

minutes

Special Meeting of Council



Please be advised that the Special Meeting of Council commenced at **6.30pm** on **Tuesday 1 October 2013** in the **Council Chambers**, Administration Centre at 99 Shepperton Road, Victoria Park.

A handwritten signature in black ink, appearing to read "Kyron".

ATHANASIOS (ARTHUR) KYRON
CHIEF EXECUTIVE OFFICER

2 October 2013

TABLE OF CONTENTS

ITEM	TITLE	PAGE NO
1	OPENING	3
2	ANNOUNCEMENTS FROM THE PRESIDING MEMBER	3
3	ATTENDANCE	3
	3.1 Apologies	4
	3.2 Approved Leave of Absence	4
4	DECLARATIONS OF INTEREST	4
5	PUBLIC QUESTION TIME (ITEMS RELATING TO THE AGENDA ONLY)	4
6	PUBLIC STATEMENT TIME (ITEMS RELATING TO THE AGENDA ONLY)	5
7	REPORTS	6
	7.1 Proposed Property Lease – 8 Kent Street, East Victoria Park	6
	7.2 Proposal to Local Government Advisory Board: Amalgamation Proposal for the Town of Victoria Park, City of South Perth and Portion of City of Canning	13
8	PUBLIC QUESTION TIME (ITEMS RELATING TO THE AGENDA ONLY)	26
9	PUBLIC STATEMENT TIME (ITEMS RELATING TO THE AGENDA ONLY)	26
10	MEETING CLOSED TO PUBLIC	26
	10.1 Matters for Which the Meeting May be Closed	26
	10.2 Public Reading of Resolutions That May be Made Public	26
11	CLOSURE	26

(To be confirmed on 8 October 2013)

1 OPENING

Mayor Vaughan declared the meeting open at 6:30pm.

The Chief Executive Officer read the prayer.

Almighty God, under whose providence we hold responsibility for this Town, grant us wisdom to understand its present needs, foresight to anticipate its future growth and grace to serve our fellow citizens with integrity and selfless devotion.

And to Thee, be all blessing and glory forever. AMEN

Acknowledgement of Country (by Mayor)

I acknowledge the traditional custodians of this land the Noongar people and pay my respects to the Elders both past, present and future for they hold the memories, the traditions, the culture and hopes of Indigenous Australians.

2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil

3 ATTENDANCE

Mayor:	Mr T (Trevor) Vaughan
Banksia Ward:	Cr C (Claire) Anderson Cr J (John) Bissett (Deputy Mayor) Cr R (Rowena) Skinner
Jarrah Ward:	Cr D (David) Ashton Cr D V (Vin) Nairn Cr V (Vicki) Potter
Chief Executive Officer:	Mr A (Arthur) Kyron
Directors:	Mr A (Anthony) Vuleta Mr N (Nathan) Cain Ms R (Rochelle) Lavery Ms T (Tina) Ackerman
Secretary:	Mrs A (Alison) Podmore
Public:	14

(To be confirmed on 8 October 2013)

3.1 Apologies**Banksia Ward:**

Cr K (Keith) Hayes

3.2 Approved Leave of Absence

Nil

4 DECLARATIONS OF INTEREST

Declarations of interest are to be made in writing prior to the commencement of the Meeting, (a form to assist Elected Members and Staff is attached at the end of this Agenda).

Declaration of Financial Interests

Nil

Declaration of Interest affecting impartiality

Name/Position	Councillor Vin Nairn
Item No/Subject	Item 7.1
Nature of Interest	Deputy Chair Incoming Chairman for the Victoria Park Youth Accommodation
Extent of Interest	Non Paid

Name/Position	Mayor Trevor Vaughan
Item No/Subject	Item 7.1
Nature of Interest	Member of the Victoria Park Youth Accommodation
Extent of Interest	Non Paid

5 PUBLIC QUESTION TIME (ITEMS RELATING TO THE AGENDA ONLY)

Vince Maxwell - 233 Berwick Street, Victoria Park

- In relation to Item 7.2 on tonight's agenda, The Local Government Authority requires an Absolute Majority, which requires 5 members to vote in favour. In the event of a 4 – 4 decision that the casting vote won't apply and therefore the motion will be defeated?

(To be confirmed on 8 October 2013)

Response

The CEO said it only requires Simple Majority voting.

- That is not the way the Local Government Act says, I understand it to require an Absolute Majority vote.

-

Response

The CEO said he would check the Act before the item is voted on this evening.

- The Metropolitan Local Government Review is the main document used to drive these reforms, can we get a show of hands of which Councillors have read the 193 page document?

Response

The Mayor advised this wouldn't happen.

- Has Council investigated potential tenants for this building should there be an amalgamation and has Council explored what the likely rental income will be?

Response

The Mayor advised Council hasn't gone into that at this stage.

6 PUBLIC STATEMENT TIME (ITEMS RELATING TO THE AGENDA ONLY)

Gordon Edwards – 66 Camberwell Street, East Victoria Park

Mr Edwards made a statement regarding Item 7.2 – Proposal to Local Government Advisory Board: Amalgamation Proposal for the Town of Victoria Park, City of South Perth and Portion of City of Canning.

Mr Vince Maxwell – 233 Berwick Street, Victoria Park

Mr Maxwell made a statement regarding item 7.2– Proposal to Local Government Advisory Board: Amalgamation Proposal for the Town of Victoria Park, City of South Perth and Portion of City of Canning.

(To be confirmed on 8 October 2013)

7 REPORTS**7.1 Proposed Property Lease – 8 Kent Street, East Victoria Park**

File Reference:	KENT8
Appendices:	No.

Date:	18 September 2013
Reporting Officer:	T. McCarthy
Responsible Officer:	A. Vuleta
Voting Requirement:	Absolute Majority

Executive Summary:

Recommendation – That Victoria Park Youth Accommodation (Inc.) be permitted to occupy the Council owned building at 8 Kent Street, East Victoria Park, from 5 October 2013 on a leasehold basis, with the detail of a formalised lease to be negotiated and executed by the Mayor and the Chief Executive Officer under delegated authority of Council.

