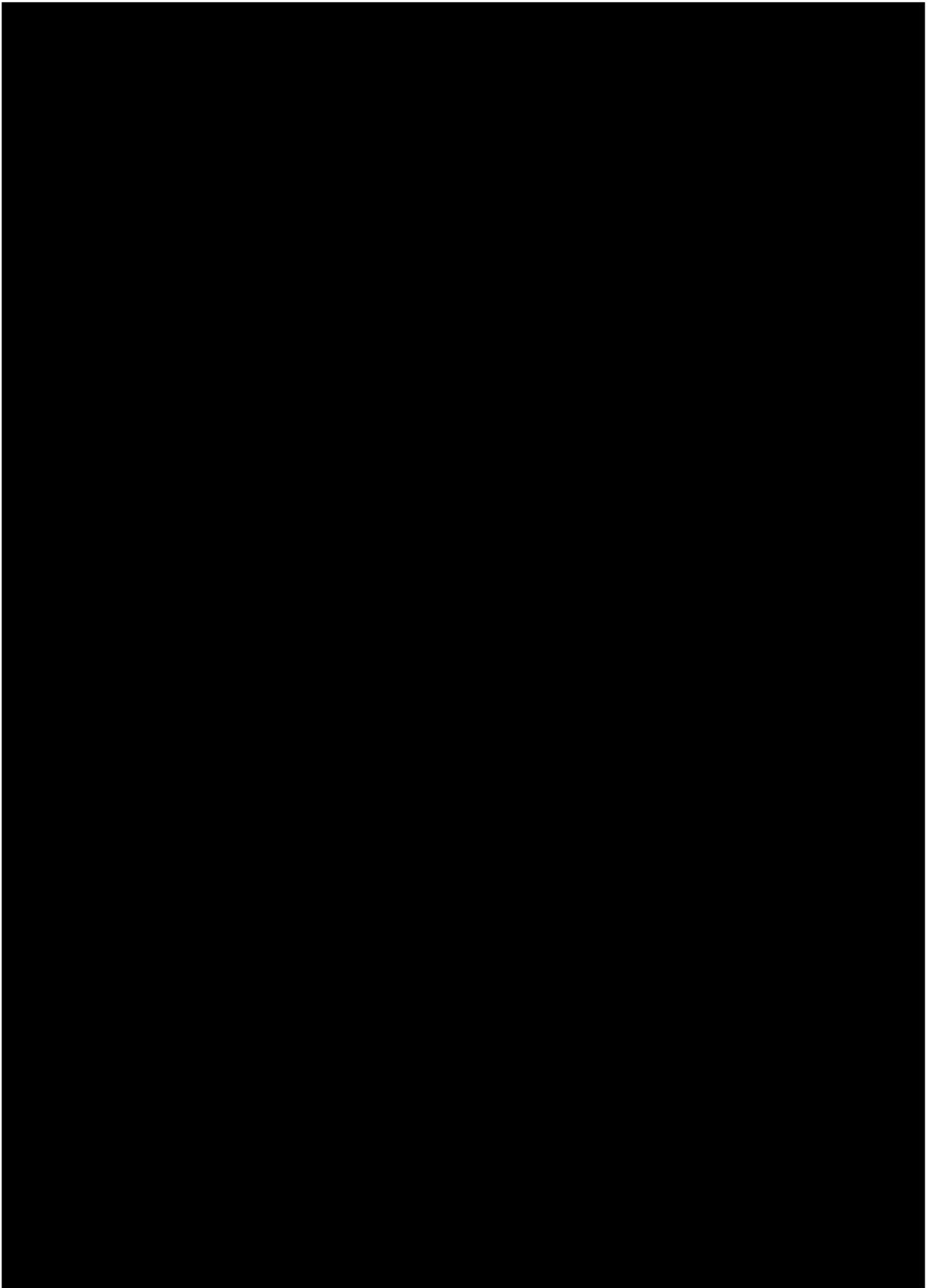


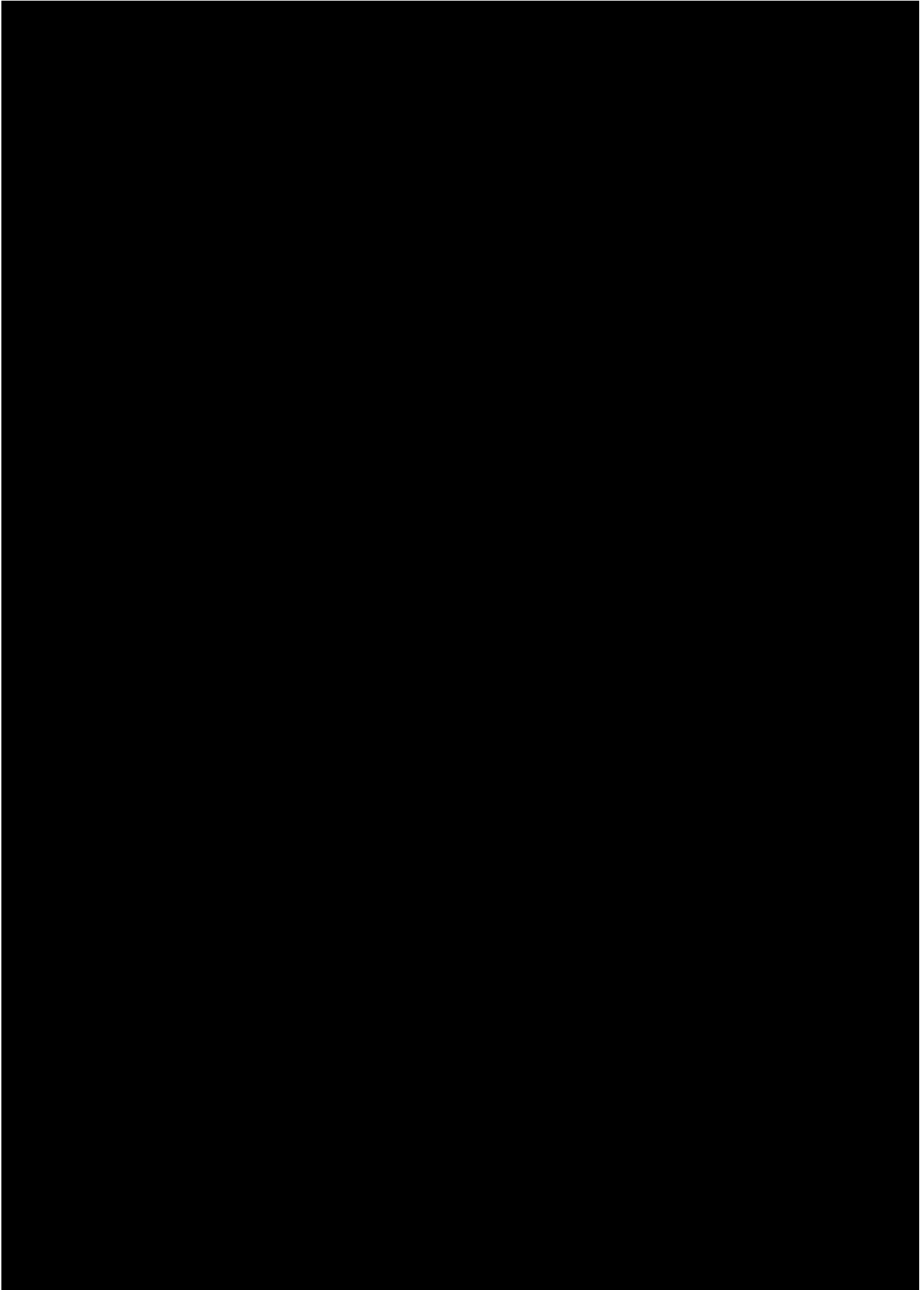
- 4 **PLAYSPACE**
The playspace is designed to emulate the iconic Canning Bridge. In this