

Local Government Advisory Board

ANNUAL REPORT 2006 / 2007



Department of Local Government
and Regional Development
Government of Western Australia

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CHAIR'S REPORT

In 2006/2007 the Local Government Advisory Board's (the Board) *Ensuring the Future Sustainability of Communities* Report has been a catalyst for structural reform of local government in Western Australia.

The Board furthered structural reform of local government by recommending the amalgamation of the Shire and Town of Northam and the City of Geraldton with the Shire of Greenough. The Board is confident that the efforts of these local governments in addressing structural reform will encourage other local governments to pursue structural reform initiatives.

During the year the Board finalised four formal inquiries, two of which recommended the formation of the new City of Geraldton-Greenough and the new Shire of Northam. The other two inquiries involved district boundary changes affecting the Shires of Menzies and Laverton and the Town of Vincent and the Cities of Bayswater, Perth and Stirling.

The Board commenced a further two formal inquiries into two district boundary changes that will be finalised in 2007/2008. The first of these inquiries involves the transfer of the Belmont Park Racecourse to the City of Belmont from the Town of Victoria Park. The second inquiry involves two proposals from affected electors in the City of Nedlands. The Board also made recommendations to the Minister for Local Government regarding 5 minor district boundary changes.

The trend to simplifying wards and representation continued again in 2006/2007. Of the 22 local governments that completed ward and representation reviews in 2006/2007, four reduced the total number of councillors, eight abolished all wards and two of these reduced the total number of councillor. Only one local government increased both its number of wards and its number of councillors.

It is pleasing to see local governments continue to devote time and resources in developing appropriate representation structures. There are now 62 local governments across the State that have a no-ward structure. This trend together with a reduction in the number of councillors across the State demonstrates local government's commitment to more efficient and effective representation.

I would like acknowledge Cr Charlie Gregorini's contribution to the Board as Chairman over the past nine years. Cr Gregorini has been extremely proactive in supporting the structural reform agenda in Western Australia and his efforts are appreciated.

I would also like to thank the Board members for their commitment to, and support for, the work of the Board. I would also like to acknowledge the efforts of the officers of the Department of Local Government and Regional Development who have supported the Board throughout the year.

In accordance with Clause 14 of the Schedule 2.5 of the *Local Government Act 1995*, I submit to the Minister for Local Government the 2006/2007 Annual Report of the Local Government Advisory Board.



Helen Dullard OAM
CHAIR

31 August 2007

VISION

That Western Australia should have a system of local government that is robust and effective in meeting the needs of Western Australian communities.

This is based on a structure of community-focused local government units that have logical boundaries integrating land use, the environment and transport systems. A sufficient resource base is required to efficiently, effectively, flexibly, and responsively, exercise functions and powers and be capable of embracing micro-economic reform.

HOW THE BOARD OPERATES

The function of the Board is to consider proposals for changes to district boundaries and wards and representation of local governments. These proposals can come from the Minister, local governments and members of the public. After the Board has considered a proposal, a recommendation is made to the Minister for Local Government who makes a decision about any proposed changes.

Under Schedule 2.1 of the *Local Government Act 1995* the Board takes the following factors into consideration when considering district boundary changes:

- (a) community of interest;
- (b) physical and topographic features;
- (c) demographic trends;
- (d) economic factors;
- (e) the history of the area;
- (f) transport and communication;
- (g) matters affecting the viability of local governments; and
- (h) the effective delivery of local government services.

Under Schedule 2.2 of the *Local Government Act 1995* the Board when assessing changes to local government ward boundaries and representation as proposed by local governments is required to consider the following factors:

- (a) community of interest;
- (b) physical and topographic trends;
- (c) demographic trends;
- (d) economic factors; and
- (e) the ratio of councillors to electors in the various wards.

Enabling Legislation

The Local Government Advisory Board (the Board) is established under Section 2.44 of the *Local Government Act 1995* (the Act). The role and functions of the Board are defined in Sections 2.1, 2.2, 2.3, 2.44, 2.45 and Schedules 2.1, 2.2 and 2.5 of the Act.

GUIDING PRINCIPLES

The Board's Guiding Principles form the basis for considering changes to local government boundaries and take into account the factors set out in the *Local Government Act 1995*.

Community of Interest

Community of Interest includes parts of a district that share common interests, values, characteristics and issues giving rise to a separate sense of identity or community.

