

MINUTES

OF THE

ANNUAL GENERAL MEETING OF ELECTORS

HELD ON

WEDNESDAY 2 FEBRUARY 2022

AT 6.00PM IN THE CONFERENCE ROOM

MELVILLE CIVIC CENTRE

Due to the State of Emergency declared in Western Australia, effective 16 March 2020 and the subsequent government directives with regard to public gatherings and physical distancing only a limited number of the public were able to physically attend this meeting.

This meeting was publically broadcast to the community and the minutes and the audio recording of the meeting made available on the City's website as soon as practicable after the meeting to meet the requirements of Regulation 14E(3)(b)(i) and (ii) of the *Local Government (Administration) Regulations 1996*.

In accordance with the Council Policy CP- 088 Creation, Access and Retention of Audio Recordings of the Public Meetings this meeting is electronically recorded. All recordings are retained as part of the City's records in accordance with the State Records Act 2000 and the General Disposal Authority for Local Government Records.

The Audio Recording will be available within 10 days of the meeting and may be accessed at www.melvillecity.com.au in accordance with the provisions of the Policy.

DISTRIBUTED: 4 February 2022



MINUTES OF THE ANNUAL GENERAL MEETING OF ELECTORS HELD IN THE CONFERENCE ROOM, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING AT 6.00PM ON WEDNESDAY 2 FEBRUARY 2022.

1. ACKNOWLEDGMENT OF COUNTRY

The Presiding Member invited Cr Margaret Sandford to read the Acknowledgement of Country.

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

2. IN ATTENDANCE

Mayor Honourable George Gear

COUNCILLORS

Cr T Fitzgerald (Deputy Mayor)
Cr K Wheatland
Cr G Barber, Cr J Edinger
Cr N Robins, Cr D Macphail
Cr M Woodall, Cr J Spanbroek
Cr N Pazolli
Cr C Ross
Cr K Mair, Cr M Sandford

WARD

Palmyra – Melville – Willagee (*electronic attendance*)
Palmyra – Melville – Willagee (*electronic attendance*)
Bicton – Attadale – Alfred Cove
Bateman – Kardinya - Murdoch
Bull Creek – Leeming (*electronic attendance*)
Applecross – Mount Pleasant (*electronic attendance*)
Applecross – Mount Pleasant
Central

STAFF

Mr M Tieleman
Mr G Ponton
Ms C Young
Mr M McCarthy
Mr A Ferris
Mr B Taylor
Ms C Newman
Ms R Davis
Ms J Sturch
Mr W Thornton

Chief Executive Officer
Acting Director Urban Planning (*electronic attendance*)
Director Community Development (*electronic attendance*)
Director Technical Services (*electronic attendance*)
Director Corporate Services
Manager Governance and Property
Governance Coordinator
Governance Officer
Civic Facilities Officer (COVID Marshall)
Civic Facilities Coordinator (COVID Marshall)

At the commencement of the meeting there were 21 Electors of the City of Melville and no non-electors in attendance in the Conference Room and 21 members of the public and one member of the press were in attendance electronically.

3. APOLOGIES

Mr S Cope Director Urban Planning

4. LEAVE OF ABSENCE

Nil.

5. INTRODUCTION OF ELECTED MEMBERS AND OFFICERS

The Presiding Member advised of the Elected Members that were in attendance and introduced the Chief Executive Officer, Mr Marten Tieleman.

6. DECLARATIONS OF INTEREST**6.1 FINANCIAL INTERESTS**

Nil.

6.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

Nil.

7. BUSINESS

7.1 NOTICE OF ANNUAL GENERAL MEETING OF ELECTORS

The following Notice of Meeting was advertised:

- on the City's website;
- on public notice boards at the Civic Centre and all the City of Melville libraries;
- in Perth Now Melville on Thursday, 19 January 2022
- in the City's electronic Newsletter; and
- via the City's social media platforms.

The notice read:

"City of Melville residents are invited to the City of Melville Annual General Meeting of Electors (AGM) to receive the Community Annual Report 2020-2021.

