



— City of —  
**Melville**

**MINUTES**

**OF THE**

**SPECIAL MEETING OF THE COUNCIL**

**HELD ON**

**THURSDAY, 24 SEPTEMBER 2009**

**AT 6.30PM IN THE COUNCIL CHAMBERS**

**MELVILLE CIVIC CENTRE**

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— City of —  
**Melville**

10 Almondbury Road Booragoon WA 6154  
Postal Address: Locked Bag 1, Booragoon WA 6954  
Tel: 08 9364 0666  
Fax: 08 9364 0285  
Email: [melinfo@melville.wa.gov.au](mailto:melinfo@melville.wa.gov.au)  
Web: [www.melville.wa.gov.au](http://www.melville.wa.gov.au)

**MINUTES OF THE SPECIAL MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBERS, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING AT 6.32PM ON THURSDAY, 24 SEPTEMBER 2009.**

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**1. OFFICIAL OPENING**

The Presiding Member welcomed those in attendance to the meeting and declared the meeting open at 6:32 pm. Mr J Clark the Governance and Compliance Program Manager read aloud the Disclaimer and then His Worship the Mayor, Russell Aubrey, read aloud the Affirmation of Civic Duty and Responsibility.

**Affirmation of Civic Duty and Responsibility**

**I make this Affirmation in good faith on behalf of Elected Members and Officers of the City of Melville. We collectively declare that we will duly, faithfully, honestly, and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgement and ability. We will observe the City's Code of Conduct and Standing Orders to ensure the efficient, effective and orderly decision making within this forum.**

**2. PRESENT**

His Worship the Mayor, Russell Aubrey

**COUNCILLORS**

Cr P M Phelan (Deputy Mayor)  
Cr H Everett, Cr N Pazolli  
Cr T Ceniviva, Cr D Macphail  
Cr C Robartson (Arrived 6.37pm)  
Cr R Subramaniam  
Cr J Barton  
Cr M Reynolds

**WARD**

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

**3. IN ATTENDANCE**

Mr M Tieleman	Director Corporate Services
Mr S Cope	Director Urban Planning
Mr J Christie	Director Technical Services
Mr J Clark	Governance & Compliance Program Manager
Ms D Beilby	Minutes Secretary

At the commencement of the Meeting there were no members of the public in the Public Gallery and 1 member of the Press in the Press Gallery.

**4. APOLOGIES AND APPROVED LEAVE OF ABSENCE**

**4.1 APOLOGIES**

Cr G Wieland	Bicton/Attadale
Cr C Halton	Palmyra/Melville/Willagee
Cr C Robartson	Bull Creek/Leeming for Late Arrival
Dr S Silcox	Chief Executive Officer
Ms C Young	Director Community Development

**4.2 APPROVED LEAVE OF ABSENCE**

Nil.

**5. PUBLIC QUESTION TIME**

Nil.

**6. DISCLOSURES OF INTEREST**

Nil.

**7. APPLICATIONS FOR NEW LEAVES OF ABSENCE**

Nil.

**8. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**

Nil.

## **DISCLOSURE OF FINANCIAL INTERESTS LOCAL GOVERNMENT ACT 1995**

### **Members' interests in matters to be discussed at meetings to be disclosed**

S.5.65 (1) A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the Chief Executive Officer before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

Penalty: \$10,000 or imprisonment for 2 years.

### **Meeting to be informed of disclosures**

**S.5.66** If a member has disclosed an interest in a written notice given to the Chief Executive Officer before a meeting then before the meeting -

- (a) the Chief Executive Officer is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) the person who is to preside at the meeting is to bring the notice to the attention of the persons who attend the meeting.

### **Disclosing members not to participate in meetings**

**S.5.67** A member who makes a disclosure under Section 5.65 must not -

- (a) preside at the part of the meeting relating to the matter; or
- (b) participate in, or be present during, any discussion or decision making procedure relating to the matter,

unless, and to the extent that, the disclosing member is allowed to do so under Section 5.68 or 5.69.

Penalty: \$10,000 or imprisonment for 2 years.

**Please refer to your Handbook for definitions of interests and other detail.**

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**9. REPORTS OF THE CHIEF EXECUTIVE OFFICER**

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Ward	:	All
Category	:	Strategic
Subject Index	:	Local Government Reform Project
Customer Index	:	Department of Local Government
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Not Applicable
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Marten Tieleman Director Corporate Services

**AUTHORITY / DISCRETION**

**DEFINITION**

<input checked="" type="checkbox"/>	<b>Advocacy</b>	<b><i>when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i></b>
<input type="checkbox"/>	Executive	<i>the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>includes adopting local laws, town planning schemes &amp; policies.</i>
<input type="checkbox"/>	Review	<i>when Council review decisions made by Officers.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>

**C09/5084 - LOCAL GOVERNMENT REFORM (REC) (ATTACHMENT)**

**KEY ISSUES / SUMMARY**

- Report presents the City of Melville's Local Government Reform Submission and requests that Council pass the resolutions as required by Minister for Local Government.

