



Government of **Western Australia**
Local Government Advisory Board

Local Government Advisory Board

Annual Report

2008/2009

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CHAIR'S REPORT

I would like to acknowledge the commitment and enthusiasm of Cr Helen Dullard in her role as Chair of the Local Government Advisory Board during 2007/2008 and in early 2008/2009. Cr Dullard's continuing membership on the Board is a significant positive as local government embarks on a process of structural reform.

I would also like to reflect on the passing of Cr Charlie Gregorini in November 2008. Charlie was a respected local government leader that made a significant contribution to local government over a thirty year period as the Mayor of the City of Swan, as well as numerous volunteer and community groups and as Member and Chair of the Local Government Advisory Board.

During 2008/2009, the Local Government Advisory Board completed its Inquiry into Local Government Service Delivery to Indigenous Communities. The Board submitted its Report on its Inquiry to the Minister for Local Government in October 2008.

During the course of the year the Board recommended to the Minister for Local Government the approval of 28 ward and representation amendments and two district boundary amendments. It is anticipated that these amendments will all be implemented in time for the 2009 local government elections. The Board has noted the positive steps taken by more local governments to abolish ward structures and reduce councillor numbers in the interest of more effective governance and cost savings.

The term of appointment of current members and deputy members of the Board commenced on 1 September 2008, and will expire on 31 August 2011. I would like to thank my fellow Board Members and Deputy Members for their contribution and commitment to the Board throughout this past year.

Further, I would like to acknowledge the efforts of the officers of the Department of Local Government and Regional Development who have provided administrative and research support to the Board throughout the year, their assistance has been very much appreciated and I look forward to the year ahead.

In accordance with Clause 14 of Schedule 2.5 of the *Local Government Act 1995*, I submit to the Minister for Local Government the 2008/2009 Annual Report of the Local Government Advisory Board.



Melvyn Congerton
CHAIR

31 August 2009

ROLE AND FUNCTION OF THE BOARD

The Local Government Advisory Board is a statutory body established under section 2.44 of the *Local Government Act 1995*. The role 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 or electors. 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. The Board can also carry out any other inquiries that the Minister for Local Government may direct.

During 2008/2009 the Board met on ten occasions.

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, it 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.

THE BOARD'S 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 plains 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 topographic features and 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 communication 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:

- Efficiently and effectively exercise its proper functions and delegated powers and operate facilities and services;
- Be flexible and responsive in the exercise of its functions and powers and operation of its facilities and services;
- Employ appropriate professional expertise and skills; and
- 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.

MEMBERSHIP OF THE BOARD

The Board has a membership of five. The Chair is appointed 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. All appointments must be approved by Cabinet on the recommendation of the Minister for Local Government and then by Executive Council.

The current membership of the Board is as follows:

Chair	Cr Melvyn Congerton JP
WALGA Representatives	Cr Helen Dullard OAM Mayor Paddi Creevey (Deputy) Mayor Ron Yuryevich AM RFD Cr Moira Girando JP (Deputy)
LGMA Representative	Ms Joanne Trezona Mr James Trail (Deputy)
Department of Local Government and Regional Development	Mr Quentin Harrington (Deputy Chair) Mr Tim Fowler (Deputy)

The terms of appointment of the above members expires on 31 August 2011.

MAJOR ACTIVITIES 2008/2009

The Board's work in 2008/2009 consisted of the assessment of proposals for district boundary changes and reviews of wards and representation. The Board commenced its Inquiry into Local Government Service Delivery to Indigenous Communities and submitted its report to the Minister for Local Government in October 2008.

District Boundaries

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 2 minor district boundary changes in the reporting period and recommended to the Minister for Local Government that both proposals be accepted. The recommendations were accepted by the Minister. The boundary changes were as follows:

<i>Local Governments</i>	<i>Gazettal</i>
Shire of Nannup and Shire of Augusta-Margaret River	12 May 2009
Shire of Northam and Shire of Toodyay	12 May 2009

Wards and Representation

Local Governments with wards 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 and adherence to the one vote one-value principle. The Board considered 35 ward and representation reviews during 2008/2009 with 24 ward and representation amendments as follows:

<i>Local Governments</i>	<i>Gazettal</i>
Shire of Brookton	10 February 2009
Shire of Koorda	10 February 2009
City of Cockburn	12 May 2009
Shire of Murchison	12 May 2009
Shire of Dandaragan	19 June 2009
Shire of Kent	19 June 2009
Shire of Plantagenet	19 June 2009
Shire of Wandering	19 June 2009
Shire of Augusta-Margaret River	To be finalised
Shire of Capel	To be finalised
Shire of Chapman Valley	To be finalised
City of Gosnells	To be finalised
Shire of Halls Creek	To be finalised
Shire of Irwin	To be finalised
Shire of Kalamunda	To be finalised
Shire of Kojonup	To be finalised
Shire of Leonora	To be finalised
Shire of Manjimup	To be finalised

Shire of Menzies	To be finalised
Shire of Merredin	To be finalised
Shire of Nannup	To be finalised
City of Subiaco	To be finalised
Shire of Victoria Plains	To be finalised
Shire of Westonia	To be finalised

Eleven local governments submitted ward and representation reviews electing to maintain the status quo. These were:

- Shire of Boyup Brook
- Shire of Broome
- Town of Claremont
- Shire of Denmark
- Shire of Gingin
- Shire of Lake Grace
- City of Melville
- Shire of Murray
- Shire of Nannup
- Shire of Ravensthorpe
- City of Rockingham

In addition the following local governments submitted their own proposals to the Board for a ward and representation amendment, all of which were dealt with as a matter of a minor nature and not one about which public submission needed to be invited:

Local Governments	Gazettal
City of Geraldton – Greenough	10 February 2009
Town of Kwinana	To be finalised
Shire of Woodanilling	To be finalised
Shire of Yalgoo	To be finalised

Inquiry into Local Government Service Delivery to Indigenous Communities

In December 2007, the former Minister for Local Government, Ljiljana Ravlich, directed the Board to conduct this Inquiry. The Inquiry was motivated by the Bilateral Agreement on Indigenous Affairs signed by the State and Commonwealth Governments in July 2006.

The terms of reference for the Inquiry were as follows:

1. The core services that local government should provide to agreed categories of Indigenous communities;
2. The legislative and financial impediments to local government providing services to discrete Indigenous communities;
3. The potential for local governments to deliver services, including essential services to Indigenous communities through regional councils and other contractual arrangements;
4. The Commonwealth/State funding arrangements that should be negotiated to implement reforms to local government service provision;

5. Accountability arrangements and issues of tied funding versus untied funding;
6. How the participation by Indigenous communities in local government can facilitate service delivery; and
7. The role of local governments in relation to Indigenous community governance.

The Inquiry involved an extensive six week consultation phase that included visits to 24 local governments and 28 Indigenous communities and Resource Agencies in the Pilbara, Kimberley, Goldfields and Murchison/Gascoyne Regions. The Board also met with a number of key stakeholders as a part of this Inquiry.

The Board finalised its Inquiry into Local Government Service Delivery to Indigenous communities in August 2008.

The Board submitted its Report to the Minister for Local Government in October 2008. This Report provided information to the State Government to facilitate its negotiations with the Commonwealth Government for funding to assist local governments in the delivery of services to Indigenous communities.

OTHER INFORMATION

Staff

The following officers provided executive, research and administrative support to the Board:

Officers:	Ross Earnshaw	<i>Manager, Statutory Support</i>
	Ainslie Perrigo	<i>Policy & Research Officer</i>
	Meghan Dwyer	<i>Research Officer</i>

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.