



CITY OF VINCENT

**SPECIAL
COUNCIL MEETING**

Minutes

28 OCTOBER 2014

ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY

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Minutes of the Special Meeting of Council (regarding Local Government Reform) of the City of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 28 October 2014, commencing at 5.42 pm.

1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor John Carey, declared the meeting open at 5.42 pm and read the following Acknowledgement of Country Statement:

(b) ACKNOWLEDGEMENT OF COUNTRY STATEMENT

"Today we meet on the lands of the Nyoongar people and we honour them as the traditional custodians of this land".

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

- 2.1 Cr John Pintabona due to being unwell
Cr Laine McDonald was an apology
Cr Julia Wilcox was an apology
Cr Josh Topelberg (Late arrival for the meeting 5.57pm)

(b) Members on Approved Leave of Absence:

Nil.

(c) Present:

Mayor John Carey	Presiding Member
Cr Roslyn Harley (<i>Deputy Mayor</i>)	North Ward
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr James Peart	South Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Jacinta Anthony	Acting Director Community Services
Mike Rootsey	Director Corporate Services
Gabriela Poezyn	Director Planning Services
Joshua O'Keefe	Manager Strategic Planning
Jerilee Highfield	Executive Assistant, Minutes Secretary
Shenade Unicomb	Communications Officer

Media

West TV

The Presiding Member, Mayor John Caret announced that staff from West TV (Community television) were present in the gallery and had requested permission to film some sections of the Special Council Meeting, without any audio recording. In accordance with Standing Orders, the Mayor invited Council to consider and determine the request.

Moved Cr Buckels Seconded Cr Cole

That Council APPROVES West TV filming tonight's Special Council Meeting regarding Local Government Reform.

PUT AND CARRIED (5-0)

(Cr McDonald, Cr Pintabona, Cr Topelberg and Cr Wilcox were apologies for the meeting)

Approximately 50 Members of the Public

3. (a) PUBLIC QUESTION TIME & RECEIVING OF PUBLIC SUBMISSIONS

The following is a summary of questions and submissions received and responses provided at the meeting. This is not a verbatim record of comments made at the meeting.

1. Ian Ker of 92 Vincent Street, Mt Lawley – Item 7.1

- Vincent should support other Councils and the community in calling for all electors to be given the right to a vote on amalgamations affecting them by whatever name the changes are given and in turn we should ask those Councils to support the right of a Vincent community to have a similar say in our own future. We must reassert the views expressed by the community in October 2013 that Vincent should not be abolished.
- I suggest we should also tell Alannah Mactiernan who yesterday was reported to support the City of Perth Act, if she can't support the expressed view of the Vincent community, that she might just face the same fate as Eleni Evangel at the next election. We must resist Barnett's proposed gerrymander with all the resources we can muster, which no half reasonable Member of a Parliament elected on the basis of one vote one value could support.
- On current statements, the proposed Act would not pass the Upper House of Parliament, indeed it only requires two Liberals to cross the floor in the Lower House for it to fail there. A City of Perth Act without the gerrymander would be an improvement, but still does not reflect the wishes of the Vincent community. This Council should clearly and strongly oppose Barnett's proposed City of Perth Act in its entirety on the basis that it does not reflect the wishes of the Vincent Community.
- A new Recommendation 1 should be added that Council notes and reaffirms the strong community preference for Vincent to remain as it is.
- The word 'referendum' in Recommendation 4b) should be replaced by the words 'Dadour poll' on the basis that referendum has no requirements or success/failure criteria attached to it, whereas Dadour poll makes it clear we are not seeking preferential treatment but want the provisions of the Local Government Act to apply. I also suggest the words City of Vincent and City of Perth owners/occupiers in Recommendation 6 be replaced with the words 'all electors', on the basis that the existing wording is vague and could be argued to be met by equal numbers by elected members for Vincent and Perth which is clearly a gerrymander in its own right.

2. Geoff Cooper of 3 Glebe Street, North Perth – Item 7.1

- I would like to support Mr Ker to not use the word 'equal' in Recommendation 6. I think that should be re-worded to fair. Recommendation 5 could be re-worded, take out 'if it proceeds', substitute 'that for which' because it is a restrictive clause. I think these changes would make it a little clearer.

The Presiding Mayor Carey thanked Mr Cooper for his comments.

