

## 15 MOTIONS WITH PREVIOUS NOTICE

### 15.1 Establishment of Committee (Mr McLerie's Confidential Correspondence Dated 18 July 2022) – Submitted by Cr Edinger

**That Council resolves to, in relation to Ordinary Meeting of Council February 2023 Item 12.1 Mr McLerie's Confidential Correspondence Dated 18 July 2022 and to the finalisation of matters with the City of Melville appoint and delegate authority to a committee of no more than 3 Elected Members, one of whom shall be a Bicton-Attadale-Alfred Cove Ward Councillor, to:**

- a. Engage directly in good faith discussions with the Complainants;**
- b. Develop, in consultation with the Complainants, a mutually agreed process to move forward;**
- c. Select and, with the assistance of the City, retain the services of a commercial mediator;**
- d. Present a report on progress to date to the April 2023 Ordinary Meeting of Council.**

#### **Reasons for the Motion as provided by Cr Edinger**

##### Objective

To settle all planning, building and other issues since 2012 to the satisfaction of the complainants.

##### Benefit

- Global settlement will enable all claims to be efficiently settled at the same time
- The City publicly acknowledges and apologizes to the complainants
- The "drawing of a line" in relation to various complaints and issues dating from 2012.

##### Potential Risks

- If settlement is not achieved the matter may proceed to Court
- Court proceedings will undoubtedly result in reputational damage of the City and expense to the ratepayers of the City.

The Council needs to act ensure good governance in all of its dealings.

In July 2022 Mr McLerie wrote to Council stating that "it is reasonable and prudent for us to ask Council to mutually agree an understanding of the intent, scope, and basis of our agreement prior to us investigating further time and resources".

A petition has been presented to the February 2023 Ordinary Meeting of Council concerning "various longstanding unresolved issues, consider the request and the proposed way forward"

This motion is seeking to ensure that the way forward is agreed upon by Council in a formalised manner.