



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

# LOCAL GOVERNMENT ADVISORY BOARD

Annual Report 2009 - 2010

# LOCAL GOVERNMENT ADVISORY BOARD ANNUAL REPORT 2009-2010

September 2010

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## CONTENTS

<b>Chair's Report</b>	3
<b>Role and Function of the Board</b>	4
<b>Local Government Structural Reform</b>	4
<b>The Board's Guiding Principles</b>	5
○ COMMUNITY OF INTERESTS	5
○ PHYSICAL AND TOPOGRAPHIC FEATURES	5
○ DEMOGRAPHIC TRENDS	5
○ ECONOMIC FACTORS	6
○ HISTORY OF THE AREA	6
○ TRANSPORT AND COMMUNICATION	6
○ MATTERS AFFECTING THE VIABILITY OF LOCAL GOVERNMENTS	6
○ EFFECTIVE DELIVERY OF LOCAL GOVERNMENT SERVICES	7
<b>Membership of the Board</b>	7
<b>Board Activities 2009-2010</b>	8
○ CREATING, CHANGING THE BOUNDARIES OF, AND ABOLISHING DISTRICTS	8
• Proposals for Amalgamation and Boundary Amendments involving the City of Geraldton-Greenough, the Shire of Mullewa and the Shire of Chapman Valley	8
• Proposal to Amalgamate the Shires of Mingenew, Morawa, Perenjori and Three Springs	8
• Proposal to create a Shire of Dalkeith	9
• Proposal to amend the district boundary between the Shire of Serpentine-Jarrahdale and the Shire of Murray	9
○ NAMES, WARDS AND REPRESENTATION	9
<b>Other Information</b>	10
○ STAFF	10

## Chair's Report

In February 2009, the Minister for Local Government announced wide-ranging local government reform strategies which included the opportunity for WA local governments to consider voluntary amalgamations, district boundary changes and councillor representation.

The Board received two amalgamation proposals from local governments in the Mid West flowing from the reform agenda and it has commenced inquiries into these proposals. The Board is looking to complete the inquiries in late 2010, early 2011 and make recommendations to the Minister on these proposals. The Board anticipates a busy year in 2011 as the reform agenda gathers momentum.

I would like to thank my fellow Board Members and Deputy Board members for their support and commitment to the Board throughout the year and particularly acknowledge the contribution of Mr Quentin Harrington. Mr Harrington was Deputy Chair of the Board for eight years and retired in 2009 after a career spanning 30 years in the State public sector. The Board welcomes Ms Wendy Murray, Executive Director of Strategic Policy and Local Government Reform with the Department of Local Government as a member of the Board and Deputy Chair.

I would also like to convey my appreciation to Ross, Ainslie and Meghan and other officers of the Department of Local Government who have provided valuable administrative and research support to the Board throughout the year.

In accordance with Clause 14 of Schedule 2.5 of the *Local Government Act 1995*, I submit to the Minister for Local Government the 2009-2010 Annual Report of the Local Government Advisory Board.



Mel Congerton  
CHAIR

8 September 2010

## Role and Function of the Board

The Local Government Advisory Board (the Board) is a statutory body established under section 2.44 of the *Local Government Act 1995* (the Act).

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.

Schedule 2.1 of the Act details the provisions about creating, changing the boundaries of, and abolishing districts.

Schedule 2.2 of the Act details the provisions about names, wards and representation.

The Board can also carry out any other inquiries that the Minister for Local Government may direct.

During 2009-2010 the Board met on nine occasions.

## Local Government Structural Reform

In February 2009, the Minister for Local Government announced wide-ranging Local Government Reform Strategies. As part of this he encouraged all local governments within Western Australia to embrace the opportunity for voluntary amalgamations and reducing the number of elected members to between six and nine.

To facilitate the structural reform process the Minister for Local Government established the Local Government Reform Steering Committee to oversee the Government's Local Government Reform Strategies. Its role was to assist local governments with voluntary structural reform initiatives to ensure that the sector is strong and viable heading into the future.

The Board was represented on the Steering Committee by Mayor Ron Yuryevich and Cr Helen Dullard.

In order to kick start the reform process, local governments were asked to complete reform submissions in accordance with the Steering Committee's Guidelines. These submissions were used by the Department of Local Government to assess each local government's capacity in the areas of strategic planning, asset management, future financial viability, equitable representation etc.

The Steering Committee's Final Report is still under consideration by the Minister.

As stated earlier the Minister has already referred two proposals for amalgamation to the Board for consideration. The Board anticipates that further work will flow from the Steering Committee's Report in 2010-2011.

## The Board's Guiding Principles

The Board's Guiding Principles form the basis for considering any changes and takes into account the factors set out in the *Local Government Act 1995*.

### COMMUNITY OF INTERESTS

Community of interests 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 interest 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 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 governments 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 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 governments should have a significant 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.

### 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. 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 OAM (Deputy)  Mayor Ron Yuryevich AM RFD Cr Moira Girando JP (Deputy)
LGMA Representative	Ms Joanne Trezona Mr James Trail (Deputy)
Department of Local Government	Ms Wendy Murray Mr Tim Fowler (Deputy)

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

In December 2009, Mr Quentin Harrington retired from the Department of Local Government. His role as Deputy Chair of the Local Government Advisory Board became vacant and Ms Wendy Murray, Executive Director of Strategic Policy and Local Government Reform with the Department of Local Government was appointed to the Deputy Chair position on 16 April 2010.