concept, one waugul winds around the bridge and another waugul makes its way underneath in the form of rubber softfall. The playspace offers a great breadth of play for all users, with a focus on accessibility.

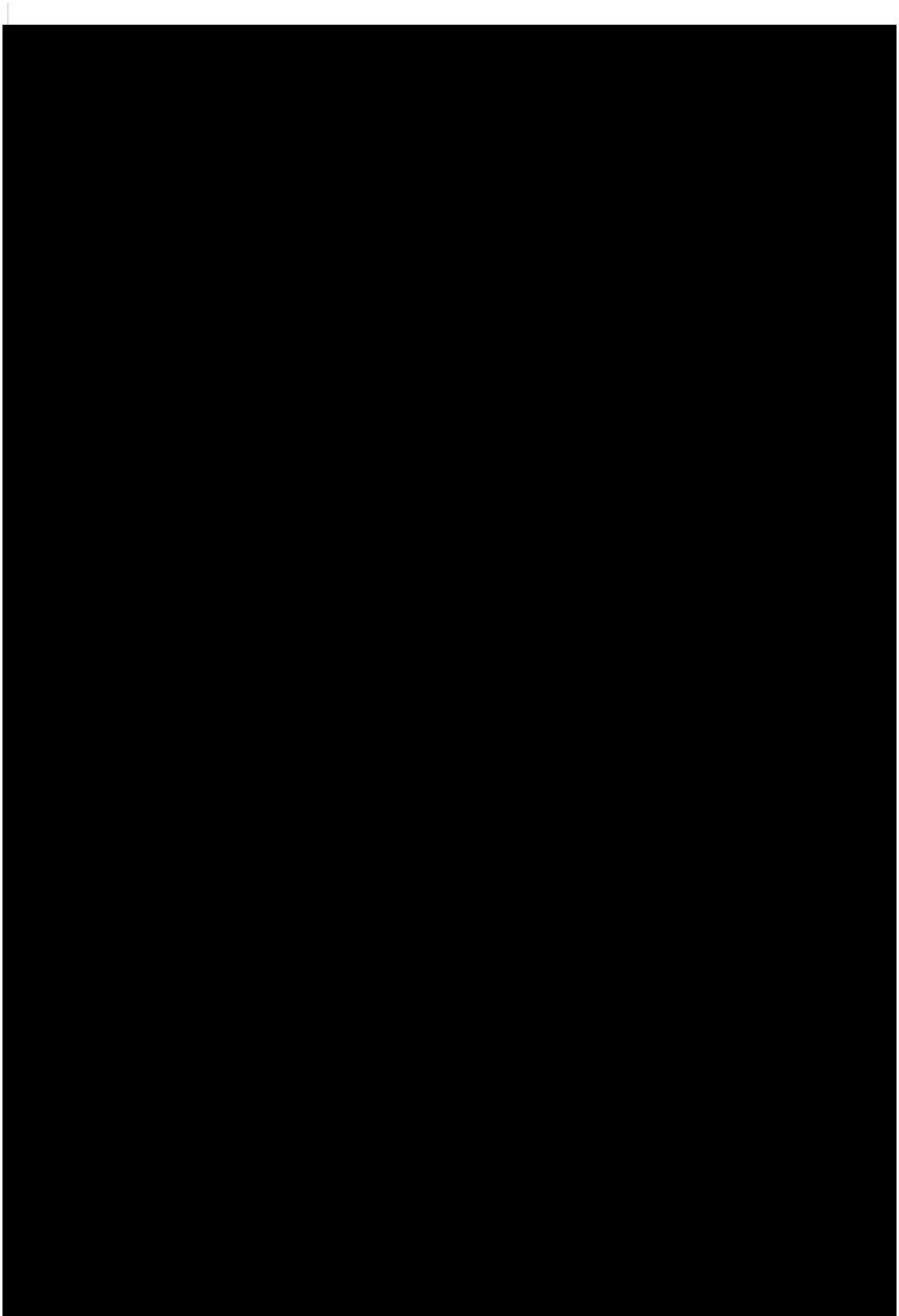
ALL IMAGES SHOWN ARE CONCEPTUAL AND
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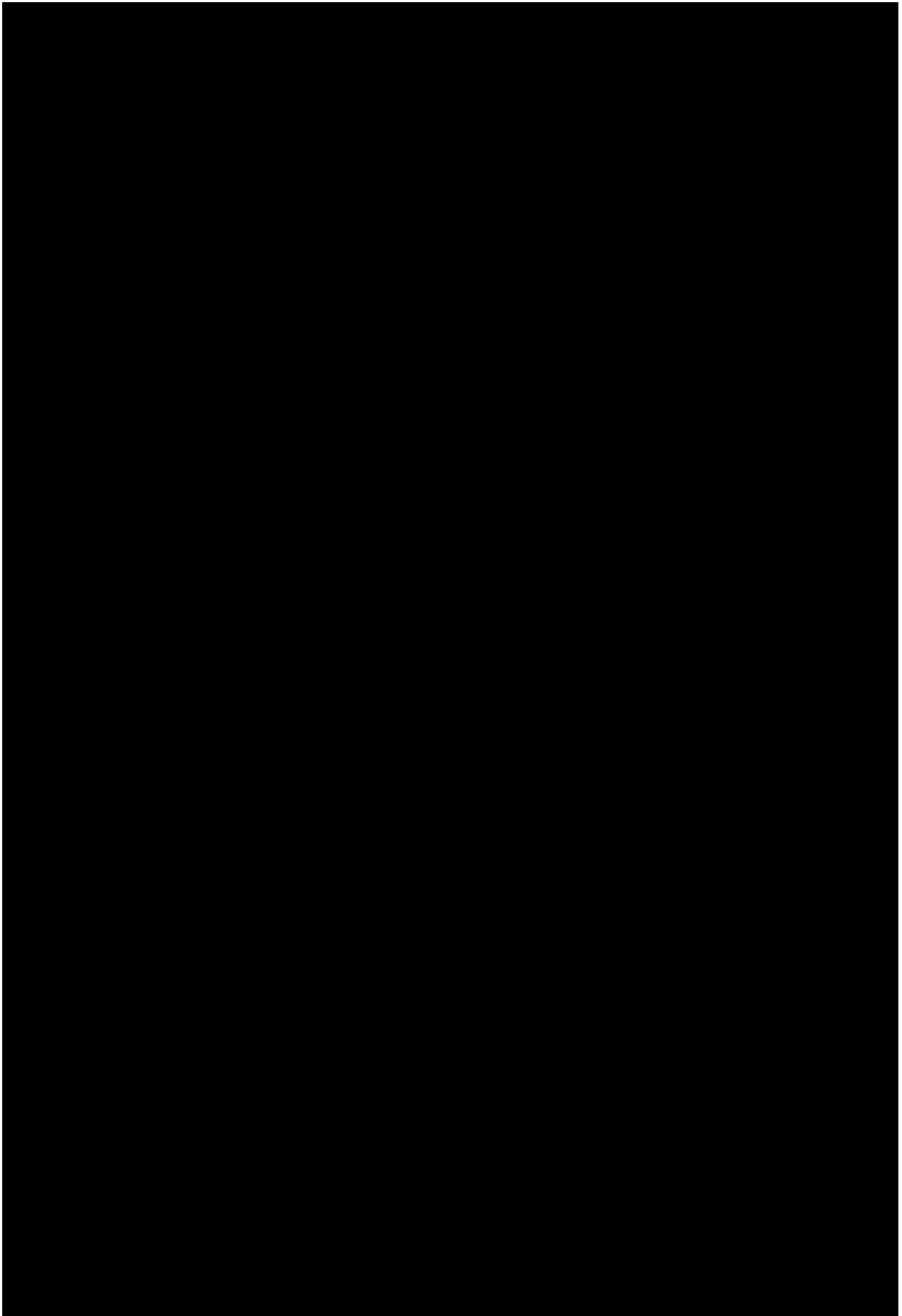
