

MINUTES

OF THE

SPECIAL MEETING OF ELECTORS

HELD IN THE

CONFERENCE ROOM, MELVILLE CIVIC CENTRE

AT 6.30PM ON

MONDAY

23 JANUARY 2017



MINUTES OF THE SPECIAL MEETING OF ELECTORS HELD IN THE CONFERENCE ROOM, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING AT 6.30PM ON MONDAY 23 JANUARY 2017.

1. PRESENT

His Worship the Mayor, Russell Aubrey

COUNCILLORS

Cr R Aubrey (Deputy Mayor)
Cr D Macphail
Cr N Pazolli, Cr C Schuster
Cr J Barton, Cr G Wieland
Cr C Robartson, Cr M Woodall
Cr P Phelan
Cr N Foxton, Cr T Barling (late arrival 6.34pm)

WARD

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

2. IN ATTENDANCE

Dr S Silcox	Chief Executive Officer
Mr M Tieleman	Director Corporate Services
Ms C Young	Director Community Services
Mr L Hitchcock	A/Director Technical Services
Mr S Cope	Director Urban Planning
Mr J Clark	A/Executive Manager Legal Services
Ms C Newman	Executive Support / Governance Officer
Mr N Fimmano	Governance and Property Officer
Ms S Williams	Administration Officer – Specialist
Ms J Arbel	Strategic Communications Advisor
Mr E Gould	Digital Communications Advisor
Mr P de Lang	Healthy Melville Coordinator
Mr J Rae	Strategic Land and Property Executive
Mr S Stevenson	Health Melville Coordinator
Ms L Hartill	Manager Neighbourhood Development
Ms M Piasecka	Coordinator Stakeholder Engagement

At the commencement of the meeting there were 656 Electors of the City of Melville and two members of the press in attendance.

3. APOLOGIES

Nil.

4. LEAVE OF ABSENCE

Cr L O'Malley Palmyra/Melville/Willagee

5. INTRODUCTION OF ELECTED MEMBERS AND OFFICERS

His Worship the Mayor, R Aubrey, introduced individual Elected Members and Senior Staff to the meeting.

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 SPECIAL MEETING OF ELECTORS**

The following Notice of Meeting was advertised in the West Australian Newspaper on Friday 6 January 2017 and the Melville Times Community Newspaper on Tuesday, 10 January 2017 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, 23 January 2017**

A Special Meeting of Electors of the City of Melville will be held at the Civic Centre, 10 Almondbury Road, Booragoon **commencing 6.30pm** on Monday 23 January 2017 to consider a request signed by 125 electors to discuss -

The environmental and community impacts of the proposed ground lease of a portion of Tompkins Park to Wave Park Group Pty Ltd for the development of a surf sports, recreation and leisure facility.

Should you require further information, please contact Corporate Support on 9364 0607.

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

**Dr Shayne Silcox
Chief Executive Officer”**

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

7.2 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. 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 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 (8.3 of Standing Orders).
12. 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. PRESENTATIONS

8.1 Presentation by Mr A Ross, Founder, Urban Surf (Chairman, Wave Park Group)

Mr Ross advised they were aware that there were a number of concerns as to whether or not Tompkins Park is suitable location for this proposal. All concerns would need to be managed and mitigated for the project to progress and they would need to be addressed and approved by the relevant State Government departments.

The Proponents understand that this is an emotive issue, however the proposal is still in concept phase and there is significant work to be done before a final determination can be made.

The Wave Park Group is seeking support to further explore the proposal to ensure its benefit to the wider Melville community.

8.2 Presentation by Mr Maynier, Attadale

Alfred Cove is not a suitable location for this proposal; it endangers a world class community asset. This is an iconic area of the City of Melville. The Perth metropolitan area has two world-class open spaces – Kings Park and Swan River foreshore and these should be preserved for the well-being of the population and ecology.

The revenue generated by this proposal to the City of Melville is not significant and would only be received if this high-risk commercial venture is successful.

