



Shire of
Serpentine
Jarrahdale

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Special Council Meeting Minutes

**Monday, 13 January 2014
7.00pm**

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NOTE: a) Declaration of Councillors and Officers Interest is made at the time the item is discussed.

Minutes of the Special Council Meeting held in the Council Chambers, Civic Centre, 6 Paterson Street, Mundijong on Monday, 13 January 2013. The Shire President declared the meeting open at 7.00pm and welcomed Councillors, staff and members of the gallery.

1. Attendances and Apologies (including Leave of Absence):

In Attendance:

Councillors: K Ellis Presiding Member
J Erren
S Hawkins
J Kirkpatrick
B Moore (from 7:02pm)
S Piipponen
J Rossiter
G Wilson

Officers: Mr R Gorbunow Chief Executive Officer
Mr A Hart Director Corporate and Community
Mr G Allan Director Engineering
Mrs T Wayne-Elliot Manager Communications
..... and Executive Services/Minute Taker

Apologies: Cr B Urban
Mr B Gleeson Director Planning

Observer: Nil

Members of the Public - 9
Members of the Press - 1

2. Public Question Time:

Nil

3. Public Statement Time:

Nil

4. Petitions and Deputations:

Nil

5. Declaration of Councillors and Officers Interest:

Nil

6. Receipt of Minutes or Reports and Consideration for Recommendations:

6.1 Ordinary Council Meeting – 9 December 2013

COUNCIL DECISION:

Moved Cr Piipponen, seconded Cr Wilson

That the minutes of the Ordinary Council Meeting held on 9 December 2013 be confirmed (E13/4980).

CARRIED 7/0

7. Motions of which notice has been given:

SCM004/01/14	Proposal to the Local Government Advisory Board to Change the Boundaries of the Shire of Serpentine Jarrahdale (SJ130)
Author:	Richard Gorbunow – Chief Executive Officer
Date of Report:	10 January 2014
Disclosure of Officers Interest:	No officer involved in the preparation of this report is required to declare an interest in accordance with the provisions of the <i>Local Government Act</i>

Introduction:

It is proposed by the State Government Model for Metropolitan Local Governments that the boundary of the City of Armadale move south to Mundijong Road to take in the localities of Darling Downs, Oakford, Oldbury, Byford, Karrakup, Cardup, Mundijong and Whitby. Jarrahdale, Serpentine, Keysbrook, Mardella and Hopeland would go to the Shire of Murray. This would see the demise of the Shire of Serpentine Jarrahdale as a local government entity of which Council has previously resolved to oppose amalgamation or boundary changes proposed by the Local Government Advisory Board (LGAB).

This report seeks Council's decision to formalise its direction and lodge a Proposal with the LGAB to change the Shire of Serpentine Jarrahdale's boundaries to include a part of the City of Kwinana, City of Rockingham, City of Armadale and Shire of Wandering. The changes to the City of Armadale and the Shire of Wandering's boundaries are minor.

At some unspecified time in the near future, the LGAB will call for submissions from Cities and Shires in the Metropolitan area. This opportunity will only be given to those Local Government Authorities who have previously submitted a Proposal. A Proposal as defined under the Local Government Act Schedule 2.1 of the *Local Government Act 1995* contains provisions relating to the creation and abolition of district boundaries and the changing of boundaries.

Community / Stakeholder Consultation:

There is strong community support from residents to keep the Shire intact as evidenced by a petition of over 3,000 signatures and two surveys of 85% in 2009 and 90% in 2013. This has led to the establishment of the 'Save SJ Shire Group'.

The Save SJ Group is made up of community members from across the Shire, many with affiliations to local community groups and every elected member of the Shire Council, under the banner of the Serpentine Jarrahdale Residents and Ratepayers Association.

A number of Save SJ Group workshops have been held prior to this Special Council meeting to allow detailed discussion on the Proposal and to produce the attached document.

A strong level of engagement will continue with the community on this subject and it is understood that a community submission will also be lodged with the LGAB as there will be from this Council.

The Save SJ Group will work with community groups across the Shire to provide information showing our community's strength, diversity and unique identity.

The other key outcome from the community feedback is the strongly expressed desire to retain the existing poll provisions.

Comment:**State Government Model for Metropolitan Local Governments November 2013**

Under “Notes”:

The date in the statement – Based on proposal by the City of Armadale to resume its 1974 border and use its capacity to deal with growth is incorrect. The year was 1977.

Serpentine Jarrahdale Shire has totally different planning constraints than the City of Armadale because it is within the Peel/Harvey Catchment that does not apply to the City of Armadale, with which they have no experience.

The failure of the WA Planning Commission to progress the Developer Contribution Scheme is another obstacle to dealing with growth.

