



City of Nedlands

# ***Agenda***

## ***Special Council Meeting***

***5 September 2013***

Dear Council member

A Special Meeting of the City of Nedlands is to be held on Thursday 5 September 2013 in the Council Chambers at 71 Stirling Highway Nedlands commencing at 6.00 pm for the purpose of giving consideration to the rescission of Council decision of 27 August 2013 with respect to the Referendum Proposal on Amalgamations and to consider the conduct a statistically valid survey in lieu of a referendum.

Greg Trevaskis  
Acting Chief Executive Officer  
4 September 2013

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## City of Nedlands

**Notice of a Special Meeting of Council to be held in the Council Chambers at 71 Stirling Highway Nedlands commencing at 6.00 pm for the purpose of giving consideration to the rescission of Council decision of 27 August 2013 with respect to the Referendum Proposal on Amalgamations and to consider the conduct a statistically valid survey in lieu of a referendum.**

### Special Council Agenda

#### Declaration of Opening

The Chief Executive Officer will declare the meeting open at 6 pm.

In the absence of the Mayor and Deputy Mayor the Chief Executive Officer will call for nominations for the Presiding Member.

#### Present and Apologies and Leave Of Absence (Previously Approved)

**Leave of Absence**                      Councillor K E Collins                      Coastal Districts Ward  
**(Previously Approved)**

**Apologies**                      His Worship the Mayor, R M Hipkins

#### Disclaimer

Members of the public who attend Council meetings should not act immediately on anything they hear at the meetings, without first seeking clarification of Council's position. For example by reference to the confirmed Minutes of Council meeting. Members of the public are also advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

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#### 1. Public Question Time

A member of the public wishing to ask a question should register that interest by notification in writing to the CEO in advance, setting out the text or substance of the question.

The order in which the CEO receives registrations of interest shall determine the order of questions unless the Mayor determines otherwise. Questions must relate to a matter affecting the City of Nedlands.

**2. Addresses by Members of the Public**

Addresses by members of the public who have completed Public Address Session Forms to be made at this point.

**3. Disclosures of Financial Interest**

The Presiding Member to remind Councillors and Staff of the requirements of Section 5.65 of the *Local Government Act* to disclose any interest during the meeting when the matter is discussed.

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

However, other members may allow participation of the declarant if the member further discloses the extent of the interest. Any such declarant who wishes to participate in the meeting on the matter, shall leave the meeting, after making their declaration and request to participate, while other members consider and decide upon whether the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

**4. Disclosures of Interests Affecting Impartiality**

The Presiding Member to remind Councillors and Staff of the requirements of Council's Code of Conduct in accordance with Section 5.103 of the *Local Government Act*.

Councillors and staff are required, in addition to declaring any financial interests to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making procedure.

The following pro forma declaration is provided to assist in making the disclosure.

"With regard to ..... the matter in item x..... I disclose that I have an association with the applicant (or person seeking a decision). As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."

The member or employee is encouraged to disclose the nature of the association.

**5. Declarations by Members That They Have Not Given Due Consideration to Papers**

Members who have not read the business papers to make declarations at this point.

**6. Notices of Motion**

**6.1 Notice Of Motion To Revoke A Decision Of Council - Referendum Proposal On Amalgamations**

The following Councillors gave notice to rescind a previous Council decision in accordance with Standing Orders Local Law 2009, Part 14 at the Special Council Meeting of City of Nedlands to be held on Thursday 5th September 2013

1. Councillor Porter
2. Councillor Shaw
3. Councillor Binks
4. Councillor Hassell and
5. Councillor Argyle

**That the Council decision of meeting held 27th August 2013, Reports by Chief Executive Officer, Item 13.6 Referendum Proposal on Amalgamations -**

**Council:**

1. **authorises the conduct of a referendum of Electors of the City of Nedlands to seek the views in relation to the State Government's recently announced proposal to merge the seven councils of the western suburbs into a new single local government authority;**
2. **pursuant to section 6.8 (1) (b) of the Local Government Act 1995 amends the 2013/14 Budget to provide an additional \$4500.00 to conduct the referendum; and**
3. **authorises the CEO to liaise with the WA Electoral Commission to ensure all documentation is in accordance with all relevant requirements to enable the referendum to be conducted.**

**BE RESCINDED**

#### Reasons for rescission

The conduct of a referendum in conjunction with the Local Government Elections on 19th October 2013 will not provide a fair and accurate evaluation of community opinion on proposed local government amalgamations.

As local government elections are not compulsory the results of any referendum cannot be reasonably considered a fair representation of the views of a cross section of residents and ratepayers. To statistically achieve a 95% or more confidence interval a sufficiently sized sample needs to be taken at random to enable the key demographics (such as location, age, gender and lifestyle) to be surveyed.

Surveys of this type can be conducted by suitably experienced and qualified consultants who can utilise facilities to interview residents at random over a wide coverage. Following the survey research a comprehensive report with an overview of key findings, summary of research methodology, detailed data analysis and interpretations would be available for all interested parties.

We believe the conduct of a referendum will not provide substantive proof of support or opposition to community opinion as the sample size may be biased and not representative of the community at large. The rescission of this motion will stop further unnecessary work on efforts to conduct the referendum forthwith.

#### Administration Comment

The conduct of a statistically valid survey is considered a more accurate and proven method for obtaining community opinion on various subject areas. A referendum held in conjunction with local government elections is probably a more economic option at an estimated cost of \$4000 to \$5000 whilst a consultancy survey will cost approximately \$14,000 to \$20,000 depending on sample size.

**6.2 Notice of Motion - conduct a statistically valid survey in lieu of a referendum**

Councillor Porter gave notice that should Council agree to rescind the motion as proposed in item 6.1, the following motion is submitted to undertake the necessary steps to conduct a statistically valid survey in lieu of the referendum.

**Council:**

- 1. agrees to undertake a Community Survey in relation to the State Government's proposed merger of the 7 Councils (the G7) of the Western Suburbs (namesly Nedlands, Subiaco, Cambridge, Cottesloe, Claremont, Mosman Park and Peppermint Grove) into a new single local government authority;**
- 2. request the CEO to urgently obtain quotations from suitably qualified consultants to undertake a survey of City of Nedlands residents for the purpose of evaluating community opinions about:**
  - a. Acceptability of G7 as proposed by the State Government.**
  - b. The Communities right to have a say on amalgamations.**
- 3. pursuant to section 6.8 (1)(b) of the Local Government Act 1995 amends the City's 2013/14 Budget to provide an additional \$17,000 to conduct a community survey; and**
- 4. authorises the CEO to decide the most suitable consultancy proposal and arrange for a community survey to be undertaken as soon as predictable.**

**Supporting Comment**

For Council to respond to the State Government's amalgamation program it is important to gauge and seek community opinion on the subject.

The conduct of a statistically valid survey can be undertaken in a relatively short time frame and will provide valuable feedback for ongoing discussions with the State Government in relation to the amalgamation issue.

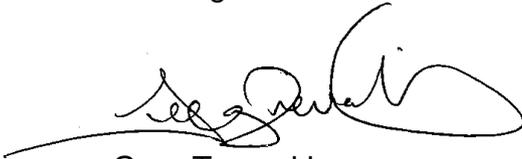
Key issues relate to whether the community is in favour of the G7 or not and is there concern about the removal of the community's right to have a say on amalgamations, or not.

Administration Comment

No objection.

**Declaration of Closure**

There being no further business, the Presiding Member will declare the meeting closed.

A handwritten signature in black ink, appearing to read 'Greg Trevaskis', with a long horizontal flourish extending to the left.

Greg Trevaskis  
Chief Executive Officer