Attachment 2 - Confidential Legal Advice

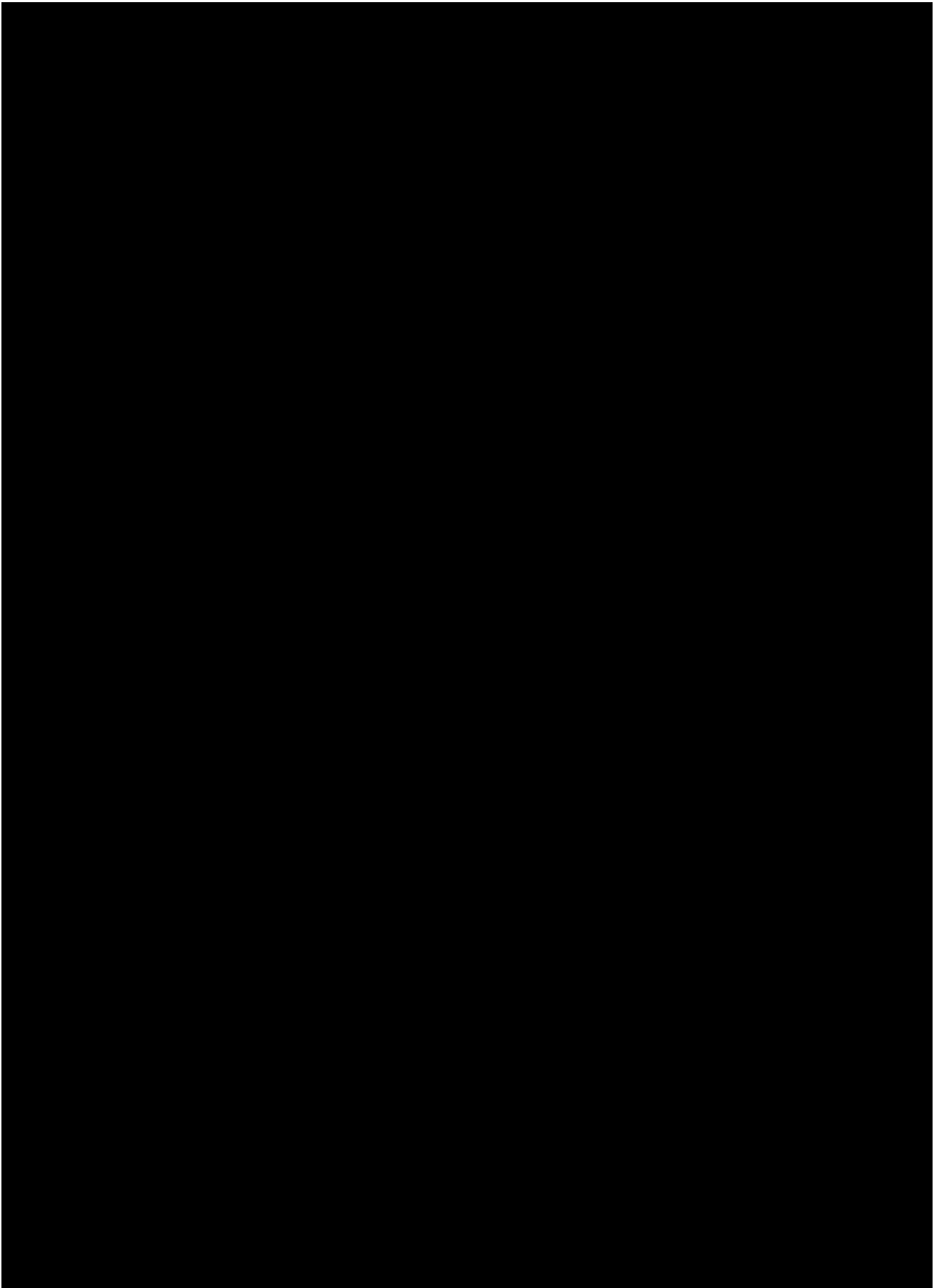


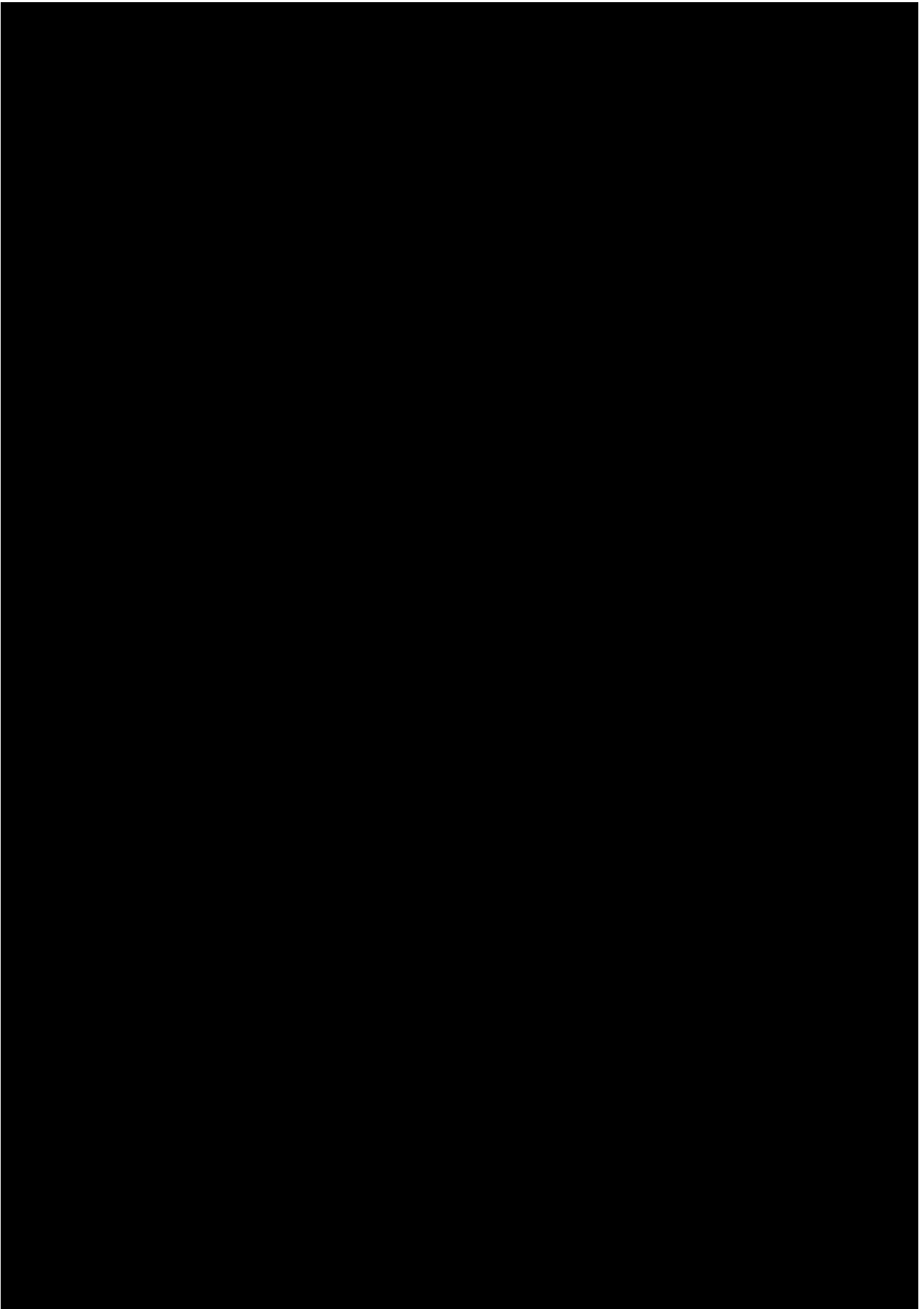


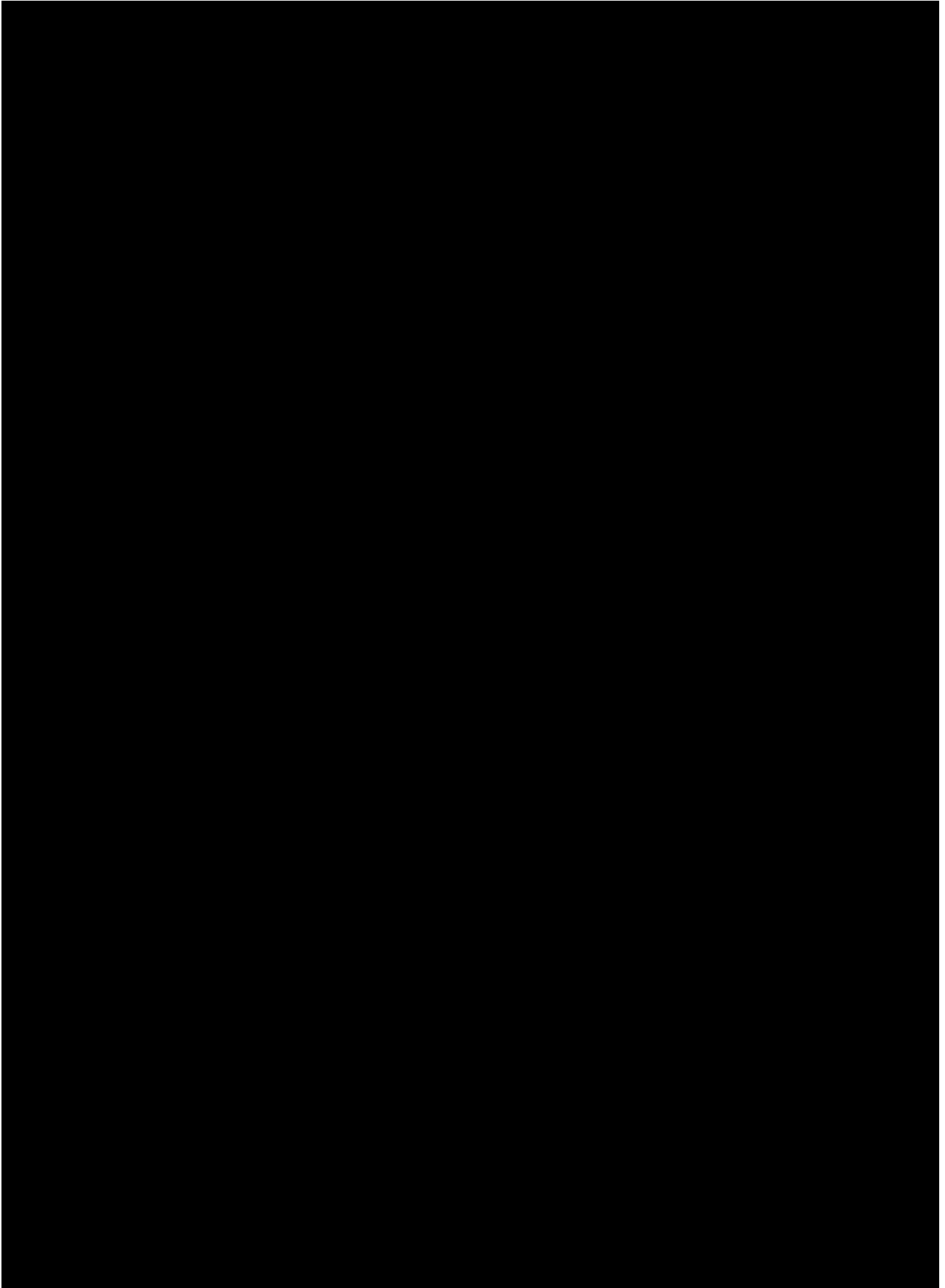


