

Annual Report

2003

Local Government Advisory Board
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CHAIRMAN'S REPORT

Reviews of local government ward boundaries and representation have been a major focus for the Board throughout the last year. In all, the Board assessed thirty nine (39) reports of reviews of ward boundaries and representation and four (4) proposals to change ward boundaries and representation.

In addition two formal inquiries into district boundary changes stimulated by proposals from some members of the community were completed. Some electors from the Shire of Greenough proposed to enlarge the boundary of the City of Geraldton and this was the subject of a major inquiry. The second inquiry involved a commercial area in the metropolitan area bounded by the City of Bayswater and the City of Stirling.

A number of visits to local governments were undertaken with a particular focus on reviews of wards and representation. The Board travelled to country areas to meet with representatives of eleven (11) local governments and also had the opportunity to address a meeting of the Northern Country Zone of the Western Australian Local Government Association in Geraldton.

Visits were also made to several metropolitan local governments involved with reviews of ward boundaries and representation.

The use of video conferencing gave the Board further options to meet with local governments in remote areas of the State and provide advice about reviews of wards and representation. This technology has also provided a cost effective way of engaging with the whole council.

Overall it has been pleasing to see local governments devoting significant time and resources to developing appropriate representation structures. This has often involved more community consultation than is required by the legislation. In some cases significant discussion has taken place in the community and amongst the Council members as the decision process has progressed.

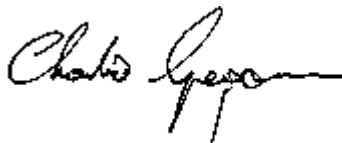
The trend to simplifying wards and representation has continued again this last year. Of the twenty nine (29) local governments that proposed change, fifteen (15) reduced the number of wards or number of councillors, or both. In addition ten (10) local governments abolished wards altogether.

In the area of district boundary changes, the Board is aware that members of the community and local governments are discussing possible changes. The Board welcomes these discussions as well as the opportunity to meet with individuals and groups to discuss the processes for change.

At the 30 June 2003 all members of the Board concluded their terms of office. I have valued the level of commitment and support that these members have made to the work of the Board and I thank them for all their efforts. I have appreciated the spirit of cooperation and cohesion amongst the members as we have gone about our work. Numerous visits to metropolitan and country areas have required the availability of members and I am grateful for their participation and support.

I am also aware of the work undertaken by the officers of the Department of Local Government and Regional Development. I wish to acknowledge Duncan Watson for his contributions to the smooth functioning of the Board and thank Adrienne Inch, Linda Sperring, Louis Naumovski and Vanya Druskovich for their work throughout the year. In addition, Peter Hayes made a valuable contribution to the City of Geraldton/Shire of Greenough district boundary inquiry.

In accordance with Clause 14 of the Schedule 2.5 of the *Local Government Act 1995*, I submit to the Minister for Local Government and Regional Development the 2002/2003 Annual Report of the Local Government Advisory Board.

A handwritten signature in black ink, appearing to read 'Charlie Gregorini', with a long horizontal flourish extending to the right.

Charlie Gregorini OAM JP
CHAIRMAN

30 June 2003

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 focussed local government units which 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, 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 and Regional Development who makes a decision about any proposed changes.

Under 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.
- (Schedule 2.1)

When assessing changes to local government ward boundaries and representation as proposed by local governments, the Board is required to consider the following factors:

- (a) community of interest;
 - (b) physical and topographic features;
 - (c) demographic trends;
 - (d) economic factors; and
 - (e) the ratio of councillors to electors in the various wards.
- (Schedule 2.2)

Enabling Legislation

The Local Government Advisory Board (the Board) was created under Section 2.44 of the *Local Government Act 1995* that came into operation on 1 July 1996. The Board operates under the provisions of the Act in Sections 2.1, 2.2, 2.3, 2.44, 2.45, and Schedules 2.1, 2.2 and 2.5.

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 Act.

Community of Interest

Community of interest includes parts of a district that share common interests/values/characteristics/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 indications 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 these 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 comprises five members representing local government councillors, officers and the State Government. The Minister for Local Government and Regional Development selects the Chair and an officer from the Department of Local Government and Regional Development. Two members are councillors, who are selected from a list supplied by the Western Australian Local Government Association. The fifth member is a Chief Executive Officer from local government, selected from a list supplied by Local Government Managers Australia). Five deputies are also selected on the same basis as the members.

Board members during 2002/2003 were:

Chairman

Cr Charlie Gregorini OAM JP

Council Representatives

Western Australian

Local Government Association

Cr Rod Willox AM RFD ED JP
Cr Peter Passeri JP (Deputy)

Cr John Sabourne OAM JP
Cr Jan Savage JP (Deputy)

Chief Executive Officer Representative

Local Government Managers Australia

Mr Garry Hunt PSM
Mr Eric Lumsden (Deputy)

Department of Local Government and Regional Development Officer

Mr Quentin Harrington
(Deputy Chairman)
Mr Stephen Cole (Deputy)

The Board members were appointed until 30 June 2003.

