



**THIS DOCUMENT HAS BEEN REDACTED AND
MADE PUBLIC IN ACCORDANCE WITH THE
COUNCIL RESOLUTION MOVED AT THE AUGUST
2026 ORDINARY MEETING OF COUNCIL IN
RELATION TO ITEM 15.2 MOTION WITH NOTICE –
MAKE PUBLIC THE FEBRUARY 2024 STATEMENT
OF IMPACT**

COUNCIL RESOLUTION (15.2)

At 8:03pm Cr S Green moved, seconded Cr C Yorke

That the Council, in respect of the confidential Statement of Impact prepared in February 2024 relating to a proposed Notice of Rescission Motion – UP23/4033 Canning Bridge POS Option Analysis Report and E23/11 Public Open Space – The Esplanade and Moreau Mews Applecross:

- 1. Notes that the proposed Notice of Rescission Motion was withdrawn and not considered by Council; and**
- 2. In accordance with section 5.95(7) of the *Local Government Act 1995*, makes available to the public the Statement of Impact, circulated to Elected Members, subject to the following information being redacted:**
 - (a) legal advice received in preparing the Statement of Impact; and**
 - (b) any commercially sensitivities including information of a commercial value or financial affairs of third parties; and**
 - (c) information in relation to procurement and contractor impacts.**

At 8:19pm the Presiding Member declared the motion.

CARRIED (9/4)

Yes (9): Crs Nicole Robins, Karen Wheatland, Matthew Woodall, Daniel Lim, Soo Hong, Scott Green, George Panayotou, Crawford Yorke and Michael McGoldrick

No (4): Mayor Katy Mair, and Crs Glynis Barber, Clive Ross and Jennifer Spanbroek

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:	
Attachments:	Extract Minutes OMC 18 & 19 April 2023 Extract Minutes OMC 18 April 2023 Legal Advice McLeods – Dated 14 February 2024 Legal Advice McLeods – Dated 19 February 2024

INTRODUCTION

The following Rescission Motion was submitted by Cr Scott Green on Tuesday 13 February 2024 at 10:33am, supported by:

- Mayor Katy Mair
- Cr Nicole Robins
- Cr Matthew Woodall
- Cr Jennifer Spanbroek

That the Council:

1. **by absolute majority, resolve to rescind resolutions of the Council made at the:**
 - **Ordinary Meeting of Council held 18 and 19 April 2023, relating item UP/23/4033 – Canning Bridge Public Open Space Option Analysis Report:**
 - **Point 3 that reads as follows:**

“3. with regards 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.” and
 - **Point 5 that reads 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, and seating.”
 - **Ordinary Meeting of Council held 18 July 2023, relating item E23/11 Public Open Space – The Esplanade and Moreau Mews Applecross:**
 - **Point 1 that reads as follows:**

“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 the construction to commence immediately on approval with a proposed completion date by December 2024” and

- **Point 2 that reads as follows:
“2. Not include any parking spaces on the site at 13 The Esplanade and 64 Kishorn Road, Mt Pleasant.” and**
- **Point 3 that reads as follows:
“3. Adopt the following consultation, development and completion timeline for the site at 50-52 Kishorn Road and 23, 29, 31 Moreau Mews Applecross. Public consultation, concept plans, report and recommendation to be presented to 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.”**

- 2. request that, as soon as reasonably practicable, the CEO schedule an Elected Members Engagement Session, or other suitable forum, to present an overview of the history of, and to discuss various development options for the sites at:**
- **50-52 Kishorn Road and 23, 29, 31 Moreau Mews Applecross; and**
 - **13 The Esplanade and 64 Kishorn Road, Mt Pleasant.**

Reasons for the Rescission Motion:

- Since 2013, many years of strategic planning and \$9M of ratepayers’ money have been put towards the purchase and retention of prime land at The Esplanade, Kishorn Road and Moreau Mews locations. The combined value of this land (both purchased and retained) should now be greater than \$20M. As such, these sites are significantly valuable assets that should be delivering significantly more community benefit than the current Council resolutions allow for.
- After many years of Council support, including a resolution at the September 2020 OMC (Carried 10/2) to prepare a Ground Lease agreement at 13 The Esplanade and 64 Kishorn Rd, a significant reversal took place at the April 2023 OMC, requesting that all lease negotiations be terminated. This decision appears to have been made in response to community feedback in the form of a Petition (presented at the June 2022 OMC), which called for “Rezoning of 13 Esplanade 64 Kishorn Rd to Public Open Space”. This feedback has now been contradicted by further community consultation conducted by City officers, as presented at the 28/11/23 EMES. This process revealed that 70% of those surveyed do not want a playground or exercise equipment. It also revealed that the biggest concern of all those surveyed was a loss of parking options in the area.
- As they stand, the Council resolutions are too prescriptive and restrictive. The specifics outlined in the current resolutions do not allow sufficient flexibility for other desired options to be considered on the sites (eg car parking spaces).
- As made clear by Governance in the 28/11/23 EMES, any deviation from the site uses proposed in the current Council resolutions would require a rescission motion. Many other ideas were put forward by Elected Members at the 28/11/23 EMES, therefore a rescission is necessary to allow other options to be considered.
- It would be beneficial for these matters to be referred to an EMES or a similar forum to review the history of the site and for strategic discussion on future options for the sites, as soon as practicable, that take into consideration the outcome of community consultation processes associated with these sites.

The Rescission Motion has been reviewed by McLeods and is deemed to be valid and in accordance with the requirements of the *Local Government (Administration) Regulations 1996* and *City of Melville Local Government (Meeting Procedures) Local Law 2022*.

BACKGROUND

The properties at:

- 13 The Esplanade and 64 Kishorn Road, Mount Pleasant; and
- 50 – 52 Kishorn Road and 23, 29 and 31 Moreau Mews, Applecross

have a long history, with the resolutions of the Council relating to the rescission motion reproduced below. The full reports associated with these resolutions are provided as an attachment.

Ordinary Meeting of Council held 18 and 19 April 2023

Item UP23/4033 – Canning Bridge Public Open Space Option Analysis Report

Council resolution

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

Ordinary Meeting of Council held 18 July 2023

E23/11 Public Open Space – The Esplanade Mt Pleasant and Moreau Meas Applecross

COUNCIL RESOLUTION (E23/11)

Alternative Motion

At 7:01pm, Cr C Ross moved, seconded Cr M Sandford

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 not to enter into or extend any leases for 23 and 29 Moreau Mews beyond 30 November 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)

Yes (8): Mayor George Gear JP, Crs Glynis Barber, Jane Edinger, Katy Mair, Clive Ross, Margaret Sandford, Karen Wheatland and Nicholas Pazolli

No (4): Crs Duncan Macphail, Nicole Robins, Jennifer Spanbroek and Matthew Woodall

CONSIDERATIONS

- Legal

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- Financial

Acquisition Dates		
1945	29 Moreau Mews	Owned in freehold by the City since 1945
1971	13 The Esplanade, Mount Pleasant	Owned in freehold by the City since 1971
24 Feb 2016	27A, 27B & 27C Moreau Mews(in one line)	\$1,250,000
8 Feb 2016	31 Moreau Mews	\$4,037,000 (exc. GST sold as a going concern)
23 Mar 2017	50-52 Kishorn Road	\$3,800,000 (exc. GST)

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

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- **Contractual**

Current contractual obligations include the lease agreements for the properties in Moreau Mews and 50-52 Kishorn Road, Applecross. All tenants have been notified through the City's managing agent that they need to provide vacant possession by 30 November 2024, as per the Council resolution.

Should the rescission motion be successful the City has the opportunity to extend the residential tenancies to agreed new timeframes or re-lease given the current residential housing shortages.

There would be an opportunity to extend the commercial tenancies on a periodical basis past the vacant possession date. However, given the short notice and the nature of relocating a business these commercial tenancies may become or remain vacant.

Risk:

Tenants that have been notified to vacate from existing buildings at Moreau Mews are aggrieved by Council's decision.

