



# Special Council Meeting 29 October 2014

## MINUTES

**MINUTES OF A SPECIAL COUNCIL MEETING, HELD IN THE COUNCIL CHAMBERS, ON WEDNESDAY, 29 OCTOBER 2014 COMMENCING AT 6.00PM.**

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**MINUTES OF A SPECIAL COUNCIL MEETING, HELD IN THE COUNCIL CHAMBER, ON WEDNESDAY, 29 OCTOBER 2014 COMMENCING AT 6.00PM.**

**252. DECLARATION OF OPENING OF MEETING**

The Mayor (Presiding Member) declared the meeting open.

**252.1 Present**

|                 |                                |
|-----------------|--------------------------------|
| Mayor J O'Neill | Presiding Member               |
| Cr J Amor       |                                |
| Cr C Collinson  |                                |
| Cr M Handcock   |                                |
| Cr M McPhail    | (To 6.45pm)                    |
| Cr M Rico       |                                |
| Cr A Watkins    |                                |
| Mr G Clark      | Acting Chief Executive Officer |
| Ms J May        | Minute Secretary               |

**253. ACKNOWLEDGEMENT OF COUNTRY**

The Presiding Member made the following acknowledgement:

*"On behalf of the Council I would like to acknowledge the Nyoongar people as the traditional custodians of the land on which this meeting is taking place."*

**254. WELCOME TO GALLERY AND INTRODUCTION OF ELECTED MEMBERS AND STAFF**

There were no members of the public in the gallery at the commencement of the meeting.

**255. RECORD OF APPROVED LEAVE OF ABSENCE**

Nil.

**256. RECORD OF APOLOGIES**

Cr Harrington  
Cr Martin

**257. PUBLIC QUESTION TIME**

Nil.

**258. BUSINESS:**

**258.1 *Proposed Amalgamation of the Town of East Fremantle with the City of Fremantle***  
*By Gary Clark Acting Chief Executive Officer on 28 October 2014*

**PURPOSE**

To consider Council's strategy in response to the Premier's announcement that the State Government has accepted the Local Government Advisory Board's recommendation that the Town of East Fremantle be amalgamated with the City of Fremantle.

**BACKGROUND**

The Local Government Advisory Board (LGAB) recommendations on Metropolitan Local Government Reform were released by the Premier and the Minister for Local Government on Wednesday 22<sup>nd</sup> October. The Premier advised that the State Government accepted the recommendations except for those that related to the City of Perth. He further advised that the recommendations should now be considered State Government policy.

The LGAB recommended that a new City of Fremantle be formed by an amalgamation with the Town of East Fremantle.

**ATTACHMENT**

Council's current position is that it is opposed to amalgamation. This was last resolved in October 2013. In its submission to the LGAB Council advised that its *"preferred course was not to amalgamate however if it was forced into amalgamation then its primary objective is to promote the best interest of the community and staff during the transition period and beyond."*

#### **REPORT**

Now that the LGAB's recommendations have become State Government policy it is necessary for Council to decide whether it is in the best interests of the community that they actively oppose an amalgamation or whether to engage in the amalgamation process.

The costs and benefits of amalgamation has had significant debate in recent years so it is not the purpose of this report to continue that debate. This report will discuss the implications of the two options open to Council.

Council could oppose amalgamation by actively promoting a petition to the Minister for Local Government and Communities to hold a poll. They could then campaign in an effort to ensure that enough electors turn out to vote against the amalgamation.

The petition requires 250 signatures, or at least 10% of the electors, and will need to be lodged with the Minister by the 5<sup>th</sup> December. If the petition was successful the poll would be held on the 31<sup>st</sup> January 2015. 50% of electors need to vote for the poll to be valid and more than 50% need to vote against amalgamation.

Should a poll be successful in stopping an amalgamation then there are other options open to the State Government to achieve its policy objective. They could simply make a recommendation to the LGAB for a boundary change or legislate to force the amalgamation.

Council resources, both staff and financial, are limited and it would not be feasible to conduct an anti-amalgamation campaign as well as continue to resource the amalgamation project. The project is already behind schedule due to delays with the government announcement. Any postponement of work until after a poll on 31 January 2015 would mean that we would not be ready for the amalgamation deadline of 1 July 2015. This would create a high risk to the continuity of services to the community.

Council could take the view that, given current State Government Policy, amalgamation is inevitable at some stage. Under this scenario financial and staff resources could be focussed on making the transition as smooth as possible within the time available.

This would provide the opportunity to have some influence on the outcome for the ultimate benefit of the community rather than experiencing a forced amalgamation at some time in the future. Council could start work on a Memorandum of Understanding with the City of Fremantle to seek assurances on the continuation of services and facilities that are of most value to the community.

#### **Statutory Requirements**

Schedule 2.1 of the Local Government Act 1995 (As amended).

#### **Relevant Council Policies**

Nil

#### **Strategic Plan Implications**

Nil

#### **Financial/Resource/Budget Implications**

Financial/Resource/Budget implications are not quantifiable at this stage however there are some budget provisions to resource the transition project.

**Conclusion**

The State Government policy is that the Town of East Fremantle amalgamate with the City of Fremantle. It is clear that it intends to implement that policy. If amalgamation is considered to be inevitable then Council's stated primary objective is to promote the best interest of the community and staff during the transition period and beyond.

Any Council decision to engage in the amalgamation process does not preclude members of the community from petitioning for a poll. Council can facilitate this process without actively promoting or campaigning for it.

**Voting Requirements**

Simple Majority

**RECOMMENDATION**

That Council;

1. acknowledge that the amalgamation of the Town of East Fremantle and the City of Fremantle is State Government policy.
2. engage in the transition process rather than actively oppose amalgamation.
3. facilitate any community petitioning for a poll by having a petition available at the Town Hall.

- (i) **Cr Hancock – Cr Amor**  
**That Council acknowledge that the amalgamation of the Town of East Fremantle and the City of Fremantle is State Government policy. CARRIED UNANIMOUSLY**

*Cr Hancock – Cr Amor*

*That Council engage in the transition process rather than actively oppose amalgamation.*

Amendment

*Cr Collinson – Cr Rico*

*That the motion be amended by the deletion of the words "engage in the transition process rather than".*

Prior to leaving the meeting, Cr McPhail requested his opposition to the Amendment be noted.

*Cr McPhail left the meeting at 6.45pm.*

Cr Collinson's amendment was put.

LOST

The substantive motion was put.

- (ii) **Cr Hancock – Cr Amor**  
**That Council engage in the transition process rather than actively oppose amalgamation. CARRIED**

Cr Rico requested that the votes be recorded.

Crs Watkins, Hancock, Amor and Mayor O'Neill voted in favour of the motion with Crs Rico and Collinson voting against.

- (iii) **Cr Hancock – Cr Amor**  
**That Council facilitate any community petitioning for a poll by having a petition available at the Town Hall. CARRIED UNANIMOUSLY**

**259. CLOSURE OF MEETING**

There being no further business, the meeting closed at 6.58pm.

*I hereby certify that the Minutes of the meeting of the **Council** of the Town of East Fremantle, held on **29 October 2014**, Minute Book reference **252.** to **259.** were confirmed at the meeting of the Council on*

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*Presiding Member*