**BACKGROUND**

The City of Melville's Local Government Reform Submission responds to the request by the Minister for Local Government, made in February 2009, for submissions from each local government addressing the issue of Local Government Structural Reform.

Stage 1 of the submission process required each local government to submit a Local Government Reform Checklist by 30 April 2009. This was duly completed by the City of Melville and submitted by the due date. An assessment of the Checklist was conducted by the Local Government Reform Steering Committee with the outcome being that each local authority was placed into one of three categories with Category One being the strongest and Category Three being the weakest in respect of their ability to standalone as an entity. The outcome of the Steering Committee's assessment resulted in the City of Melville being placed in Category One.

Stage 2 of the submission process required local governments to undertake consultation with its community, staff and neighbouring local authorities. The City of Melville has undertaken significant consultation the details and results of which are included in the body of this report.

Stage 3 entailed drawing on the data and information obtained in the first two stages to prepare a Reform Submission. This submission is included as an attachment to this report ([5084 Reform Submission](#)).

**DETAIL**

The attached City of Melville Local Government Reform Submission addresses the requirements of the Minister for Local Government's request and is structured as follows:-

1. The City in Perspective;
2. History of Melville;
3. Physical and topographic features of Melville;
4. Demographic trends for Melville;
5. Economic profile for Melville;
6. Financial capacity and viability of Melville;
7. Effective delivery of local government services to the Melville community;
8. Transport and communication in Melville;
9. Details of previous ward/district boundary changes;
10. Results of community and staff consultation;
11. Amalgamation, boundary changes and resource sharing opportunities;
12. Representation based on a maximum of between six and nine elected members;
13. Preferred regional groupings;
14. Transition timelines.

**C09/5084 - LOCAL GOVERNMENT REFORM (REC) (ATTACHMENT)**

The Key Points made in the submission under each of the above headings are:-

**1. THE CITY IN PERSPECTIVE**

1. City of Melville is a mature local government with operating revenue in excess of \$80 million per annum.
2. Covers an area of 53 square kilometres and is 8 kilometres from the Perth CBD and 4 kilometres from the Fremantle CBD with over 18 kilometres of river foreshore.
3. Well serviced by major transport routes and has numerous community facilities.

**2. HISTORY OF MELVILLE (IN BRIEF)**

1. Melville District Road Board: 14-Jun-1901 to 23-Jun-1961;
2. Shire of Melville: 23-Jun-1961 to 28-Sep-1962;
3. Town of Melville: 28-Sep-1962 to 3-May-1968;
4. City of Melville: 3-May-1968 to date.

**3. PHYSICAL AND TOPOGRAPHIC FEATURES OF MELVILLE**

1. Swan and Canning Rivers significant feature of the City of Melville;
2. Well treed undulating topography lending excellent views to river, Darling Ranges & CBD;
3. City well supplied with natural as well as formal public open space.

**4. DEMOGRAPHIC TRENDS FOR MELVILLE**

1. Population nearly 100,000 with below average growth for the State;
2. Fourth largest local government in WA by population;
3. Significant potential for renewed population growth due to several transit orientated developments and the Murdoch Strategic Specialised Centre currently being planned with one key component under construction;
4. City working closely with relevant State Government entities and the Community with planning being conducted for the broader adjoining precincts to ensure appropriate planning for this growth is undertaken.

**5. ECONOMIC PROFILE OF MELVILLE**

1. Melville predominantly a residential city but with significant levels of local employment and business activity;
2. High income levels and low unemployment;
3. Part of the South Metropolitan Region which is a significant contributor to the WA economy;
4. Melville is gearing up to become a significant regional employer of the future.



**C09/5084 - LOCAL GOVERNMENT REFORM (REC) (ATTACHMENT)**

**6. CAPACITY (RESOURCES) AND VIABILITY OF MELVILLE**

1. The City of Melville has adequate financial capacity to meet the current service provision needs of its community;
2. The rate base of the City is predominantly residential in nature and would benefit from more diversification into commercial/service industrial type properties;
3. Albeit that the City staff turn over is low in comparison to the industry overall, attraction and retention of staff has been challenging for particular skills sets over the past few years and opportunities for resource sharing may alleviate this;
4. Further refinement of long term asset management plans is required to ascertain the long term capacity to fund future service and infrastructure asset obligations.