Date: Wednesday, 2 February 2022
Time: 6.00pm
Venue: Conference Room, City of Melville Civic Centre,
10 Almondbury Road, Booragoon
and live-streamed via Zoom.

To ensure the City of Melville can meet any state restrictions in relation to COVID-19, the AGM will be delivered in an in-person and electronic format. We encourage you to attend the meeting via Zoom live-stream (registration required) if possible. If you would like to attend in-person, you will also need to register. If there are no places available, you will be placed on a waitlist and notified if space becomes available.

In line with our sustainability policy, limited printed copies of the Community Annual Report 2020-2021 will be available at the meeting. Copies can also be obtained at our libraries and the City of Melville Civic Centre. You can also read it online at www.melvillecity.com.au/our-city/city-management/annual-reports

We welcome your questions on the Community Annual Report 2020-2021. Questions need to be submitted by 12noon Thursday 27 January 2022.

To submit a question, register for the live-stream or in-person attendance, and view the most up to date information about meeting capacity and arrangements under the changing environment associated with COVID-19 restrictions, visit www.melvillecity.com.au/AGM

7.2 MANNER OF CONDUCT OF THE MEETING

Welcome to the City of Melville Annual Elector's Meeting. The purpose of the meeting is to discuss the City of Melville Annual Report and any other general business pertaining to the business of the City of Melville. In accordance with the *Local Government (Administration) Regulations 1996*, the Mayor is to preside at a general or special meeting of electors and is to determine the procedure to be followed.

1. It is a requirement to advise that in the event of an emergency, everyone should take direction from officers who will guide you to the exit points of the building.
2. Toilets are located immediately before the entry to the Council Chambers.
3. All physically present are required to sign the attendance register at the entry to the meeting.
4. Each person who participates in a vote or speaks must be an Elector of the City of Melville.
5. The proceedings are being recorded for the purpose of production of the Minutes and speakers are requested to use the microphones each time they speak. The Minutes will include a summary of any questions asked and a summary of the response provided.
6. Speakers are asked to clearly give their name and address each time they speak.
7. Upon a motion being proposed, each speaker is to address the Chair.
8. Only Electors of the City of Melville may move or second a motion.
9. All addresses are to be limited to a maximum of five (5) minutes. Extension of time is permissible only with the agreement of a simple majority of Electors present (*Local Government (Administration) Regulations 1996 Regulation 17*)
10. The community are welcome to participate in the meeting. To ensure the efficient conduct of the meeting, please participate in a concise and respectful manner.
11. All Elected Members and Directors attend this meeting to observe the proceedings and hear comments from Electors. All questions and comments should be directed to the Mayor who may invite a response from the Chief Executive Officer, Presiding Members of Committees, Directors or Elected Members.

8. PRESENTATION OF CITY OF MELVILLE COMMUNITY ANNUAL REPORT 2019-2020 INCLUDING FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2020.

City of Melville Community Annual Report 2020-2021

The Mayor presented to the community the City of Melville Annual Community Report 2020-2021, adopted by the Council at its Ordinary Meeting held 14 December 2021 and advised that the Community Annual Report is published on the City's website www.melvillecity.wa.gov.au and copies can be viewed or obtained from the City of Melville Civic Centre.

9. GENERAL BUSINESS

9.1 Public Question Time

9.1.1 Questions Received Prior to the Meeting

9.1.1.1 City of Melville Residents and Ratepayers Association (Inc)

1) *We refer to all of the Electors motions passed at AGMs since 1 January 2015:*

Question 1

a) *How many Electors motions were passed at each of the AGMs?*

Response

This information is publicly available in the minutes of each Annual General Meeting (AGM) which are published on the City of Melville Website. Since 1 January 2015, there were 19 motions passed.

December 2016	2
December 2017	2
December 2018	5
February 2020	4
February 2021	6

Question 2

b) *How many of those motions were actioned in accordance with the motions as passed within 12 months of the AGM at which they were passed?*

Response

All motions passed at an AGM need to be presented to and considered at the next available Council Meeting. Not all motions passed at an AGM are supported by the Council, motions can be adopted, partially adopted or modified. The Minutes of each Council meeting where the motions were presented to and considered by the Council are published on the website and available for the questioner to research which motions were supported and actioned by the Council.