- Council owned house at 8 Kent Street is currently vacant.
- Victoria Park Youth Accommodation (Inc.) has approached Council with a request to lease the house at 8 Kent Street.
- Victoria Park Youth Accommodation (Inc.) has requested that it be permitted to occupy the house at 8 Kent Street as from 6 October 2013.

TABLED ITEMS:

- Email dated 13 September 2013 from Victoria Park Youth Accommodation (Inc.).

BACKGROUND:

The Council owned building at 8 Kent Street has been vacant since April 2009. It was last occupied by Extra Edge Community Services Inc., which gave notice in March 2009 that it was vacating the premises due to consolidation of resources. Extra Edge Community Services Inc. had leased the premises from the Town at a rental of \$1 per annum. As with any Lease where the Lessee does not pay a reasonable rent, the Lessor has no hold over the Lessee and the Lessee can effectively terminate the Lease at any time without incurring penalty of any kind.

Victoria Park Youth Accommodation (Inc.) (VPYA) currently occupies office space in Leonard Street, leased from the Anglican Church. That property is about to undergo redevelopment and VPYA has been given notice that it must vacate the premises by 5 October 2013.

VPYA has met with senior staff and some Elected Members to discuss the possibility of VPYA entering a Lease agreement for the property at 8 Kent Street. General terms of a Lease were discussed and it was agreed that the matter would be put before Council as a matter of urgency.

(To be confirmed on 8 October 2013)

DETAILS:

The subject property is 405m² in area and has a 10.1 metre boundary frontage to Kent Street. Vehicle access is available via a paved rear Right of Way. The exterior of the house is sound and the interior is basic. VPYA has inspected the property and considers it suitable for the organisation's needs.

The front 49m² portion of the property is zoned Other Regional Roads in the Metropolitan Region Scheme (for the widening of Kent Street road reserve) and the remainder of the property is zoned Parks and Recreation in the Town of Victoria Park Town Planning Scheme No. 1.

The use of the property at 8 Kent Street as office space by VPYA would not be in accordance with the current zoning. The house, however, was constructed many years prior to the implementation of the Town of Victoria Park Town Planning Scheme No. 1 and up until 2009 was used as office space by Extra Edge Community Services Inc. The proposed use as office space by VPYA is considered appropriate and is in keeping with the use of the adjoining properties which are also zoned Parks and Recreation, but are used as offices by non-commercial organisations.

Legal Compliance:

The proposed lease of the premises to VPYA would be an exempt disposition under Section 3.58 of the *Local Government Act 1995* and advertisement of the proposed lease is therefore not required.

Policy Implications:

Nil

Strategic Plan Implications:

Nil

Financial Implications:Internal Budget:

Lease payments from VPYA, the amount not having yet been determined, will provide a revenue stream to the Town.

Total Asset Management:

If the subject property is leased to VPYA, that organisation will become responsible for general maintenance of the property. The Town will still be responsible for any structural repairs and replacement of items necessitated by fair wear and tear.

Sustainability Assessment:External Economic Implications:

Nil

Social Issues:

Nil

(To be confirmed on 8 October 2013)

Cultural Issues:

Nil

Environmental Issues:

Nil

COMMENT:

VPYA has indicated that it is capable of paying rent in the vicinity of \$600 per month if necessary. Most organisations of a similar nature to VPYA occupying Council owned buildings pay a nominal rental of \$1 per annum. This is considered an inappropriate type of arrangement and it is probably more relevant for organisations of this type to pay a more realistic rental and, if Council considers it appropriate, for donations to those organisations to be increased to help offset rentals. This type of arrangement would provide a more realistic rental return in keeping with the Land Asset Optimisation Strategy. It would also provide a more realistic overview of Council's financial support of such organisations by recognition of actual donation amounts rather than some of Council's financial support being hidden in foregone rent.

At the time of preparation of this report a rental valuation is being obtained for the property from a licensed valuer. The valuation is not yet completed, but it is anticipated that it will be available to be tabled at the Special Meeting of Council.

It is generally the case that a draft lease document is tabled at Council when a rental proposal is placed before Council. In this instance, a lease document has not yet been drafted and a rental amount has not yet been agreed with the proposed tenant. Because of the urgency of the matter for the VPYA, it is proposed that VPYA be permitted to occupy the premises from 5 October 2013 on a leasehold basis, with the detail of a formalised lease to be negotiated and executed by the Mayor and the Chief Executive Officer under delegated authority of Council. It is also proposed that the Mayor and the Chief Executive Officer take into account the rental valuation as determined by the licensed valuer when negotiating a rental fee with VPYA.

It is proposed that a new lease agreement with VPYA will be drafted using the Town's standard lease template. The lease term is proposed as 1 year, with a further 1 year option exercisable by the Lessee. The lease will also include a redevelopment clause, requiring the Lessee to vacate the premises on serving of appropriate written notice, should the Town wish to redevelop the property.

In its written submission to the Town requesting use of the house at 8 Kent Street, VPYA stated:

We are a youth accommodation agency that has operated within the Town of Victoria Park for more than 30 years. We have been leasing office space from the Anglican Church in Leonard Street. As you are aware this property is being redeveloped therefore we have been advised that we must vacate the premises by the 6th October 2013. Does the Town of Victoria Park have available office space that would be suitable for us to lease?

(To be confirmed on 8 October 2013)

The agency supports and accommodates homeless young people aged between 15 and 25 years of age and their families. Of these young people 45% report to be indigenous and 45% are culturally and linguistically diverse. As you can see by these figures we are working with the most disadvantaged section of society. Once a month we interview approximately 15 young people who are in urgent need of housing and support.

Currently we have 19 houses which are constantly tenanted. Our houses comprise of three within the City of Belmont, 6 within the Town of Victoria Park and the rest in the City of Canning. I understand that when the boundaries are revised the latter will also fall within the Town of Victoria Park boundaries.

