

**MINUTES**

**OF THE**

**ANNUAL GENERAL MEETING OF ELECTORS**

**HELD IN THE**

**CONFERENCE ROOM, MELVILLE CIVIC CENTRE**

**AT 6.30PM ON**

**5 DECEMBER 2012**



**MINUTES OF THE ANNUAL GENERAL MEETING OF ELECTORS HELD IN THE CONFERENCE ROOM, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING AT 6.30PM ON WEDNESDAY 5 DECEMBER 2012.**

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**1. PRESENT**

His Worship the Mayor R Aubrey

**COUNCILLORS**

Cr D Macphail (Deputy Mayor)  
Cr A Nicholson  
Cr C Robartson (From 6.37pm)  
Cr R Willis  
Cr N Pazolli, Cr P Reidy  
Cr R Hill, Cr R Kinnell  
Cr N Foxtan  
Cr J Barton, Cr S Taylor-Rees

**WARD**

City  
City  
Bull Creek/Leeming  
Bull Creek/Leeming  
Applecross/Mount Pleasant  
Palmyra/Melville/Willagee  
University  
Bicton/Attadale

**2. IN ATTENDANCE**

Dr S Silcox  
Mr M Tieleman  
Mr S Cope  
Mr J Christie  
Ms C Young  
Mr L Hitchcock  
Ms K Johnson

Mr G Ponton  
Mr P Prendergast

Mr T Capobianco  
Mr J Cameron  
Mr P Kellick  
Mr P Adams  
Mr J Bird  
Mr T Cahoon  
Mr B Dawkins  
Ms L Reid  
Mr B Taylor

Ms D Whyte  
Mr K Yeoh  
Mr W Nicholls  
Mr M Duncan

Chief Executive Officer  
Director Corporate Services  
Director Urban Planning  
Director Technical Services  
Director Community Development  
Executive Manager Legal Services  
Executive Manager Organisational  
Development  
Manager Strategic Urban Planning  
Manager Planning & Development  
Services  
Manager Building Services  
Executive Engineer  
Manager Asset Management  
Manager Operations Services  
Manager Parks & Environment  
Manager Health & Lifestyle  
Manager Neighbourhood Amenity  
Manager Community Services  
Manager Information, Technology &  
Support  
Senior Management Accountant  
Senior Financial Accountant  
A/Senior Management Accountant  
IT Coordinator

Mr J Clark

Governance & Compliance Program  
Manager

Mr N Fimmano

Governance & Property Officer

Ms J Paparella

Business Support Officer

Ms D Beilby

Minute Secretary

At the commencement of the meeting there were 19 Electors of the City of Melville and one member of the press in attendance.

### **3. APOLOGIES**

Cr M Reynolds – University Ward

Cr C Robartson for Late Arrival at 6.37pm

### **4. LEAVE OF ABSENCE**

Nil.

### **5. INTRODUCTION OF ELECTED MEMBERS AND OFFICERS**

His Worship the Mayor, R Aubrey, introduced individual Elected Members and Senior Staff to the meeting and advised that the City's Management Team were in attendance and would be available to meet electors after the meeting.

### **6. BUSINESS**

#### **6.1 NOTICE OF ANNUAL GENERAL MEETING OF ELECTORS**

The following Notice of Meeting was advertised in the West Australian Newspaper on Saturday, 17 November 2012 and the Melville Times Community Newspaper on Tuesday, 13 November 2012 and 20 November 2012, in addition to being displayed on public notice boards at all the City of Melville libraries and the Civic Centre. The notice read:

#### **“Annual General Meeting of Electors**

Electors are invited to the Annual General Meeting of Electors that will be held on **Wednesday, 5 December 2012** in the Conference Room of the **Civic Centre, 10 Almondbury Road, Booragoon** commencing at **6.30pm**.

#### **Order of Business**

1. To receive the Community Annual Report 2011-2012 for the year ended 30 June 2012
2. General Business

The Elected Members and staff welcome your questions regarding the City of Melville, the Annual Report or any matter relating to the Notice of Meeting. A question form can be obtained from the City of Melville website [www.melvillecity.com.au](http://www.melvillecity.com.au) or please contact Denise Beilby on 9364 0607 for alternative arrangements.

In order for complex questions to be answered at the meeting, questions must be received by **5.00pm** on **Monday, 3 December 2012**.

Copies of the Annual Report will be available for inspection from **Monday, 3 December 2012** at the **Melville Civic Centre** and all City of Melville Libraries. A copy will also be available on the City of Melville website.

**Dr Shayne Silcox**  
**Chief Executive Officer**

His Worship the Mayor read out the Manner of Conduct of the Meeting.

## **6.2 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. Toilets are located immediately before the entry to the Council Chambers.
3. All present are required to sign the attendance register at the entry to the Conference Room.
4. Speakers must be Electors 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 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. 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 Members present (9.6 of Standing Orders).
10. No persons are to use offensive or objectionable expressions in reference to any Member, employee of the Council, or any other person (8.3 of Standing Orders).

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.

His Worship the Mayor asked for an agreement from the Electors for a meeting closing time of 8.30pm. There were no objections.

## **7. PRESENTATION OF COMMUNITY ANNUAL REPORT 2011/2012 INCLUDING FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2012.**

His Worship the Mayor advised that copies of the Community Annual Report 2011/2012 had been circulated and had been available on request from City of Melville, libraries and the City's website.