ACTIVITIES FOR 2002/2003

The Board's work falls into two main areas:

1. Proposals for district boundary changes.
2. Reviews of wards and representation.

Upon receiving a proposal for a district boundary change, the Board's first decision is to determine the level of inquiry to be undertaken. The Board may decide that the matter is minor and not one about which public submissions need to be invited. In this case an informal inquiry is conducted.

A formal inquiry is undertaken for all other boundary change proposals. This involves giving formal notice of the inquiry to local governments and the affected communities and inviting public submissions. The Board also visits the affected area and meets with members of the affected local governments, the community and key stakeholders.

Proposals for District Boundary Changes

Over the past financial year the Board considered proposals for boundary change in both country and metropolitan areas.

Country

In April 2002 the Board received a valid petition of 299 signatures proposing that certain urban and rural areas of the **Shire of Greenough** be incorporated within the **City of Geraldton**. Letters were received from the Shire of Greenough and the City of Geraldton stating their opposition to the proposal. The letters also reported that both local governments would enter into negotiations with each other and the Shire of Chapman Valley with the intention of amalgamating part or all of the three local governments by May 2007.

The Board was not willing to unduly delay a decision to commence a formal inquiry and could not see any justification for delaying a further review of district boundaries until 2007. In view of the willingness of the Shire of Greenough and the City of Geraldton to address boundary reform, the Board delayed making a decision about the commencement of the inquiry to enable the councils to submit their own proposals for the Board's consideration. The Board was mindful to minimise the confusion and frustration in the community if several inquiries were held.

No further proposals were received and the Board commenced a formal inquiry into the proposal in August 2002. Three visits were made to the Geraldton region in August, September and October 2002 to conduct public hearings and meet with the proponents and local governments.

The Board noted that 299 people supported the proposal by signing the petition that accompanied the proposal. By the end of the public submission period the Board had received 217 submissions and two petitions opposing the proposed boundary change.

The Board considered all the submissions and assessed the proposal against the prescribed factors (community of interest, physical and topographic features, demographic trends, history of the area, economic factors, transport and communication, matters affecting the viability of local governments and the effective delivery of local government services). The Board concluded that it did not support the proposal to transfer certain urban and rural areas of the Shire of Greenough to the City of Geraldton. The proposal created a Shire that was not viable and was unable to deliver services to the current standard. Other aspects of the proposal improved the current situation but were not considered significant enough for the Board to support the proposal.

The Minister accepted the Board's recommendation.

The Board also considered and supported a minor district boundary change between the **City of Bunbury** and the **Shire of Dardanup**. The Minister accepted the Board's recommendation.

Metropolitan

In 2001 the Board received a petition from a supermarket owner who proposed transferring part of a newly amalgamated lot from the **City of Stirling** to the **City of Bayswater** since the district boundary now passed through the middle of the lot. Subsequently the Board also received a proposal from the City of Stirling to transfer a larger commercial area from the City of Bayswater to the City of Stirling. The City of Bayswater also proposed to transfer an area of both commercial and residential properties from the City of Stirling to the City of Bayswater.

The Board conducted a formal inquiry into the three proposals concurrently in 2002 and concluded the inquiry in October 2002. Nine public submissions were received and considered by the Board. The three proposals were assessed against the prescribed factors.

The Board concluded that all three proposals had merit but it supported the proposal from the City of Stirling to transfer the Coles Supermarket and an adjacent commercial lot from the City of Bayswater to the City of Stirling. This incorporated all the commercial area in the immediate vicinity within one local government.

The Minister accepted the Board's recommendation.

A proposal was received from the **City of Nedlands** and **Town of Cottesloe** for a minor district boundary change. The Board supported this change and the Minister accepted the Board's recommendation.

During the year the Board did not conclude its process in relation to a proposal from the **City of Cockburn** to extend part of its western boundary into Owen Anchorage. This proposal included a development area known as Port Catherine and involved an amendment to the Metropolitan Region Scheme. The Board supported the proposal in principle and is awaiting the finalisation of the MRS amendment.

Reviews of Wards and Representation

The Board received and assessed thirty nine (39) ward reviews during 2002/2003. In addition four (4) local governments proposed minor changes to ward boundaries and representation. Thirty six (36) country and seven (7) metropolitan local governments submitted reports to the Board.

The Board was pleased to see an improvement in the standard of reviews with local governments giving more satisfactory consideration to the application of the prescribed factors reflecting positively on the Board's initiatives in visiting and advice.