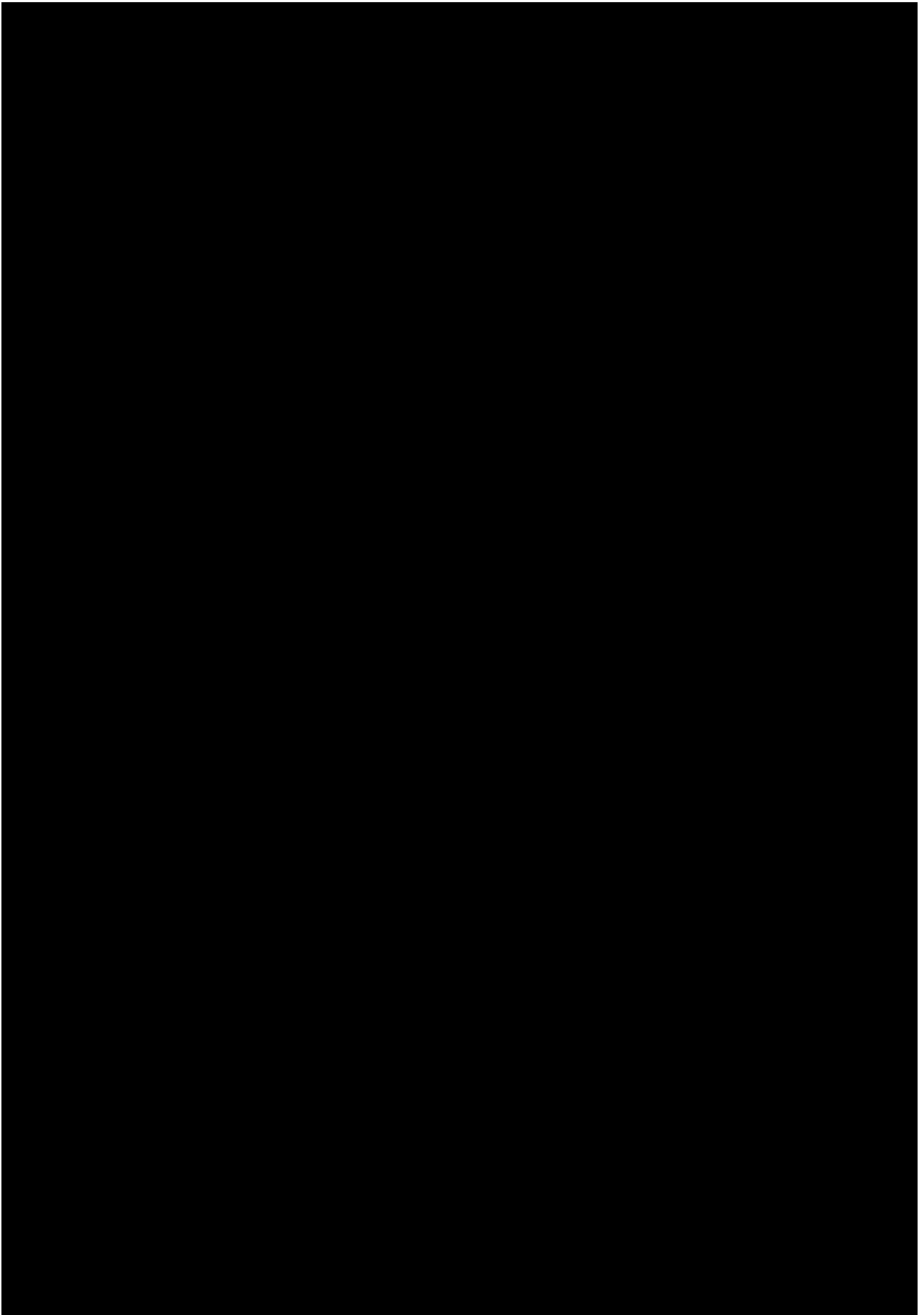












Attachment 3 - Timeline of Council Decisions

Council Reference	Date	Resolution	Status
P15/3678 (confidential item)	17 Nov 2015	That the Council by Absolute Majority decision approve the recommendations in Confidential Attachment A relation to the disposal and purchase of properties.	