## **8. GENERAL BUSINESS**

His Worship the Mayor read out questions and responses to the questions that were received in writing prior to the meeting.

### **8.1 Mr J Nicholson, Booragoon**

#### Question 1

*“Reserve funds; as at 30.6.12, the level of reserves held by the City was approx. \$53.3 million. With the distinct possibility of future Council amalgamations, what will happen to our hard-earned reserve funds? Will these reserve funds paid for over the years by City of Melville ratepayers be used to benefit other councils and their ratepayers? As a way of reducing our reserves, would the City consider rewarding ratepayers in the form of rate reductions? If amalgamations don't eventuate, what value of reserves will the City deem sufficient for our needs?”*

#### Response

Council Reserves are created for specific purposes and even in an amalgamation the assets will still remain and need reserve funds to smooth out costs over ensuing years. It would be poor financial management to use these funds for a once off saving to ratepayers and in breach of Section 1.3 (3) of the Local Government Act 1995 – *“In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through integration of environmental protection, social advancement and economic prosperity.”*

The appropriate level of reserves are as required – Restricted Reserves (like Long Service Leave), income producing Reserves (Land and Property) and for asset renewal and maintenance.

At 6.37pm Cr Robartson entered the meeting.

**8.2 Mr R A Liddell, Mount Pleasant**

As Mr Liddell was not in attendance, His Worship the Mayor advised that the questions submitted by Mr R A Liddell would be taken on notice. A response will be forwarded to Mr Liddell from the Director Corporate Services, and details contained in the response are provided below.

Question 1

*“Why are funds for capital and major expenditure not borrowed in compliance with Council intergenerational equity policy instead of using reserves contributed by past ratepayers?”*

Response

The City has an Asset Financing & Borrowings Policy that has been adopted by Council. The preferred policy position of Council is to remain debt free. Where this is not practicable, there are clear guidelines as to when the City can borrow funds. The term of the borrowing shall generally not be greater than half of the Economic Life of the asset being acquired or constructed. This is to enable the City to use the remaining economic half life to set sufficient funds aside in a sinking or reserve fund in order to renew or replace that asset, should that be required, at the end of its Economic Life. The City will **not** generally borrow funds (other than by way of Excluded Borrowings) to acquire an asset that has an economic life of less than five (5) years and where the expenditure is of an operating or recurrent nature. The City currently does have some form of borrowings in the form of an operating lease for nine Waste Trucks and one Utility vehicle.

Question 2

*“Why are rate increases running regularly at 4% to 5% (which is well in excess of inflation) and when operating surpluses are regularly in excess of 10%?”*

Response

The City's rate increases are based on the level of expenditure budgeted/required for the following financial year. It is difficult to anticipate the level of income and expenditure levels with a 100% accuracy. This is why the City has taken the approach of budgeting for surpluses when putting together the following financial year's budget. In the last five years the City has budgeted for operating surpluses in the range of 4% - 7%.

**8.2 Mr R A Liddell, Mount Pleasant (Continued)**Question 3

*“Why have road works costs increased from \$4million 3 years ago to a budgeted \$7million in 13/14?”*

Response

As the \$7 million mentioned relates to '13/14', it is assumed that this figure has been obtained from the Long Term Financial Plan. This \$7.272 million relates to the renewal of the entire road network inclusive of road surface and kerbing and ancillary works on footpaths, crossovers and drainage. Of this, \$4.536 million is forecast to be funded from municipal funds and \$2.772 from other sources such as National and State Black Spot programs, Roads to Recovery and Main Roads WA Local Road Projects.

The road works costs of \$4 million from 3 years ago is assumed to be the \$4.280 million shown in the 2009/2010 budget as 'road resurfacing' and this only relates to a portion of the total program. The two figures mentioned, as such, relate to different things and are not directly comparable. Other programs considered 'road works' include Federal Black Spots, MRWA Local Road Projects, Roads to Recovery and State Black Spots.

As a direct comparison over the past 5 years, the road resurfacing program has varied as follows:

2008/2009	\$4.761 million
2009/2010	\$4.280 million
2010/2011	\$5.000 million
2011/2012	\$4.919 million
2012/2013	\$4.324 million

This would indicate that there has been no increase in road works costs over recent years.

The figures shown in the Long Term Financial Plan are obtained from the financial forecasts in the Road Asset Management Plan and are based on current road conditions and future conditioning modelling. The objective being to ensure that the condition of the network is maintained at an appropriate level.

If the question has been misunderstood by the officer, we are more than happy to clarify it with Mr Liddell and provide an additional response to him.

