

9.1 - Notice of Motion – Revocation SCM045/03/21 - Office and Depot Accommodation – Library Relocation to Byford Hall (SJ3410)

Councillor	Councillor Coales (Mover) Councillor Dagostino Councillor McConkey
Disclosure of Officers Interest:	No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Notice of Motion

In accordance with Regulation 10 of the *Local Government (Administration) Regulations 1996* and part 14 of the *Shire of Serpentine Jarrahdale Standing Orders Local Law 2002*, a Notice of Motion was received from Councillor Coales on 12 April 2021 to revoke Council's resolution SCM045/03/21, made at the Special Council Meeting of 29 March 2021 related to the Office and Depot Accommodation – Library Relocation to Byford Hall.

Support for the preparation of the Notice of Motion was provided in writing by Councillor Dagostino on 11 April 2021 and Councillor McConkey on 12 April 2021.

In accordance with Regulation 10 of the *Local Government (Administration) Regulations 1996*, this Notice of Motion was signed by the respective Councillors on 12 April 2021.

The Notice of Motion is "That Council:

1. REVOKES Council resolution SCM045/03/21 made at the Special Council Meeting on 29 March 2021;
2. REQUESTS that the Chief Executive Officer does not commence any work to relocate the Mundijong Public Library to Byford Hall;
3. DOES NOT AGREE to the relocation project as the Shire's nominated Local Roads and Community Infrastructure (LRCI) project;
4. AUTHORISES the Chief Executive Officer to seek alternative LRCI grant projects for approval and complete the projects by 31 December 2021."

Officer Comment

In accordance with Clause 10.6 of the Standing Orders as the motion proposes to revoke a previous decision of Council it is recommended that the motion be broken down into two parts: first to consider revoking the decision; and second, if that revocation is agreed to, the new course of action.

Contact Us

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Relevant Previous Decisions of Council

Special Council Meeting – 29 March 2021 – SCM045/03/21 - COUNCIL RESOLUTION

That Council:

- 1. RESOLVES to relocate the Mundijong Public Library to Byford Hall;*
- 2. AGREES to change the name of the Mundijong Public Library to the Shire of Serpentine Jarrahdale Library Services;*
- 3. REQUESTS the Chief Executive Officer write to the Library Board of Western Australia and advise of the relocation of the library premises from 10 Paterson Street Mundijong, to Byford Hall Lot 850 South Western Highway Byford, advise of the change of name from Mundijong Public Library to Shire of Serpentine Jarrahdale Library Services, and advise of the proposed services to be offered in the new location.*
- 4. REQUESTS the Chief Executive Officer writes to Minister of Lands requesting Library be added as a purpose on the Management Order*
- 5. RESOLVES the relocation of the Library, as the Shire’s nominated LRCI project, noting funds need to be expended by 31 December 2021. If approval is received from DITRC, include in the Capital Works Program for the 2020/21 financial year, including an allocation in the budget for the works.*

<i>Account</i>	<i>Description</i>	<i>Type</i>	<i>Debit</i>	<i>Credit</i>
<i>6200-80271-6000-0000</i>	<i>Library Relocation – Capital Expenditure</i>	<i>Increase expenditure</i>	<i>1,304,639</i>	
<i>6200-80271-4822-0000</i>	<i>Library Relocation – Grant – Capital - LRCI</i>	<i>Increase grant</i>		<i>1,304,639</i>

Reason: Recognition of grant funding to undertake Phase 1 – Office and Depot Accommodation (Library Relocation to Byford) project.

- 6. REQUESTS the Chief Executive Officer undertake a period of consultation with Shire residents to seek feedback on the proposed enhanced Library premise and mobile library concept and its operations, with a report to be brought back to the May 2021 Ordinary Council Meeting.*
- 7. REQUESTS the Chief Executive Officer consult with current users of Byford Hall in order to provide options for their continuation of programmes in alternative facilities.*
- 8. REQUESTS the Chief Executive Officer presents a report to council with a final detailed design and cost estimate (by a Quantity Surveyor) for approval prior to calling tender.*
- 9. REQUESTS the Chief Executive Officer following consultation with the affected user groups to bring a report to Council to the May 2021 Ordinary Council Meeting on any relocation assistance, any financial assistance by waiving or discounted fees, and any potential upgrades that may be required to alternative facilities.*



Work completed to date

In accordance with Clause 14.1 of the Shire's Standing Orders, following receipt of the revocation motion action to implement Council's resolution has been halted until the motion of revocation has been dealt with.