**7. EFFECTIVE DELIVERY OF LOCAL GOVERNMENT SERVICES TO THE MELVILLE COMMUNITY**

1. The City of Melville has a diversely skilled and well qualified workforce, enabling it to effectively operate its numerous community facilities and deliver over 200 different products and services at high standards;
2. The City has a mature and flexible Community Development model that enables it to tailor its service delivery efforts to particular neighbourhoods;
3. The City has an extensive portfolio of community assets that provide many opportunities from which to undertake service delivery to the local community.

**8. TRANSPORT AND COMMUNICATION**

1. Melville has several major transport corridors traversing the City east-west and north-south providing excellent linkages between air and sea ports and major industrial areas;
2. Melville is in close proximity to Perth and Fremantle central business districts;
3. Melville is well serviced by public transport and cycle and pedestrian linkages;
4. City of Melville an active participant in the TravelSmart and RoadWise initiatives.

**9. DETAILS OF PREVIOUS WARD/DISTRICT BOUNDARY CHANGES**

1. The City of Melville has a history of supporting ward and district boundary changes when clearly based on Local Government Advisory Board criteria;
2. Significant recent changes include 85 properties transferred from the City of Melville to the City of Canning in 2008 and 55 from the City of Cockburn to the City of Melville five years earlier in 2003.

**C09/5084 - LOCAL GOVERNMENT REFORM (REC) (ATTACHMENT)**

**10. RESULTS OF COMMUNITY AND STAFF CONSULTATION**

1. The City consulted with the community through a variety of methods during the submission preparation period, in order to capture a good cross-section of opinion of the community;
2. Generally, the community did not support boundary change options, however, those with local government experience overwhelmingly supported the options for change;
3. Despite a number of endeavours to consult with the community, there was a lack of responses through all methods and of the responses received, many were unsure, had no opinion or did not answer questions, which indicates a general apathy to the issues.

**11. AMALGAMATION - BOUNDARY CHANGES – RESOURCE SHARING RECOMMENDATIONS**

1. Due to its current size (fourth largest local government by population) and financial capacity the City of Melville does not believe that the residents of the City would benefit from amalgamation with surrounding local government authorities;
2. The City of Melville considers that residents and the financial sustainability of the City would benefit from targeted boundary changes;
3. Resource sharing with other local authorities is considered to have considerable merit.

The boundary changes recommended in the submission include transferring all of the suburb of Leeming from the Cities of Canning (approximately 181 properties) and Cockburn (approximately 739 properties) to the City of Melville by refining the municipal boundary to be the same as the suburb and boundary. The detailed analysis of this proposal shows that the City of Melville provides all of the community facilities in the suburb of Leeming and that the Kwinana Freeway, Roe Highway and South Street are major physical and topographic features which clearly delineate this very logical boundary.

The other boundary change proposed includes the transfer of all properties east of Stock Rd in the section from Leach Highway to South Street (in the suburb of O'Connor) from the City of Fremantle to the City of Melville and a reciprocal transfer of the City of Melville properties west of Stock Road in the section from Leach Highway to South Street to the City of Fremantle.

Should East Fremantle be merged with Fremantle then further boundary changes would be requested so that the suburb of Samson which is also east of Stock Road but is in the City of Fremantle be transferred to the City of Melville.

**C09/5084 - LOCAL GOVERNMENT REFORM (REC) (ATTACHMENT)**

**12. REPRESENTATION**

1. The City of Melville is of the view that a reduction from thirteen elected members to a number between six and nine is not warranted and will result in an undue workload;
2. The majority of the community of the City of Melville does not consider it necessary to reduce the number of Councillors;
3. Local Government is about local representation of residents concerns, no matter how small, and any reduction in representation will simply reduce the opportunities for the residents concerns to be heard at the Council level;
4. Should reduction in councillor representation numbers be legislated there are a number of options that could be canvassed for representation of between seven and nine elected members, including the Mayor in the City of Melville.

**13. PREFERRED REGIONAL GROUPINGS**

The City of Melville is

1. An active member of the South West Group (SWG) that also include the Cities of Cockburn, Fremantle and Rockingham and the Towns of East Fremantle and Kwinana;
2. A member of the Southern Metropolitan Regional Council (SMRC) formed under the provisions of the Local Government Act and includes all of the member Councils of the SWG plus the City of Canning at this stage;
3. A member of the West Australian Local Government Associations South Metropolitan Zone.

**14. TRANSITION TIMELINES**

1. Boundary adjustments to be complete by end of most practicable calendar year;
2. Any changes to Elected Member representation to transition over the Election cycle.

