



Department of
**Local Government, Sport
and Cultural Industries**

Local Government Advisory Board

Annual Report 2016-2017

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Local Government Advisory Board

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Chair's Report

2016-2017 has been a year of review and renewal for the Local Government Advisory Board (the Board). Not only did we welcome five new members and deputies on 1 September 2016, but we have also commenced working within an enhanced and robust governance environment.

This is the result of the comprehensive work undertaken by both Board members and Departmental staff in 2016 through reviewing the Board's governance structure, in accordance with Public Sector Commission principles. This means that the new Board Charter, Code of Conduct and Meeting Procedures will deliver a stronger foundation for continued efficient, effective and transparent governance.

As 2017 is a local government election year, many councils have reviewed their wards and representation. In doing so, this ensures that their structure best meets the needs of their community, particularly in relation to the ratio of councillors to electors, so that there is an equal and equitable balance between wards.

The Board would like to acknowledge the work by those local governments that submitted reviews in preparation for the 2017 elections. The Board encourages local governments to continually monitor their general population and residential growth patterns, to ensure that if there is a trend towards an imbalance, it can then be addressed in a timely manner.

We recognise the foundation that local government provides for our communities in WA. Their ability to consult and provide an objective view on their own structures is an essential part of continuing good governance in their own local area.

I would like to sincerely thank all of the Board members and deputies for their dedication, work ethic and commitment to the board. Their depth of experience delivers a professional, knowledgeable and independent approach to decision making.

I would also like to thank all of our immediate staff and those who work in the background, they have provided exceptional support to the Board throughout the year. Your assistance helps us to continue to operate in a proficient and effective manner. To Julie Knight, Julie Craig and Renata Mlinar, we appreciate your dedication and professionalism. I would also like to acknowledge and thank Chris Berry, the former Acting Manager Executive Support.

I look forward to continuing the excellent work of the Board over the coming year.



Mel Congerton

Chair

Local Government Advisory Board

31 August 2017

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 structures of local governments. These proposals can be initiated by the Minister for Local Government (the Minister), local governments or electors. After the Board has considered a proposal it makes a recommendation to the Minister about the proposal. The Minister has the option of either accepting or rejecting the recommendation.

Schedule 2.1 of the Act contains 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 other inquiries that the Minister may direct.

The Board's Guiding Principles

The Board's Guiding Principles form the basis for the consideration of any changes to local government boundaries and take into account the factors set out in the Act.

Community of interest

Community of interests include 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 an 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 either 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
- 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 their locality:

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

Current and projected population factors are also relevant, as well as similarities and differences between areas within the local government.

Economic factors

Economic factors can include anything that reflects the range of economic activities and resources in the area including:

- industries within the local area
- distribution of community assets
- 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.

The following factors are important in any assessment of local government boundaries:

- port access
- neighbouring towns
- railways
- major roads

Matters affecting the viability of local governments

A local government 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
- 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
- customer satisfaction and feedback

Membership of the Board

There are five members on the Local Government Advisory Board. The Chair is appointed by the Minister. The Minister also appoints two members from nominations by the Western Australian Local Government Association (WALGA), and one member from nominations by the Local Government Professionals Australia (LGPro) WA. Finally the Board includes one member who is an officer of the Department of Local Government, Sport and Cultural Industries.

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 and then by the Governor in Executive Council.

The current membership of the Board is as follows:

Chair:	Mr Melvyn Congerton
WALGA Nominees:	Cr Karen Chappel Mr Gary Brennan (Deputy) Cr Russ Fishwick Cr Chris Cornish (Deputy)
LGPro Nominees:	Mr Anthony Vuleta Ms Francesca Lefante (Deputy)
DLGSCI Officers:	Ms Mary Adam (Deputy Chair) Ms Jenni Law (Deputy)

There are no members and deputy members whose terms of appointment to the Board expire in 2017.

Board Activities 2016-2017

Creating, changing and abolishing district boundaries

Proposal to amend the boundary between the City of Cockburn and the City of Fremantle (suburbs of Hamilton Hill and North Coogee)

In May 2016 the Board received a proposal from the Greater Freo community group, to amend the boundary between the City of Cockburn and the City of Fremantle, so that the residential part of Hamilton Hill and a portion of the suburb of North Coogee moved from the City of Cockburn to the City of Fremantle.

In June 2016, the Board resolved to conduct a formal inquiry into the proposal, which commenced in September 2016, in accordance with the provisions of Schedule 2.1 of the Act. The inquiry included meetings with the City of Cockburn and the City of Fremantle, a public hearing and a public submission period.