Prior to receipt of the Notice of Motion, in accordance with Council resolution SCM045/03/21 made at the Special Council Meeting of 29 March 2021, Officers have conducted the following activities:

- A project page has been published on the Shire of Serpentine Jarrahdale website and shared across social media channels and eNewsletters;
- A submission to the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications nominating the upgrade and relocation of the library as the Shire's nominated LRCI project has been submitted;
- SJ Library Friends' committee and Library volunteers were contacted to inform them of the Council resolution;
- Consultation preparation has commenced to seek feedback on the proposed relocated Library premise and mobile library concept and its operations;
- Requests for quote on architectural services for the redevelopment of Byford Hall have been issued;
- Current users of Byford Hall were contacted to inform them of the Council resolution and a meeting has been arranged with the user groups in order to provide options for their continuation of programs in alternative facilities;
- Officers met with Rise Dance Studio on 9 April 2021 and 15 April 2021 to discuss possible alternative venues for hire, to allow for the continuation of delivery of their program;
- Discussions have been undertaken with the YMCA as operators of the Serpentine Jarrahdale Community Recreation Centre, who have confirmed the ability to accommodate most of the current Byford Hall users; and
- A request has been submitted to the Department of Planning, Lands and Heritage for consideration of adding library as a purpose to the Management Order.

In accordance with parts 7 and 9 of Council's Resolution, alternative locations have been identified and site inspections of potential alternative sites for current Byford Hall users are in progress with the view to identifying relocation assistance, including financial assistance and potential upgrades that may be required to alternative facilities, for presentation to Council.

These sites include:

- Serpentine Jarrahdale Recreation Centre
- Cardup Hall (Baker Community Hall)
- Atwell Pavilion
- Briggs Park Pavilion
- Mundijong Pavilion
- Byford John Calvin School – Main Hall
- Byford Secondary College (Performing Arts Theatre, Dance Studio, Classrooms)



- Salvado Catholic College – Main Hall
- Anglican Parish of Serpentine Jarrahdale Community Hall
- Bedforddale Hall
- Churchman Brook Community Centre
- St Aiden Anglican Church

Pending Council's decision to revoke, once site inspections are completed, current users of the Byford Hall will be engaged further to identify suitability of each site and what relocation assistance is required. This will enable consideration by Council at the May 2021 Ordinary Council Meeting in line with Council's resolution.

With work halted following the notice of a revocation motion, the opportunity for stakeholder and community engagement to inform the May Ordinary Council Meeting is limited.

Impact Assessment

Clause 14.1(3) of the Shire's Standing Orders states that Council shall not vote on a motion to revoke or change a decision if at the time the motion is moved or notice is given action has been taken to implement decision.

Officers suggest that on balance, the conditions of Clause 14.1(3) have not been met because the work undertaken to date does not represent 'action to implement the decision' as the activities to date are not irreversible.

The revocation of the Council Resolution SCM045/03/21 made at the Special Council Meeting of 29 March 2021 and support for points 2, 3 and 4 in the Motion would have the following impacts:

- Loss of the opportunity to use the Commonwealth funding for the relocation of the library;
- Phase one of the Office and Depot Accommodation project will be delayed, which will result in delays to the remaining stages of the project;
- Compromised service delivery to the community due to inadequate facilities and loss in staff capacity;
- Inability to cater for future growth and expansion required to support the increasing Shire population;
- Options for Office and Depot accommodation will need to be reassessed, resulting in additional consultancy costs being incurred;
- Delay in resolution to alleviate immediate pressure on existing office accommodation;
- No Library premise in Byford to provide services to the community. Planning for the Byford Library commences in 2027 in line with the Community Infrastructure Development Contribution Plan (CIDCP);
- Potential improvements to library services identified as part of the relocation will not be realised;
- No costs associated with relocation of library and the introduction of a mobile library service will be incurred;
- Additional costs associated with accommodation to ensure continuity of service delivery using current facilities, for example transportable buildings;



- Alternative projects for the Commonwealth LRCI grant will need to be identified, submitted to DITRC for approval by 31 July 2021 and completed by 31 December 2021; and
- No displacement of existing users of the Byford Hall associated with the relocation.

If Council resolve to revoke the resolution SCM045/03/21, Officers recommend that Council defer decision on the next steps pending the presentation of an Officer's report at a future Council meeting. This report would need to consider revised options to respond to accommodation needs to ensure business continuity in line with the Shire's growing population and demand for services and in the immediate term options for LRCI funding that can be delivered with available resources.

Voting Requirements: **Part 1** - Absolute Majority (*Regulation 10 of the Local Government (Administration) Regulations 1996*)
 Parts 2 – 4 Simple Majority

Councillor Recommendation

That Council:

- 1. REVOKES Council resolution SCM045/03/21 made at the Special Council Meeting on 29 March 2021;**
- 2. REQUESTS that the Chief Executive Officer does not commence any work to relocate the Mundijong Public Library to Byford Hall;**
- 3. DOES NOT AGREE to the relocation project as the Shire's nominated Local Roads and Community Infrastructure (LRCI) project;**
- 4. AUTHORISES the Chief Executive Officer to seek alternative LRCI grant projects for approval and complete the projects by 31 December 2021.**