This area should be Public Open Space, free for use by all.

The proposal is on Bush Forever Site (site 331) identified by the Government in the 1990's as places of high conservation value, to be retained for vegetation and wildlife and as linkages of reasonable significance forming a corridor for wildlife.

This proposal is a major change to the use of the site and an opportune time to reassess the use of the site to ensure it is free and accessible for future generations.

8.3 Presentation by Mr T Lubin, Attadale

Objection to the City of Melville privatising a section of Tompkins Park by lease to the Wave Park for 50 years due to the concerns that this development will have an impact on the Pelican Cove fragile environment.

A great majority of ratepayers who are unlikely to use the proposal facility, are being asked to trust that this proposal won't do permanent damage the sensitive eco-system of this area.

The Wave Park should be located an at more environmentally appropriate location.

Tompkins Parks should remain as it is and will oppose any large scale commercial proposal on this site.

Presentation by Mr T Lubin, Attadale continued.

The proposed Wave Park is second-rate to the Wave Park to be built in Melbourne, which will have bigger waves and longer rides.

Environment concerns should a catastrophic leak occur – other site with similar technology have experienced significant shut downs due to leaks and with environmental impacts.

Wave Parks are a new type of ‘theme park’ experience using leading edge technology. This is a highly speculative venture especially considering that the proponents have three capital city projects in progress all within the same timeframe. There is little evidence that this type of proposal is environmentally safe and commercially viable.

The City of Melville should protect and promote the internationally Swan Estuary Marine Park and Alfred Cove A Class reserve tourist destination and represent the majority of electors of the City.

At 6.57pm moved Mr D Maynier of Attadale, seconded Ms M Sandford, Applecross

That an extension of time be granted for Mr Lubin to continue to present to the meeting.

At 6.57pm the Mayor called for a show of hands for an extension of time for Mr Lubin to continue to present to the meeting.

CARRIED

8.4 Presentation by Ms M Sandford, Applecross

Concerns associated with the traffic and parking congestion around Canning Highway, Dunkley Avenue and surrounding feeder streets that will increase if this proposal proceeds.

Austrad's Report in the West Australian Newspaper on 17 December 2016 that Canning Highway is the fourth slowest road in Perth, with a current average daily speed of 38 kilometres per hour.

If the proposed Wave Park attracts its projected number of patrons (300,000 per annum) many will coincide with peak traffic times and impact the already congested peak traffic times through this area.

In particular has concerns regarding congestion around the proposed Wave Park car park entry point near the intersection of Canning Highway and North Lake Road, which will further extend journey times through this area.

Already considers the intersection of Dunkley Avenue, Norma Road and Canning Highway to be dangerous, in particular when trying to turn right out of Dunkley Road into Canning Highway. The proposed relocation of the Bowling Clubs to the corner of Canning Highway and Dunkley Avenue will mean that Dunkley Avenue will become the only access / exit point for the whole Tompkins Park sporting complex.

Information received from the RAC in January 2017 (via email) it is predicted that seven out of the ten most congested roads in Australia will be in Perth.

The current proposal for the Wave Park is not to the same standard as that proposed for the Melbourne development.

A larger site would provide for a bigger and better Wave Park, less traffic congestion and consideration of the environmentally sensitive site.

8.5 Presentation by Mr L Wyatt, Bicton (on behalf of Mr M Nichol – Chair, Friends of Attadale Foreshore).

Representing Friends of Attadale Foreshore whose aim is to protect the foreshore, reserves and marine park and who are opposing the proposed development at this environmentally sensitive location and request that the Council consider an alternative venue.

Alfred Cove is home to a group of Osprey who have been at the site for many years. This is a significant site for birds as migratory birds rest and feed at this site, which is part of the south-east Asian Flyway. Increased noise, light and traffic will disturb these birds and other wildlife in the area.