		1. That by an absolute majority decision of the Council the Chief Executive Officer be granted delegated authority to acquire 31 Moreau Mews, Applecross;	Implemented
		2. That the delegation be limited to the approved purchase price being not more than 110% of the assessed independent market valuation for the property;	Implemented
		3. That his worship the Mayor and the Chief Executive Officer be authorised to sign the Contract of Purchase documents to acquire 31 Moreau Mews, Applecross CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (12/0)	Implemented
P16/3689 (confidential item)	3 Feb 2016	That the Council approve the confidential recommendation in Confidential Attachment "A"	
		That the Council: 1. Instruct the Chief Executive Officer to acquire 27A, 27B & 27C Moreau Mews, Applecross as one parcel;	Implemented
		2. That the approved purchase price being not more than 110% of the assessed independent market valuation for the property;	Implemented
		3. Authorise His Worship the Mayor and the Chief Executive Officer to sign the Contract of Purchase documents to acquire 27A, 27B & 27C Moreau Mews, Applecross;	Implemented
		4. Instruct the Chief Executive Officer to acquire 52 Kishorn Road, Applecross should it become available to purchase in the future;	Implemented
		5. That the approved purchase price being not more than 110% of the assessed independent market valuation for the property;	Implemented
		6. Authorise His Worship the Mayor and the Chief Executive Officer to sign the Contract of Purchase documents to acquire 52 Kishorn Road, Applecross CARRIED 8/4	Implemented
M22/5895	2 February 2022 (AGME)	GME MOTION 3 That: 1. The City rezone and retain 100 percent of its adjoining land holdings in Moreau Mews and Kishorn Road, Applecross, in the Kintail Quarter of the CBACP, for the sole purpose of public open green space. This land being 50 – 52 Kishorn Road (lot 1012) and 31, 29 and 27-25-23 Moreau Mews (lot 1013, lot 1014 and lot 1/5018990 respectively). 2. The City prepare a plan, without delay, for public consultation, for the above mentioned site, in response to Hatch Roberts Day's review recommendation that the City contribute to enhancing the public realm in the Canning Bridge Activity Centre Precinct.	AGME Motion from the community

Council Reference	Date	Resolution	Status
	15 March 2022 OMC	GME MOTION 3 That: 1 The mover be thanked for their interest in the provision of public open space in the Canning Bridge Precinct and that Motion 3 carried at the General Meeting of Electors held 2 February 2022, relating to the rezoning of the City's landholdings in Moreau Mews and Kishorn Road Applecross, is noted however, any decisions with respect to the setting aside of the City's land the subject of the motion will be deferred until such time as the Canning Bridge Activity Centre Plan review and public open space needs of the Canning Bridge Precinct has been completed. 2 The Council A. Note that the upcoming advertising of the revised draft Canning Bridge Activity Centre Plan presents the preferred opportunity to receive community feedback on the future of the Kishorn Road/Moreau Mews land. B. Direct the CEO to prepare additional content and detail to be available in conjunction with the advertising of the Canning Bridge Activity Centre Plan with respect to: i Concepts for a town square/urban park in the vicinity of the Kishorn Road/Moreau Mews land. ii Details of mechanisms to achieve the acquisition of additional open space in Canning Bridge including enhancement of community benefit provisions and developer contribution schemes.	
UP23/4033	18 & 19 Apr 2023	That the Council: 1. notes the additional information regarding open space in the Canning Bridge Activity Centre prepared in response to the Council resolution of 18 October 2022; 2. acknowledges that the additional information regarding open space in the Canning Bridge Activity Centre will inform Council deliberations on the review of the Canning Bridge Activity Centre Plan; 3. with regard to the City owned land at 13 The Esplanade and 64 Kishorn Road, Mt Pleasant, resolves to forthwith progress conversion of 100% of the site to public open space, to include extensive tree planting, a children's playground, and seating." 4. resolves that the lead petitioners for the petition and multi-signature letter received relating to the future use of 13 The Esplanade and 64 Kishorn Road, Mt Pleasant be advised of (3) above; 5. with regard to the City owned land at 50-52 Kishorn Road and 23, 29 and 31 Moreau Mews, Applecross, resolves to forthwith progress conversion of 100% of the site to public open space, to include extensive tree planting, a children's playground, and seating." CARRIED (8/5)	Implemented See UP23/4025 Resolution at the same meeting This is relevant

Council Reference	Date	Resolution	Status
UP23/4025	18 & 19 April 2023	Point 14 – Identify Prospective POS Update Figure 1, 2, 2A & 3 as follows;	See 16 June 2026 resolution
		3. Depict 27, 29 and 31 Moreau Mews, and 50 Kishorn Street as POS	
		4. Depict 13 The Esplanade and 64 Kishorn Road as POS.	
		5. Use a green asterisk to depict "General location of public open space" at the corner of Canning Beach Road and Kintail Road, and North-West corner of Kishorn Road and Forbes Road	
		6. Depict "Linking Pathway" along Canning Highway West of Canning Bridge At 9:32pm, the Mayor declared the motion CARRIED (10/2)	
E23/11	18 July 2023	Amended point 4 due to change of decision motion carried at the 15 October 2024 Ordinary Meeting of Council (see page 112 of that agenda)	
		COUNCIL RESOLUTION (E23/11) Alternative Motion That the Council resolves to:	
		1. Adopt the following consultation, development and completion timeline for the site at 13 The Esplanade and 64 Kishorn Road, Mt Pleasant. Public consultation, concept plans, report and recommendation to be presented to Council at the February 2024 Ordinary Meeting of Council and to provide funding for construction to commence immediately on approval with a proposed completion date by December 2024.	