Of the motions passed at these AGM's 8 were not adopted, 11 were adopted, partially adopted or modified. The length of time to action and conclude any motion will depend on individual requirements and its complexity.

9.1.1.1 *City of Melville Residents and Ratepayers Association (Inc), continued.*

Question 3

- c) *What is the status of our 3 February 2020 Electors motion 1 that was passed without any objections in relation to the efficiency and effectiveness of the City's approach and capabilities to the provision of qualified legal advice to Council and the City's administration; something we see is a significant governance issue?*

Response

The actions relating to this matter are recorded in the minutes of the meeting held 21 April 2020. An Officer Report was presented that provided information relating to the functions of the CEO and the responsibility for the appointment of employees. Further information was given on legal services and receiving legal advice.

In considering the AGM motion the Council resolved:

That the Council has considered Motion 1, carried at the Annual General Meeting of Electors held 3 February 2020, relating to the provision of legal services, and requests the CEO to obtain benchmarking information with regard to the provision of legal services utilised by other local governments and report back to the Council at a future Elected Member Information Session.

- 2) *We refer to State legislation, the City's local laws, Council policies, codes of conduct and the like under which the City's administration and City officers are required to comply (Rules):*

Question 4

- a) *Please confirm where in the Rules is there a clear duty, obligation, commitment or requirement for the City's administration and the City's senior employees to provide clear, direct, factual, concise, open and honest answers to the actual questions asked by the public at Council meetings?*

Response

Public Question Time is dealt with:

- at section 5.24 of the *Local Government Act 1995*;
- *Local Government (Administration) Regulations 1996* (Regs 5, 6 and 7);
- the *City of Melville Meeting Procedures Local Law 2017* clauses 7.4 to 7.8; and
- *Council Policy CP-014 Public Question Time at Council or Committee Meetings.*

Elected members and City officers respond to questions asked at public question time with the information that is readily available and to the best of the Elected Members and officers' knowledge and understanding of each matter at that time.

9.1.1.1 *City of Melville Residents and Ratepayers Association (Inc), continued.*

Question 5

- b) *What are Council's processes to deal with queries and/or objections to the City's responses to public questions, be those objections from Elected Members or members of the public?*

Response

An objection from an Elected Member to a response provided would be raised with the Mayor for discussion and clarification with the CEO. A member of the public may seek further clarification to a response, in writing to the CEO, by rephrasing their question or asking supplementary questions.

The provision for access to information is covered by the *Local Government Act 1995* s5.94 to 5.97.

Question 6

- c) *Please confirm how the City's senior employees, or other officers, can be held to account for poor quality responses they provide to public questions?*

Response

Should any responses to questions be found to be factually incorrect, they would be corrected and normal performance management practices would be followed.

Question 7

- d) *Since 1 January 2020 how many objections to the City's responses to public questions has Council received?*

Response

An objection does not mean the response is factually incorrect. This specific data is not collated by the City and would require significant resources to investigate.

- 2) *We refer to the City's compliance and enforcement obligations, duties and authorities as set-out in various legislation including the Local Government Act, the City's local laws, Health Act, Environmental Protection Act, Building Act, Planning and Development Act, Bush Fires Act, Cat Act, Dog Act, Food Act, Graffiti Vandalism Act, Public Health Act, Main Roads Act, and the like as set out in the City's Statutory Delegation and Authorisation Manual (Legislative Functions):*

9.1.1.1 *City of Melville Residents and Ratepayers Association (Inc), continued.*

Question 8

- a) *Since 1 January 2020 how many compliance complaints has the City received for each of its Legislative Functions (Complaints).*

Question 9

- b) *How many of the Complaints where investigated?*

Question 10

- c) *How many complaints were upheld?*

Question 11

- d) *For how many of those Complaints did the City;*
i) *send at least a warning letter or other correspondence,*
ii) *issue an infringement,*
iii) *issue a proposed order,*
iv) *issue an enforceable/reviewable order or direction,*
v) *initiate a prosecution in the Magistrates Court, and/or*
vi) *take other actions.*

Response to questions 8 to 11

This information is not readily available in its totality and would require a search and analysis across several databases. The City will not be dedicating resources to investigating individual responses to each question. The reporting requirements required by the legislation stated above, is reported in the Annual Report under “Enabling Legislation and Regulatory Reporting Requirements”.