Factors contributing to a sense of identity or community include shared interests and shared use of community facilities. For example, sporting, leisure and library facilities create a focus for the community. The use of shopping areas and the location of schools also act to draw people together with similar interests. This can also give indication about the direction that people travel to access services and facilities.

The external boundaries of a local government need to reflect distinct communities of interest wherever possible. Neighbourhoods, suburbs and towns are important units in the physical, historical and social infrastructure and often generate a feeling of community and belonging. The Board believes that wherever possible, it is inappropriate to divide the units between local governments.

Physical and Topographic Features

Physical and topographic features may be natural or man-made and will vary from area to area. They may include:

- water features (such as rivers);
- catchment boundaries;
- coastal plain and foothills;
- parks and reserves; and
- man made features (such as railway lines or freeways).

These features can form identifiable boundaries and can also act as barriers to movement between adjoining areas. In many cases physical and topographical features are appropriate district and ward boundaries.

The Board supports local government structures and boundaries that facilitate the integration of human activity and land use.

Demographic Trends

Local Government should consider the following characteristics when determining the demographics within its locality:

- population size;
- population trends;
- distribution by age;
- gender; and
- occupation.

Current and projected population factors will be relevant as well as similarities and differences between areas within the local government.

Economic Factors

Economic factors can include any factor that reflects the character of economic activities and resources in the area including:

- industries within the local area;
- distribution of community assets; and
- infrastructure.

History of the Area

The history of an area can be a relevant consideration, although the Board believes that in the majority of cases this will not be a primary justification for changing or retaining local governments and local government boundaries.

The nature of historical ties between communities is important to understand, irrespective of where the local government boundaries lie. A community within a local government may have a strong historical identity; alternatively there may be strong historical links between two or more communities in adjacent local governments. It is important to note that historical identity is not necessarily lessened if an area does not have its own local government.

Transport and Communication

The transport and communications linkages between towns and other areas may be a significant barrier to movement and therefore an appropriate boundary between local governments. Consideration of the following factors is important in any assessment of local government boundaries:

- port access;
- neighbouring towns;
- railways; and
- major roads.

Matters Affecting the Viability of Local Governments

Local government should have a sufficient resource base:

- to be able to efficiently and effectively exercise its proper functions and delegated powers and operate facilities and services;
- to be flexible and responsive in the exercise of its functions and powers and operation of its facilities and services;
- to employ appropriate professional expertise and skills; and
- to be capable of embracing micro-economic reform.

Each local government should have a diverse and sufficient rate base to ensure that general purpose grants do not represent the major revenue source.

Effective Delivery of Local Government Services

A broad range of factors can be relevant to the effective delivery of local government services and these are often directly relevant to those that also affect the viability of local governments. They include:

- the size and geographical spread of the population;
- management effectiveness and efficiency;
- the availability of staff expertise;
- appropriate infrastructure and equipment; and
- customer satisfaction and feedback.

BOARD MEMBERSHIP

The Board is comprised of five members, the Chair is nominated by the Minister for Local Government, two Members are nominated by the Western Australian Local Government Association (WALGA), one Member is nominated by the Local Government Managers Australia (LGMA) and one member is an officer from the Department of Local Government and Regional Development. Four Deputy Members are also appointed to officiate in the absence of Members.

Current membership is:

Chair	Cr Helen Dullard OAM
Council Representatives	Mayor Paddi Creevey Vacant (Deputy) Mayor Ron Yuryevich AM RFD Cr Moira Girando JP (Deputy)
Chief Executive Officer Representative	Mr Eric Lumsden PSM Ms Joanne Trezona (Deputy)
Department of Local Government & Regional Development	Mr Quentin Harrington (Deputy Chair) Mr Tim Fowler (Deputy)

Cr Helen Dullard was appointed as Chair of the Board on 1 August 2007 with a term expiring on 31 August 2008. Cr Dullard replaced Cr Charlie Gregorini who has been the Chair of the Board since 1998. Mayor Paddi Creevey was appointed as a member on 1 August 2007 with a term expiring 31 August 2008. All other members have been appointed until 31 August 2008.

ACTIVITIES FOR 2006/2007

As in previous years, the majority of Board's work in 2006/2007 consisted of the assessment of proposals for district boundary changes and reviews of wards and representation.