**8.3 Mr V Roberts, Booragoon****Regarding The City's Concept Plan For Artificial Turf For Len Shearer Reserve.**

*The City invited Submissions from interested parties in relation to this Plan in August 2012, with a Closing Date of 21<sup>st</sup> September.*

*The City indicated that it would reply to all submissions, though not individually so that duplication could be avoided.*

*To my knowledge no replies have been made to any submissions, nor has any other information pertaining to the submissions been provided by the City. Two and a half months have now gone by.*

*Interested parties should not need to guess and "double guess" the City's replies and attitudes, nor should they have to rely on various circulating rumours.*

*I note that I attended an "Information Meeting" with 5 other residents and 3 members of the City's Staff on 4<sup>th</sup> October. However this consisted essentially of the Staff presenting two simplistic and confidential "Alternative Plans" which were equivalent to cosmetic shuffling of deck chairs on the Titanic. With little exception, the City's representatives would not comment on other matters.*

*Consequently I must ask the following questions:*

*Mr Roberts referred to the City's invitation to interested parties to make submissions on the City's Concept Plan for Artificial Turf for Len Shearer Reserve. Mr Roberts also referred to an Information Evening held on 4 October 2012.*

**Question 1**

*"How many submissions did the City receive ?"*

**Response**

83 individual submissions and 1 group (Save the Len Shearer group)

**Question 2**

*"When and how will the City be replying to those Submissions made prior to the closing date of 21 September ?"*

**Response**

The City made it clear on the website and on the hard copy forms that it would not be responding individually to each respondent.

**8.3 Mr V Roberts, Booragoon (Continued)**Question 3

*“In the meantime, in the interests of transparency, avoidance of duplication and in the spirit of the City’s **People, Places, Participation 2012 – 2022 Strategic Community Plan**, will the City please now make the various submissions available to all interested parties ?”*

Response

The City has undertaken a summary of the 83 individual submissions and intends to publish this on the City’s website. A copy can be made available to interested parties. The group submission from the “Save the Len Shearer Group is available on their blog site.

Question 4

*“Have some or all submissions already been made available to some favoured parties ?”*

Response

A summary of the submissions has been provided to key stakeholders during the course of further meetings to resolve some of the issues. It is intended that a reference Group will be set up in the New Year to work through the issues raised in developing the final draft plan that will be presented to Council.

Question 5

*“Have some or all submissions yet been made available to Councillors ?”*

Response

A summary of the submissions has been presented to Elected Members on the 8 October 2012.

**8.3 Mr V Roberts, Booragoon (Continued)**Question 6

*“Have the City’s two confidential “Alternative Plans” (of 4 October) yet become publicly available, or have they been scrapped ? If not, when will they become available as non-confidential documents ?”*

Response

The City is continuing to work towards a plan that is acceptable to as wide a range of the community as is practical. There has been work done as a result of the feedback from the community however this will be further developed to a public document with input from the Reference Group.

Question 7

*“Has the City in fact been actively inviting additional submissions from favoured sources since the 21 September deadline ?”*

Response

The City has been actively discussing the concept plan with Stakeholder Groups.

Question 8

*“Is there any substance to the rumour that the City has been offering (or discussing) a substantial financial settlement (\$100,000 has been rumoured) to the Little Athletics group for them to move their activities to another venue ?”*

Response

The City is reviewing the use of Len Shearer in line with its strategy of using sporting reserves effectively. It has become obvious that the two large clubs, a regional aquatic facility and a growing community at Len Shearer have outgrown the capacity of the reserve to accommodate them all. One of the possible moves is Athletics away from Len Shearer. If this is feasible and considered favourably, athletics will require facilities to allow them to undertake their activities which the City will fund as part of its commitment to an active Melville.

**8.3 Mr V Roberts, Booragoon (Continued)**Question 9

*“At the above-mentioned “Information Meeting” of 4<sup>th</sup> October, the City’s representative advised that in their forthcoming Business Plan, the City would **not** be putting any value on the present, successful and fully utilised section of Len Shearer that will be demolished to make way for the artificial turf proposal. **Why not?** Would this reply please make specific reference to its current cost of replacement, the cost of restoration in the future should the proposed artificial turf be installed, but then subsequently de-installed, as well as the actual value to residents and the neighbourhood in general.”*

Response

All relevant lifecycle costs will be included in the business case. It is standard practice to not include any ‘residual value’ of the natural turf that is being replaced with synthetic or other surface.

We are not anticipating the need to replace the synthetic turf prior to the projected lifecycle.

Question 10

*“At the same 4 October Meeting, the City’s representative advised that the Business Plan would not include any comparative study for any alternative site for artificial turf installation. Two alternatives that were specifically queried were the substantial areas of unused ground at John Connell Reserve and the possibility of the vacant ground at Len Shearer sump. Why are such alternatives not being compared and considered?”*

Response

Both sites have been considered;

- John Connell is unsuitable at this time due to the uncertainty surrounding possible development of the Golf Course and the old tip site. The City will be looking strategically at all sports reserves to increase its playing capacity in an effort to accommodate future demand. As such John Connell will be considered in the future as a possible site for additional synthetic playing surfaces.
- The sump at Len Shearer is not suitable due to cost implications required to fulfil its drainage capability and dimensions.

**8.3 Mr V Roberts, Booragoon (Continued)**Question 11

*“The various information provided by the City on their Len Shearer Concept Plan (including written, verbal and Website) has and does include seriously erroneous and misleading information.*

*Mr Roberts referred to water reticulation requirements, the specific distance of Len Shearer Reserve to other facilities within the City of Melville and research on heat experienced on artificial turf during summer months.*

*Some of these have been pointed out by at least one resident in writing, but no corrections or suitable revisions have been made to existing information on the City’s website (i.e. FAQs to the Concept Plan) – although the City has managed to delete the section containing the Comments/Feedback of interested parties.*

*When will the erroneous and misleading information be corrected and the several relevant documents be revised ?”*

Response

The typographical errors on the website FAQ’s have been addressed.

