



**MINUTES
OF THE
SPECIAL MEETING OF ELECTORS
TO BE HELD AT THE
MOUNT PLEASANT BAPTIST COMMUNITY COLLEGE
AT 6.30PM ON
MONDAY
12 AUGUST 2019**

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.gov.au in accordance with the provisions of the Policy.



MINUTES OF THE SPECIAL MEETING OF ELECTORS HELD IN THE MOUNT PLEASANT BAPTIST COLLEGE, 497 MARMION STREET, BOORAGOON, COMMENCING AT 6.35PM ON MONDAY 12 AUGUST 2019.

1. PRESENT

His Worship the Mayor R Aubrey

COUNCILLORS

Cr T Barling (Deputy Mayor)
Cr N Robins
Cr C Robartson
Cr N Pazolli, Cr S Kepert
Cr G Wieland, Cr J Barton
Cr D Macphail, Cr K Mair
Cr K Wheatland

WARD

Bateman – Kardinya - Murdoch
Bateman – Kardinya - Murdoch
Bull Creek - Leeming
Applecross – Mount Pleasant
Bicton – Attadale – Alfred Cove
Central
Palmyra – Melville - Willagee

3. IN ATTENDANCE

Mr M Tieleman
Ms C Young
Mr S Cope
Mr M McCarthy
Mr L Hitchcock

Mr B Taylor
Ms J Arbel
Mr W Thornton
Ms C Newman
Ms T Wright
Mr R Shaw
Ms R Davis
Ms J Abelha

Chief Executive Officer
Director Community Development
Director Urban Planning
Director Technical Services
Executive Manager Governance and
Legal Services
Manager Governance and Property
Strategic Communication Advisor
Civic Facilities Coordinator
Governance Coordinator
Governance Officer
Customer Relations Officer
Executive Assistant
Administration Officer

At the commencement of the meeting there were 419 Electors of the City of Melville, 7 Non-Electors and two member of the press in attendance.

4. APOLOGIES

Cr P Phelan
Mr A Ferris

Palmyra – Melville - Willagee
Director Corporate Services

5. LEAVE OF ABSENCE

Cr M Woodall

Bull Creek – Leeming

6. INTRODUCTION OF ELECTED MEMBERS AND OFFICERS

The Presiding Member introduced the Elected Members and the Chief Executive Officer and advised that members of the City Executive Team and staff were in attendance.

7. DECLARATIONS OF INTEREST**7.1 FINANCIAL INTERESTS**

Nil.

7.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

Nil.

8. BUSINESS

8.1 NOTICE OF SPECIAL MEETING OF ELECTORS

The following Notice of Meeting was advertised in the West Australian Newspaper on Saturday, 27 July 2019 in addition to being displayed on public notice boards at all the City of Melville libraries and the Civic Centre. The notice read:

“Special Meeting of Electors

Monday, 12 August 2019

A Special Meeting of Electors of the City of Melville will be held at Mount Pleasant Baptist Community College, 497 Marmion Street, Booragoon commencing at 6.30pm on Monday 12 August 2019 to consider a request signed by 137 electors to discuss the following-

- 1 *The Authorised Inquiry into the City of Melville, the report recommendations, community feedback, community involvement to ensure transparent review of actions taken by the City to address the recommendations: and***
- 2 *Issues relating to Tompkins Park, Bert Jeffery Park and the Melville Bowling Club lease; and***
- 3 *Issues relating to the Canning Bridge precinct plan including but not limited to, the proposed planning policy, the City’s disregard of majority community submissions and the City’s continued support for building applications that are inconsistent with community objectives.***

You are invited to access the City’s website at www.melvillecity.com.au/electorsmeeting for full information on the topics for discussion, as presented by the requester.