Consequence	Likelihood	Rating
Minor	Possible	Medium

Action/Strategy

Ensure comprehensive stakeholder engagement and communications strategy depending on the decision of Council.

Ensure a timely decision is made for the future use of the sites.

Whilst there are no other current contractual obligations for the City, it should be noted that the Council previously sought Requests for Proposals for the ground leasing and redevelopment of 13 The Esplanade/64 Kishorn Road in Mt Pleasant, with the City entering into negotiations with Oryx Communities. In April 2022 the Council resolved to terminate negotiations with Oryx Communities. Oryx Communities have put the City on notice that they may seek loss and damages.

- **Communication / Community Engagement Impact**

Interested/impacted stakeholders by a rescission motion:

- Current Elected Members (as the decision-makers)
- Former Elected Members (previous EM's involved in decisions and advocated for the 100% POS option)
- Local residents, especially advocates for the 100% POS option (who may be upset if alternative options are pursued for the sites)
- Petitioners (might be upset if alternative options are pursued)
- Oryx (as the previous proponents of a project on the site)
- Wider business community (who may submit proposals if ground leasing/selling options are considered)
- Local politicians (who may get involved if local residents are upset with the rescission motion)
- Planning Minister/WAPC (could be a future decision-maker on future developments on the sites)
- Engagement respondents (could be upset if their feedback on concept designs is disregarded, if Council adopts the rescission motion).
- Broader CoM ratepayers (will be interested in the impact of any decision on Rates and the broader financial health of the City).
- Land owners/ businesses who have purchased property or relocated to the area on the understanding this area will be established as POS
- Media including Perth Now Melville and the Herald (will be interested if Council adopts the rescission motion and if residents/petitioners are upset)

Risk:

Stakeholder and community expectations that the sites would be developed as POS are not met.

Consequence

Moderate

Likelihood

Likely

Rating

High

Action/Strategy

Ensure comprehensive stakeholder engagement and communications strategy depending on the decision of Council.

Ensure a timely decision is made for the future use of the sites.

- **REPUTATIONAL**

Consideration should be given to the public perception of the Council's decision making processes and the recent media around the recent "Governance Concerns" raised by the Department of Local Government.

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 depending on the decision of Council.		
Ensure a timely decision is made for the future use of the sites.		

- **Planning**

Planning for Public Open Space (POS) within the Canning Bridge Activity Centre Plan (CBACP) has been the subject to multiple decisions of Council over several years. In relation to the subject sites specifically, the following are of relevance:

1. Item P20/3867 – Submissions Report – Ground Lease Redevelopment Proposal 13 The Esplanade and 64 Kishorn Road, Mt Pleasant – Ordinary Meeting of Council held on 29 September 2020
2. Item M22/5890 – Ground Lease Redevelopment Agreement 13 The Esplanade and 64 Kishorn Road, Mt Pleasant – Ordinary Meeting of Council held 15 February 2022.
3. Item M22/5895 – Motions Carried at the General Meeting of Electors Held 2 February 2022 – Ordinary Meeting of Council held 15 March 2022
4. Item 16.1 Motion with Notice Mount Pleasant Senior Citizens Site Being Public Open Green Space – Ordinary Meeting of Council held 15 March 2022
5. Item 18.1 Confidential Item M22/5890 Ground Lease Redevelopment Agreement 13 The Esplanade and 64 Kishorn Road, Mt Pleasant – Alternate Motion - Ordinary Meeting of Council held on 19 April 2022
6. Item 12.1 - Petition – Rezone 13 The Esplanade/ 67 Kishorn Road, Mount Pleasant to Public Open Space – Ordinary Meeting of Council held 21 June 2022
7. Item UP22/3933 – 13 The Esplanade /64 Kishorn Road, Mount Pleasant Future Options Report – Ordinary Meeting of Council held 19 July 2022.
8. (Deferred) Item UP22/3993 – 13 The Esplanade /64 Kishorn Road, Mount Pleasant Future Options Report – Ordinary Meeting of Council held 18 October 2022.
9. Item UP23/4021 Holding Item for Noting at the Ordinary Meeting of Council held March 2023.
10. Item UP23/4033 – Canning Bridge Public Open Space Analysis Report – Ordinary Meeting of Council 18 & 19 April 2023.