Question 12

*“When will the Comments/Feedback section be restored to the website ?”*

Response

Given that the comments/feedback had similar themes the FAQ’s were developed to cover the majority of theme comments/questions raised. Feedback received, particularly in regard to the first draft plan, will guide the development of the final draft concept plan. Once that plan is released we will again be affording the community opportunity to comment.

Question 13

*“Is the City aware that the natural catchment basin centred on Len Shearer Reserve is approximately 105 hectares in area and includes approximately 35 hectares of impermeable surfaces from which some 85%-90% of rainfall can be readily collected as run-off ?”*

Response

The City can not confirm the area but understand that there is a natural catchment area.

**8.3 Mr V Roberts, Booragoon (Continued)**Question 14

*“The impermeable surfaces include most of the roof and carpark areas (paved parts only) of the Garden City Complex and the Len Shearer Aquatic Centre, together with those roads and parts of roads that currently drain toward Len Shearer. In an average rainfall year, this equates to 252 Mega litres of run-off (at 90% collection efficiency) or 176 Mega litres in a minimal rainfall year. This water is sufficient to cover the grassed areas at Len Shearer to a depth of 7.4 metres or 5.2 metres respectively. What does the City currently do with this water ?”*

Response

Rainwater is required to recharge the ground water table. As such runoff is captured in various ways eg swales on parks, compensating basins and open well-drained ground and infiltrated back into the water table where it is stored within the natural aquifer and used by trees, base flow to the river and domestic bore users. The City uses this ground water for irrigation of its reserves.

Question 15

Mr Roberts questioned the assessment of water usage for Len Shearer Reserve.

*“It is anticipated that modest modifications to the Len Shearer sump and or the area of the abandoned outdoor Swimming Pool would be sufficient to store as much of this water as required for summer reticulation of Len Shearer grass. This can be confirmed when the City identifies and reports the real requirement at Len Shearer (please refer to previous correspondence regarding the ludicrous amount that the City currently reports). When will the City properly report the Len Shearer requirement and allocation ?”*

Response

The City, as part of its irrigation licensing conditions, has an obligation to accurately report the usage of ground water to the Department of Water and is required to comply with the allocation. The City reports to the Department on an annual basis. In terms of irrigation the City constructs annual water budgets for all of its reserves. All bores are flow monitored and budget versus actual is reported accurately each month for all irrigated reserves.

**8.3 Mr V Roberts, Booragoon (Continued)**Question 16

*“Does the City recognise that this “slightly grey” run-off water can be easily and cheaply treated - probably by natural filtration through a bank of sand, if an even cheaper method is not identified ?”*

Response

Runoff water is already being treated by allowing it to infiltrate into the aquifer. The City is licensed to extract 7,500 kilo litres per hectare per year for irrigation of Public Open Space.

Question 17

*“Is the City aware that the WA Dept of Water, through its website (and elsewhere?) is currently espousing use of grey, drainage and storm water resources for the immediate future ? Is the City aware that equivalent water is certainly being utilised elsewhere in Australia, including for grass reticulation ?”*

Response

Yes the City is aware that in some instances grey water may be a viable alternative. The City has investigated its use in the past but found the cost of retrofitting facilities prohibitive.

Question 18

*“In view of the abundant water available to the “Len Shearer Catchment” and the small quota shortfall for Len Shearer, has the City seriously lobbied the Dept of Water for an adjustment to this quota (whether sourced from bore, run-off or grey water) ?”*

Response

Yes, the City has written to the State Government requesting a greater allocation of water from the aquifer. The answer we have received is consistent with the Department’s philosophy of strict control of licensing conditions, allocations and managing the aquifer sustainably.

**8.3 Mr V Roberts, Booragoon (Continued)**Question 19

*“Although the City continues to report a quota shortfall of reticulation water for Len Shearer (e.g. on its Website FAQs), on at least two occasions, the City’s staff have advised that it is not really a significant problem for Len Shearer. Would the City please clarify its position.”*

Response

The City has consistently reported that the requirement for synthetic turf at Len Shearer stems from the over usage of the playing surface and a need to increase our capacity to provide facilities for future generation of sports participants. No amount of additional water will overcome these facts.

It is a fact that strict licensing conditions and the drying climate has resulted in an inability to irrigate for prolonged periods towards the end of Autumn. The high wear on the surface has necessitated the need to relocate clubs off of Len Shearer Reserve. We have recently complemented the artesian water with a limited source from the superficial aquifer which may alleviate this shortfall however it does not address the over use and future sporting capacity issues.

**8.4 Mr J Addvalue, Applecross**Question 1

*“In the interests of justice for Applecross residential owners, and good practice by COM, I ask to be allowed to address this AGM, to provide a potted but pertinent history of the planning period covering finalisation of CPS5 until the present circumstance for CPS 6.”*

Response

The Mayor advised that the purpose of the General Meeting of Electors is to receive the Community Annual Report for 2011-2012 and provide an opportunity for electors of the City of Melville to ask questions of the Council and Officers. It is not a forum for presentations. If Mr Advalue had questions relating to the Community Planning Scheme or other matters, there would be an opportunity later in this meeting to raise those questions.