3. Dudley Maier of 51 Chatsworth Road, Highgate – Item 7.1
- Negotiation requires an understanding of the other person's point of view, their concerns and their problems and trying to address those. In this case it is pretty easy to see what their concerns are.
 - City of Perth has about \$80 million of reserves, it gets about \$40 million of profit from its parking facilities, and it is obviously worried about hordes from the North plundering those assets. It is also concerned about diminishing focus on the CBD and also diminishing focus on some of those Capital City functions. I think these are legitimate concerns.
 - I think the current response based on Vincent residents becoming second-class citizens and seems not to be based on any information, appears for local consumption isn't actually achieving anything positive. The response should be to sit down with the Lord Mayor and the Premier and convince them that Vincent understands the problem and is keen to work out a solution. I think Vincent's main benefits with merging with Perth are the access to a broader range of staff with a great skill set and a better quality of deliverables. I also have a major concern with the recommendation about going to a referendum prior to the drafting of the legislation. What are we going to be asked about, just the concept of the City of Perth Act or the actual details? I think that needs to be thought through.
 - My main concern is that if the City of Perth Act falls over, the Government is going to resort to Plan B, which could involve the Minister putting in a submission to the Board based on the City of Perth's initial submission but with the northern half of Vincent going to Stirling. I think there is a reasonable chance the Board would seriously consider that sort of proposal. So I don't think that we should be wasting any money on fear campaigns, we should be out there encouraging dialogue and looking for innovative solutions to Perth's issues.

The Presiding Mayor Carey thanked Mr Maier for his comments.

There being no further speakers, Public Question Time closed at approximately 5.50 pm.

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

5. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Nil

6. DECLARATIONS OF INTERESTS

Nil.

7. REPORTS

7. Reports

7.1 Local Government Reform

7.1 Local Government Reform

Ward:	All	Date:	12 August 2014
Precinct:		File Ref:	
Attachments:	001 – LGAB Review and Recommendations		
Tabled Items:	Nil		
Reporting Officer:	Len Kosova, Chief Executive Officer		
Responsible Officer:	Len Kosova, Chief Executive Officer		

OFFICER RECOMMENDATION:

That Council:

1. NOTES that in its *Metropolitan Local Government District Inquiries Report (September 2014)* the Local Government Advisory Board supported the City of Vincent's "Proposal 16" as being the "*the 'best' local government boundaries for this area*" and recommended this proposal to the Minister for Local Government with certain adjustments;
2. NOTES that the State Government has rejected the Local Government Advisory Board's recommendation relating to the City of Vincent and City of Perth, and has instead proposed to expand the City of Perth to include the whole of the City of Vincent by creating a City of Perth Act, with the western boundary of the expanded City of Perth being subject to further refinement;
3. NOTES the State Government's decision to combine the Town of Bassendean and the City of Bayswater via a boundary adjustment also affects the City of Vincent and will result in land bounded by Ellesmere Street, Mitchell Street, Stanley Street and Guildford Road being transferred from the City of Bayswater to the City of Vincent;
4. In relation to the proposed City of Perth Act:
 - a) NOTES that the State Government's proposed introduction of a City of Perth Act would deny City of Vincent electors access to the ('*Dadour*') poll provisions that might otherwise be available to them under clause 8 of Schedule 2.1 of the *Local Government Act 1995*; and
 - b) REQUESTS the Premier, Hon. Colin Barnett to carry out a referendum of affected electors to ascertain the community's sentiment on the proposed introduction of a City of Perth Act, prior to drafting of the legislation;
5. OPPOSES any weighting or preferential treatment of votes or representation under a proposed City of Perth Act, if it proceeds, which would have the effect of diminishing City of Vincent owner's/occupier's votes or representation on a new City of Perth Council, compared to Perth CBD owners/occupiers; and
6. SEEKS a written commitment from the Premier, Hon. Colin Barnett that the state government's proposed City of Perth Act will, if it proceeds, provide for equal representation of both City of Vincent and City of Perth owners/occupiers on the Council of any expanded City of Perth.

Moved Cr Cole, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

AMENDMENT 1

Moved Cr Cole, Seconded Cr Buckels

That Recommendations 4b) and 6 be amended to read as follows:

4. In relation to the proposed City of Perth Act:
 - b) **REQUESTS AUTHORISES the Mayor to write to the Premier, Hon. Colin Barnett ~~to~~ requesting that the Government carry out a referendum of affected electors to ascertain the community's sentiment on the proposed introduction of a City of Perth Act, prior to drafting of the legislation;**
6. **SEEKS AUTHORISES the Mayor to seek a written commitment from the Premier, Hon. Colin Barnett that the state government's proposed City of Perth Act will, if it proceeds, provide for equal fair representation of both City of Vincent and City of Perth owners/occupiers on the Council of any expanded City of Perth.**

AMENDMENT 1 PUT AND CARRIED (5-0)

(Cr McDonald, Cr Pintabona, Cr Topelberg and Cr Wilcox were apologies for the meeting)

(Cr Topelberg entered the Chamber at 5.57 pm)

Debate ensued.