Concerns about the impact on ground water levels in the Alfred Cover area as water loss at the proposed Wave Park will be replenishment via a groundwater bore, on a daily basis. Evaporation will be increased by water splash and wind effect. In recent years the Council has limited reticulation to the Burke Drive open reserve to conserve the water table.

There are risks of water leakage from the Wave Park and consideration of the impact of chlorine and other chemicals on the environment.

Should the proposal proceed, it will be operate in competition with existing private enterprises in this area, an may suffer to the extent of being unviable. No public swimming pools are profitable – this is on a grander scale. This proposal caters to a minority and competes with the ocean.

**8.6 Presentation by Ms C Young, Director Community Development
[Presentation Special Electors Meeting 23 January 2017](#)**

The Director Community Development outlined the process undertaken to date, including the unsolicited proposal from the Wave Park Group. The proposal is considered a Major Land Transaction under the *Local Government Act 1995* and the City is required to follow a prescribed process under the section 3.59 of the *Local Government Act 1995* in dealing with this matter.

Currently a Statewide Advertising and public submission period has been open for eight weeks and closes at the end of this week (Friday 27 January 2017).

It is acknowledged that there is environment and community impact and these would be assessed by the State Government.

It is proposed to provide a report to February 2017 Ordinary Meeting of Council for consideration.

If a ground lease is approved by the City of Melville, the Wave Park Group would be able to submit the statutory Development Application with relevant statutory approval agencies. This is not under the jurisdiction of the City of Melville.

The proposed development lies within Swan Canning Development Control area, which is governed by the *Swan and Canning Rivers Management Act 2006* under the control of the Department of Parks and Wildlife, who would assess the application and seek comment from a number of agencies including, but not limited to:

Presentation by Ms C Young, Director Community Development continued.

- City of Melville;
- Department of Planning;
- Main Roads WA;
- Department of Water;
- Department of Aboriginal Affairs;
- Department of Sport and Recreation
- Department of Lands
- Western Power
- Water Corporations
- Department of Environment

The Minister for Environment makes the final determination on the application.

9. QUESTIONS

At 7.16pm the Mayor read out the questions that had been received in writing prior to the meeting.

9.1 D Stanton, Palmyra

It would seem that most of the Alfred Cove Action Group members are residents of the medium density (R30) Pelican Cove residential development (52 residences, 2.2ha site - same size as the Cove) which immediately adjoins the A Class reserve. The development is only separated from the reserve by a 3m wide cycle path. Can the Council please advise:

Question 1

Was there any opposition to the Pelican Cove development?

Response

Yes, there was opposition to the development including Special Meetings of Electors.

Question 2

If so, please describe the nature and type of the opposition that was received?

Response

The opposition was mainly in relation to:

- Traffic congestion
- Environmental impacts
- Loss of amenity
- Impact on adjacent A-Class reserve and impact on migratory birds
- Encroachment into Wetland Area

Question 3

The development proceeded, so the matters which were complained about by the community must have been resolved. How were these matters resolved?

Response

The matters were resolved through the planning and development process during the assessment of and conditions placed on the development application.

Question 4

ACAG has stated that it wishes for the Melville Bowls Club to be returned to parkland. In furthering the interests of the community, would the Council investigate returning the Pelican Cove development to parkland also?

Response

No, that will not be occurring. The Council have resolved to pursue recreational uses on the Melville Bowling Club site that provide a financial return to fund community sporting hubs such as the Tompkins Park redevelopment.

9.2 Mr Jonathon Davidson, Address not providedQuestion 1

How often will water used for the Wave Park be changed?

Question 2

How much backwash water and runoff will be produced daily?

Question 3

How much chlorine will be added to the Wave Park each week?

Question 4

Will the Park require a department of environmental regulation licence?

Question 5

How often will water have to be changed, to confirm with state health standards?

Question 6

Will there be any underground infrastructure connecting the wave pool to the swan river?

Question 7

What measures are in place to ensure that the wave park conforms to all department of health standards as per Adventure World for example?

Question 8

What quantities of chlorine be stored on site?