Question 2

*“(a) Why and how has Councillor Pazolli’s efforts in Council debates been curbed?”*

**8.4 Mr J Addvalue, Applecross (Continued)**Response

The meeting procedures of the Council and Committees of the Council are governed by the City of Melville Standing Orders Local Law 2003. The application of the Standing Orders Local Law applies to all meetings.

(b) *What is his present legal position?*

Response

The context of this question is not clear other than to confirm that all meetings are governed by the City of Melville Standing Orders Local Law 2003.

(c) *Is this curbing or curtailment really necessary and democratic?"*

Response

The City of Melville Standing Orders Local Law 2003 applies to all Councillors when participating in a Council or Committee Meeting. The Local Law was examined by the Western Australian Parliament Joint Standing Committee on Delegated Legislation prior to being gazetted as a Local Law in 2003. The application and adherence to the Local Law is the responsibility of each Councillor.

Question 3

*"Why has COM not provided a footpath of property width for Nisbet Road from Duncraig Road up and over the hill to the riverside? On my request several years ago, it was to be provided in 2009/2010. I also spoke to of the need for the path, at the last AGM."*

Response

At this time there are no plans on the current Five Year Forward Works Program to construct a new path at this location, as there are currently a significant amount of other paths on the Long Term Program with a higher priority.

This path received a relatively low score in our priority scoring process which indicates a medium priority. The priority scoring process evaluates potential paths in the City of Melville in accordance with Council's Policy on this matter.

To give some comparison, there is only one new path on our current program for 2012/2013 and our forward works program range contains paths with a priority scoring from 27 to 36. These include footpaths along major roads such as Reynolds Road, North Lake Road and Canning Highway.

**8.4 Mr J Addvalue, Applecross (Continued)**

The Forward Works Program has been reviewed recently after a path condition survey indicated a significant backlog in path renewal requirements. Although we still spend in the order of \$1.2 million a year on paths, the amount allocated to new path construction has been reduced to fund these renewal requirements. The City must renew its existing path assets before constructing any new assets as they represent a significant risk to the City, particularly in terms of the potential for personal injury.

Question 4

*“When will the tennis courts and other bitumen playing surfaces at Jack Howson Reserve, Applecross be resurfaced and made good? Also the practice wall needs a white line at tennis net height.”*

Response

The City has not budgeted for resurfacing of the tennis court at Jack Howson Reserve this financial year, further investigation will be undertaken to determine the condition of the courts. Consideration will be given to resurfacing the courts based on usage of the courts and condition of the playing surface, if it is concluded that resurfacing of the court is required the project will be proposed as part of the future budget planning process. In the interim the City will provide a white line at net height on the practice wall; the line will be installed by the end of January.

**8.5 Mr C Owens, Booragoon**

*“Background; My understanding is that a commitment was given by the City of Melville and the State Government of the day that the Heathcote precinct and its buildings were to be available for community use.*

*The Common Seal Register details recorded in the agenda items of an Ordinary Meeting of Council on the 16th October 2012 state that the City of Melville has authorised Challenger Tafe to sub-lease part of Murray House to IT Integral Development Associated Pty Ltd.”*

Question 1

*“Was the opportunity made public to Melville community based organisations to apply for sub-lease of Murray House?”*

Response

Murray House is leased to Challenger TAFE for educational purposes. The adjoining building, the Administration Building is managed by Challenger Tafe for community purposes.

**8.5 Mr C Owens, Booragoon (Continued)**Question 2

*“Did the original lease permit the building (Murray House) to be used for commercial purposes?”*

Response

The original lease allows use for educational purposes and all uses approved by the City of Melville Community Planning Scheme No 5. The lease contains a provision that requires the City to provide consent to a sub-lease *“such consent not to be unreasonably withheld”*.

Question 3

*“Did the original zoning allow Murray House to be used for commercial purposes?”*

Response

The Community Planning Scheme No 5 provides a number of uses from office, child minding centre and particularly educational purposes. The lease provides that uses may change as the Community Planning Scheme is *“amended from time to time”*.

Question 4

*“Does the original lease give authority to Challenger Tafe to sub-lease Murray House and if so under what terms?”*

Response

The original lease provides authority to the Lessee to use, assign or sub-lease Murray House consistent with the provisions of the City of Melville Community Planning Scheme. When an approach from the Lessee to the City is made, the City may not unreasonably withhold consent.

**CITY OF MELVILLE COMMUNITY ANNUAL REPORT 2011/2012**

At the conclusion of the written questions His Worship the Mayor called for a mover and seconder to receive the Community Annual Report. 2011/2012.

At 7.03pm Ms P Phelan of Willagee moved, seconded Mr C Walkley of Bicton –

**That the Community Annual Report 2011/2012 for the Year Ended 30 June 2012 be received.**

At 7.04pm the Mayor submitted the motion which was declared

**CARRIED**

His Worship the Mayor invited questions from the meeting attendees.

**8.6 Mr J Addvalue, Applecross**

*Mr Addvalue felt he had not had an answer to his written question regarding the perceived curtailment of Cr Pazolli during debate at Council Meetings.*

His Worship the Mayor responded advising that all discussion and debate on items before the Council and the conduct of meetings were held in accordance with the Standing Orders Local Law 2003. The Governance & Compliance Program Manager further clarified the previous response given in relation to Mr Addvalue's question.