This is an example of a question which in the CEO’s opinion would divert a substantial and unreasonable portion of the local government’s resources from its other functions.

Question 12

- e) *In the interest of proactive transparency into the Council’s important Legislative Functions, would Council consider directing the City’s administration to include such quantitative performance metrics in its future annual reports; if not why not?*

Response

The minimum content of the Annual Report is determined by the Local Government Act, relevant Regulations and other legislation which the City complies with. If the Council resolves to include any further information it would need to consider the additional resources required to undertake this function.

9.1.1.2 Mr R Aubrey, Leeming

I note that the Mayor and Elected Members of the City have defied the warnings provided by Former Minister David Templeman when he requested Elected Members to ensure that decisions of Council are made in the interest of the wider Melville community and warnings from myself to appropriately declare their interest in matters before them.

The concerns of the Melville community have now been brought to a head following:

- 1. the granting of a 50-year lease to Melville Bowling Club and, more recently, attempts to commercialise the Melville Bowling Club site and potentially divert the proceeds to a private club.*
- 2. Elected Members apparently failing to declare their interest in matters before Council and engaging in factional voting to the detriment of the ratepayers of this City.*

Questions for the MayorQuestion 13

Q1) *Can the Mayor please confirm who funded the banner erected on the fencing at the Melville Bowling Club stating 'Vote George Gear for Mayor - he'll fix the mess' prior to his election in 2019'?*

Question 14

Q2) *Why did the Mayor fail to register this electoral gift in the 2019 Electoral Gift Register?*

Question 15

Q3) *Did the Melville Bowling Club provide the use of their facilities to promote the Mayor's election campaign by allowing him to mount the banner on their boundary wall and/or allow him access to their meeting facilities for his campaign activities?*

Question 16

Q4) *Why did the Mayor fail to register these electoral gifts on the 2019 Electoral Gift Register?*

Question 17

Q5) *Why did Mayor Gear repeatedly fail to declare these gifts when matters relating to the Melville Bowling Club came before Council for decision?*

See response on Page 11.

9.1.1.2 Mr R Aubrey, Leeming, continued.

Questions for Cr Ross

Question 18

Q1) *Will Cr Ross please confirm that, as Chairman of the SFPA, he was personally involved in selecting candidates and granting them electoral gifts in the 2019 and 2021 Melville Local Government Elections?*

Question 19

Q2) *Will Cr Ross also confirm that he represented the Melville Bowling Club in meeting with the City to promote the redevelopment of the Melville Bowling Club?*

Question 20

Q3) *If so, why didn't Cr Ross appropriately declare his interest when he moved the motion to redevelop the Melville Bowling Club site in December 2021?*

It is important that the source of all gifts provided to Elected Members be made public and any vested interest of the donors be identified in order for the community to have confidence in Council decision making.

The list of donors to the Swan Foreshore Protection Association does not appear to be a public document, as Cr Ross suggested it was in his response to questions at the December 2021 Ordinary Meeting of Council.

Question 21

Q4) *Will Cr Ross now inform the Melville community who the persons are that provided the \$120,000 funding to the SFPA in 2019-20?*

Response provided by Councillor Ross to Questions 18 - 21

Cr Ross advised that he did not wish to respond to the questions, except for the false allegation in Question 20 (Q3) where an appropriate declaration was lodged with the City, and that the other queries relate to matters that were prior to election in October 2021 and there is no obligation, need or authority to disclose private information.

9.1.1.2 *Mr R Aubrey, Leeming, continued.*

Moving on, I would now like to consider Item P20/3873 Draft Local Planning Policy- Bonus Building Heights-Canning Bridge Activity Centre Oct 2020.

Cr Sandford successfully moved the motion to reject the motion put forward by the City's Stakeholder Working Group in favour of a motion put forward by an alternative Stakeholder Working Group, which included Cr Ross and other members of the SFPA.