We are not just a housing agency with our main focus being support. We employ 10 staff comprising a Manager, Administrator and eight support workers. We operate a parenting program which is conducted at a hall in Wilson, which will also come within the boundary of the Town of Victoria Park after the review. This program is attended by an average of 12 adults and 15 children each week. The program focuses on good parenting practices, budgeting, domestic violence issues, nutrition, health, cooking skills, drug and alcohol use and crafts

Over the years we have been appreciative of the support given by the Town of Victoria Park. You have continually provided the agency with emergency relief funding. Now we find ourselves in a position where we need further assistance. We understand that if you had a property available we would be required to pay an amount for rent. Our budget would allow us to pay within the vicinity of \$600 per month if necessary.

As we have stated this request is submitted with some urgency. We are certainly available to speak to any of the Councillors that may have any queries. We would appreciate your response as quickly as possible.

CONCLUSION:

It is recommended that Victoria Park Youth Accommodation (Inc.) be permitted to occupy the Council owned building at 8 Kent Street, East Victoria Park, from 5 October 2013 on a leasehold basis, with the detail of a formalised lease to be negotiated and executed by the Mayor and the Chief Executive Officer under delegated authority of Council.

RECOMMENDATION/S:

Moved: Councillor Bissett

Seconded: Councillor Anderson

1. That Victoria Park Youth Accommodation (Inc.) be permitted to occupy the Council owned building at 8 Kent Street, East Victoria Park, from 5 October 2013, subject to reaching agreement with the Town on the terms of a Lease.

(To be confirmed on 8 October 2013)

2. The Council by an Absolute Majority authorises the Mayor and the Chief Executive Officer to negotiate the terms of a Lease of 8 Kent Street, East Victoria Park, with Victoria Park Youth Accommodation (Inc) and to execute a Lease Agreement for 8 Kent Street, East Victoria Park, with Victoria Park Youth Accommodation (Inc). Remove and replace with
3. The proposed Lease Agreement for 8 Kent Street, East Victoria Park, with Victoria Park Youth Accommodation (Inc), is to be for a term of 1 year with a further 1 year term exercisable by the Lessee, and is to contain a redevelopment clause.
4. The rental amount agreed to as part of a new Lease Agreement for 8 Kent Street, East Victoria Park, is to be backdated to 5 October 2013 and will be payable to the Town by Victoria Park Youth Accommodation (Inc.).
5. Victoria Park Youth Accommodation (Inc.) is to be advised that if it cannot reach agreement with the Town on the terms of a new Lease Agreement, the Town may serve written notice on Victoria Park Youth Accommodation (Inc.) to vacate the premises within sixty (60) days of the serving of the written notice.

AMENDMENT:

Moved: Councillor Bissett

Seconded: Councillor Anderson

That Recommendation 1 removes the wording “subject to reaching agreement with the Town on the terms of a Lease Agreement”.

That Recommendation 2 is reworded to “The lease being \$500/week plus outgoings”.

THE AMENDED MOTION WAS PUT AND LOST (1-6)

In favour of the Amended Motion: Cr Bissett

Against the Amended Motion: Mayor Vaughan; Cr Ashton; Cr Nairn; Cr Anderson; Cr Potter and Cr Skinner

AMENDMENT:

Moved: Councillor Skinner

Seconded: Councillor Nairn

That Recommendation 2 removes Mayor Vaughan as an authorised negotiator and is replaced with Councillor David Ashton.

THE AMENDED MOTION WAS PUT AND CARRIED (7-0)

In favour of the Amended Motion: Mayor Vaughan; Cr Ashton; Cr Nairn; Cr Potter; Cr Bissett; Cr Skinner; and Cr Anderson

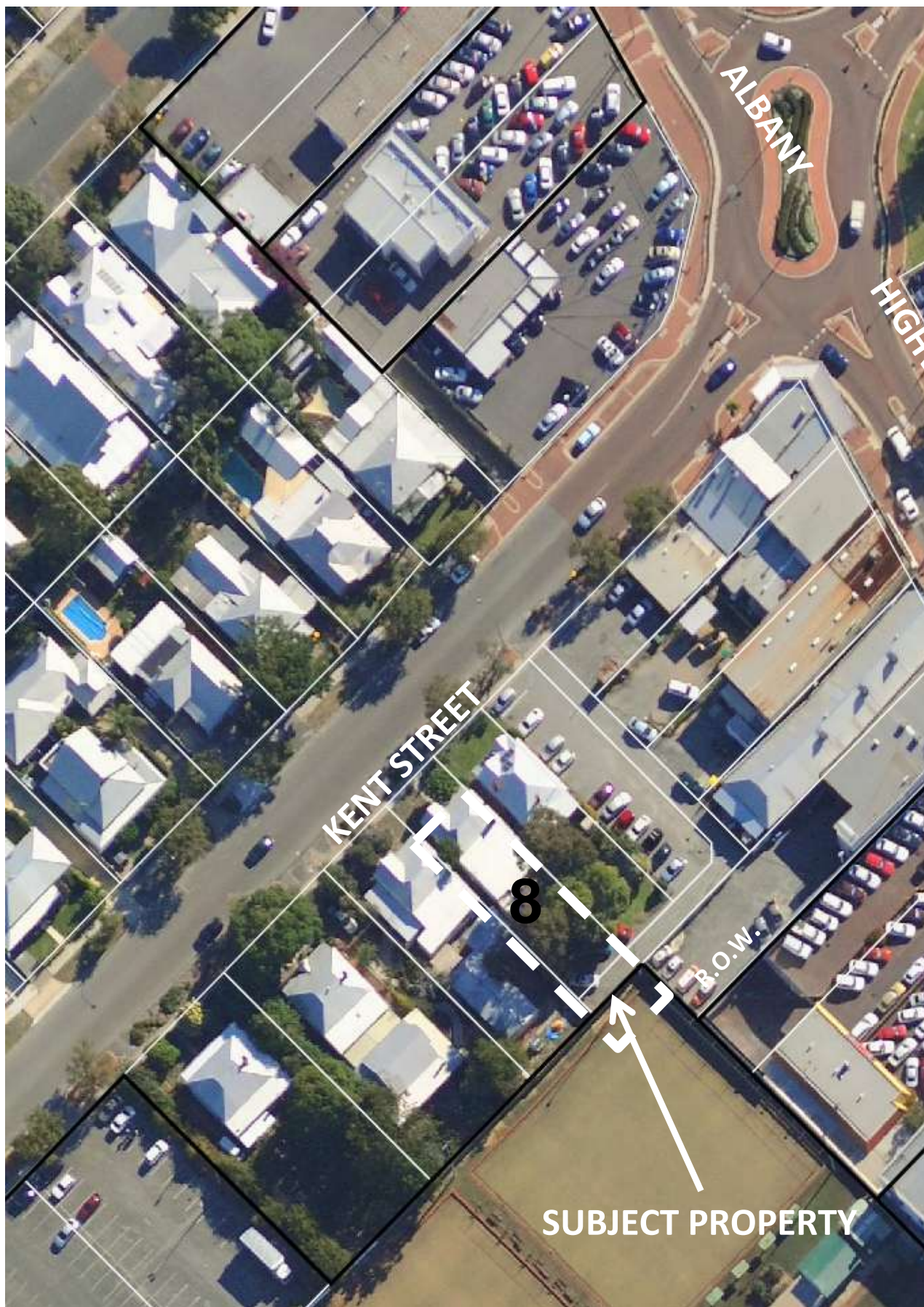
(To be confirmed on 8 October 2013)