Electors and Ratepayers of the City are welcome to attend. Registration will be available from 5.45pm. The Council Meeting Schedule, Agendas and Minutes of all meetings are available at www.melvillecity.com.au

**Steve Cope
Acting Chief Executive Officer”**

8.2 MANNER OF CONDUCT OF THE MEETING

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. The Toilets location will be advised.
3. All present are required to sign the attendance register at the entry to the Meeting Room.
4. Each person who participates in a vote or speaks must be an Elector of the City of Melville.
5. The proceedings are being taped 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. No other audio or visual recording, including photographs, is to be undertaken without the permission of the Presiding Member.
7. Speakers are asked to clearly give their name and address each time they speak.
8. Upon a motion being proposed, each speaker is to address the Chair.
9. Only Electors of the City of Melville may move or second a motion.
10. 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*)
11. No persons are to use offensive or objectionable expressions in reference to any Member, employee of the Council, or any other person (9.16 and 10.7 of Meeting Procedures Local Law).
12. No persons are to use offensive or objectionable expressions in reference to any Member, employee of the Council, or any other person (9.16 and 10.7 of Meeting Procedures Local Law). Zero tolerance will be shown to adverse reflection. Anyone making statements that reflect adversely will be called upon to unreservedly withdraw the expression and make an unconditional apology.
13. 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.

At 6:36pm the Presiding Member advised that Requester of the meeting had provided the names of eight speakers from the community. Elected Members and officers are here to listen and therefore the speakers will not be timed. It is asked that in order to give all speakers fair opportunity to be heard that presentations be kept to a respectful and reasonable timeframe.

The names and order of speakers as provided by the Requestor is as follows:

1. Mr Clive Ross of Applecross
2. Mr Phil Cuttone of Applecross
3. Mr Dayle Kenny of Applecross
4. Mr Craig Shepherd of Pricewaterhouse Coopers
5. Mr Tomas Fitzgerald of Palmyra
6. Mr David Maynier of Attadale
7. Mr Margaret Sandford of Applecross
8. Mr George Gear of Alfred Cove

At 6:37pm the Presiding Member asked for general agreement that the meeting would conclude at approximately 9:00pm.

At the request of the Requestor of the meeting, the Presiding Member advised the order of business would be as follows:

1. Canning Bridge
2. Authorised Inquiry
3. Tompkins Park

With the motion on each of the items to be presented and considered at the end of each item.

The Presiding Member advised that the meeting would be conducted in accordance with Regulation 18 of the *Local Government (Administration) Regulations 1996*, as follows:

*“18. Procedure at meeting (Act s. 5.31)
Subject to regulations 15 and 17, the procedure to be followed at a general or special meeting of electors is to be determined by the person presiding at the meeting.”*

9 BUSINESS

At 6:42pm Mr C Ross of Applecross commenced his presentation introducing the three matters for consideration at the meeting, concluding at 6:53pm. [SME C Ross Presentation](#)

9.1. Issues relating to the Canning Bridge precinct plan including but not limited to, the proposed planning policy, the City's disregard of majority community submissions and the City's continued support for building applications that are inconsistent with community objectives.

At 6:54pm Mr P Cuttone of Applecross and commenced his presentation, which concluded at 7:06pm.

At 7:07pm Mr D Kenny of Applecross and commenced his presentation, which concluded at 7:17pm.
SME D Kenny Presentation

At 7:18pm Mr C Shepherd on behalf Pricewaterhouse Coopers advised his company had been engaged by a private developer to provide an independent review of the Canning Bridge Activity Centre Structure Plan and the associated Integrated Transport Strategy and declared that his company has undertaken work for the government sector, including the City of Melville. Mr Shepard commenced his presentation, which concluded at 7:26pm.

MOTION 1 – MR C ROSS, APPLECROSS

A 7:26pm Mr C Ross of Applecross moved, seconded Mr L Rowe of Applecross –

That the City of Melville Council:

- 1. Rejects the proposed Draft Local Planning Policy 1.18: Canning Bridge Activity Centre Plan (CBACP), due to its failure to properly address the Community's and Council's expressed concerns with the height limits being approved within the CBACP.**
- 2. Requires the CEO to immediately initiate a comprehensive review of the CBACP, commencing with presentation of a detailed Project Plan prepared with Community consultation and which includes the appointment of external experts to assist the City in conducting and completing the review.**
- 3. Immediately withdraws the delegated authority that authorises the City's planners to submit Responsible Authority Reports (RARs) to the JDAP (without Council approval) and instructs the CEO to present all RARs to Council for final approval before being submitted to JDAP.**

At 7:34pm the Presiding Member declared the motion

CARRIED

9.2 The Authorised Inquiry into the City of Melville, the report recommendations, community feedback, community involvement to ensure transparent review of actions taken by the City to address the recommendations.