The SFPA has a publicly stated objective in relation to the development of the Canning Bridge Activity Centre. Also, the SFPA's Annual Report under its Summary of Activities 2019-20 states the SFPA has 'in conjunction with members of the community prepared a Local Planning Policy'.

Given that the SFPA benefitted from the approval of Cr Sandford's motion, the Melville community would expect that the Mayor and all SFPA funded elected members would declare their interest to the CEO and leave the Chamber when the item came before them for decision.

Question for Mayor Gear

Question 22

Q1) Given that Mayor Gear received \$5,762 in funding from the SFPA and he also received \$10,000 from a donor with direct commercial interests in the designated Canning Bridge Activity Centre area and also \$15,000 from a donor who claims a financial interest in high rise development in the area, why didn't he declare his financial interests to the CEO in the Item P20/3873 when it came before Council in October 2020 and immediately leave the Chamber, as required under the provisions of the Local Government Act?

I thank all the hardworking and independent Elected Members and the outstanding staff of the City for their contribution to the Melville community in 2021 and wish them well in the challenging year ahead.

Response to questions 13 – 17 and 22 as provided by the Mayor

All of the decisions made by council during my term as Mayor have been made by 13 votes all acting independently and based on the merits of the matter before council. This was not always the case during his time as mayor. Decisions which have been and will be made are totally consistent with the desired wishes of former Minister Templeman.

I also dismiss his two concerns which he says "has bought this to a head."

He has a lot of front in talking about a 50 year lease. He, as Mayor, was comfortable in giving a 50 year lease along with 4.5 hectares of priceless open space to a start up company with no business track record.

I felt comfortable giving the same lease to a club that had a 65 year track record of serving the community. The council is currently working with the club and all the community organisations that use the clubs premises to improve the facilities and to join it up with the Atwell Arts Centre to enhance the enjoyment of all members of the community.

9.1.1.2 *Mr R Aubrey, Leeming, continued.*

There is no factional voting. Unlike Mr Aubrey I did not run a ticket at election time. This ticket voting leads to bloc voting. I made it clear at the start of my term as Mayor I wanted the bloc voting that was a feature of his tenure as mayor to end, and it did.

I have made it clear that I want all councillors to vote as independents, not follow how others vote and to make up their own mind based on the merits of the arguments. I have never, and will never, call any councillor and lobby them to vote on any issue. I practice what I preach.

In answer to the questions put to me let me say this once again. I followed the law precisely at all times through the campaign and my declaration contained all of the information that was required of me.

Mr Aubrey is free to scrutinise my declaration and if he sees any anomalies then he can raise them with the Department. I invite him to do that.

9.1.1.3 Mr M FitzGibbon, Melville

Question 1

Will the City, in the interest of best practice safety, endeavour to place all new footpaths on local access roads away from the kerb to afford safest passage away from traffic and crossover apron ramps, signs, rubbish bins, car doors, bus stops, etc, for vulnerable pedestrians, the disabled, and eRideables?

Response

The City currently follows best practice regarding path alignment. Path location is investigated on a case by case basis after consideration of the factors outlined in the Austroads Guideline "Guide to Road Design Part 6A: Paths for Walking and Cycling". Path construction in already built up areas can present many difficulties due to navigating existing infrastructure, trees and garden beds and varying topographies. When designing a new path, the City looks at all options and weighs up the various factors such as safety, accessibility, useability, economic viability, existing infrastructure, connections to existing paths and environmental sustainability before recommending the best overall alignment for that site.

Question 2

Will the City be producing a map of safe roads and footpaths that are suitable for use by eRideables?

Response

There is no need to create an additional map for people using eRideables as users, who are riding in accordance with the new legislation, have similar needs, abilities, speeds and vulnerabilities to people walking or using a bike. Challenges from eRideables are more likely to involve more people using our local streets and paths and people exceeding the speed limits that have been set.

The new rules can be found at the Road Safety Commission website.