AMENDED MOTION:**Moved: Councillor Skinner****Seconded: Councillor Nairn****That Council:**

- 1. That Victoria Park Youth Accommodation (Inc.) be permitted to occupy the Council owned building at 8 Kent Street, East Victoria Park, from 5 October 2013, subject to reaching agreement with the Town on the terms of a Lease Agreement.**
- 2. The Council by an Absolute Majority authorises the Chief Executive Officer and Councillor David Ashton to negotiate the terms of a Lease of 8 Kent Street, East Victoria Park, with Victoria Park Youth Accommodation (Inc) and to execute a Lease Agreement for 8 Kent Street, East Victoria Park, with Victoria Park Youth Accommodation (Inc).**
- 3. The proposed Lease Agreement for 8 Kent Street, East Victoria Park, with Victoria Park Youth Accommodation (Inc), is to be for a term of 1 year with a further 1 year term exercisable by the Lessee, and is to contain a redevelopment clause.**
- 4. The rental amount agreed to as part of a new Lease Agreement for 8 Kent Street, East Victoria Park, is to be backdated to 5 October 2013 and will be payable to the Town by Victoria Park Youth Accommodation (Inc.).**
- 5. Victoria Park Youth Accommodation (Inc.) is to be advised that if it cannot reach agreement with the Town on the terms of a new Lease Agreement, the Town may serve written notice on Victoria Park Youth Accommodation (Inc.) to vacate the premises within sixty (60) days of the serving of the written notice.**

The Motion was Put and**CARRIED BY AN ABSOLUTE MAJORITY (7-0)****In favour of the Motion: Mayor Vaughan; Cr Anderson; Cr Skinner; Cr Ashton;
Cr Nairn; Cr Potter and Cr Bissett**

(To be confirmed on 8 October 2013)



(To be confirmed on 8 October 2013)

7.2 Proposal to Local Government Advisory Board: Amalgamation Proposal for the Town of Victoria Park, City of South Perth and Portion of City of Canning

File Reference:	ADM0009
Appendices:	Proposal to Local Government Advisory Board
Date:	27 September, 2013
Reporting Officer:	B. Rose
Responsible Officer:	A. Kyron
Voting Requirement:	Absolute Majority decision for the revocation. Simple Majority decision to endorse the LGAB proposal.

Executive Summary:

Recommendations - Council's preceding resolution regarding amalgamation be revoked and the attached proposal be endorsed for submission to the Local Government Advisory Board in response to the State's proposal for amalgamation of the Town of Victoria Park, City of South Perth and portion of City of Canning.

- The State's progress on local government reform has initially focussed on amalgamation of local authorities, to reduce the overall number across the Perth metropolitan region.
- The State's preferred 'map' of new local government areas was released on 31 July 2013, with the Local Government Advisory Board (LGAB) calling for submissions by 4 October, 2013.
- Via the Town of Victoria Park – City of South Perth Joint TaskForce, a proposal to the LGAB, responding to the State's 'map' has been prepared.
- Revocation of the preceding Council decision on this matter is required, if the appended proposal to the LGAB is to be supported.

TABLED ITEMS:

- Attachments to LGAB proposal.

BACKGROUND:

The role and function of local government in metropolitan Perth has been under review since its inception as the third tier of government in this State; first evolving from Roads Boards. The Town of Victoria Park (the Town), and its preceding entities, has fluctuated in size and structure during each course of active metropolitan local government reform in this State. More recent reform concerns have included the 2007 proposition from the City of Belmont to procure the Belmont Peninsula within its municipality (denied by the LGAB) and the 1994 restructuring of the City of Perth.

The Independent Metropolitan Governance Review Panel, chaired by Professor Robson, released an Issues Paper together with a series of questions in October 2011, inviting public submissions by 23 December 2011 to which the Council responded.

(To be confirmed on 8 October 2013)

Following the consideration of submissions, the Panel released their Draft Findings in April 2012 seeking final comment by 25 May 2012, to which the Council also responded with comprehensive submissions.

The Robson Report was presented to the Minister in June 2012 and he released the report to the sector in October 2012 for comment by 5 April 2013.