Question 9

Will any water be discharged into the swan river during emergency contaminations

Question 10

How often will the facility be tested for bacteria

Question 11

Is there a business plan

Question 12

Will the facility be affordable for lower income bracket residents

Question 13

Has an EIA been conducted

Questions from Mr Jonathon Davidson, continued

Question 14

What will the maximum wave height requirement be?

Question 15

Are the directors of the project prepared to acknowledge the loss of green space as a genuine concern to some ratepayers due to aesthetic qualities?

Question 6

What percentage of profit will go back into the community?

Response

These are matters for the proponent to address.

Should the proposal progress, the matters above will be addressed in detail as part of the Development Application process and assessed by the relevant State approval agencies.

9.3 Mr Meecham, Willagee

Question 1

The Council has previously stated that it has not received any reports/assessments on the potential impacts on the environment, community and traffic caused by the proposed wave park. Can the Council confirm when, and by whom, these reports will be completed?

Response

Should the proposal progress, the Development Application process will address these issues. It is likely that the proponent will need to develop a number of relevant management plans in relation to construction and operations.

Question 2

Can the Council confirm the number of patrons per annum required to ensure the financial viability of the proposed wave park? Note - it is acknowledged the business case indicates Wave Park Group forecast-300,000 patrons per annum.

Response

This is a matter for the proponent.

Question 3

Can the Council confirm whether the hourly rates for participation at the facility have been set by Wave Park Group, and whether Wave Park Group has published these rates?

Response

This is a matter for the proponent, however the City understands that pricing has not been set.

Questions from Mr Meecham continued

Question 4

Is Council aware that surfing as a sport has one of the longest histories of any sport and that approximately 100,000 Perth residents actively pursue the sport across 4 generations?

Response

Yes

Question 5

Furthermore, is Council aware that surfing is second only to AFL in terms of total sporting participation in Australia, and that according to the ABS there are significantly more surfers in Perth than people who play cricket, both indoor and outdoor versions combined?

Response

Yes, as per the business case.

Question 6

Is the Council aware that 'Swan Estuary Marine Park and Adjacent Nature reserves Management Plan 1999-2009' dated July 2014 had among its key findings that 'further funding was required' and that 'budget constraints and limited resources have restricted the completion of a number of strategies'? Further, does the Council acknowledge the offer of 'financial and other support for the rehabilitation of adjacent wetland vegetation' included in the business case?

Response

Yes, the details of the offer will need to be worked through (prior to the proponent submitting a development application) should the proposal progress further.

Question 7

The Alfred Cove Action Group has published in the local press that the wave park will be an 'environmental disaster' and statements around the financial viability of the proposed wave park. If it is found these statements are unfounded, will the Council be publishing corrections to the advertisements of ACAG in the local press to correct the misinformation that is being propagated through the community?

Response

It will not be necessary to do this.

9.4 Mr Wallace, BictonQuestion

When is the City of Melville going to release to the public the various results submitted to the DER for the Tompkins park land fill site to have the 2003 to 2009 Dec contaminated site notice reduced to the 2009 onwards DER "suspected contaminated site-investigation required the city submitted on or about 2007-2009?"

Response

The Detail Site Investigation Reports were prepared by the City for the purposes of meeting its obligations under the Contaminated Sites Act and providing that report to the Department of Environmental Regulation. Release of the reports is dependent upon approval from the Department of Environmental Regulation.

Question 2

When is the City of Melville going to release to the public the contamination survey results submitted to the DER for the Tompkins park area in 2011 and 2015 to have the "suspected contaminated site-investigation required" currently on the land title, downgraded to "remediated-restricted use"?

Response

As per previous response

Question 3

Is the City of Melville fully compliant with DER statutory requirements under the contaminated sites act in the period 2003 to this day?

Response

Yes.

Whilst the City has not received formal notification of DER on the reclassification of the site it has identified from DER's register (today) that the affected sites have been reclassified "remediated for restricted use".