9.1.1.3 Mr M FitzGibbon, Melville, continued

eRideable users can also use the City's TravelSmart map in hard copy or electronically at: www.yourmove.org.au/media/2754/melville-2017_your-move_web.pdf

In addition Google maps prepares routes for people walking or riding a bike. Again people using eRideables could use this service to find a preferred route.

The City will be considering the needs and implications of more people using eRideables in the City's Walk and Ride Plan which is currently being developed.

Question 3

Can the City please explain why the direction of Council, carried unanimously (13/0) at the OMC of 20 and 21 October, 2020, to have MRWA upgrade all non-compliant on-road cycle lanes at bus stops, to current standards, namely, a yellow broken continuity line, has not resulted in the necessary work having been carried out, particularly with respect to 60km/h roads including Marmion Street (20 bays), Somerville Boulevard (14 bays), and Riseley Street (11 bays), some 14 months later?

Response

The City has been working on this project since the motion was adopted. The following steps have been completed:

- Adoption of \$60,000 budget to in the March 2021 mid-year review to fund the project,
- Identification of over 130 sites,
- Appointment of a consultant to undertake the pavement marking designs for each site according to Main Roads WA (MRWA),
- Design completion,
- Review all designs by the City and submission to MRWA for approval,
- MRWA pavement marking approval,
- Some sites such as Le Souef Drive in Kardinya have already had the yellow line marking installed in sections as part of the City's Road Rehabilitation program since the motion was adopted.

The City is currently procuring quotes from contractors to grind existing line marking and spotting of the sites. The aim is to deliver this part of the project by the end of April 2022 subject to contractor availability. As the City works progress MRWA will be notified to commence line marking.

9.1.1.4 Mr J Bennett, Leeming**Question 1**

When does the council consider that individual councillors (sic) and the Mayor should step aside due to conflict of interest when voting? Given the lack of transparency and the blatant conflict of interest on several issues in the past 12 months surely a question of ethical conduct should be on the table?

Response

The Council has no legislative power to make a decision on this matter. Under legislation it is up to each individual Elected Member to determine the nature and extent of any interest that they may have and make the appropriate declarations.

9.1.2 Questions Received without Notice

9.1.2.1 Ms M Collins, Applecross

Question 1

What is the City of Melville's future plans in regard to the closure of Kintail Road, at the Juncture with Canning Highway in the Applecross/Mount Pleasant precinct;

With this in consideration, what traffic management plan is or will be in place, with the following taken into consideration;

- *Effect on the amenity for the residents in the Applecross/Mount Pleasant precinct;*
- *Will this allow easy & safe flow of traffic & access for local residents;*
- *Traffic generated from Applecross Primary School drop-off & pick-up during school terms;*
- *The proliferation of high, medium & low density developments in this precinct, generating large, heavy moving trucks, currently using narrow & ordinarily quiet suburban streets;*
- *The service vehicles for rubbish collection; and*
- *The increasing visitors & tourists wishing to access our beautiful amenities in this precinct.*

Response

The City has no plans to close Kintail Road and would engage with Main Roads should there be any requirement for works that would impact on this area.

9.1.2.2 Ms A Nicholson, Applecross

Question 1

Why does the City advertise that they promote/support the urban forest strategy yet they regularly allow developers to cut down healthy mature street trees and they don't employ more trained compliance officers to police the destruction of the "urban forest"?

Response

The City has significantly increased the number of trees planted each year since the initiation of the Urban Forest Strategy with the aim of maintaining our tree canopy. The City also works with landowners and developers to protect trees during the development process through the use of tree protection zones. Development construction associated with increased density, subdivision and new housing does create challenging conditions for our street trees and the City employs qualified arborists to oversee the development assessment, condition setting and compliance functions for trees on verges.

Mr Ferris left the meeting at 6:43pm and returned at 6:49pm.

9.1.3 Questions Received at the Meeting

At 6.31pm the Presiding Member invited questions from the meeting.

9.1.3.1 Mr D Maynier, Attadale

Question 1

What Outcomes came of the Motion that was passed to Establish Legal Services Benchmarking including:

- *What was the outcome?*
- *What benchmarks were established?*
- *What was reviewed?*

Response

It was established through Local Government benchmarking that the approach varied throughout the state. Some larger Councils employed in-house lawyers in a director capacity but the majority use a panel of lawyers.