Investigations sought by Council relevant to the above resolutions were undertaken and presented to Council at the April 2023 Ordinary Meeting of Council (OMC).

The details of the investigations are readily available from the following [link](#).

The investigations were detailed and examined matters including but not limited to:

1. POS needs in the CBAC precinct.
2. POS proximity assessment based on catchment analysis.
3. Options with respect to meeting POS needs.
4. Highlighting mechanisms within the planning system to acquire POS through community benefits, cash-in-lieu of POS contributions and Development Contribution Plans.
5. Case study of options for the City's land at Moreau Mews.

Prior to the April 2023 OMC, the results of the analysis were presented to Council at an Elected Members Engagement Session on 4 April 2023.

At the time the findings were formally presented to the April 2023 OMC, Council determined to:

City of Melville Minutes of the Ordinary Meeting of the Council
18 and 19 April 2023

**UP23/4033 – CANNING BRIDGE PUBLIC OPEN SPACE OPTION ANALYSIS REPORT (REC)
(ATTACHMENT)**

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

Since this time, the planning review for the CBACP has assumed the sites would be developed for the purposes of POS, this was also communicated with DPLH as part of the Council decision making process on the CBACP review.

In addition, throughout the review of the CBACP and engagement with various stakeholders, including the City's consultants, it was clear that there's a need for the City to encourage and invest in improving the public realm which included the sites identified for POS. The introduction of higher levels of amenity and activation across the area was a key theme throughout the stakeholder and community engagement process.

The planning framework applicable to the subject sites may be amended or modified depending on the decisions of Council. Investigations, plans and guidelines can also be prepared in response to the strategic direction and decisions of Council and may also provide guidance to the future form and function of the sites. It is important to note that any changes to the CBACP requires the approval of the Western Australian Planning Commission.

STAKEHOLDER CONSIDERATIONS

- **Reputational risk of decision recission**

Risk that recission of the decision to convert 13 The Esplanade/64 Kishorn Road and 50-52/23, 29 and 31 Moreau Mews into 100% public open space presents a reputation risk as to the community's confidence in clear, united leadership and 'doing what we said we'd do.'

- **Community support for POS**

It's important to note the motion from the AGM in February 2022 asking the City to turn 13 The Esplanade/64 Kishorn Road into a predominantly public open space with intensive tree plantings.

In May 2022, Council received a petition signed by 773 residents and 27 non-residents asking Council to rezone 13 The Esplanade/64 Kishorn Road into Public Open Space with seating and tree planting.

- **Urban tree canopy**

Council's decision to convert 13 The Esplanade/64 Kishorn Road and 50-52/23, 29 and 31 Moreau Mews into 100% public [was celebrated in the Herald mastheads](#) as a "local park win."

The urban tree canopy continues to be a hot topic in the media and on local chat pages within the City, including recent news reports that the State Government has scrapped a scheme that would have enforced the protection of mature trees on some private properties in Nedlands and South Perth.

- **Community engagement August-September 2023**

Some residents will want a park and expect that it's going ahead, especially after the engagement in August/September 2023 showed community support for the concept designs at 13 The Esplanade/64 Kishorn Road.

- **Long-term financial planning**

Financially minded residents may be supportive of the potential for ground leasing and redevelopment options to be reconsidered, reducing the City's reliance on rate revenue.

ACTIONS TO DATE

The actions to date to implement the resolutions the subject of the Rescission Motion are detailed below:

Task	Cost / Hours	Summary of action taken
Concept designs prepared for Esplanade site.	\$80,000 \$39,000	Appointment of resource to project manage the design. Several concept designs prepared for The Esplanade site. Investigation into services locations
Moreau Mews Site	20 hours of officer time	Planning consultation process
Community engagement on preliminary concepts.	83 hours of officer time	Community workshops on-site (50 attendees) Flyers distributed Signs on-site and posters Communication through on-line platforms (email, social media e/News, Melville Talks) Direct letter drop-off
Preliminary advice obtained from DPLH on requirements for development approvals for POS works.	6 hours of officer time	Seeking advice on development application requirements for POS works - August 2023
Budgeting and scheduling activities internally.	Estimated 50 hours of officer time	Associated resources listed in Budget 2023-2024
Leases at Moreau Mews.	Estimated 8 hours of staff time	'Notice to vacate' to tenants.