**8.7 Ms P Phelan, Willagee**

*Ms Phelan asked for an update on the extension of Roe Highway taking into consideration the "pressure cooker situation" with the Murdoch Development, what the government is going to be doing about the extension of the Roe Highway particularly relating to budgets and timeframes.*

His Worship the Mayor responded advising that the City was still pushing hard for the extension of the Roe Highway to get traffic off South Street and Leach Highway to improve safety and conserve the amenity for the community.

His Worship the Mayor advised that he had written to the Premier and was hoping for a response prior to Christmas that the Roe Highway extension would be included as a major issue in the Liberal Party's 2013 Election Campaign.

The Director Technical Services advised that by the end of this year or early next year Main Roads will have all approval processes in place for the extension however that is subject to joint funding from Federal and State Government for the project. There has been modeling done more recently by the Public Transport Authority (PTA) and Main Roads that shows congestions on the freeway in the early morning peak and on South Street in the afternoon peak. There are grade modifications at the intersection of Murdoch Drive and South Street to alleviate the afternoon peak of people exiting the hospital when it opens. Main Roads were also considering a short term solution for traffic which is an off ramp from the freeway to exit left from the Kwinana Freeway to Farrington Road to alleviate the congestion at the South Street off ramp. The modifications are hoped to be in place prior to the hospital opening which will solve the issues of the early morning peak in the short term and the intention is that there will be a left turn out of the freeway only. There will not be any right hand turn capacity into Farrington Road, it will be a left turn lane down to the roundabout and then accessing Murdoch Drive to Fiona Stanley Hospital.

**8.8 Mr C Owens, Booragoon**

*Mr Owens sought further clarification to his written Question 1 (Item 8.5) regarding the transparency of subleasing part Murray House to a commercial enterprise instead of a community based organization and asked if this availability had been advertised.*

The Governance & Compliance Program Manager responded advising that the commercial sub tenant delivers leadership training and the lessee had invited the company to sublease part of the premises as they were permitted to do under the current lease. The lease basically states that if a use is permitted by the Community Planning Scheme then the Council cannot unreasonably withhold consent to approve a sub lease.

**8.9 Mr N Williams, Mount Pleasant**Question 1

*Mr Williams asked about the attitude of the Council to the new “normal environmental and economic problems” being confronted by the City and society in general and enquired as to what the Council has planned for the future in relation to managing environmental issues.*

Response

The Chief Executive Officer advised that from a strategic level the City has implemented ISO 14001 which is the Environmental Standards, to ensure that anything the City does tries to minimise its impact on the environment. Part of that is the Environmental Plan. The City has an environmental plan that is in place with a number of strategies. In relation to water, the City has been working through the International Council for Local Government Environmental Initiatives (ICLEI) program and has been awarded the top level of reaching Milestone 5 in the Corporate Module of the Water Campaign in relation to water management. Part and parcel of the problem that the City currently has before it in relation to our capacity concerning water is an ongoing issue and there is some discussion that water allocations might be reduced moving forward so the City is looking at hydrozoning in our parks which is reducing the area of turf so that the City only properly water and maintain the active area of parklands. The City is also looking at other surfaces that can be used to increase the utilisation of the parks without having to build new reserves.

The Director Technical Services advised that the City has a Climate Change Adaptation Plan which was endorsed by Council, an Environmental Improvement Plan which is linked to ISO 14001, the Chief Executive Officer touched on the ICLEI milestones that the City has achieved for sustainable water use and climate change. The City is in the process of developing a Water Rationalisation Strategy where all public open space is prioritised with regard to reducing certain areas of turf and on medians where the City needs to reduce the turf and increase natural biodiversity in those areas and save water. The Chief Executive Officer touched on hydrozoning of reserves. There are a number that have been hydrozoned and there is a program to do that over the next few years linked to that Water Rationalisation Strategy.

**8.9 Mr N Williams, Mount Pleasant (Continued)**Question 2

*Mr Williams referred to work being done in the South Australia diverting stormwater back in to aquifer areas and asked if that had been looked at here.*

Response

The Director Technical Services responded advising that conditions were slightly different here than in the Eastern States. They don't have the same natural ground water recharge as we have here. We have a number of compensating basins where the stormwater is harvested and collected and naturally filtrates into the ground water. There obviously needs to be consideration of environmental flows when we are harvesting any stormwater but there are very few outlets that lead directly into the river and the majority of the stormwater across the City is captured, managed and has a natural filtration into the ground water. That then recharges the aquifer which allows us to extract for irrigation purposes throughout the area.

The Chief Executive Officer advised that he had visited the site in South Australia and that they had a very different process. At this stage the economics do not stack up but in future there is a good chance that it would have to be considered particularly if the City is restricted further on the amount of water that it is allowed to use.

Question 3

*Mr Williams asked how the City can change the summer pattern of drying out of lakes like Booragoon, Blue Gum and North Lake which affects the wildlife.*

Response

The Director Technical Services responded advising that climate change is real and that over the years the lakes have on occasions been wet and dry. That period of change is difficult to determine in a time scale of that magnitude. There is not capacity within the current allocation of groundwater to maintain water levels in those lakes for aesthetic value and for the environment such as the wildlife that is there. What generally happens is that the fauna will move to other locations and that is something that is a natural occurrence. that has happened over millennia.

