

# Special Council Meeting

Agenda for Thursday 12 February 2015



**shire of  
kalamunda**

## NOTICE OF MEETING SPECIAL COUNCIL MEETING

Dear Councillors

Notice is hereby given that a Special Meeting of Council will be held in the Council Chambers, Administration Centre, 2 Railway Road, Kalamunda on **Thursday 12 February 2015 at 5.30pm.**

Light refreshments will be served following the meeting.



Rhonda Hardy  
**Chief Executive Officer**  
11 February 2015

## Our Vision and Our Values

### Our Vision

The Shire will have a diversity of lifestyle and people. It will take pride in caring for the natural, social, cultural and built environments and provide opportunities for people of all ages.

### Our Core Values

**Service** – We deliver excellent service by actively engaging and listening to each other.

**Respect** – We trust and respect each other by valuing our difference, communicating openly and showing integrity in all we do.

**Diversity** – We challenge ourselves by keeping our minds open and looking for all possibilities and opportunities.

**Ethics** – We provide honest, open, equitable and responsive leadership by demonstrating high standards of ethical behavior.

### Our Aspirational Values

**Prosperity** – We will ensure our Shire has a robust economy through a mixture of industrial and commercial development.

**Harmony** – We will retain our natural assets in balance with our built environment.

**Courage** – We take risks that are calculated to lead us to a bold new future.

**Creativity** – We create and innovate to improve all we do.

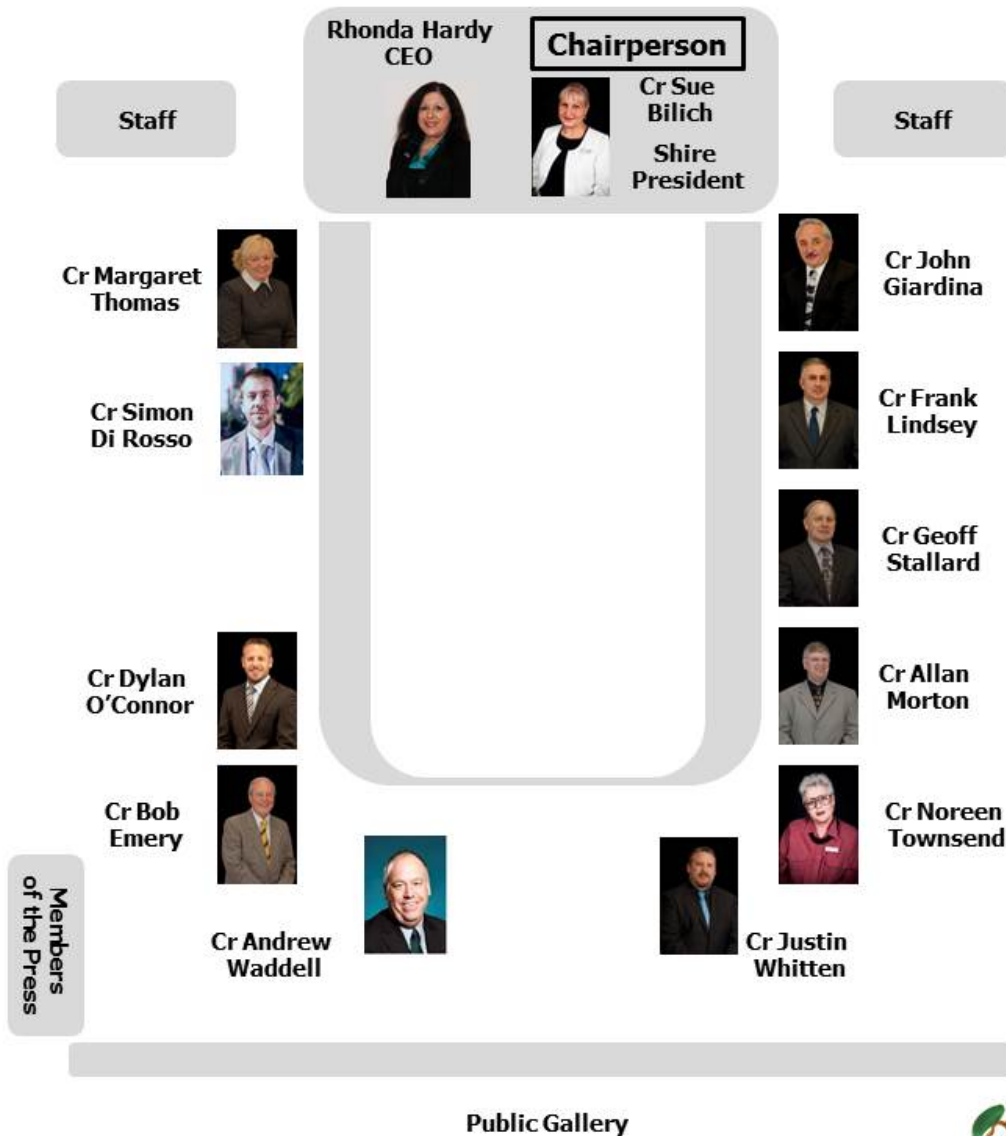


## INFORMATION FOR THE PUBLIC ATTENDING COUNCIL MEETINGS

Welcome to this evening's meeting. The following information is provided on the meeting and matters which may affect members of the public.

