

# Special Electors Meeting

Minutes for Monday 14 April 2014



**shire of  
kalamunda**

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## MINUTES

### 1.0 OFFICIAL OPENING

The Presiding Member opened the meeting at 7.20pm, welcoming Councillors, Staff and Electors of the Shire.

### 2.0 ATTENDANCE AND APOLOGIES

#### 2.1 Attendance

##### Councillors

Sue Bilich	(Shire President) (Presiding Member)	North Ward
Margaret Thomas		North Ward
Simon Di Rosso		North Ward
Justin Whitten		South West Ward
Allan Morton		South West Ward
Noreen Townsend		South West Ward
Geoff Stallard		South East Ward
John Giardina		South East Ward
Frank Lindsey		South East Ward
Andrew Waddell JP		North West Ward
Bob Emery		North West Ward

**Members of the Public** 80

##### Members of Staff

Rhonda Hardy	Chief Executive Officer
Warwick Carter	Director Development Services
Charles Sullivan	Director Infrastructure Services
Gary Ticehurst	Director Corporate Services
Darrell Forrest	Manager Governance
Laurie Brennan	Media Advisor for Shire of Kalamunda
Nicole O'Neil	Public Relations Coordinator
Meri Comber	Governance Officer

**Members of the Press** 0

#### 2.2 Apologies

##### Councillors

Dylan O'Connor	North West Ward
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### 3.0 BUSINESS OF THE MEETING

Proposed Motions for each of the Business Items were submitted prior to the commencement of the meeting.

The Presiding Person indicated she would ask the nominated Mover and Seconder to present their motions and speak to them.

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3.1 **TO DISCUSS METROPOLITAN LOCAL GOVERNMENT REFORM WITH A VIEW TO ENCOURAGE THE SHIRE TO EXPEND RATEPAYERS FUNDS TO FIGHT THE PROPOSED TAKEOVER OF THE SHIRE OF KALAMUNDA IN ANY WAY POSSIBLE.**

*The Mover and Seconder introduced themselves, put the Motion and spoke in favour of it.*

*There were no speakers against the Motion and the Presiding Person put the Motion to the vote.*

**Motion SEM 04/2014**

1. That the Shire commits the necessary resources to fight, by any means available to it, any forced amalgamations or takeover of the Shire of Kalamunda.

Moved: **Peter Kenyon**

Seconded: **Sara Lohmeyer**

Vote: **CARRIED WITHOUT DISSENT (91/0)**

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3.2 **TO PROVIDE ELECTORS VIEWS ON THE THREE PROPOSALS TO THE LOCAL GOVERNMENT ADVISORY BOARD – NUMBERS 15, 8 AND 5/2013 AND TO OUTLINE A NEW PROPOSAL THAT RECOMMENDS THE SHIRE REMAIN AS IS.**

*The Mover and Seconder introduced themselves, put the Motion and spoke in favour of it.*

*A Councillor suggested a point (c) be added to the Motion and gave the details, the Mover and Seconder accepted the change and the Amendment became part of the Substantive Motion.*

*There were no speakers against the Motion and the Presiding Person put the Motion to the vote.*

**MOTION**

1. That we the ratepayers endorse the actions of the *Save Kalamunda Shire Action Group* as representative of the broader Kalamunda Shire Community in reinforcing its position to the Shire of Kalamunda Council that:
  - a. It does not support any of the proposals with respect to the Shire of Kalamunda currently before the Local Government Advisory Board.
  - b. There by NO Amalgamations with any other local government.

Moved: **Susan Elsberry**

Seconded: **Brian Mollan**

Vote:

**AMENDMENT**

That Council:

1. c. Prepares a media release to the Community that states Council's position on Local Reform is that it does not wish to merge with any other local government and that Council concurs with the sentiment of its Community.

Moved: **Cr John Giardina**

Seconded:

Vote:

**Motion SEM 05/2014**

1. That we the ratepayers endorse the actions of the *Save Kalamunda Shire Action Group* as representative of the broader Kalamunda Shire Community in reinforcing its position to the Shire of Kalamunda Council that:
  - c. It does not support any of the proposals with respect to the Shire of Kalamunda currently before the Local Government Advisory Board.
  - d. There by NO Amalgamations with any other local government.
  - e. **That Council prepares a media release to the Community that states Council's position on Local Reform is that it does not wish to merge with any other local government and that Council concurs with the sentiment of its Community.**

Moved: **Susan Elsberry**

Seconded: **Brian Mollan**

Vote: **CARRIED WITHOUT DISSENT (91/0)**

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3.3 **TO REQUEST DETAILS OF THE SUPPORT BY THE SHIRE TO THE  
SAVE KALAMUNDA SHIRE ACTION GROUP.**

*The Mover and Seconder introduced themselves, put the Motion and spoke in favour of it. There were no speakers against the Motion and the Presiding Person put the Motion to the vote.*

**Motion SEM 06/2014**

1. As electors of the Shire of Kalamunda, we request that the Council authorise the Chief Executive Officer to work with the *Save Kalamunda Shire Action Group* to provide support for ongoing community education and consultation with respect to local government reform.