At 7:35pm Mr T Fitzgerald of Palmyra commenced his presentation which concluded at 7:41pm.

At 7:42pm Mr D Maynier of Attadale and commenced his presentation which concluded at 7:50pm.
[SME D Maynier Presentation](#)

MOTION 2 – MR C ROSS, APPLECROSS

A 7:50pm Mr C Ross of Applecross moved, seconded Mr M McLerie of Bicton –

The City of Melville to prepare and submit to the Minister for Local Government an Addendum to the City’s recent response to the Minister. The Addendum to:

1. **acknowledge and accept that Minister Templeman’s call for cultural change is appropriate and fully supported by the City;**
2. **contain a list of the City’s Local Laws and Council Policies that the City will immediately review (with community consultation) with a focus on ensuring the rights of residents and ratepayers - the list to include the Local Law on Deputations and as a minimum the following Council Policies: Dealing with Unreasonable individuals, Legal representation, Question Time and on what constitutes a “direct interest”;**
3. **acknowledge that the recent Authorised Inquiry has not addressed the underlying cause of ratepayer complaints and therefore the City is still required to address those underlying complaints;**
4. **acknowledge the City’s failures to comply with the requirements of the Local Government Act 1995 and Local Government (Administration) Regulations 1996 and to commit to inquiring into why such failures occurred, identifying the parties/processes responsible and reporting back to Council on actions taken.**

Amendment

A 7:53pm Mr G Crawford of Attadale moved, seconded Mr W Martin of Mount Pleasant –

That the following be included in point 3 of the motion after the words “ratepayer complaints”:

“... of which there are 719 service complaints in the three year period ...”

At 7:55pm the Presiding Member declared the amendment

CARRIED

The mover and seconder of the substantive motion consented to the inclusion of the amendment.

9.2 *The Authorised Inquiry into the City of Melville, the report recommendations, community feedback, community involvement to ensure transparent review of actions taken by the City to address the recommendations continued*

Substantive Motion as Amended

A 7:50pm Mr C Ross of Applecross moved, seconded Mr M McLerie of Bicton –

The City of Melville to prepare and submit to the Minister for Local Government an Addendum to the City’s recent response to the Minister. The Addendum to:

- 1. acknowledge and accept that Minister Templeman’s call for cultural change is appropriate and fully supported by the City;**
- 2. contain a list of the City’s Local Laws and Council Policies that the City will immediately review (with community consultation) with a focus on ensuring the rights of residents and ratepayers - the list to include the Local Law on Deputations and as a minimum the following Council Policies: Dealing with Unreasonable individuals, Legal representation, Question Time and on what constitutes a “direct interest”;**
- 3. acknowledge that the recent Authorised Inquiry has not addressed the underlying cause of ratepayer complaints, of which there are 719 service complaints in the three year period, and therefore the City is still required to address those underlying complaints;**
- 4. acknowledge the City’s failures to comply with the requirements of the Local Government Act 1995 and Local Government (Administration) Regulations 1996 and to commit to inquiring into why such failures occurred, identifying the parties/processes responsible and reporting back to Council on actions taken.**

At 7:56pm the Presiding Member declared the substantive motion as amended

CARRIED

9.3 Issues relating to Tompkins Park, Bert Jeffery Park and the Melville Bowling Club lease

At 7:56pm Ms M Sandford of Applecross commenced her presentation which concluded at 8:03pm.

At 8:03pm Mr G Gear of Alfred Cove and commenced his presentation which concluded at 8:17pm.

MOTION 3 – MR C ROSS, APPLECROSS

A 8:17pm Mr C Ross of Applecross moved, seconded Ms G Barber of Attadale –

The City of Melville to

- (1) Include Bert Jeffrey Park in the Active Reserve Infrastructure Strategy (ARIS) process and stop all changes to Bert Jeffrey Park and rescind previous decisions;**
- (2) Renew the long-term lease with the Melville Bowling Club immediately;**
- (3) Confirm that the proposed review of Tompkins Park will include community and stakeholder engagement**

At 8:26pm the Presiding Member declared the motion

CARRIED

12. CLOSURE

There being no further business, His Worship the Mayor R Aubrey, as Presiding Member, declared the meeting closed at 8:27pm.