[The delay in commencing the inquiry was due to the fact that five members and deputy members were due to complete their terms with the Board on 31 August 2016, and it was considered prudent to wait until the new members started on 1 September 2016, before commencing the inquiry.]

The Board received a total of 1,859 written submissions in relation to this inquiry. Of these, 1,802 (97 per cent) opposed the proposal and 57 (3 per cent) supported the proposal.

In their assessment, the Board noted the strong community opposition to the proposal. Further to this, neither the City of Cockburn nor the City of Fremantle supported the Greater Freo proposal.

While the community expectations for the services delivered by the City of Cockburn are high, the Board considered the City had a strong capacity to deliver services that are greatly valued by the community. This point was very apparent in the submissions received as was a benefit to the community for the boundary to remain unchanged.

The evidence put to the Board in favour of a boundary change did not outweigh the evidence in favour of the current boundary remaining.

The Board subsequently recommended that the Minister reject the proposal. The Minister accepted the Board's recommendation on 6 January 2017, and no boundary changes occurred between the Cities of Cockburn and Fremantle.

Proposal to amend the boundaries between the City of Swan and the City of Belmont (suburbs of Ascot and Redcliffe)

In March 2016, the Board received a proposal from the City of Swan to transfer parts of Ascot and Redcliffe from the City of Belmont to the City of Swan. The proposal included three industrial lots, two of which were bisected by the current boundary, so that all three lots would be wholly located in the City of Swan.

In July 2016, the Board resolved to conduct a formal inquiry into the proposal, which commenced in September 2016, in accordance with the provisions of Schedule 2.1 of the Act. The inquiry included meetings with the City of Swan and the City of Belmont, a public hearing and a public submission period.

The Board received five submissions in total, all of which opposed the proposal.

The Board was of the view that where possible, individual properties should not be bisected and situated in more than one local government.

Main transport linkages and road networks used by the affected lots are currently located in the City of Belmont and this will remain into the future. It was evident that the City of Belmont was already heavily involved in upgrades to the road networks in the area (with Main Roads WA) and they are currently responsible for the maintenance of roads servicing the affected lots.

At least two of the three landowners opposed the City of Swan proposal, with one landowner commenting that they would prefer the status quo rather than the boundary amendment proposed by the City of Swan. These landowners provided their strong support for the City of Belmont's alternative proposal (which was submitted during the course of this inquiry and which was subsequently the subject of a separate inquiry – see summary below).

As there was no support from the affected landowners, in addition to the opposition from the City of Belmont the Board recommended that the Minister reject the proposal. The Minister accepted the Board's recommendation on 23 December 2016, and no boundary changes occurred between the Cities of Swan and Belmont.

Proposal to amend the boundaries between the City of Belmont and the City of Swan (suburbs of Ascot and Redcliffe) - alternative proposal

In October 2016, the Board received a proposal from the City of Belmont to transfer parts of Ascot and Redcliffe from the City of Swan to the City of Belmont. The proposal included three industrial lots, two of which are bisected by the current boundary, so that all three lots would be wholly located in the City of Belmont. This proposal was submitted as an alternative to the City of Swan proposal discussed above.

In December 2016, the Board resolved to conduct a formal inquiry into the proposal, which commenced in March 2017, in accordance with the provisions of Schedule 2.1 of the Act. This inquiry included a public submission period.

The Board received 4 submissions in total, all of which supported the City of Belmont proposal.

The City of Belmont maintains that their alternative proposal is a logical solution that has given consideration to landowner needs, development matters, infrastructure and service utilisation, appropriate rate allocation from a services aspect as well as future elector representation based on service accessibility.

The City of Swan submitted that it acknowledges there is significant benefit in land not being split between two local governments and that Belmont's proposal has the support of affected landowners and on that basis gives its support.

All parties affected by the proposal agree that where possible, individual properties should not be bisected and should not be situated in more than one local government.

Main transport linkages and road networks used by the affected lots are currently in the City of Belmont and this will remain into the future.

After conducting this inquiry, and taking all the matters before them into consideration, the Board found that there was a strong case to support the City of Belmont's alternative proposal and recommended this to the Minister for Local Government accordingly on 16 June 2017.

Note: the recommendation and further information will be presented in the Annual Report for 2017-2018.