## Board Activities 2009-2010

### CREATING, CHANGING THE BOUNDARIES OF, AND ABOLISHING DISTRICTS

The Minister for Local Government, local governments or affected electors can make proposals to the Board to create, change the boundaries of, and abolish districts. The Board must consider any valid proposal. It can deal with a valid proposal by rejecting it, considering it as minor matter or carrying out a formal inquiry.

In 2009-2010, the Board received five proposals in regards to creating, changing the boundaries of and abolishing districts. The Board resolved to conduct an inquiry into three of these proposals and is currently considering one as a minor matter. The Board made a decision to reject one of these proposals.

#### **Proposals for Amalgamation and Boundary Amendments involving the City of Geraldton-Greenough, the Shire of Mullewa and the Shire of Chapman Valley**

The Board received the following two proposals:

Proposal A: A proposal for amalgamation of the City of Geraldton-Greenough and the Shires of Chapman Valley and Mullewa. This proposal was submitted to the Minister as part of the local government reform process and was referred to the Board on 21 January 2010.

Proposal B: A proposal for amalgamation of the City of Geraldton-Greenough, Shire of Mullewa and part of the Shire of Chapman Valley (Oakajee Port Area). This proposal was submitted to the Board by the City of Geraldton-Greenough and the Shire of Mullewa on 26 March 2010.

At its meeting of 8 April 2010, the Board resolved to conduct a formal inquiry into both proposals concurrently.

As a part of its inquiry process, the Board is required to observe a public submission period. This period commenced on 23 June 2010 and will close on 5 August 2010. The public submission period includes public hearings in the affected local governments. These hearings will be held in July 2010.

The Board will submit its report and recommendation to the Minister for Local Government in 2010-2011.

#### **Proposal to Amalgamate the Shires of Mingenew, Morawa, Perenjori and Three Springs**

As part of the local government reform process, the Shires of Mingenew, Morawa, Perenjori and Three Springs submitted a proposal to the Minister for Local Government to amalgamate and form one local government. The Minister referred the proposal to the Board on 21 January 2010 and at its meeting of 8 April 2010, the Board resolved to conduct a formal inquiry into the proposal.

The Board's public submission period will begin in July 2010 and conclude in September 2010. Public hearings will be held in the affected local governments in August 2010.

The Board will submit its report and recommendation to the Minister for Local Government in 2010-2011.

### **Proposal to create a Shire of Dalkeith**

The Board received an elector proposal from “People Against Density Dalkeith” on 31 August 2009 to establish a Shire of Dalkeith in the current Dalkeith Ward of the City of Nedlands.

The Board considered the proposal and subsequently recommended to the Minister for Local Government on 15 October 2009 that the proposal be rejected on the basis that, in the Board’s opinion, it was not in the interests of good government. The Minister accepted the Board’s recommendation.

### **Proposal to amend the district boundary between the Shire of Serpentine-Jarrahdale and the Shire of Murray**

The Board received an elector proposal to amend the boundary between the Shire of Murray and the Shire of Serpentine-Jarrahdale. The submission proposes that the boundary between the Shires be amended such that twenty properties are transferred from the Shire of Serpentine-Jarrahdale to the Shire of Murray.

The Board resolved on 20 January 2010 to consider this matter as one of a minor nature and will submit its report and recommendation to the Minister for Local Government in 2010-2011.

## **NAMES, WARDS AND REPRESENTATION**

Local governments with wards are required to conduct ward and representation reviews every eight years. Local governments without wards may also conduct a review to consider any changes. A local government is also required to conduct a review at any time if the Board requests it to do so in writing.

The Board considered two ward and representation reviews during 2009-2010.

<b>Local Government</b>	<b>Gazettal</b>
Shire of Coolgardie	15 December 2009
Shire of West Arthur	15 December 2009

Three local governments submitted a proposal to the Board to consider a reduction in councillor numbers be dealt with as a matter of a minor nature. In the Board’s opinion these proposals were of a minor nature and not one about which submissions need be invited.

<b>Local Government</b>	<b>Gazettal</b>
Shire of Busselton	To be finalised
Shire of Wickpin	To be finalised
Shire of Mullewa	28 May 2010

Matters which the Board considered in 2008-2009 and which were finalised in 2009-2010.

<b>Local Government</b>	<b>Gazettal</b>
Shire of Augusta-Margaret River	14 August 2009
Shire of Capel	14 August 2009
Shire of Chapman Valley	14 August 2009
City of Gosnells	14 August 2009
Shire of Halls Creek	7 July 2009
Shire of Irwin	31 July 2009
Shire of Kalamunda	14 August 2009
Shire of Kojonup	14 August 2009
Town of Kwinana	31 July 2009
Shire of Leonora	16 February 2010
Shire of Manjimup	14 August 2009
Shire of Menzies	To be finalised
Shire of Merredin	14 August 2009
City of Subiaco	14 August 2009
Shire of Victoria Plains	14 August 2009
Shire of Westonia	7 July 2009
Shire of Woodanilling	31 July 2009
Shire of Yalgoo	31 July 2009

## Other Information

### STAFF

The following officers of the Department of Local Government provided executive, research and administrative support to the Board:

Officers:	Ross Earnshaw	<i>Manager, Reform Implementation</i>
	Ainslie Perrigo	<i>Policy and Research Officer</i>
	Meghan Dwyer	<i>Policy and Research Officer</i>
	Mervyn Teow	<i>Graduate 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.

If you would like more information  
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