

AGENDA

Special Council Meeting

22 December 2014

A Special Meeting of Council has been called for the purpose of considering an elector's motion passed at the Annual Electors Meeting on 15 December 2014. The motion requests funding be made available for community groups within the City of South Perth (of up to \$10,000 each) for campaigning in relation to the City of South Perth and Town of Victoria Park 2015 amalgamation referendum.

Notice of Meeting

A Special Council Meeting of the City of South Perth Council will be held on Monday 22 December 2014 in City of South Perth Council Chamber, Cnr Sandgate Street and South Terrace, South Perth commencing at 5.30 pm.



CLIFF FREWING
CHIEF EXECUTIVE OFFICER

19 December 2014



Our Guiding Values

Trust

Honesty and integrity

Respect

Acceptance and tolerance

Understanding

Caring and empathy

Teamwork

Leadership and commitment

Disclaimer

The City of South Perth disclaims any liability for any loss arising from any person or body relying on any statement, discussion, recommendation or decision made during this meeting.

Where an application for an approval, a licence or the like is discussed or determined during this meeting, the City warns that neither the applicant, nor any other person or body, should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it, or the refusal of the application has been issued by the City.

Further Information

The following information is available on the City's website.

- **Council Meeting Schedule**

Special Ordinary Council Meeting Meetings are held at 7pm in the Council Chamber at the South Perth Civic Centre on the fourth Tuesday of every month between February and November. Members of the public are encouraged to attend open meetings.

- **Minutes and Agendas**

As part of our commitment to transparent decision making, the City makes documents relating to council and its committees' meetings available to the public.

- **Meet Your Council**

The City of South Perth covers an area of around 19.9km² divided into four wards. Each ward is represented by two councillors, presided over by a popularly elected mayor. Councillor profiles provide contact details for each elected member.

www.southperth.wa.gov.au/Our-Council/

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Special Council Meeting Agenda

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Presiding Member to open the meeting

2. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

2.1 PUBLIC QUESTION TIME FORMS

The Presiding Member advised that Public Question Time forms are available in the Civic Centre foyer and on Council's website for members of the public wanting to submit a written question. In accordance with Clause 6.7 of the Standing Orders Local Law, 'Procedures for Question Time', the Presiding Member requested that questions be received in advance of the Council Meetings in order for the Administration to have the opportunity to prepare responses.

2.2 AUDIO RECORDING OF COUNCIL MEETING

The Presiding Member advised that the meeting is audio recorded in accordance with Council Policy P673 "Audio Recording of Council Meetings" and Clause 6.16 of the Standing Orders Local Law 2007 which states: "A person is not to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council without the permission of the Presiding Member".

3. ATTENDANCE

3.1 APOLOGIES

3.2 APPROVED LEAVE OF ABSENCE

4. DECLARATION OF INTERESTS

Conflicts of Interest are dealt with in the *Local Government Act, Rules of Conduct Regulations* and the *Administration Regulations* as well as the City's Code of Conduct 2008. Members must declare to the Chairperson any potential conflict of interest they have in a matter on the Council Agenda.

5. PUBLIC QUESTION TIME

6. DEPUTATIONS

7. REPORTS

7.6 STRATEGIC DIRECTION 6: GOVERNANCE, ADVOCACY AND CORPORATE MANAGEMENT

7.6.1 Annual Electors' Meeting - 15 December 2014 - Electors' Motion

Location:	City of South Perth
Ward:	All
Applicant:	City of South Perth Electors
File Ref:	D-14-76362
Date:	22 December 2014
Author	Phil McQue, Manager Governance and Administration
Reporting Officer:	Cliff Frewing, Chief Executive Officer
Strategic Direction:	Governance, Advocacy and Corporate Management - - Ensure that the City has the organisational capacity, advocacy and governance framework and systems to deliver the priorities identified in the Strategic Community Plan
Council Strategy:	6.5 Advocate and represent effectively on behalf of the South Perth community.

Summary

This report considers the electors' motion passed at the 15 December 2014 Annual Electors Meeting seeking Council agreement to provide funding of up to \$10,000 each for community groups within the City of South Perth towards campaigning on the City of South Perth / Town of Victoria Park 2015 amalgamation referendum.

Officer Recommendation

That the Council:

- (a) Notes the electors' motion passed at the 15 December 2014 Annual Electors Meeting in relation to financial funding of up to \$10,000 each for community groups within the City of South Perth towards campaigning on the City of South Perth / Town of Victoria Park 2015 amalgamation referendum;
- (b) Resolves not to provide any financial funding to community groups for the reasons outlined in the officer report.