District Boundary Changes

Upon receiving a proposal for a district boundary change, the Board must determine the level of inquiry to be undertaken. The Board may decide a proposal is minor and elect not to carry out a formal inquiry. The Board considered 5 minor district boundary changes in the reporting period and recommended to the Minister for Local Government that all proposals be accepted. The boundary changes are as follows:

<i>Local Governments</i>	<i>Gazettal</i>
Murchison, Northampton and Shark Bay	5 April 2007
Yilgarn and Westonia	4 May 2007
Kulin and Kondinin	5 April 2007
Broome, Derby-West Kimberley, Halls Creek and Wyndham-East Kimberley	15 May 2007
Albany and Plantagenet	17 April 2007

Formal Inquiries

A formal inquiry is undertaken for all other boundary change and amalgamation proposals. This involves giving local governments and the affected community's formal notice of the inquiry, and inviting public submissions. As part of the formal inquiry process the Board hold public hearings and meets with the affected local governments and other key stakeholders.

Vincent Inquiry

The Board received two proposals from the Town of Vincent and one proposal from the City of Perth to amend the district boundaries of the two local governments, the boundary change proposals also affected the City of Stirling and the City of Bayswater. The Board commenced its inquiry in June 2006 and submitted its report on the proposals to the Minister for Local Government in January 2007. The Board recommended:

1. The transfer of part of the suburb of Glendalough, currently in the City of Stirling, east of the Mitchell Freeway bounded by the Mitchell Freeway, Powis St, Brady St and Scarborough Beach Rd to the Town of Vincent.
2. The transfer of part of the suburb of West Perth, currently in the City of Perth, bounded by Loftus St, Newcastle St and the Graham Farmer Freeway and Mitchell Freeway to the Town of Vincent.
3. The transfer of part of the suburb of East Perth. Currently in the City of Perth, bounded by Lindsay St, Little Parry St, Parry St, Lord St, Summers St, the Swan River and the Graham Farmer Freeway to the Town of Vincent

The Minister accepted the Board's recommendations and the above areas were transferred on 1 July 2007.

Amalgamation of the City of Geraldton and the Shire Greenough

The Board received voluntary amalgamation proposals from the City of Geraldton and the Shire of Greenough in early 2006. The Board did not immediately progress the proposed amalgamation as it was one of the recommendations in the Board's Structural and Electoral Reform Report. After the Minister had publicly released the Board's report and invited public submissions, the Board commenced its inquiry into the amalgamation of the two local governments in May 2006. The inquiry report was finalised in August 2006. In the report, the Board recommended that the City of Geraldton and Shire of Greenough be abolished and that a new local government to be named the City of Geraldton-Greenough be created. The process for petitioning the Minister for a poll on the amalgamation was contained in a notice advising of the Minister's decision. A valid petition was received and a poll was held on 2 December 2006.

However, there was an insufficient voter turnout to constitute a valid poll. The Minister for Local Government accepted the Board's recommendation to amalgamate the City of Geraldton and the Shire of Greenough to form the City of Geraldton-Greenough from 1 July 2007.

Tjuntjuntjara Inquiry

In April 2006 the Board commenced an inquiry into the district boundaries of the Shire of Menzies and the Shire of Laverton such that the Tjuntjuntjara Community would transfer to the Shire of Laverton. The Board finalised its report and recommended the boundary change.

In February 2007, the Shire of Laverton resolved to withdraw support for the boundary amendment and the proposal did not proceed.

City of Cockburn and City of Fremantle

The Board received a petition from some affected electors of the City of Cockburn proposing the transfer of the suburb of Coolbellup from the City of Cockburn to the City of Fremantle. The petition was invalid as it contained an insufficient number of signatures.

Amalgamation of the Shire and Town of Northam

The Board commenced an Inquiry in November 2006 into the amalgamation of the Shire and Town of Northam. The report was finalised in January 2007. The Board recommended that the Town and Shire be abolished and that a new local government be created, named the Shire of Northam. A poll on the recommended amalgamation was held. But there was an insufficient voter turnout to constitute a valid poll and the Minister accepted the Board's recommendation to amalgamate the Shire of Northam with the Town of Northam to form the new Shire of Northam from 1 July 2007.

City of Belmont and Town of Victoria Park

The Board commenced an inquiry in March 2007 into a proposal received from the City of Belmont to transfer the Belmont Park Racecourse from the Town of Victoria Park. The Board is yet to finalise its report.

City of Nedlands and City of Subiaco

The Board commenced a concurrent inquiry in June 2007 into two proposals received from affected electors of the City of Nedlands. The areas inquired into are as follows:

Proposal 1: Transfer that part of the City of Nedlands bounded by Charles Court Reserve, the Esplanade, Bruce Street, Princess Road and Broadway to the City of Subiaco.