**8.9 Mr N Williams, Mount Pleasant (Continued)**Question 4

*Mr Williams asked if there was anything within the new City Concept Plan other than what is listed such as Riseley Street, Murdoch Activity Centre, about developing more local village developments to encourage the existing small shopping areas that exist across Melville.*

Response

The Chief Executive Officer responded advising that the City is close to finalising the City Planning Scheme. Within the scheme there are a number of quarantined areas which have separate studies, Canning Bridge, Riseley Street, Murdoch Activity Centre Part B Structure Plan and the City is looking at other areas potentially such as Stock Road and the City Centre development in Booragoon so there are a number of developments that the City is working through at this stage.

At 7.30pm Cr Reidy left the meeting and returned at 7.33pm.

**8.10 Mr J Addvalue, Applecross**Question 1

*Mr Addvalue asked if the Director was aware of the physical set up at Nisbet Road, Applecross outlining his concerns of the steepness of the road and the fact that it is used by cyclists, people with prams and the elderly. Mr Addvalue believes that Nisbet Road urgently needs a footpath and added that the road is used by thousands of people particularly over Christmas.*

Response

The Mayor advised that the Director Technical Services would investigate this suggestion.

**8.11 Mr R Petterson, Leeming**

Mr Petterson asked questions relating to the Southern Metropolitan Regional Council (SMRC), specifically –

- *The City of Melville's support for the SMRC to close temporarily.*

The Chief Executive Officer responded advising that the agreement for the closure of the SMRC was with the South West Group CEOs and the Director General of the Environment where it was agreed that the facility would shut on that date if the works were not completed in time. The works will be completed in mid January 2013.

- *Conflict of Interest for Cr Willis and Cr Robartson for the Item relating to the SMRC on the December 2012 Council Agenda.*

The Governance & Compliance Program responded advising that where a Councillor is receiving any remuneration for attending a meeting there would be a financial interest and the Councillor may decide to either leave the meeting or ask the Council to allow them to stay, discuss and vote or any one of those. In terms of Cr Robartson who was on the SMRC Committee as a Council representative previously, the Councillor may choose to make a Code of Conduct declaration but if the Councillor is not receiving any financial return then it is a Code of Conduct declaration that may be required.

**Note:** Further research has identified a section of the Local Government Act 1995 that provides an exemption from a declaration for Councillors on Local Government or Regional Committees.

- *Capping of funds to the SMRC from the City of Melville.*

The Chief Executive Officer responded advising that the City is honouring the Establishment Agreement. In relation to what the City will or will not do is up to the Council. The Council has gone along with what it believes its community wants which is the reduction of waste to landfill and better environmental management which it is doing and it will be a Council decision whether it continues or stops or anything in between.

- *Since the introduction of the Carbon Tax by the Federal Government the payment of \$512 for each tonne of carbon that is saved.*

Mr Petterson was asked to forward these calculations to the City of Melville.

**8.11 Mr R Petterson, Leeming (Continued)**

- *The closure of the Waste Composting Facility (WCF) Plant in Cobb County after 15 years as it was not sustainable. (The Plant the SMRC was modeled on)*

His Worship the Mayor responded advising that having seen the information provided to him from Mr Petterson two years ago, the facility at Cobb County seemed to be a very different type of facility, not so much in its construction but in terms of its location. It seemed to be in very close proximity to residents and a major difference between the SMRC operation and their operation was they had ready access to landfill so clearly it was only there on environmental grounds it wasn't there because they didn't have alternatives as they did have alternatives. The complaints they had from residents (some only 50 metres away) was in relation to trucks arriving. The operation of the centre was good, they only closed because they had easy access to landfill. The centre was developed just for environmental gains. Cobb County is a very different situation to the SMRC with 500 metres separation.

- *New Technology being implemented in Kwinana that will make the SMRC redundant.*

The Director Technical Services responded advising that the City is aware of the proposal in Kwinana by Pheonix Energy and as it is only a concept at this stage there is no financial commitment by anyone. They would require 300,000 of MSW waste per annum with a long term commitment of 20 years so the City is fully aware of the concept and the alternatives however there is no commitment by the State Government, there is no commitment by Pheonix Energy and there is no financial commitment to construct certainly in the short term.

- *Approach to SMRC by Pheonix Energy to receive waste lower than cost charged to City of Melville*

The Chief Executive Officer responded advising the City is aware this is a complex issue and many of the questions asked tonight have been asked before and we have answered before. The City has a watching brief. It will be part of the analysis of the City moving forward.

The City has –

- been strongly asking the State Government to show leadership.
- Gone to Canberra and lobbied the Commonwealth Government in relation looking at undertaking research and studies to determine what is the best process for waste management.
- Had a committee chair that was put in place and interviewed all local governments, made recommendations in relation to the levy and the leadership that is required by the State Government in this area.
- Looking forward to competitors coming into the market place but the City would like to see that they and the State Government are prepared to commit their money. This City has put its money forward it does recycle its waste and there are no legacy issues in relation to what is left in the ground creating plumes.

All the costs need to be factored in and the Chief Executive Officer stated that he did not know what the answer is moving forward.

Mr Petterson was granted an extension of time by simple majority vote from the Electors.

**8.11 Mr R Petterson, Leeming (Continued)**

- *The City of Melville's support for another temporary closure should the humidifier not solve the odour issue.*

The Chief Executive Officer advised this was a hypothetical question.