At this time the City has no in-house lawyer and seeks advice from the Western Australian Local Government Association panel of Lawyers, choosing lawyers based on their expertise to advise on legal matters.

9.1.3.2 Ms M Matassa, Melville

Question 1

As pre-ambule, the Council is developing a climate action plan, however in the case of this Mountain Bike Trail, the proposal is to take a part of Point Walter which is a bush forever site, together with Blackwall Reach it forms one of the very few natural bush sits adjacent to the river. The claim that the section chosen for the trail is degraded and how this track will stop children building bike trails in other pockets in the bushlands in the City is spurious.

The plan is large scale and intended for people across the metropolitan area, but the area chosen is low residential density and would benefit more from being built elsewhere in a higher residential zone.

In regards to community consultation, the consultation has been afforded to the interested parties, with less than a month to provide feedback. This period has been advertised during the school holidays.

Will the City of Melville please consider extending the community consultation for at least another month so others can provide their feedback before the feedback and outcomes are presented to Council?

Response

This project began when some children redesigned Art Wright Reserve to accommodate a BMX Track, which led to a number of problems including degradation of natural bushland, safety issues and later Asbestos was identified on site.

After further research, Point Walter was identified as a preferred site as the section in which has been identified is very degraded due to early settlement. The idea to create a state of the art Mountain Bike trail will also include the rehabilitation of the bushland surrounds of this site.

9.1.3.3 Ms A Nicholson, Booragoon (question received on-line)Question

You mentioned that the City is planning a number of trees to increase the City's tree canopy. I have no problem with the number of tree plantings the City does. My issue is with the number of trees destroyed by developers as well as the number of trees destroyed by the city when the city doesn't water seedlings. What's the point of planting heaps of seedlings and then allowing 90% of them on average to perish in our hot summers due to lack of care & watering by the City? This is about when the City plants seedlings such as near the corner of Murdoch Drive & Leach Highway & then lets those seedlings perish due to lack of care & watering?

Response

The City undertakes revegetation with native seedlings based on recognised practices adopted widely by the sector. In nature, native seed falls to the ground and germinates without human intervention. Watering native seedlings in revegetation areas has shown to be very expensive, resource intensive, logistically challenging and limited in increasing an effective success rate. It also creates a dependency in young seedlings to establish roots at the surface, instead of searching for moisture at depth, which is survival strategy that will give the plants more resilience. In regards to the corner of Leach Highway and Murdoch Drive, the City is investigating the rate of plant deaths at this location noting that there has been a higher than expected loss of seedlings due to the extreme heat condition this summer.

9.1.3.4 Mr B Calcei, AttadaleQuestion

I am here in my capacity as President of the Attadale Bombers. Our facilities are not up to scratch and would like to know where we can get assistance to drive for better facilities?

Response by the Mayor

The Attadale Bombers have been invited to meet with the Mayor to brief on the background, issues and possible outcomes that the City may be able to assist the club.

9.1.3.5 Mr C Poynton, WinthropQuestion

Both terms have been used to describe the proposed project at Point Walter, for clarification, Is it a proposed mountain bike track or a BMX Track?

Response

The proposal incorporates both a pump track and a Mountain Bike track. It will also incorporate child learning facilities, making it a multi-purpose facility. The Plans are available on the Melville Talks website at <https://www.melvillecity.com.au/our-city/connect-with-us/melville-talks/engagements/point-walter-mountain-bike-track>

At 6:47pm the Presiding Member closed Public Question Time.

9.2 Motions

MOTION 1 – MR MAX FITZGIBBON, MELVILLE

At 6:47pm Mr M FitzGibbon of Melville, seconded Mr M McLerie of Bicton –

That the City of Melville adopt a safer default position for footpaths, on local access roads, to be away from the kerb rather than adjacent to the kerb, where practicable.