Background

At the Annual Electors Meeting held 15 December 2014, the following electors' motion was passed:

That the CEO convenes a Special Meeting of Council within the next four weeks to consider a motion setting aside City monies to cover a commitment to fund the costs of:

- a) up to \$10,000 for any South Perth residents' community group which has more than 250 members or arranged or facilitated a petition for a poll signed by more than 250 residents of South Perth supporting a NO vote for the Amalgamation of the City of South Perth and the Town of Victoria Park;*

7.6.1 Annual Electors' Meeting - 15 December 2014 - Electors' Motion

- b) any South Perth residents' community group with more than 250 members supporting a YES vote; and
- c) any incorporated residents association within the City of South Perth be given the opportunity for funding.

Under the *Local Government Act 1995*, the Council is required to consider any electors' motions at the next Ordinary Council meeting, or a Special Council meeting called for that purpose - whichever occurs first. However, electors' motions are not binding on the City.

A Special Council Meeting has been convened for 22 December 2014 to consider this motion as requested by the electors'.

Comment

The City does not support the electors' motions requesting funding for the following reasons:

- The Council has prepared information for residents on the advantages and disadvantages of an amalgamation for distribution to approximately 25,000 households the week commencing 12 January 2015. The City believes that this brochure provides sufficient information for its community in relation to why the referendum is being held, the implications of the referendum and a summary of the advantages and disadvantages of amalgamation for South Perth and the Town of Victoria Park.
- The City will also be disseminating considerable information through its existing communication channels such as its website, Peninsula Snapshot (Southern Gazette), South Perth InFocus (e-newsletter), Facebook and Mayoral Blog.
- There is a risk that the community groups could produce misleading or incorrect information, as has already occurred in recent weeks by a prominent community group. The City does not have the resources to monitor and review information prepared for circulation by an unknown number of community groups in relation to their activities, which under this proposal would be funded by the City.
- There is a risk providing untied public funds to community groups, given the City has no control or influence over their activities.
- It is not good governance or accountability of public funds to provide financial funding without the establishment of guidelines, protocols and processes to ensure those funds are being used appropriately. When providing financial assistance, it is usual practice for the City to advertise and seek expressions of interest, with groups required to submit a business case and detailed budget for consideration by the City, prior to any funds being allocated.
- It would be inappropriate for a local government to contribute public funds towards an external campaign that has the potential to be political in nature.
- It is not considered prudent, nor representative of community interests, to provide considerable funds to small community groups representing approximately 250 people (0.5% of the population), considering the City has a population in excess of 46,000.
- The City has not budgeted for expenditure to fund community group campaigns.
- It would be inconsistent for the Council to contribute public funds towards anti-amalgamation campaigns given the Council has previously submitted two joint submissions to the Local Government Advisory Board supporting an amalgamation with the Town of Victoria Park.
- The Council has also previously resolved not to support either a 'yes' or 'no' campaign, but simply to encourage the residents of South Perth to exercise their voting rights.

7.6.1 Annual Electors' Meeting - 15 December 2014 - Electors' Motion

- All electors will be receiving their ballot papers and a Yes/No Summary prepared by the Local Government Advisory Board – it is up to the individual to consider their own response.
- It is felt that additional material, especially if more than one community group is involved, has the capacity to confuse electors', rather than inform electors'.

Consultation

As mentioned previously, the Council is providing the residents of South Perth with information on the pending referendum via a brochure on the advantages and disadvantages of an amalgamation and through existing communication channels.

The Town of Victoria Park has determined at this stage not to provide any additional information in relation to the amalgamation referendum to its community.

Policy and Legislative Implications

5.33. Decisions made at electors' meetings

(1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —

(a) at the first ordinary council meeting after that meeting; or

(b) at a special meeting called for that purpose, whichever happens first.

(2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

Financial Implications

The Council has already expended approximately \$15,000 in preparing a brochure on the advantages and disadvantages of amalgamation for distribution by Australia Post to approximately 25,000 households within the City of South Perth the week commencing 12 January 2015.

The \$15,000 expenditure was provided for within the City's communication budget, given it relates to Council communications.

Should the Council resolve to provide financial funding to community groups, this is unbudgeted expenditure and would require an absolute majority vote by the Council.

Sustainability Implications

This report is aligned to the City's [Sustainability Strategy 2012-2015](#)

Attachments

Nil

8. CLOSURE