If you have any queries related to procedural matters, please contact a member of staff.

### Council Chambers – Seating Layout



## **Special Council Meetings – Procedures**

1. All Council Meetings are open to the public, except for Confidential Items listed on the Agenda.
2. Members of the public who are unfamiliar with meeting proceedings are invited to seek advice prior to the meeting from a Shire Staff Member.
3. Members of the public are able to ask questions at a Special Council Meeting during Public Question Time on matters relating to the functions of this meeting.
4. To facilitate the smooth running of the meeting, silence is to be observed in the public gallery at all times except for Public Question Time.
5. All other arrangements are in general accordance with Council's Standing Orders, the Policies and decision of the Shire or Council.

## **Emergency Procedures**

**Please view the position of the Exits, Fire Extinguishers and Outdoor Assembly Area as displayed on the wall of Council Chambers.**

**In case of an emergency follow the instructions given by Council Personnel.**

**We ask that you do not move your vehicle as this could potentially block access for emergency services vehicles.**

**Please remain at the assembly point until advised it is safe to leave.**

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## AGENDA

### 1.0 OFFICIAL OPENING

### 2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

### 3.0 PUBLIC QUESTION TIME

A period of not less than 15 minutes is provided to allow questions from the gallery on matters relating to the functions of this meeting. For the purposes of Minuting, these questions and answers will be summarised.

### 4.0 PETITIONS/DEPUTATIONS

### 5.0 ANNOUNCEMENTS BY THE MEMBER PRESIDING WITHOUT DISCUSSION

### 6.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

### 7.0 DISCLOSURE OF INTERESTS

#### 7.1 Disclosure of Financial and Proximity Interests

- a. Members must disclose the nature of their interest in matters to be discussed at the meeting. (Sections 5.65 of the *Local Government Act 1995*.)
- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 of the *Local Government Act 1995*.)

#### 7.2 Disclosure of Interest Affecting Impartiality

- a. Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

### 8.0 REPORTS TO COUNCIL

Please Note: declaration of financial/conflict of interests to be recorded prior to dealing with each item.

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**Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**

**SCM 01. Metropolitan Local Government Reform – Withdrawal of the Shire of Kalamunda**

Previous Items	
Responsible Officer	Chief Executive Officer
Service Area	Chief Executive's Office
File Reference	
Applicant	Nil
Owner	Nil
Attachment 1	Governor's Orders – City of Belmont/Shire of Kalamunda

**PURPOSE**

1. For Council to consider and endorse the Shire of Kalamunda's position with respect to the proposed changes to its district boundary and incorporation within the City of Belmont as a consequence of the reported change in the State Government's position on local government reform within the Perth Metropolitan Area.

**BACKGROUND**

2. Following consideration of recommendations made by the Local Government Advisory Board, the Minister for Local Government and Communities accepted a recommendation that the Shire of Kalamunda be abolished and incorporated into the existing City of Belmont.
3. The Local Government (Kalamunda and Belmont – Abolition and Change of Boundaries) Order 2014 enacting that recommendation was published on 24 December 2014 (Attachment 1).

**DETAILS**

4. The boundary adjustment process to completely abolish a local government did not provide the community with a vote on whether to accept the proposed abolition of the Shire of Kalamunda and its incorporation into the City of Belmont. A number of other local government boundary changes were to be achieved through an amalgamation process with the affected communities being offered a vote on the proposal through a poll.
5. The communities from the Cities of Kwinana and South Perth and the Town of East Fremantle demanded and were granted a poll on their respective amalgamation proposals.
6. These polls were conducted on 7 February with all returning a valid "NO" vote against the proposed amalgamations.

7. As a consequence of the outcomes of these polls and the withdrawal of support for the local government reform process by the WA Local Government Association, it has been reported by many media outlets that the State Government has changed its position on local government reform.
8. The most significant statement reported has been one by the Premier indicating that if a local government is opposed to the proposed change, then the proposal will not proceed.

### **STATUTORY AND LEGAL CONSIDERATIONS**

9. Section 9.65 (2) of the *Local Government Act 1995* gives power to the Governor or the Minister to revoke or cancel Orders wholly or in part with or without substituting another Order.