9.5 Ms N Wallace, BictonQuestion

Has the City of Melville ever told the proposed developer URBAN SURF Group that the site they are to lease is not part of the land fill area?

Response

The City is aware that the proponent Wave Park Group was aware that part of the site was a former fill site in the mid 1950s' to early 1960's prior to it lodging its unsolicited proposal to the City.

At 7.26pm the Mayor invited questions from the meeting attendees.

9.6 Mr R Kronberger, Applecross

Question

Why take away what we have got there now? How much consideration has been given to the detail of the commercial aspects of this proposal? Which includes fitness centers, film festivals, climbing walls and BMX tracks. There is no restriction on fast-food outlets or signage. The building footprint of buildings in only 2000m² does this mean there are no restriction on high limits.

Response

The land use under the Metropolitan Regional Scheme and the City's Town Planning Strategy is Parks and Recreation and restricts the type of usage. This proposal is compatible with this use.

Other concerns can be addressed as part of the Development Application stage by the various State Government Departments that would be involved in this proposal.

9.7 Ms J Hackett, Applecross

Question

When decision making is made, we expect the Council to implement an effective way of managing the space for now and into the future. Why was the community not asked what the best use of this land would be? Will Council, before it makes a decision call for a range of tenders or propositions for the site?

Response

The City is currently following a legislated process. As part of this process a community submission period is currently open, this is an opportune time for submissions to be made.

Question 2

Why is the City not putting a similar level of energy into exploring alternative options for the site?

Response

The City is following a legislative process, as part of this process, the Council is required to consider any submissions received.

Question 3

If this proposal proceeds, can a proper risk management assessment, be undertaken for the community?

Response

The relevant State Government departments are the experts the relevant areas. They would undertake a rigorous assessment process in consideration of this application.

9.8 Ms M Sandford, ApplecrossQuestion

Does the Council have the power, on receiving an unsolicited bid, to put the site up for public tender? Why is the Wave Park given first right of refusal on this matter?

Response

The Wave Park Group do not have first right of refusal on this matter. An unsolicited submission has been made and under legislation, the City is required to give the proposal consideration, following a statutory process.

Question 2

What steps did the City of Melville take to advise the wider community that this site is available for lease? Why has it not been put out to tender?

Response

It was reiterated that a submission has been received, there is a process to be followed. The City is currently following the statutory process.

9.9 Mr K Kelers, Alfred CoveQuestion

Has the Council considered the road hazard conditions that will be caused by the Wave Park and its implications?

Response

Road and traffic conditions are under the care and control of Main Roads Western Australia. As the relevant authority, if this proposal is to progress to the Development Application stage, Main Roads would require a report from the proponent for consideration and assessment.

Noise is considered under a Development Application, there are a number of controls to curb noise in public places. Signage needs to be approved by local governments under policy.

Question

When can we expect MRWA response to this proposal?

Response

Once the report has been presented to the Council and it progresses to the next stage, the Wave Park Group would be required to submit a development application addressing various issues as required by the relevant State Government regulatory authorities.

9.10 Mr T Lubin, AttadaleQuestion

Received correspondence from the City of Melville dated 5 October 2016, that the proposal from Wave Park Group came in response to a resolution of Council at the June Ordinary Meeting to investigate suitable future recreational use for the existing Melville Bowling Club site. That is not an unsolicited proposal?

Response

A recommendation was endorsed by the Council at the June 2016 Meeting of Council, directing the City to formally explore alternative uses. The unsolicited bid came to the City before this process commenced.

Question 2

How did the proponent know about the recommendation?

Response

That question should be directed to the proponent.

9.11 Ms S Lillis, Alfred CoveQuestion

Has concerns about the impact of this proposal on migratory birds. Who will be responsible for ensuring that the ways that we believe the environmental concerns will be addressed is how it is going to respond? And who will be responsible for managing and monitoring issues such as monitoring of the waste water, birds landing in the proposed lagoon, rodent control, impact on adjacent wetland?