On 31 July 2013 the Premier and Minister for Local Government released the State Government's preferred maps for the formation of new metropolitan local government areas. This latest round of reform investigation and apparent voluntary participation, driven through the State, has now reached a juncture forcing local governments into active decision-making on behalf of its citizenry. Milestone actions undertaken by the Town and the City of South Perth this calendar year have included:

- 29 January 2013: Town of Victoria Park Council endorsed the research report based on its community survey undertaken in late 2012.
- 2 April 2013 – City of South Perth endorsed and submitted its formal response to the Robson Report.
- 5 April 2013: The Town of Victoria Park endorsed and submitted its formal response to the Final Report of the Local Government Metropolitan Reform Panel.
- 14 May 2013: Town of Victoria Park and City of South Perth Councils endorsed establishment of the Town of Victoria Park – City of South Perth Joint TaskForce to explore and make recommendations regarding resource sharing, boundary adjustments and scenario planning for the amalgamation of the Municipalities.
- 14 May 2013 – present: The Joint TaskForce was convened and met eight times.
- 31 July 2013: The Mayor and CEO attended the Premier and Minister for Local Government's release of the State's preferred maps of new local government areas.
- 15 September 2013: Battle for Burswood community rally.

In addition to these milestone actions, there has been a host of work undertaken on the matter across both the Council and the Executive.

DETAILS:

The Joint Taskforce was established on 14 May 2013, with its objectives being to:

- a. *Explore and implement resource sharing in the region;*
- b. *Explore opportunities for boundary adjustments; and*
- c. *Identify scenario planning for a joint City of South Perth and Town of Victoria Park."*

Initial worked commenced to achieve the above objectives, with one of the first exercises being to analyse both the Town and the City of South Perth against the guiding principles used by the LGAB in assessing boundary adjustment proposals under clause 5(2) of Schedule 2.1 of the *Local Government Act 1995* (the Act), these being:

- community of interests;
- physical and topographic features;
- demographic trends;
- economic factors;
- history of the area;
- transport and communications;
- matters affecting the viability of local governments; and
- the effective delivery of local government services.

(To be confirmed on 8 October 2013)

Once the proposed boundary changes were announced by State Government in July 2013, the work was consolidated to form the basis of the report to be submitted to the LGAB, seeking to amalgamate the City of South Perth and Town of Victoria Park along with portion of the City of Canning.

The maps released by the State Government propose the excision of part of the Burswood Peninsula, including the Crown Casino and the site of the new Major Stadium, to the City of Perth. For this reason, considerable focus has been given to the importance of retaining the whole of the Peninsula within the new local government.

Legal Compliance:

There is significant change anticipated which would require considerable amendment to the *Local Government Act 1995* (the Act) to facilitate local government reform outcomes.

In accordance with Schedule 2.1 of the Act, as it stands presently, the only requirements of an amalgamation proposal to the LGAB are as follows:

- “(2) *A proposal is to —*
- (a) set out clearly the nature of the proposal, the reasons for making the proposal and the effects of the proposal on local governments; and*
 - (b) be accompanied by a plan illustrating any proposed changes to the boundaries of a district; and*
 - (c) comply with any regulations about proposals.”*

The joint proposal contained within the Appendices complies with the legislative requirements. For information, there are no subsidiary Regulations to the Act which address proposals to the LGAB.

Policy Implications:

The Town does not have any adopted Policy regarding amalgamation or local government reform.

Strategic Plan Implications:

The recently endorsed Strategic Community Plan does not specifically contemplate amalgamation; however, does promote strong local advocacy, rational decision-making and strategic planning.

The local government reform agenda is now being driven by the State Government and it is in the Town’s best interests to respond in a proactive and responsible manner.

Consultation:

Both the Town and the City of South Perth have conducted extensive community consultation on this matter. The Town conducted a community survey in late 2012 and released a research report detailing the results in early 2013. A summary of the findings is presented in the below table.

(To be confirmed on 8 October 2013)

Table 1: Scenario Option Preferences

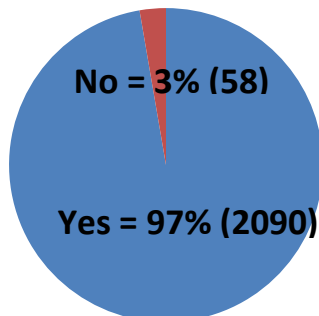
	Scenarios	Option 1: Stay as is	Option 2: Amalgamate with Perth	Option 3: Amalgamate with South Perth	Option 4: Split-up & amalgamate
1.	Amalgamate with City of Perth, or split-up and amalgamate, or stay as is.	62%	32%	Option not available	6%
2.	Forced amalgamation with either City of Perth or split-up and amalgamate	Option not available	82%	Option not available	18%
3.	Amalgamate with City of Perth, or amalgamate with City of South Perth, or split-up and amalgamate, or stay as is.	46%	18%	31%	5%
4.	Amalgamate with City of South Perth, or stay as is	52%	Option not available	48%	Option not available
5.	Forced amalgamation with City of Perth, or City of South Perth, or split-up and amalgamate	Option not available	23%	71%	6%

Following each Joint TaskForce meeting that was conducted between the City of South Perth and the Town, media releases were prepared and updates provided on both websites to keep the community informed of what was being discussed at the Joint TaskForce.

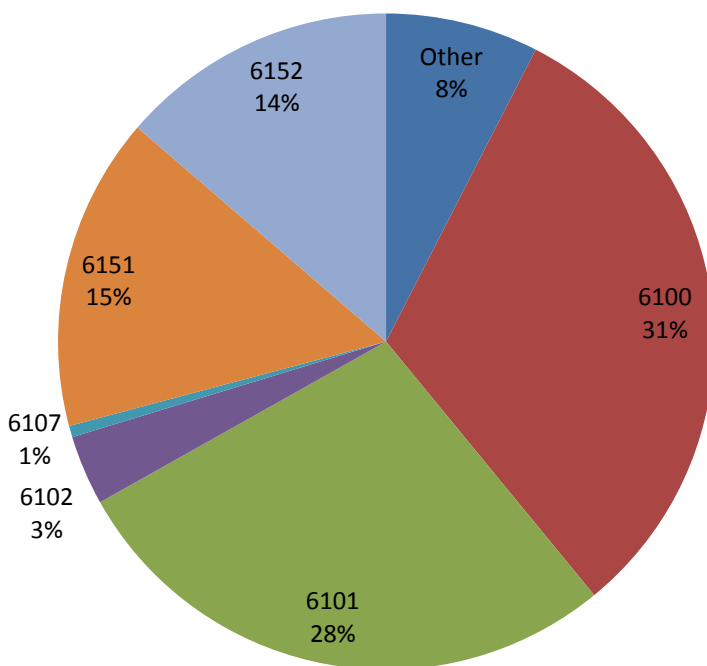
When the maps were released by the Premier and Minister in July 2013, a 'Battle for Burswood' campaign was launched and the community was once again invited to take part in a survey which was provided online. A hard copy post card with the survey and a reply paid stamp was also distributed to households in the Town and City of South Perth. Results of the survey are included in the proposal to the LGAB, and are also provided below.