Moved: **Premala Sangarananda**

Seconded: **Alan Malcolm**

Vote: **CARRIED WITHOUT DISSENT (91/0)**

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3.4 **TO REQUEST FINANCIAL SUPPORT BE ALLOCATED TO THE SAVE KALAMUNDA SHIRE ACTION GROUP.**

*The Mover and Seconder introduced themselves and put a Motion. The Presiding Member asked if the Mover and Seconder would be happy to separate the two parts into two Motions, they were both happy for this to be the case.*

3.4.1 *Maureen Humphries and Amanda McCubben then spoke in favour of the first Motion. A Councillor suggested that the Motion seemed premature, the Mover and Seconder explained their reasons for putting the Motion forward. The Presiding Person put the Motion to the vote.*

*It was queried how much the Shire of Kalamunda had been paid by the State Government and if it was safe to have taken these funds. The Chief Executive Officer confirmed that \$100,000 had been received and that it was safe to hold these funds*

**Motion SEM 07/2014**

That Council:

1. Provide financial support to the *Save Kalamunda Shire Action Group* to assist in defraying the costs of the action campaign that have already occurred in support of the Council's preferred position of "No Amalgamation". It is requested that Council provide an amount of \$15,000 to help with these expenses and further outlays that will occur during the remainder of the 2013/2014 financial period.

Moved: **Maureen Humphries**

Seconded: **Amanda McCubben**

Vote: **CARRIED (90/1)**

3.4.2 *Maureen Humphries and Amanda McCubben then spoke in favour of the second Motion. There were no speakers against the Motion and the Presiding Person put the Motion to the vote.*

*A Councillor queried what would happen to the funds if they were not required by the Action Group. A representative of the Action Group indicated that they would not draw on the funds unless required.*

**Motion SEM 08/2014**

That Council:

1. Provide financial support in the 2014/2015 financial period to assist in the continuation of this campaign against amalgamation and that an amount of \$20,000 be allocated to the *Save Kalamunda Shire Action Group* and be included in the 2014/2015 budget.

Moved: **Maureen Humphries**

Seconded: **Amanda McCubben**

Vote: **CARRIED WITHOUT DISSENT (91/0)**



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3.5 **TO REQUEST THE SHIRE OF KALAMUNDA TO SEEK LEGAL ADVICE RELATING TO LEGALITY OF A BOUNDARY CHANGE TO SUBSUME THE ENTIRE DISTRICT WITHOUT THE ELECTORS HAVING A SAY IN SUCH A DECISION.**

*The Mover and Seconder introduced themselves, put the Motion and spoke in favour of it. The Mover wished to add a third point to the Motion, this was agreed to by the Seconder.*

*Concern was expressed by a Councillor with regard to seeking an injunction against the Local Government Advisory Board. The Manager Governance informed those present that this was a meeting of Electors and when the Report is validated by Councillors at their Ordinary Council Meeting the recommendation from the Special Electors Meeting could be accepted or rejected by the Council.*

*There were no speakers against the Motion and the Presiding Person the Motion to the vote.*

**Motion SEM 09/2014**

That Council:

1.
  - a. On behalf of its ratepayers investigate all possible legal avenues that may enable the Shire of Kalamunda to mount a legal challenge that would seek to terminate the proposed process of local government reform being forced upon the Kalamunda community.
  - b. Be advised that we the Shire of Kalamunda Ratepayers give full support to the Shire of Kalamunda Council to approve the expending of ratepayers funds if and when required for a legal pursuit against the State Government, or the Minister, or the Local Government Advisory Board to assist in ensuring the proposals to abolish the Shire of Kalamunda are terminated.
  - c. **That the Shire Council seek an injunction against the Local Government Advisory Board until the Minister's proposal is in full compliance with the *Local Government Act 1995* Schedule 2.1 2(2)**

Moved: **Alan Malcolm**

Seconded: **Premala Sangarananda**

Vote: **CARRIED WITHOUT DISSENT (91/0)**

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**4.0 CLOSURE**

- 4.1 There being no further business, the Presiding Member declared the meeting closed at 8.25pm.