Response

The City is not the expert in this area, if this proposal progresses to the next stage, the various environmental regulatory authorities would assess these concerns with rigour.

Concerns about the ongoing monitoring would be addressed as conditions on the development approval and provide the ability to manage the concerns raised.

Question 2

Is Council able to include in its submission to the regulatory bodies that the City continues to have a role in the stewardship of this area?

Response

The City and the State Government departments have different roles and responsibilities, the citizens have the ability to ensure both levels of government are accountable.

9.12 Ms M Warburton, PalmyraQuestion

How will you justify overriding hard won and current local, state, national and international environmental policies and agreements including the City of Melville Urban Forest Strategy and Green Spaces Policy 2016, the Natural Area Asset Management Plan, the Foreshore Restoration Strategy and Beelie Regional Park Management Plan. Does this make for good governance and does this inspire confidence in ratepayers?

If the City is determined to have a Wave Park in its jurisdiction, why is it not considering more suitable location such as John Connell Reserve or East Fremantle Football Club redevelopment?

We have learnt to respect and protect our natural environment. Do you believe that because something is technically feasible and a section of the community wants it, that makes it right? Have we not learnt lessons from past mistakes and ignorance?

Response

The area of environmental sensitivity is not impacted by this proposal. The proposal is on City of Melville land and there is a buffer zone between the two areas and the size of the buffer would need to be considered if the proposal progress to the next stage.

There are many examples of the community not supporting various development proposals, with those concerns being addressed and becoming non-issues when the development was built.

The City is in the process of receiving submissions on this matter and there is no predetermined outcome for this proposal.

9.13 Mr G Gear, Alfred CoveQuestion

Will the Council recommit the City of Melville Lawn Bowls Strategy to another vote by Council?

Response

From a governance perspective, the question is out of order and cannot be considered.

9.14 Mr R Pride, ApplecrossQuestion

Has the Council considered the possibility that the bottom line is that a private group of entrepreneurs seeking to secure control of a piece of this municipality and that they can sell in the future?

Response

The City is following the legislative process associated with this matter.

9.15 Mr C Heatley, AttadaleQuestion

Posed a question to the proponent, Mr Ross.

Have there been any known shark attacks in developments similar to that proposed?

Response

Mr Ross responded - No.

9.16 Mr D Maynier, AttadaleQuestion

Will the Council be signing a lease with the proponent before or after all the exhaustive assessments and approvals have been given?

Response

Should the Council resolve to proceed with this proposal, the application is subject to the outcome of the various assessments. It is usual to sign a lease agreement subject to approvals from all the relevant authorities.

Question

Will it be a precondition of signing the lease that the proponent has the funds to progress the development?

Response

Any agreement such as this has the relevant guarantees to ensure this.

Question

Would there be a time limit on this?

Response

The City will not deviate from established contract law on this matter.

9.17 Mr A Bellotti, AttadaleQuestion

There was a recommendation by Council that potential developments for the Melville Bowling Club site be investigated, what investigations have been done and if they have not been done, why is this recommendation not being followed or stymied because of the unsolicited proposal?

Response

It is usual for the local government, in a tender process, to go out the market with a specific and defined project. At that point the City did not have a clear idea of what the options are for the site and as a result of the public resolution of the Council, an alternative use has been proposed.

Section 3.59 of the *Local Government Act 1995* attempts to provide for other options that may meet the needs of the City to be investigated.

9.18 Ms K Twight , Stock Road, AttadaleQuestion

Does the Council intend to let the ACG and other parties concerned about the environmental impact know what those implications are by following due process and guidelines?

Response

The Chief Executive Officer responded that if the proposal is to move forward it would be subject to the relevant environmental approvals and all other approvals required.

9.19 Dr G Mahony, BooragoonQuestion

Can this process be stopped until we get proposal on traffic, environment, security etc so electors can vote on facts?

Response

The Chief Executive Officer advised that the process cannot be stopped, the City is required to follow the *Local Government Act 1995*. Each of the concerns raised are "gates" that can stop the project moving forward. If the proposal does not get the relevant approvals from the State Government authorities the process can be stopped.