There are seventeen (17) local governments yet to complete their reviews of wards and representation under the *Local Government Act 1995*. All these reviews are required to be completed by 1 July 2004.

Country

Of the ward reviews received from country local governments, seven (7) maintained their current ward structure. These included the **Shire of Ashburton, Shire of Boyup Brook, Shire of Dandaragan, Shire of Mt Magnet, Shire of Nannup, Shire of Roebourne** and the **Shire of Westonia**. The Board noted these reviews.

The **Shire of Chittering, Shire of Coorow, Shire of Cunderdin, Shire of Jerramungup, Shire of Kellerberrin, Shire of Kojonup, Shire of Merredin, Shire of Quairading, Shire of Wongan-Ballidu** and the **Shire of Yalgoo** all resolved to abolish their wards as a result of the ward review process. Four (4) of these local governments also reduced the number of councillors.

The most significant change to a ward system was by the **Shire of Kent** that proposed a 4 wards/8 councillors structure from its 10 wards/10 councillors situation. The **Shire of Ravensthorpe** proposed to reduce its number of wards from six (6) to three (3) and the number of councillors from eight (8) to seven (7).

A number of local governments reduced the number of wards with the number of councillors remaining the same. The **Shire of Dowerin** proposed a change from seven (7) wards to three (3) wards and the **Shire of Kulin** proposed to reduce the wards from six (6) to four (4). The **Shire of Narembeen** proposed a reduction in the number of wards from four (4) to two (2).

A reduction in the number of wards by one was proposed by the **Shire of Manjimup** (seven to six), **Shire of Dumbleyung** (five to four), **Shire of Perenjori** (five to four), **Shire of Pingelly** (five to four) and the **Shire of Leonora** (three to two).

The **Shire of Northampton** amended its ward boundaries and reduced the number of councillors from twelve (12) to eleven (11).

Other reductions in the number of councillors included three local governments with no wards. Not required to do a review, these local governments completed an assessment of the number of councillors and proposed a reduction. The **Shire of Wagin** proposed a reduction from thirteen (13) to eleven (11), the **Shire of Katanning** proposed a reduction from eleven (11) to nine (9) and the **Shire of Donnybrook-Balingup** proposed a reduction from ten (10) to nine (9).

Some local governments proposed to amend the ward boundaries to create more balanced representation across the district. These included the **Shire of Beverley**, **Shire of Broomehill**, **Shire of Goomalling**, and the **Shire of Mukinbudin**.

Going against the trend the **Shire of Gingin** proposed to increase its number of wards from five (5) to eight (8) whilst maintaining ten (10) councillors.

The Board supported all these changes and recommended them to the Minister.

Metropolitan

The **Town of Bassendean**, **Town of Claremont** and **Town of Kwinana** submitted ward reviews to the Board. All resolved to maintain the current ward and representation arrangements and the Board noted these reviews.

Four local governments proposed to amend their ward boundaries including the **City of Gosnells**. In addition to amending ward boundaries, the **City of Belmont** proposed to reduce its number of councillors from twelve (12) to eleven (11). Both the **City of Stirling** and **Town of Vincent** also proposed to change the name of wards.

The Board supported these changes and recommended them to the Minister.

THE FUTURE

The Board is expecting to receive a significant number of reviews of wards and representation as more local governments comply with the requirements of the *Local Government Act 1995*. The Act requires that all local governments undertake a review within 8 years of its implementation by 1 July 2004.

More visits will be arranged to local governments to provide assistance for the completion of these reviews.

The Board is aware that local governments and members of the community across the State are considering proposals for changes to local government district boundaries. The Board welcomes opportunities to discuss with local governments and members of the community the processes for change.

The Board encourages local governments to take steps to assess their own situations to determine the best ways to deliver local government functions and services to their communities. The Board looks forward to on-going discussions regarding structural reform in Western Australia.

ADDITIONAL INFORMATION

Staff

The following staff have serviced the work of the Board during the 2002/2003 year:

Executive Officer:	Duncan Watson
Other Officers:	Lou Naumovski <i>Senior Advisory Officer</i> Peter Hayes <i>Senior Project Officer</i> Adrienne Inch <i>Policy & Research Officer</i> Linda Sperring <i>Advisory Officer</i> Vanya Druskovich <i>A/Administration Officer</i>

Publications

September 2002	Annual Report 2002
October 2002	Inglewood Inquiry: An assessment by the Local Government Advisory Board in response to three proposals for district boundary changes between the City of Stirling and the City of Bayswater in the Inglewood/Bedford area.
February 2003	Assessment of the Geraldton/ Greenough Proposal: An assessment by the Local Government Advisory Board in response to a proposal to transfer some urban and rural areas of the Shire of Greenough to the City of Geraldton.

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.