At 6:57pm the Presiding Member declared the motion

CARRIED (25/0)

MOTION 2 – MS MARY-ANNE TOWNSEND, WINTHROP

At 6:58pm Ms M Townsend of Winthrop, seconded Mr C Poynton of Winthrop –

That the Melville City Council:

- **Set aside the reclassification of Hill Park from an off-leash dog exercise area to an on-leash dog exercise area;**
- **Conducts / allows an eight (8) week consultation period for submissions from Hill Park Users regarding its status as an off-leash dog exercise area; and**
- **Provides feedback to all parties that make submissions on the reasons and rationale for its decision.**

At 7:03pm the Presiding Member declared the motion

CARRIED (24/0)

MOTION 3 – MS FAY KENNY, APPLECROSS

At 7:03pm Ms F Kenny of Applecross, seconded Ms M Burns of Applecross –

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.**

At 7:08pm the Presiding Member declared the motion

CARRIED (27/6)

9.2 *Motions continued*

MOTION 4 – MR MIKE BURNS, APPLECROSS

At 7:08pm Mr M Burns of Applecross, seconded Ms J Simpson of Mount Pleasant –

That this meeting rejects the City of Melville Community Annual Report 2020-2021.

At 7:23pm the Presiding Member declared the motion

CARRIED (26/2)

MOTION 5 – MR BARRY JONES, MOUNT PLEASANT

At 7:08pm Mr B Jones of Mount Pleasant seconded Mr Meshkin of Applecross –

That:

- 1. The City of Melville immediately terminate all lease negotiations with the proposed lessee of 13 The Esplanade & 64 Kishorn Rd, Mt Pleasant for commercial development of this site.**
- 2. The City of Melville take the opportunity to restore the former Mt Pleasant Senior Citizens site at 13 The Esplanade & 64 Kishorn Rd, Mt Pleasant for community use as a predominantly public open green space with intensive tree plantings.**

At 7.28pm the Presiding Member declared the motion

CARRIED (29/3)

MOTION 6 – MR D MAYNIER OF ATTADALE

At 7:28pm Mr D Maynier of Attadale, seconded Mr D Kenny of Applecross –

That the Council bring forward its consideration of Cr Ross December 2021 motion for the funding of Melville Bowling Club development from March 2022 to the February 2022 Ordinary Meeting of Council.

At 7.35pm the Presiding Member declared the motion

CARRIED (20/6)

9.2 *Motions continued*

MOTION 7 – MR S KEPERT OF MOUNT PLEASANT

At 7:35pm, Mr Kepert of Mount Pleasant moved, seconded Mr McLerie of Bicton –

That the Council complies and ensures the City of Melville Administration complies with the *Local Government (Administration) Regulations 1996* by:

- 1) Ensuring that all motions, including those held behind closed doors, are included in Council minutes as required by the Regulations.**
- 2) Ensuring that all motions which had been withheld from Council minutes by governance officers without reason or explanation are inserted in previous minutes as required by the Regulations.**
- 3) Ensuring that the City of Melville administration is only keeping a single and correct document of council minutes.**

At 7:42pm, the Mayor declared the motion

CARRIED (26/4)

MOTION 8 – MS MARGARET MATASSA OF MELVILLE

At 7:43pm, Ms Matassa of Melville moved, seconded Ms Townsend of Winthrop –

That the City of Melville extend the period of public consultation regarding the proposed Mountain Bike Trails development at Point Walter from the current 3 week period to an 8 week period.

At 7:49pm, the Mayor declared the motion

CARRIED (30/3)

MOTION 9 – DR SHANE PETERSON, MURDOCH-KARDINYA-BATEMAN WARD

At 7:49pm, Dr Peterson moved, seconded Mr McLerie, Bicton –

That Council within three months, replace the CEO.

At 7:57pm, the Mayor declared the motion

CARRIED (19/8)

MOTION 10 – MR DAYLE KENNY, APPLECROSS

At 7:5pm, Mr Kenny seconded Mr Maynier of Attadale –

Motion of No Confidence in the Planning, Building and Environment Health functions of the City of Melville.

At 8:07pm, the Mayor declared the motion

CARRIED (25/3)

10. CLOSURE

There being no further business, Mayor Honourable George Gear, as Presiding Member, thanked everyone for their attendance and declared the meeting closed at 8:07pm.