The statement – Takes account of submissions from 3,000 residents in Keysbrook wanting to move to Shire of Murray is totally incorrect. There are less than 250 ratepayers within the Shire residing in Keysbrook. The 3,000 signatures are on a petition of Shire residents against any amalgamation.

Under “Government Rationale”:

Separates the rural southern part of the Shire of Serpentine Jarrahdale from the more developed and fast growing areas of Byford and Mundijong.

This boundary move south would take valuable agricultural land into the City of Armadale. In 2010-11 agricultural productivity in the Shire was \$75.9m with \$20m of this being produced north of Mundijong Road. A comparative figure for the Shire of Murray is \$32.6m.

Residents in northern part of Serpentine Jarrahdale rely on Armadale for medical and transport needs. Resident’s medical needs are well serviced within the Byford area. Hospitals are regional facilities provided by the State Government. Moving the Armadale City boundary will not improve its services to the northern area of the SJ Shire.

Buses will continue to take Byford and Mundijong residents to the Armadale train station whether or not the boundary is moved south. Buses will also continue to take Jarrahdale residents to the Armadale train station if they become residents of the Shire of Murray as will the Australind train for the residents of Serpentine.

Byford and Cardup were formerly part of Armadale.

The State Government agreed to incorporate them into the Serpentine Jarrahdale Shire in 1977, at the request of both local governments.

A local government can put a proposal to the LGAB and ask for boundary adjustments to encompass neighbouring council. If the LGAB agrees, then the Minister signs off.

This proposal to the LGAB is done jointly with affected local government and affected electors at large. It sets out clearly the nature of the proposal, the reasons for making the proposal and the effects of the proposal on local governments.

Attachments:

- [SCM004.1/01/14](#) - Proposal to the Local Government Advisory Board to Change the Boundaries of the Shire of Serpentine Jarrahdale (E14/130)
- [SCM004.2/01/14](#) - Excerpt from State Government Model for Metropolitan Local Governments November 2013 (IN14/515)

Alignment with our Strategic Community Plan:

Governance and Leadership 1.2.6

The Shire's Strategic Community Plan has placed an emphasis on strong and visionary leadership for society, community and environmental responsibility.

The Shire's Strategic Community Plan is all about our community having self-determination by defining who we are as a community and how we want our community to develop and grow. The Strategic Community Plan encourages community input into all major decisions that affect the Shire's development and growth. This affects all aspects of the Shire including policy development, growth in population and commercial development.

The Government's proposal, if implemented by the LGAB, will have the potential to seriously impact on the wellbeing of the Serpentine Jarrahdale community.

Statutory Environment:

Division I of the *Local Government Act 1995* as amended – District and Wards

Schedule 2.1 of the *Local Government Act 1995* contains provisions relating to the creation and abolition of district boundaries and the changing of boundaries. The Schedule 2.1 also outlines the circumstances and procedures for holding a poll of electors of districts directly affected by a recommendation from the LGAB regarding an amalgamation. The Government is proposing to amend the Act to remove the provisions concerning the holding of a poll in the metropolitan area. The *Local Government Act* also talks about the good governance and leadership.

Financial Implications:

The total transitional cost of the amalgamation process is not known, however on the 19th December 2013, this council received in writing an offer, from the Hon Tony Simpson MLA, of financial assistance for reform planning for a grant of up to \$50,000 to support preliminary planning for metropolitan local government reform, including the collection of data and other associated tasks.

There are some Local Government Authorities claiming transitional cost would be in the order of \$5 – 7 million. If these costs are correct then the shortfall is enormous and that means the ratepayers of Serpentine Jarrahdale will have to pick up the gap.

If amalgamation costs were \$5 million then it would be an extra 8.27% on our rates, if they were \$7 million then it would be an extra 11.58% on our rates.

Conclusion

In order for the proposal to be submitted to the LGAB for its consideration, a resolution by this Council is necessary on its preferred boundary changes proposal.

Cr Moore arrived at 7:02pm

Voting Requirements: Simple Majority

SCM004/01/14 COUNCIL DECISION / Officer Recommendation:

Moved Cr Kirkpatrick, seconded Cr Wilson

That Council:

- 1. Endorses the Shire of Serpentine Jarrahdale Proposal to the Local Government Advisory Board as per attachment SCM004.1/01/14.**
- 2. Writes to the Department of Local Government requesting that the State Government Model for Metropolitan Local Governments notice issued in November 2013 in relation to Serpentine Jarrahdale be amended to reflect the correct details.**

CARRIED 8/0

Council Note: Cr Kirkpatrick acknowledged Council staff, and members of the public who spent significant time over the Christmas period compiling this report.

8. Urgent Business:

Nil

9. Closure:

There being no further business the Presiding Member declared the meeting closed at 7.04pm.

I certify that these minutes were confirmed at the Ordinary Council Meeting held on 10 February 2014.

.....
Presiding Member

.....
Date