



City of Nedlands

# ***Minutes***

## ***Special Council Meeting***

***5 September 2013***

### ***ATTENTION***

***These minutes are subject to confirmation.***

Prior to acting on any resolution of the Council contained in these minutes, a check should be made of the Ordinary Council Meeting next following this meeting to ensure that there has not been a correction made to any resolution.

**Table of Contents**

Declaration of Opening .....3  
Present and Apologies and Leave Of Absence (Previously Approved) .....3  
1. Public Question Time .....4  
2. Addresses by Members of the Public.....4  
3. Disclosures of Financial Interest .....4  
4. Disclosures of Interests Affecting Impartiality.....4  
5. Declarations by Members That They Have Not Given Due  
Consideration to Papers.....4  
6. Notice of Motion to Revoke a Decision of Council -  
Referendum Proposal on Amalgamations.....5  
7. Notice of Motion - Conduct a Statistically Valid Survey in  
Lieu of a Referendum by Members of the Public .....8  
Declaration of Closure .....9

## City of Nedlands

**Minutes of a special meeting of Council held in the Council chambers, Nedlands on Tuesday 2 April 2013 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**

### **Declaration of Opening**

The Chief Executive Officer declared the meeting open at 6.02 pm. In the absence of the Mayor and Deputy Mayor the Chief Executive Officer called for nominations for the Presiding Member.

Councillor Binks and Councillor Hodsdon nominated Councillor Wetherall. No further nominations were received therefore Councillor Wetherall was appointed the Presiding Member.

Councillor Wetherall assumed the chair and drew attention to the disclaimer below.

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

<b>Councillors</b>	Councillor N B J Horley	Coastal Districts Ward
	Councillor L J McManus	Coastal Districts Ward
	Councillor I S Argyle	Dalkeith Ward
	Councillor W R Hassell	Dalkeith Ward
	Councillor S J Porter (from 6.13pm)	Dalkeith Ward
	Councillor R M Binks	Hollywood Ward
	Councillor B G Hodsdon	Hollywood Ward
	Councillor J Wetherall	Hollywood Ward
	Councillor T James	Melvista Ward
	Councillor N Shaw	Melvista Ward

<b>Staff</b>	Mr G Trevaskis	Chief Executive Officer
	Mr M Cole	Director Corporate & Strategy
	Mr P Mickleson	Director Planning & Development

**Public** There were no members of the public present.

**Press** The Post Newspaper representative.

<b>Leave of Absence (Previously Approved)</b>	Councillor K E Collins	Coastal Districts Ward
	Councillor M L Somerville-Brown	Melvista Ward

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

**Absent** Nil.

## **Disclaimer**

These minutes are subject to confirmation.

Prior to acting on any resolution of the Council contained in these minutes, a check should be made of the Ordinary Council Meeting next following this meeting to ensure that there has not been a correction made to any resolution.

### **1. Public Question Time**

There were no public questions.

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

There were no addresses by members of the public.

### **3. Disclosures of Financial Interest**

The Presiding Member reminded 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.

There were no disclosures of financial interest.

### **4. Disclosures of Interests Affecting Impartiality**

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

There were no disclosures affecting impartiality.

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

Nil.

**6. 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

Moved – Councillor Hassell  
Seconded – Councillor Shaw

**That the Recommendation to Council is adopted.**  
(Printed below for ease of reference)

Councillor Porter joined the meeting at 6.13pm

Put Motion

Moved – Councillor Binks  
Seconded – Councillor James

**That the motion be put.**

**PUT MOTION CARRIED 9/1  
(Against: Cr. Porter)**

**The substantive motion was put and**

**CARRIED UNANIMOUSLY 10/-**

**Recommendation to Council / Council Resolution**

**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.

**7. Notice of Motion - Conduct a Statistically Valid Survey in Lieu of a Referendum by Members of the Public**

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.

Moved – Councillor Porter  
Seconded – Councillor Hodsdon

**That the Recommendation to Council is adopted.**  
(Printed below for ease of reference)

Amendment  
Moved - Councillor Horley  
Seconded - Councillor

That the survey include the word “representative”.

AMENDMENT Lapsed for want of a seconder

**The substantive motion was put and**

**CARRIED 9/1**  
**(Against: Cr. Horley)**



## **Recommendation to Council / Council Resolution**

### **Council:**

- 1. agrees to undertake an independent an Community Survey in relation to the State Government's proposed merger of the 7 Councils (the G7) of the Western Suburbs (namely 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 declared the meeting closed at 6.51 pm.