		2. Not include any parking spaces on the site at 13 The Esplanade and 64 Kishorn Road, Mt Pleasant.	
		3. Adopt the following consultation, development and completion timeline for the site at 50-52 Kishorn Road and 23, 29 and 31 Moreau Mews, Applecross. Public consultation, concept plans, report and recommendation to be presented to Council at the October 2024 Ordinary Meeting of Council and to provide funding for construction to commence immediately on approval with a proposed completion date by 30 June 2026.	
		4. Exercise the redevelopment clauses for 50-52 Kishorn Road and 31 Moreau Mews and give notice on or before 30 October 2023 to obtain vacant possession by 30 November 2024 and approve that 60 day periodic leases may be entered into for 23-27 and 29 Moreau Mews beyond 30 November 2024 until such time as the Moreau Mews Public Open Space site is ready to be developed.	See change of decision resolution 15/10/2024
		5. Supports funding to employ a temporary full-time employee to manage City's construction projects in the Canning Bridge Precinct starting in the 2023-2024 financial year. At 7:36pm, the Presiding Member declared the motion. CARRIED BY ABSOLUTE MAJORITY (8/4)	Implemented

Council Reference	Date	Resolution	Status
E24/56	10 December 2024	OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (E24/56) That the Council, by Absolute Majority decision: - Approve a budget amendment of \$315,000 in the 2024-2025 financial year to undertake the required works to progress the Moreau Mews Town Square Public Open Space development project related to the implementation costs for the Community Engagement Plan, demolition of the City owned building at 31 Moreau Mews and costs for fit out of temporary office space at 50-52 Kishorn Road, Applecross. - Approve the funding to be transferred from the Community Facilities Reserve (\$175,000) and the Public Open Space and Urban Forest Reserve (\$140,000). At 8:23pm the Presiding Member declared the motion. CARRIED BY ABSOLUTE MAJORITY (8/3)	Note - the temporary office fit out for 50-52 Kishorn, not undertaken as it was agreed to be demolished at the same time as 31 Moreau Mews. Implemented
E25/64	18 March 2025	That the Council: - Endorse Concept Plans 1, 2 and 3 for the Moreau Mews Town Square Public Open Space development for the purpose of undertaking further community consultation. - Supports commencement of further community consultation to inform the final concept design and costings. - Present a report to the June 2025 Ordinary Meeting of Council. At 8:39pm the Presiding Member declared the motion. CARRIED (9/3)	This is relevant and has been implemented Implemented Implemented
E25/71	17 June 2025	That the Council: - Endorse the Moreau Mews Alternative concept plan (Attachment 6) for the Moreau Mews Town Square Public Open Space subject to the final design incorporating provisions for temporary vehicle access and parking to support community events with consideration to inclusions like loading zones, accessible (disability) parking bays and access to services (eg power connections), without formalising a permanent parking area; - Adopts, by absolute majority decision, the budget of \$150,000 in the 2025/2026 Financial Year to proceed to the detailed design phase of the project; and - Endorse the progression to demolition of 50-52 Kishorn Road, as this building is no longer required for community or engagement purposes. - Requests the CEO to investigate options for converting Moreau Mews/Kishorn Road into a one-way street with additional street parking where feasible. At 9:03pm the Presiding Member declared the motion. CARRIED BY ABSOLUTE MAJORITY (8/4)	This is relevant and has been implemented Implemented Implemented Implemented

Council Reference	Date	Resolution	Status
UP26/115	16 June 2026	OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (UP26/115) That the Council:	
		1. Accept the decision of the Statutory Planning Committee of the Western Australian Planning Commission with respect to the Canning Bridge Activity Centre Plan review.	
		2. Notes that the Statutory Planning Committee decision supports some elements of the Council led review, including reduced development intensity on the western side of Forbes Road, introduction of plot ratio controls in modified form, some additional rear setback controls, visitor parking requirements, recognition of certain public open space locations, and additional interface protections for properties adjoining land outside the Canning Bridge Activity Centre Plan.	
		3. Notes that the Statutory Planning Committee decision does not support several of the most significant reforms adopted by the Council in April 2023, including removal of bonus height opportunities, removal of the M15+ precinct, removal of land south of Wren Street and Helm Street from the Canning Bridge Activity Centre Plan, broader setback increases, increased minimum lot sizes, and Council's preferred deep soil and landscaping requirements.	
		4. Notes that the practical effect of the Statutory Planning Committee decision is a targeted refinement rather than full support for the Council's April 2023 reform package.	
		5. Requests the Chief Executive Officer to commence preparation of the modifications required by the Statutory Planning Committee decision.	
		6. Requests the Chief Executive Officer to prepare a public information summary explaining the effect of the Statutory Planning Committee decision, including which Council recommendations were supported, partly supported and not supported.	
		7. Notes the additional projects required to support effective operation of the modified Canning Bridge Activity Centre Plan, including preparation of: a) A Community Needs Blueprint; b) a List of Preferred Benefits; c) amendments to Local Planning Scheme No. 6 to formalise the community benefit contributions framework; and d) any further implementation work required in relation to public open space, parking, and traffic. At 8:33pm the Presiding Member declared the motion.	
CARRIED (7/4)			