District boundary amendment proposals considered by the Board

The Board considered and/or finalised the following five district boundary amendment proposals during 2016-2017:

Table 1: District boundary amendments 2016-2017

Local Government	Matter	Gazettal Date
City of Swan/Shire of Mundaring	Transfer of territory (of a minor nature) from City of Swan to Shire of Mundaring (Lot 239 Wilkins Street, the former Goodchild Oval in Bellevue)	30 December 2016
Shires of Wagin, Narrogin and West Arthur	Joint proposal (of a minor nature) to alter the boundaries of the three shires	20 January 2017
City of Subiaco and Town of Cambridge	Joint proposal (of a minor nature) to transfer territory from Town of Cambridge to City of Subiaco	2 May 2017
Shire of Mt Marshall	Transfer of territory (of a minor nature) from Shire of Trayning to Shire of Mt Marshall	27 June 2017
Shire of Goomalling	Transfer of territory (of a minor nature) from Shire of Toodyay to Shire of Goomalling (5.39km section of Bejoording Road)	30 June 2017

Ward and representation amendment proposals considered by the Board

Under the Act, local governments with wards are required to conduct ward and representation reviews every eight years.

It is common for councils to undertake such reviews during a local government election year, such as 2017.

The following local governments conducted ward and representation reviews during 2016-2017 and resolved to maintain their existing ward boundaries and levels of representation:

- Shire of Boyup Brook
- Shire of Broome
- Town of Claremont
- Town of East Fremantle
- City of Gosnells
- City of Kwinana
- Shire of Manjimup
- Shire of Nannup

Seventeen other local governments submitted proposals for change following their review.

Proposals recommended to the Minister

The Board considered and made recommendations to the Minister on the following ward and representation amendment proposals during 2016-2017:

Table 2: Ward and representation amendments 2016-2017

Local Government	Matter	Gazettal Date
Shire of Armadale	Amend the boundaries of the Shire's existing seven ward structure. The number of councillors to remain unchanged at 14.	30 June 2017

Local Government	Matter	Gazettal Date
Shire of Bassendean	Increase the number of councillors from six to seven.	2 May 2017
Shire of Chapman Valley	Abolish the Shire's current ward structure and implement a district ward. The number of councillors to remain unchanged at eight.	23 September 2016
City of Cockburn	Amend the boundaries of the Shire's existing three ward structure. The number of councillors to remain unchanged at nine.	30 June 2017
Shire of Dowerin	Abolish the Shire's current ward structure and implement a district ward. The number of councillors to remain unchanged at eight.	28 April 2017
Shire of Dumbleyung	Amend the boundaries of the Shire's existing four ward structure. The number of councillors to remain unchanged at nine.	30 June 2017
Shire of Goomalling	Reduce the number of councillors from nine to seven.	28 April 2017
Shire of Kalamunda	Amend the boundaries of the Shire's existing four ward structure. The number of councillors to remain unchanged at 12.	27 June 2017
City of Melville	Amend the ward names and boundaries. The number of councillors to remain unchanged at 12.	30 June 2017
Shire of Mundaring	Amend the boundaries of the Shire's existing four ward structure. The number of councillors to remain unchanged at 12.	28 April 2017
Shire of Murchison	Abolish the Shire's current ward structure and implement a district ward. The number of councillors to remain unchanged at six.	28 April 2017
City of Subiaco	Reduce the number of councillors in the South Ward from three to two.	1 November 2016

Local Government	Matter	Gazettal Date
City of Swan	Reduce the number of wards from six to five. Amend the ward names and boundaries. The number of councillors to remain unchanged at 15.	30 June 2017

Carried over from 2015-2016

The following ward and representation matters were under consideration by the Board in 2015-2016 and were finalised with recommendations to the Minister in 2016-2017:

Table 4: Matters under consideration in 2015-2016 and finalised in 2016-2017

Local Government	Matter	Gazettal Date
Shire of Chapman Valley	Abolish the Shire of Chapman Valley's current ward structure. The number of councillors to remain unchanged at eight.	23 September 2016

Carried over to 2017-2018

Table 5: Matters under consideration in 2016-2017 and to be finalised in 2017-2018

Local Government	Matter	Gazettal Date
Shire of Lake Grace	Abolish the Shire's current ward structure and implement a district ward. The number of councillors to remain unchanged at nine.	TBA
Shire of Victoria Plains	Amend the boundaries of the Shire's existing four ward structure. Reduce the number of councillors from nine to seven.	TBA
Shire of Augusta Margaret River	Abolish the Shire's current ward structure and implement a district ward. The number of councillors to remain unchanged at seven.	TBA

Other Information

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 Communities.

The following officers of the Department of Local Government, Sport and Cultural Industries provided executive, research and administrative support to the Board in 2016-2017.

Officers:	Ms Julie Knight	Manager, Executive Support
	Dr Chris Berry	Previous A/Manager, Executive Support
	Ms Julie Craig	Strategy and Research Officer
	Ms Renata Mlinar	A/Strategy and Research Officer

For more information, please contact:

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