(To be confirmed on 8 October 2013)

Should we retain the Burswood Peninsula?



Postcode Breakdown of Surveys



Total number: 2148

Suburbs

- 6100 - Burswood/Victoria Park
- 6101 - East Victoria Park/Carlisle
- 6102 - Bentley/St James
- 6107 - Cannington/Beckenham
- 6151 - Kensington/South Perth
- 6152 - Como/Manning

Further to this, a community rally was held on Sunday 15 September 2013 which was well attended by community members supporting the proposal to retain the Crown Casino and new Major Stadium within the Town and/or the newly amalgamated local government area.

Under the Act, the community will have further opportunity to comment on any amalgamation proposals by the LGAB during its formal inquiry process.

(To be confirmed on 8 October 2013)

Financial Implications:

The proposal to the LGAB contained within the Appendices considers the financial implications of the recommended amalgamation model. Given the complexity of the matter and the 'shifting goal posts', preparing a single, robust and comprehensive analysis of the financial implications is near impossible. At the most basic level, the financial analysis has illustrated that retention of the entire Peninsula is of paramount importance to the financial sustainability of the present Town and the proposed amalgamated entity. Over the short to medium term, it is highly likely that the proposed amalgamation will result in increased costs to the Town (likely funded via rate increases), decreased service levels, or a combination of the two. Over the medium to long-term, improved effectiveness and efficiencies within the organisation (and sector) are likely. Financial 'knowns' are as follows:

- A ~\$90M land asset of the Town will be transferred to the City of Perth if the State's / City of Perth's proposal is upheld.
- ~\$2.8M per annum in rating revenue from the Crown Casino will be transferred to the City of Perth if the State's / City of Perth's proposal is upheld. This equates to:
 - ~\$14M over the first five years of the new Victoria Park – South Perth Council; or
 - ~10% of the Town's annual rates base (based on 2013 values).
- Considerable foregone rates revenue from future residential (and other) development within the Belmont Park development, and the Burswood Peninsula more generally.

Sustainability Assessment:

The report has been prepared in response to the Western Australian State Government Metropolitan Local Government Reform process, which is aimed at making the industry more sustainable and stronger into the future.

COMMENT:

On 26 September 2013, the City of Perth considered its proposal to the LGAB. While the Minutes of that meeting were not available in time for writing this report, the Agenda contained key elements that relate to the Town, which include the proposal to:

- Extend the State's preferred boundary to incorporate the whole of the Burswood Peninsula and GO Edwards Park; and
- Extinguish the responsibility to convene a Local Implementation Committee for eastern and western boundaries of the proposed City of Perth border (i.e. impacting the Town of Victoria Park, City of South Perth and several of the 'western suburbs' Councils).

Regardless of the City of Perth proposal, and any uncertainty in relation to the likelihood of legislative changes, the Executive believe the best option for the community of the Town of Victoria Park is to continue with submitting the joint proposal, providing the Town with the most influence and opportunity for self-determination through this State-driven process. This, of course, is conditioned upon the retention of the entire Burswood Peninsula within the Town of Victoria Park and/or the proposed amalgamated local government entity comprising the Town, the City of South Perth and portion of the City of Canning.

(To be confirmed on 8 October 2013)

In addition to the 'Burswood anomaly', a second anomaly has been identified; that portion of Balbuk Reserve presently within the City of Belmont. Balbuk Reserve was created when the Graham Farmer Freeway was created. The Reserve operates as a boat ramp area, typically for launching ski boats into the adjacent approved water skiing area. The entire Reserve is 1.3767 hectares in area; however is presently split over the City of Belmont and Town of Victoria Park municipal boundaries. Entry points to the Reserve are solely from within Town of Victoria Park borders and both the Town and the City of Belmont maintain the Reserve, with proportionate financial contribution from each.

In the interest of eliminating this illogical and impractical boundary issue, it is proposed that this very minor boundary anomaly is considered and resolved by the LGAB. It is recommended that the practical portion of the Reserve associated with the use and maintenance of the boat ramp area be included within the new local government entity (Town of Victoria Park, City of South Perth and portion City of Canning). Whilst this presents a minor additional financial and resource burden to the new local government entity, it presents better governance, administrative and practical outcomes.

CONCLUSION:

Much collaborative work with the City of South Perth has been undertaken to date (and with the City of Canning to a lesser extent); chiefly premised on the principle of 'act, or be acted upon'. At this stage in the process, detailed quantitative and analytical assessment of the *local community* impacts of the proposed amalgamation (with and without the Burswood Peninsula) are simply not possible. Intuitively, and based on the experiences of other local government reform processes in Australia and internationally, the more immediate (0 – 3 years) and tangible benefits are realised by the State government and the private sector. Over the mid to longer term (3 years +), more localised community benefits are realised.

REVOCATION OF PRECEDING RESOLUTION:

The *Act*, under Regulations prescribed to deal with Section 5.25(e), lays down the following procedure for dealing with revoking or changing decisions made at Council or Committee meetings:

"If a decision has been made at a Council meeting, then any motion to revoke or change the decision must be supported by at least one-third of the number of offices (whether vacant or not) of members of the Council. If supported by one-third of the members, then any decision to revoke a resolution of the Council is required to be passed by an Absolute Majority."