Question

Why doesn't the Council invite every ratepayer in the City of Melville to vote on this issue?

Response

The submission period is still open and this is an opportunity for everyone to make submissions on this proposal and these submissions will be presented to the Council.

9.20 Mr Shelbourne, MyareeQuestion

How can it be a fair and honest outcome when the Mayor has publically, in the media, indicated that he supports the project?

Response

The Mayor advised he has been unbiased in his responses to the media, but has not been portrayed this way in the media. Channel nine can provide a copy of the interview that shows the responses were unbiased.

Question 2

Would you be willing to gain a copy of the transcript and put it on the City of Melville website to save everyone trying to get a copy?

Response

The Mayor will advise he would not put it on the City of Melville website but would direct a copy to Mr Shelbourne for further discussion if required.

Question 3

If a property tenant doesn't do the right thing, there is a process to have them leave and for them to clean up. There doesn't seem to be due process for this in this proposal?

Response

The Contract will provide for guarantees to be lodged, that can be cashed in to meet the costs associated with the clean-up.

MOTION BY MR D MAYNIER, ATTADALE

At 8.25pm moved Mr D Maynier of Attadale, seconded Mr J McGrath, Attadale

Motion 1

That the City of Melville Council NOT support in any way, including by granting ground lease, or proceed with, the location of the proposed Wave Park on any part of Tompkins Park, the current site of the Melville Bowling Club or any other part of Applecross, Alfred Cove or Attadale foreshores.

At 8.42pm the Mayor submitted the motion.

At 8:52pm the Mayor advised that there were in excess of 600 attendees and that it was difficult for staff to ensure accurate voting results and for Occupational Health and Safety reasons there were limits on the number of people able to enter the room. All registered attendees that were eligible to vote would participate in a postal vote on this motion.

The result of the postal vote was:

For 385 Against 130. The motion was declared

CARRIED

MOTION BY MR B FAIRHEAD, ATTADALE

Motion 2

At 8:53pm moved Mr B Fairhead, Attadale, seconded Mr A Lamond, Myaree

Electors hereby request that Council refer all of the questions and concerns of electors expressed at this meeting to Wave Park Group Pty Ltd so that they can be addressed as part of the preparation of any development application that might be prepared for the site.

Further, electors hereby request that Council ensures each of these matters are considered by relevant regulatory authorities as required under the planning and environmental approval process associated with any development application submitted by Wave Park Group Pty Ltd.

At 9:08pm the Mayor submitted the motion.

At 9:08pm the Mayor advised that there were in excess of 600 attendees and that it was difficult for staff to ensure accurate voting results and for Occupational Health and Safety reasons there were limits on the number of people able to enter the room. All registered attendees that were eligible to vote would participate in a postal vote on this motion.

The result of the postal vote was:

For 185 Against 320. The motion was declared

LOST

MOTION BY MR G GEAR, ALFRED COVE

Motion 3

At 9:11pm moved Mr G Gear, of Alfred Cove, seconded Ms M Sandford, Ardross

That the City of Melville in conducting this postal vote follows the processes of the Electoral Commission and that two scrutineers from each group be permitted to attend the opening and count.

Due to the difficulties in voting, it agreed that this motion would be conducted administratively utilising in-house expertise and that two scrutineers from each group would be permitted to attend the vote count.

9.21 Mr T Seeker, Alfred Cove

Question

Can an independent party supervise the vote and report on the votes going out and the votes being returned to ensure that only eligible voters who have attended the meeting tonight get a vote.

Response

It was advised that Mr Clark has extensive experience in undertaking elections at a local, State and Federal elections and voting processes and the City is confident this can be undertaken by staff. It was agreed that Scrutineers from both sides attend the count of the votes.

10. CLOSURE

There being no further business, His Worship the Mayor, R Aubrey, declared the Meeting closed at 9.17pm.