### **POLICY CONSIDERATIONS**

10. Nil.

### **COMMUNITY ENGAGEMENT REQUIREMENTS**

11. Whilst there has been no community consultation with respect to this particular decision, there will be consultation undertaken following the decision of Council.

### **FINANCIAL CONSIDERATIONS**

12. There may be some cost involved in undertaking the proposed community consultation, although the exact figure is unknown at this stage. Any expenditure will be accommodated within current budget allocations.

### **STRATEGIC COMMUNITY PLAN**

#### **Strategic Planning Alignment**

13. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 6.3 To lead, motivate and advance the Shire of Kalamunda.

### **SUSTAINABILITY**

#### **Social Implications**

14. The social costs associated with the reform process are unquantified and hence pose a risk to the Shire of Kalamunda.

#### **Economic Implications**

15. No economic impact study has been undertaken for the reform process and hence pose a risk to the Shire of Kalamunda.



## Environmental Implications

16. Nil.

## RISK MANAGEMENT CONSIDERATIONS

17.

Risk	Likelihood	Consequence	Rating	Action/Strategy
That Council will not support the recommendations to withdraw from the local government reform process.	Unlikely	Extreme	High	Advise Council of the implications for the Shire of Kalamunda and its community by proceeding with a merger with the City of Belmont.

## OFFICER COMMENT

18. The Shire of Kalamunda has taken a consistent position over the past six years that it has growth potential and can continue to be a sustainable local government without being merged into any other district.
19. Without proper cost benefit analysis being undertaken for any proposed merger the Shire of Kalamunda cannot support an ideological reform process.
20. The recent announcement from the Premier to abandon the current process will resonate with the majority of the Kalamunda Shire community as being a very good decision made by the Government.

<b>Voting Requirements: Simple Majority</b>
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## OFFICER RECOMMENDATION (SMC 01/2015)

That Council:

1. Notes the Premier's recent comments regarding Local Government Reform no longer being pursued by the Government.
2. Requests the Premier direct the Department of Local Government and Communities and the Minister for Local Government to stop boundary amendments affecting the Shire of Kalamunda and formally revoke Governor's Orders with immediate effect.
3. Formally withdraws from the Local Government Reform Process.

4. Puts on hold any further discussions regarding LG Reform with City of Belmont
5. Advises City of Belmont of the above resolutions

Moved:

Seconded:

Vote:

**Attachment 1.**

24 December 2014

GOVERNMENT GAZETTE, WA

5465

Local Government Act 1995

**Local Government (Kalamunda and  
Belmont - Abolition and Change of Boundaries)  
Order 2014**

Made by the Governor in Executive Council on the recommendation of  
the Minister.

**Part 1 — Preliminary**

**1. Citation**

This order is the *Local Government (Kalamunda and  
Belmont - Abolition and Change of Boundaries) Order 2014*.

**2. Commencement**

This order comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this order is  
published in the *Gazette*;
- (b) the rest of the order — on 1 July 2015.

**3. Terms used**

In this order —

*Authority* has the meaning given in section 9.69(1) of the Act;

*Deposited Plan*, followed by a number, means the deposited  
plan of that number —

- (a) lodged with the Authority; and
- (b) certified by an authorised land officer, as defined in  
section 9.69(1) of the Act; and

5466

GOVERNMENT GAZETTE, WA

24 December 2014

*Local Government (Kalamunda and Belmont - Abolition and Change of  
Boundaries) Order 2014*

Part 1 Preliminary

cl. 3

- (c) available —
  - (i) in paper form at the Authority's head office; and
  - (ii) in electronic form on the Authority's official website.

24 December 2014

GOVERNMENT GAZETTE, WA

5467

*Local Government (Kalamunda and Belmont - Abolition and Change of  
Boundaries) Order 2014*

Shire of Kalamunda      **Part 2**

cl. 4

**Part 2 — Shire of Kalamunda**

**4. District abolished (s. 2.1(1)(c) of the Act)**

The district of Kalamunda is abolished.

5468

GOVERNMENT GAZETTE, WA

24 December 2014

*Local Government (Kalamunda and Belmont - Abolition and Change of Boundaries) Order 2014*

Part 3 City of Belmont

cl. 5

**Part 3 — City of Belmont**

**5. District boundaries changed (s. 2.1(1)(b) of the Act)**

The boundaries of the district of Belmont are changed so that the district consists of the land delineated in red and coloured purple on Deposited Plan 404449.

**6. Wards abolished (s. 2.2(1)(d) of the Act)**

All wards in the district of Belmont are abolished.

**7. Number of councillors for district changed (s. 2.18(3)(a) of the Act)**

The number of offices of councillor on the council of the City of Belmont is 12.

N. HAGLEY, Clerk of the Executive Council.

**9.0 MEETING CLOSED TO THE PUBLIC**

**10.0 CLOSURE**