- *Relinquishment of Booragoon office by SMRC.*

The Director Technical Services responded advising that there was a request from the member councils for the SMRC to review its Booragoon offices and that was done and presented to the SMRC Council in November.

- *Repayments and repayment date for the SMRC WATC loan.*

The Director Technical Services responded advising the loans associated with the SMRC are expected to be repaid by 2023.

As far as the loan repayments go there is a structured plan within the budget process within the SMRC and perhaps that question is better directed to the SMRC. The City and all the members councils are aware of their proportion of the loan. The City was aware of the steps and measures that have been put in place to reduce those loan payments. The facility has a life and all loans are expected to be paid by 2023. Mr Petterson's comment about only member councils contributing to the SMRC is not the case there are other suppliers that process waste at the SMRC through the WCF through the green waste facility MRF has capacity and alternative revenue streams that the SMRC are pursuing. All those are taken into consideration and reported through the financial statements of the SMRC. The City is aware of the extent of the loan and the repayment process and the loan will be repaid in full in 2023.

At 7.40pm Ms Johnson left the meeting and returned at 7.43pm.

*Mr Petterson asked a question relating to a Community Meeting held at the Melville Glades Golf Course in August to discuss the future of John Connell Reserve when residents were advised that there were no pre conceived ideas of what to do with the site. Mr Petterson then asked a question relating to a letter to the Minister of Lands about a land swap with Ken Hurst Park which was not mentioned at the Community Meeting..*

The Chief Executive Officer responded advising it is a Greenfield approach meaning there is no prior plan for the community to consult on and in this case, the City chose ask for responses and develop a plan from there.

The letter that was sent to the Minister of Lands was in relation to the fact that there is a 42 hectare site which is worth about \$30 million that is owned by the City but is being quarantined by the State and by actions the City has taken in the past which means the value of that site is now very low.

To try and ensure that the City can recover the costs or some value that it invested in the site, which was supposed to be a landfill site, we are enquiring whether the State would consider the transfer of titles. It can still be retained as Bushland Forever site but the City then gets the value of Ken Hurst Park and can use that money elsewhere. They are completely different things although they are associated with the same project.

**8.11 Mr R Petterson, Leeming (Continued)**

*Mr Petterson advised it was the plan the Council approved 12 years previously to convert the area to playing fields as the City identified at that time it was running out of space.*

His Worship the Mayor responded advising that there was a cost associated with that which would be a significant burden on ratepayers and the City has to look at different ways to have the land available for open space and Council will work with the community to refurbish the land at no cost to the community.

**8.12 Mr V Roberts, Booragoon**

*Mr Roberts thanked the Elected Members for all their hard work and valuable time they have contributed for the year and commended the City on the People Places Participation 2012-2022. Mr Roberts advised it had been difficult to get the correct information to the City in relation to clarifying the quantity measure that had been recorded in one of the consultation documents being the erroneous errors for water usage required to reticulate Len Shearer Reserve as "mls per hectare" which appeared to be millilitres. Mr Roberts explained the difference between millilitres and megalitres and advised that he had to report this to the City three times before it was corrected and advised that there needs to be a cultural change.*

*Mr Roberts then wished Elected Members and Officers all the very best for 2013.*

His Worship the Mayor responded advising that the City had received a National Award for its engagement with the Community from the Australian Institute of Public Participation. So there was something wrong with the Len Shearer consultation if what Mr Roberts said was correct.

The Director Community Development thanked Mr Roberts for his comments and responded advising that with the Len Shearer project the premise that the City went out with was a draft concept plan. The City has since had a lot of comment back, feedback and consultation with stakeholders including user groups of Len Shearer and residents. The City has been committed in taking in all feedback and will go back to the community with redrafted concept plan that addresses the concerns from the user groups and local residents. The Director Community Development advised she looks forward to working with Mr Roberts and other residents as the project progresses.

**8.13 Mr N Williams, Mt Pleasant**Question 1

*Mr Williams asked if the South West Group could have influence on helping Melville with the traffic problems with the Fremantle harbour by encouraging the outer harbour development which seems to have hit a road block.*

His Worship the Mayor responded advising that the South West Group has lobbied extensively both local and Federal parliamentarians in relation to the alternate harbours in Kwinana and the advantages of the Roe Highway extension.

**8.13 Mr N Williams, Mt Pleasant (Continued)**Question 2

*Mr Williams commented that the City could look at a local sheriff level of enforcement or local policing larger than the CLSS and suggested that local service would be better than having a police service which is now operating on a reduced budget.*

Response

The comment was noted.

Question 3

*Mr Williams asked a question about increasing remuneration for Councillors suggesting with current boundaries if there was reduction to number of Wards to 4 or 5 to increase the pay for Councilors and encourage the development of Councillors.*

Response

His Worship the Mayor advised that part of the reform would be to look at this issue.

On behalf of the Elected Members and Staff of the City of Melville, His Worship the Mayor thanked everyone for their attendance and wished everyone a Merry Christmas and a Happy and safe New Year. His Worship the Mayor invited Electors to enjoy refreshments with Elected Members and Officers.

**9. CLOSURE**

There being no further business, His Worship the Mayor, R Aubrey, declared the Meeting closed at 8.05pm.