CONCLUSION

The Rescission Motion is considered to be valid in accordance with the requirement of the *Local Government (Administration) Regulations 1996* and the *City of Melville Local Government (Meeting Procedures) Local Law 2022*.

Consideration has been given to the following matters:

- Legal considerations
Note further legal advice to be provided on the impact of the actions to date to implement the 18&19 April 2023 and 18 July 2023 resolutions.
- Financial
- Contractual
- Planning
- Stakeholder Considerations
- Actions To Date

The following risks and mitigation measures have been identified:

Risk: Tenants that have been notified to vacate from existing buildings at Moreau Mews are aggrieved by Council's decision.		
Consequence	Likelihood	Rating
Minor	Possible	Medium
Action/Strategy		
Ensure comprehensive stakeholder engagement and communications strategy depending on the decision of Council.		
Ensure a timely decision is made for the future use of the sites.		

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 depending on the decision of Council.		
Ensure a timely decision is made for the future use of the sites.		

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.		
Ensure a timely decision is made for the future use of the sites.		

Officer comment is provided on the impact of each point of the Rescission Motion as follows:

- Revoke point 3 from Ordinary Meeting of Council held 18 and 19 April 2023
- 3. with regards 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

Officer Comment on Impact

Based on the information provided in this Statement of Impact, there are a number of significant risks that would need to be considered and managed with respect to the rescission of this motion. Based on the information available, there does not appear to be any legal or contractual implication that would impede the rescission of this council resolution.

- Revoke point 5 from the Ordinary Meeting of Council held 18 and 19 April 2023
- 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, and seating.

Officer Comment on Impact

Based on the information provided in this Statement of Impact, there are a number of significant risks that would need to be considered and managed with respect to the rescission of this motion. It is noted that current tenants have been impacted by the current resolutions of the Council and the rescission motion may have a further impact.

Based on the information available, there does not appear to be any legal or contractual implication that would impede the rescission of this council resolution.

- Revoke point 1 from the Ordinary Meeting of Council held 18 July 2023
- 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 the construction to commence immediately on approval with a proposed completion date by December 2024

Officer Comment on Impact

Based on the information provided in this Statement of Impact, there are a number of significant risks, including those related community expectations associated with the consultation process that has been undertaken for this site and that would need to be considered and managed with respect to the rescission of this motion.

Based on the information available, there does not appear to be any legal or contractual implication that would impede the rescission of this council resolution.

- Revoke point 2 from the Ordinary Meeting of Council held 18 July 2023

2. Not include any parking spaces on the site at 13 The Esplanade and 64 Kishorn Road, Mt Pleasant.

Officer Comment on Impact

Based on the information provided in this Statement of Impact, there are a no significant risks with respect to the rescission of this motion as the status quo for parking at the site would remain.

Based on the information available, there does not appear to be any legal or contractual implication that would impede the rescission of this council resolution.

- Revoke point 3 from the Ordinary Meeting of Council held 18 July 2023
- 3. Adopt the following consultation, development and completion timeline for the site at 50-52 Kishorn Road and 23, 29, 31 Moreau Mews Applecross. Public consultation, concept plans, report and recommendation to be presented to 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.

Officer Comment on Impact

The rescission motion would result in the cessation of activities to progress this resolution and the City would not be able to meet the completion dates identified.

Based on the information provided in this Statement of Impact, there are a number of significant risks, including those related community expectations associated with the consultation process that has been undertaken for this site and that would need to be considered and managed with respect to the rescission of this motion.

Based on the information available, there does not appear to be any legal or contractual implication that would impede the rescission of this council resolution.