Prior to giving consideration to the following recommendation, Elected Members are required to give the support of one-third of their members, and such support is to be recorded in the Minutes of the meeting. Support to revoke Council's resolution was given on 26 September 2013 by:

1. Deputy Mayor John Bissett;
2. Councillor Vicki Potter; and
3. Councillor Claire Anderson.

(To be confirmed on 8 October 2013)

NOMINATION OF JOINT TRANSITION TASKFORCE

The remit of the Joint TaskForce, to date, has focussed on preparation of the proposal to the LGAB – for consideration by Council. If Council resolves to lodge the proposal, as attached, it will be necessary to review the objective and membership of the Joint TaskForce in light of the next phase of the amalgamation process focussing on ‘making it happen’ rather than ‘deciding if it should happen’. Once the new Council is convened following the 19 October 2013 local government elections, a report will be presented seeking membership and endorsement of the objectives of the Joint Transition TaskForce.

RECOMMENDATION/S:

Moved: Councillor Potter

Seconded: Councillor Bissett

1. **That Council, by AN ABSOLUTE MAJORITY REVOKES Clause 2 of the Council decision made on 29 January 2013 (Item Reference 7.1) as follows:**
 - “2. **Based on the community survey results and the Final Report on the Metropolitan Local Government Review the Council adopts the position to retain the Town of Victoria Park within its current gazetted boundaries, noting that this position replaces that of the 8 May 2012 OCM, where the Draft Findings were presented for consideration;”**
2. **Subject to Clause 1. above being adopted the:**
 - 2.1 **Town of Victoria Park, being an affected local government within the meaning of Schedule 2.1 of the Local Government Act 1995 (LGA), resolves to submit the proposal to the Local Government Advisory Board as contained within the Appendices, pursuant to clause 2(1) of Schedule 2.1 of the LGA, that order be made by the Governor under Section 2.1 of the LGA which would:**
 - 2.1.1 **amalgamate the whole of the district of the Town of Victoria Park and the whole of the district of the City of South Perth;**
 - 2.1.2 **change the boundaries of the districts to incorporate that area of the City of Canning presently located to the north-west of Leach Highway; and**
 - 2.1.3 **change the boundaries of the districts to incorporate that area of the City of Belmont known as Balbuk Reserve,**

in accordance with the attached plans (Plan 1, Plan 2a and 2b) illustrating the proposed changes.

(To be confirmed on 8 October 2013)

2.2 Council recommends to the Local Government Advisory Board, as part of its proposal, that:

- 2.2.1 Retention of the whole of the Burswood Peninsula and GO Edwards Park Reserve is critical to the sustainability of both the present Town of Victoria Park and the proposed new Town of Victoria Park – City of South Perth local government entity;**
- 2.2.2 The State Government should fund all reasonable transition costs; and**
- 2.2.3 Transfer of portion of the City of Canning to the new Town of Victoria Park – City of South Perth local government entity must be contingent on the transfer of an equivalent proportion of resources, assets and funds.**

EXTENSION OF TIME TO SPEAK

Moved: Councillor Ashton

Seconded: Councillor Bissett

Extension of time for Councillor Potter to speak.

The Motion was Put and

CARRIED (7-0)

In favour of the Motion: Mayor Vaughan; Cr Ashton; Cr Nairn; Cr Potter; Cr Bissett; Cr Skinner and Cr Anderson

EXTENSION OF TIME TO SPEAK

Moved: Councillor Ashton

Seconded: Councillor Nairn

Extension of time for Councillor Bissett to speak.

The Motion was Put and

CARRIED (7-0)

In favour of the Motion: Mayor Vaughan; Cr Ashton; Cr Nairn; Cr Potter; Cr Bissett; Cr Skinner and Cr Anderson

EXTENSION OF TIME TO SPEAK

Moved: Councillor Potter

Seconded: Councillor Bissett

Extension of time for Councillor Ashton to speak.

The Motion was Put and

CARRIED (7-0)

In favour of the Motion: Mayor Vaughan; Cr Ashton; Cr Nairn; Cr Potter; Cr Bissett; Cr Skinner and Cr Anderson

(To be confirmed on 8 October 2013)

RESOLVED:

1. That Council, by AN ABSOLUTE MAJORITY REVOKES Clause 2 of the Council decision made on 29 January 2013 (Item Reference 7.1) as follows:
 - “2. Based on the community survey results and the Final Report on the Metropolitan Local Government Review the Council adopts the position to retain the Town of Victoria Park within its current gazetted boundaries, noting that this position replaces that of the 8 May 2012 OCM, where the Draft Findings were presented for consideration;”

Moved: Councillor Potter

Seconded: Councillor Bissett

The Motion was Put and **CARRIED BY AN ABSOLUTE MAJORITY (6-1)**

In favour of the Motion: Mayor Vaughan; Cr Anderson; Cr Ashton; Cr Nairn; Cr Potter and Cr Bissett

Against the Motion: Cr Skinner

RESOLVED:

2. Subject to Clause 1. above being adopted the:
 - 2.2 Town of Victoria Park, being an affected local government within the meaning of Schedule 2.1 of the Local Government Act 1995 (LGA), resolves to submit the proposal to the Local Government Advisory Board as contained within the Appendices, pursuant to clause 2(1) of Schedule 2.1 of the LGA, that order be made by the Governor under Section 2.1 of the LGA which would:
 - 2.2.1 amalgamate the whole of the district of the Town of Victoria Park and the whole of the district of the City of South Perth;
 - 2.2.2 change the boundaries of the districts to incorporate that area of the City of Canning presently located to the north-west of Leach Highway; and
 - 2.2.3 change the boundaries of the districts to incorporate that area of the City of Belmont known as Balbuk Reserve,

in accordance with the attached plans (Plan 1, Plan 2a and 2b) illustrating the proposed changes.

 - 2.2 Council recommends to the Local Government Advisory Board, as part of its proposal, that:
 - 2.2.1 Retention of the whole of the Burswood Peninsula and GO Edwards Park Reserve is critical to the sustainability of both the present Town of Victoria Park and the proposed new Town of Victoria Park – City of South Perth local government entity;

(To be confirmed on 8 October 2013)

2.2.2 The State Government should fund all reasonable transition costs; and

2.2.3 Transfer of portion of the City of Canning to the new Town of Victoria Park – City of South Perth local government entity must be contingent on the transfer of an equivalent proportion of resources, assets and funds.