**PUBLIC CONSULTATION/COMMUNICATION**

Advertising and consultation undertaken included:-

- Advertisements seeking submissions were placed in the:-
  - Melville Times 16 June 2009
  - Cockburn Gazette 16 June 2009
  - Canning Times 16 June 2009
  - Fremantle Herald 19 June 2009
  - Publication on web-site of reform information on the web-site with opportunity for on-line submissions to be provided.
- A Local Government Reform brochure providing information and seeking submissions was produced and distributed via City of Melville's libraries and Civic Centre customer service point and web-site;
- Consultation with staff was undertaken at a staff meeting dedicated to Local Government Reform;

**C09/5084 - LOCAL GOVERNMENT REFORM (REC) (ATTACHMENT)**

- Consultation with the Leeming Residents Association was undertaken at a meeting hosted by them;
- Consultation with residents through asking specific questions in relation to Local Government Reform of 400 survey respondents as part in an independently run City of Melville Well Being survey conducted in July 2009.

**CONSULTATION WITH OTHER AGENCIES / CONSULTANTS**

Department of Local Government  
City of Canning  
City of Cockburn  
Town of East Fremantle  
City of Fremantle

**STATUTORY AND LEGAL IMPLICATIONS**

**Local Government Act 1995.**

**Section 8.2 Minister or Departmental CEO may require information**

- (1) The Minister or Departmental CEO may in a written notice require a local government to provide information of a kind specified in the notice concerning the local government or its operations or affairs.
- (2) The local government is to provide the information within the time specified in the notice.

**Schedule 2.1 — Provisions about creating, changing the boundaries of, and abolishing districts.**

This schedule contains extensive details in regards to the making of proposals for amalgamations or boundary changes, how they will be dealt with by the Local Government Advisory Board and the powers afforded to electors in regards to poll provisions in respect to amalgamations.

**FINANCIAL IMPLICATIONS**

The financial implications of the boundary change proposals put forward in the City of Melville's Reform Submission are detailed in the submission.

**C09/5084 - LOCAL GOVERNMENT REFORM (REC) (ATTACHMENT)****STRATEGIC AND RISK MANAGEMENT IMPLICATIONS**

The strategic implications arising as a result of the Local Government Reform process are numerous ranging from outcomes that will strengthen the City of Melville's future from both a community as well as a financial point of view to outcomes which would weaken the City through the loss of significant amounts of properties such as would occur should one of the options evidently proposed by the City of Fremantle for the boundary between the two cities being redrawn along the entire length of Stock Road.

**POLICY IMPLICATIONS**

Council does not have any policies in relation to amalgamations, boundary adjustments.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

There are numerous alternative options that could be pursued ranging from no change to City of Melville to amalgamations with any one or more of our neighbouring local governments. Due to the complexity of assessing the implications this would need to be undertaken on a case by case basis.

**CONCLUSION**

The City of Melville's Local Government Reform Submission concludes that given the size and capacity of the City of Melville as it stands currently, there is little value to be gained from amalgamations.

The Submission presents strong arguments for sensible boundary changes along logical physical and topographical features in order to enhance the ability of Local Government to service the areas included in those changes.

The submission demonstrates there is little support or value in reducing the number of elected members to between six and nine but provides some examples of wards and elected member representation should legislative changes force Council to have a lesser number.

The Submission also demonstrates support for the current regional groupings of which the City of Melville is a member and concludes that there are potentially significant benefits to be gained from working in a collaborative shared services manner with the other Local Authorities in the Region.

**C09/5084 - LOCAL GOVERNMENT REFORM (REC) (ATTACHMENT)**

At 6.37pm Cr Robartson entered the meeting.

**OFFICER RECOMMENDATION & COUNCIL RESOLUTION (5084)**

**APPROVAL**

At 6.38pm Cr Subramaniam moved, seconded Cr Macphail -

**1. Voluntary Amalgamation**

**That the City of Melville resolves to advise the Minister for Local Government of its intention to not amalgamate with any Town or City.**

**2. Boundary Changes**

**That the City of Melville resolves to advise the Minister for Local Government of its intention to seek boundary changes which have the effect of ensuring that the whole of the suburb of Leeming is within the boundaries of the City of Melville and also changing the boundary between the City of Fremantle and Melville to include all the properties on the eastern side of Stock Road from it's intersection with Leach Highway to it's intersection with South Street within the City of Melville and those properties on the western side of Stock Road between Leach Highway and South Street be included in the City of Fremantle.**

**3. Number of Elected Members**

**That the City of Melville resolves to advise the Minister for Local Government of its intention to not reduce the total number of Elected Members.**

**4. Regional Grouping**

**That the City of Melville resolves to advise the Minister for Local Government of its intention to work collaboratively within a regional grouping comprising the local governments of Cockburn, East Fremantle, Fremantle, Kwinana and Rockingham.**

At 6.38pm the Mayor submitted the motion which was declared

**CARRIED (10/0)**

Cr Subramaniam and His Worship the Mayor, R Aubrey thanked officers, particularly the Director Corporate Services, Marten Tieleman, in the preparation of the Local Government Reform Submission.

**10. CLOSURE**

There being no further business to discuss the Mayor declared the meeting closed at 6.38pm.