AMENDMENT 2

Moved Harley Seconded Cr Cole

That a new Recommendation 1 be added as follows and the remaining recommendations be renumbered accordingly:

1. **NOTES and REAFFIRMS** the community's strong preference for the City of Vincent to remain as is.

Debate ensued.

AMENDMENT 2 PUT AND CARRIED UNANIMOUSLY (6-0)

(Cr McDonald, Cr Pintabona, and Cr Wilcox were apologies for the meeting)

Debate ensued.

AMENDMENT 3

Moved Cr Topelberg, Seconded Cr Buckels

That the original Recommendations 5 and 6 (incorporating the changes adopted by Amendment 1) be amended to read as follows:

5. **OPPOSES** any weighting or preferential treatment of votes or representation under a proposed City of Perth Act, if it proceeds, which would have the effect of diminishing existing City of Vincent owner's/occupier's votes or representation on a new City of Perth Council, compared to Perth CBD owners/occupiers; and
6. **AUTHORISES** the Mayor to seek a written commitment from the Premier, Hon. Colin Barnett that the state government's proposed City of Perth Act will, if it proceeds, provide for fair representation of ~~both City of Vincent and City of Perth owners/occupiers~~ all electors on the Council of any expanded City of Perth.

AMENDMENT 3 PUT AND CARRIED UNANIMOUSLY (6-0)

(Cr McDonald, Cr Pintabona, and Cr Wilcox were apologies for the meeting)

AMENDMENT 4

Moved Cr Topelberg, Seconded Cr Cole

That the original Recommendation 4b) (incorporating the changes adopted by Amendment 1) be amended to read as follows:

4. In relation to the proposed City of Perth Act:
 - b) **AUTHORISES** the Mayor to write to the Premier, Hon. Colin Barnett requesting that the Government carry out a referendum of affected electors to ascertain the community's sentiment on the proposed introduction of a City of Perth Act ~~prior to drafting of the legislation;~~

Debate ensued.

AMENDMENT 4 PUT AND CARRIED (4-2)

For: Cr Buckels, Cr Cole, Cr Peart, Cr Topelberg.

Against: Mayor Carey, Cr Harley.

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (6-0)

(Cr McDonald, Cr Pintabona, and Cr Wilcox were apologies for the meeting)

COUNCIL DECISION ITEM 7.1

That Council:

1. **NOTES** and **REAFFIRMS** the community's strong preference for the City of Vincent to remain as is.
 2. **NOTES** that in its *Metropolitan Local Government District Inquiries Report (September 2014)* the Local Government Advisory Board supported the City of Vincent's "Proposal 16" as being the "*the 'best' local government boundaries for this area*" and recommended this proposal to the Minister for Local Government with certain adjustments;
 3. **NOTES** that the State Government has rejected the Local Government Advisory Board's recommendation relating to the City of Vincent and City of Perth, and has instead proposed to expand the City of Perth to include the whole of the City of Vincent by creating a City of Perth Act, with the western boundary of the expanded City of Perth being subject to further refinement;
 4. **NOTES** the State Government's decision to combine the Town of Bassendean and the City of Bayswater via a boundary adjustment also affects the City of Vincent and will result in land bounded by Ellesmere Street, Mitchell Street, Stanley Street and Guildford Road being transferred from the City of Bayswater to the City of Vincent;
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8. CLOSURE

There being no further business, the Presiding Member, Mayor John Carey, declared the meeting closed at 6.16 pm with the following persons present:

Mayor John Carey	Presiding Member
Cr Roslyn Harley (<i>Deputy Mayor</i>)	North Ward
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr James Peart	South Ward
Cr Joshua Topelberg	South Ward
Len Kosova	Chief Executive Officer
Rick Lotznicker	Director Technical Services
Jacinta Anthony	Acting Director Community Services
Mike Rootsey	Director Corporate Services
Gabriela Poczyn	Director Planning Services
Joshua O'Keefe	Manager Strategic Planning
Jerilee Highfield	Executive Assistant, Minutes Secretary
Shenade Unicom	Communications Officer

50 Members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Special Meeting of the Council held on 28 October 2014.

Signed:Presiding Member John Carey.

Dated this day of 2014.