Moved: Mayor Vaughan

Seconded: Councillor Potter

The Motion was Put and

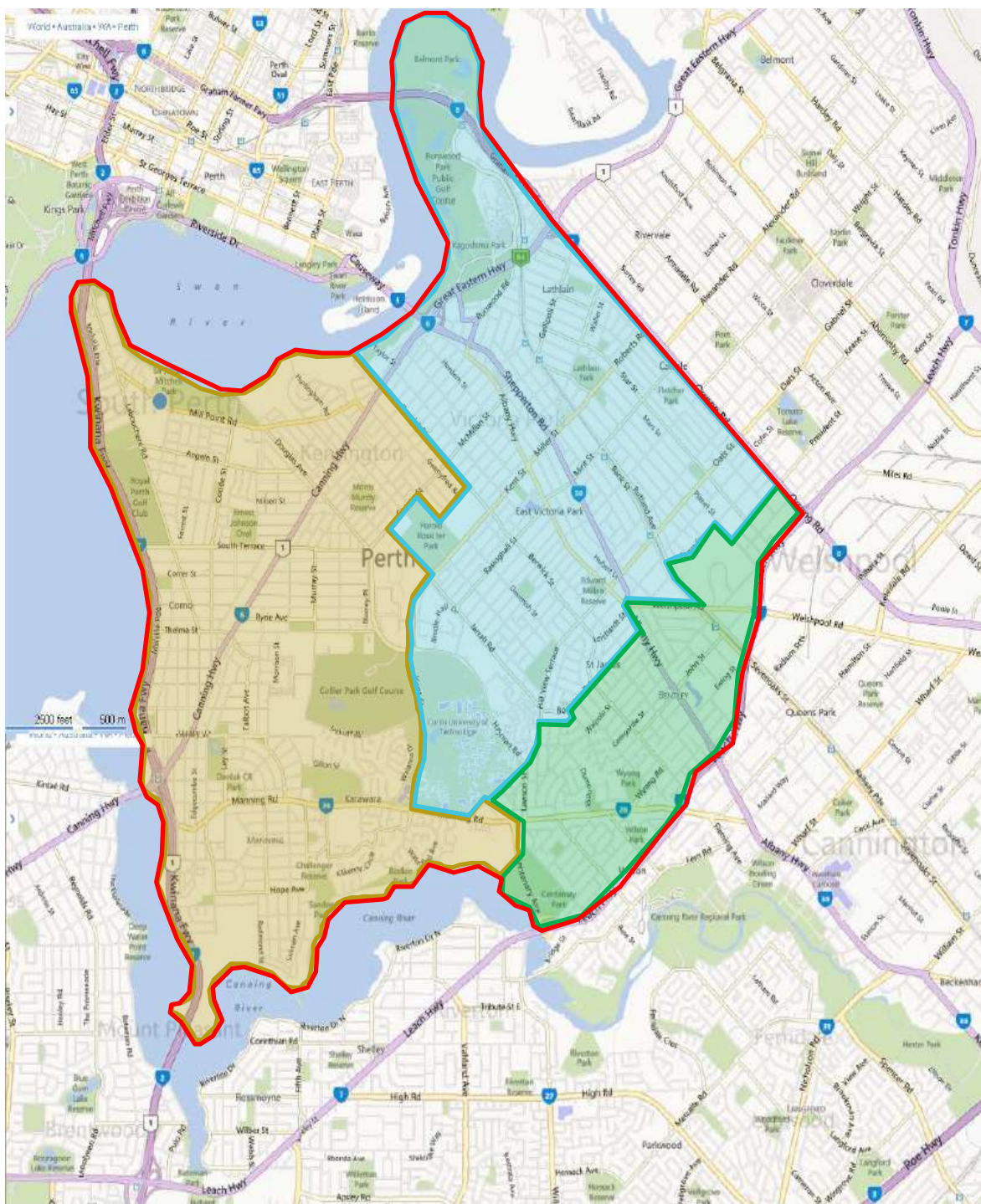
CARRIED (6-1)

**In favour of the Motion: Mayor Vaughan; Cr Anderson; Cr Ashton; Cr Nairn;
Cr Potter and Cr Bissett**

Against the Motion: Cr Skinner

(To be confirmed on 8 October 2013)

Plan 1: Illustration of proposed changes to Town of Victoria Park, City of South Perth and portion City of Canning municipal boundaries.



- Proposed new local government area (illustrative purposes only, boundary not precise)
- Currently the City of South Perth
- Currently the Town of Victoria Park
- Currently part of the City of Canning

(To be confirmed on 8 October 2013)

Plan 2a: Present Balbuk Reserve siting over two local government boundaries



- Present municipal boundary (Town of Victoria Park / City of Belmont)
- Balbuk Reserve

Plan 2b: Proposed Balbuk Reserve siting within the Town of Victoria Park / new local government entity



- Proposed municipal boundary (Town of Victoria Park / City of Belmont)
- Balbuk Reserve

(To be confirmed on 8 October 2013)

8 PUBLIC QUESTION TIME (ITEMS RELATING TO THE AGENDA ONLY)

Nil

9 PUBLIC STATEMENT TIME (ITEMS RELATING TO THE AGENDA ONLY)

Mr Vince Maxwell – 233 Berwick Street, Victoria Park

Made a statement regarding Item 7.2 – Proposal to Local Government Advisory Board: Amalgamation Proposal for the Town of Victoria Park, City of South Perth and Portion of City of Canning.

10 MEETING CLOSED TO PUBLIC

10.1 Matters for Which the Meeting May be Closed

Nil

10.2 Public Reading of Resolutions That May be Made Public

N/A

11 CLOSURE

There being no further business, Mayor Vaughan declared the meeting closed at 7:57pm.

I confirm these Minutes to be a true and accurate record of the proceedings of this Council.

Signed: Mayor

Dated this Day of 2013