Proposal 2: Transfer that part of the City of Nedlands bounded by Stirling Highway, Dalkeith Road, Hollywood Reserve, Smyth Road, Aberdare Road, Hospital Avenue, Monash Avenue and Hampden Road to the City of Subiaco. The proposed boundary change excludes the City of Nedlands administration offices, which are located on the corner of Stirling Highway and Smyth Road.

The Board is yet to finalise its report.

Ward and Representation Reviews

Local governments are required to conduct ward and representation reviews every 8 years or when requested to do so in writing by the Board. The purpose of ward and representation reviews is to ensure equal representation within a local government.

Ward and Representation Reviews

<i>Local Government</i>	<i>Change</i>	<i>Gazettal</i>
Shire of Busselton	All wards abolished	November 2006
Shire of Coolgardie	All wards abolished	May 2007
Shire of Cue	All wards abolished	June 2007
Shire of Gnowangerup	All wards abolished	April 2007
Town of Kwinana	All wards abolished	November 2006
Shire of Waroona	All wards abolished	February 2007
Shire of Goomalling	Abolished 2 wards, created 1 new ward	April 2007
Shire of Koorda	4 wards abolished, 3 new wards created	April 2007
City of Wanneroo	All wards abolished and 4 new wards created.	May 2007
City of Mandurah	Ward boundaries changed	January 2007
City of South Perth	Ward boundaries changed	April 2007
City of Albany	Councillors reduced from 14 to 12; two wards amalgamated and boundaries changed.	December 2007
Shire of Meekatharra	Councillors reduced from 9 to 8. All wards abolished.	May 2007
Shire of Yilgarn	Councillors reduced from 9 to 7; all wards abolished	April 2007
City of Canning	Councillors increased from 9 to 10; new ward created	December 2006
Town of Bayswater	No change	
Shire of Gingin	No change	
Shire of Ashburton	No change	
Shire of Carnarvon	Councillors reduced from nine to seven. Created a new ward of Coral Bay. Amalgamated the Gascoyne/Minilya North Ward and the Gascoyne/Minilya South Ward into one ward, Gascoyne/Minilya Ward.	August 2007
Shire of East Pilbara	No change	
Shire of Roebourne	No change	
Shire of Shark Bay	No change	

The ward and representation reviews for the Shires of Ashburton, Carnarvon, Coolgardie, East Pilbara, Roebourne and Shark Bay assessed under the 'exceptional circumstances' approach which was adopted by the Board in December 2006. This approach is outlined below:

- That where a local government in the Mining and Pastoral Region can demonstrate that the strict application of the 'one vote one value' principle is likely to leave a significant community of interest without appropriate council representation, it may propose councillor to elector ratios greater than the plus or minus 10%. The Board is willing to consider such proposals on an individual basis using the assessment criteria contained in Clause 8 (c) (d) (e) (f) and (g) of Schedule 2.2 of the *Local Government Act 1995*. In so doing, it may also take into account the difficulties associated with equitable representation where ward boundaries encompass remote or isolated communities.

THE FUTURE

The Board is confident that local government will continue to embrace structural reform and looks forward to working closely with local government as it pursues further reform opportunities.

The Board anticipates that local governments across the State will commence ward and representation reviews after the October 2007 elections. The Board encourages local governments to review their ward and representation structure to facilitate effective representation and decision making within the sector.

ADDITIONAL INFORMATION

Staff

The following staff are currently servicing the work of the Board:

Officers:	Ross Earnshaw	<i>Manager Statutory Support</i>
	Gavin Horobin	<i>Policy & Research Officer</i>
	Wayne Davies	<i>Research Officer</i>

Publications

The following publications were produced in 2006 / 2007:

August 2006	Assessment of the Geraldton / Greenough Amalgamation Proposal
August 2006	Assessment of the Proposal Affecting the Tjuntjunjara Community
January 2007	Assessment of the Proposals for Changes to the District Boundary of the Town of Vincent
January 2007	Assessment of the Shire and Town of Northam Amalgamation Proposal
Annual Reports	for the years 2004 / 2005 and 2005 / 2006 are also available.

Note: Information required to be reported under Section 175ZE of the *Electoral Act 1907* is included in the Annual Report of the Department of Local Government and Regional Development.