

CSF041: WARDS AND REPRESENTATION REVIEW

Proponent : City of Albany
Attachments : Nil
Responsible Officer(s): : Executive Director Corporate Services (G Adams)
Manager Governance & Risk Management (S Jamieson)

Responsible Officer's Signature:



STRATEGIC IMPLICATIONS

1. This item relates to the following elements of the [City of Albany Strategic Community Plan 2023](#) and [Corporate Business Plan 2013-2017](#):
 - a. **Key Theme:** 5. Civic Leadership
 - b. **Strategic Objective:** 5.3. To engage effectively with our community.
 - c. **Strategic Initiatives:** 5.3.2. Increased interaction between councillors and the community.

In Brief:

- Receive a brief historical overview of the City's involvement with Local Government Reform Initiatives and consider initiating a review of City of Albany Wards and Representation

RECOMMENDATION

CSF041: COMMITTEE RECOMMENDATION
VOTING REQUIREMENT: SIMPLE MAJORITY

THAT Council INITIATE the ward and representation review process for the City of Albany.

CSF041: COMMITTEE RECOMMENDATION

MOVED: COUNCILLOR CALLEJA
SECONDED: COUNCILLOR BOWLES

THAT Council INITIATE the ward and representation review process for the City of Albany.

CARRIED:9-3

CSF041: RESPONSIBLE OFFICER RECOMMENDATION

THAT Council INITIATE the ward and representation review process for the City of Albany.

BACKGROUND

2. Noting recent metropolitan and regional amalgamations, individual members of Council and the community have requested to be advised when the next review will be conducted in regards to the City's wards and representation.
3. The purpose of the report is to provide some background information and advise Council on the options available for consideration.
4. In October 2005, at the request of the then Minister for Local Government and Regional Development, the Local Government Advisory Board commenced an inquiry into Local Government Structural and Electoral Reform in Western Australia.
5. On 19 August 2009, Council resolved:

"THAT Council RECEIVE the Draft City of Albany Structural Reform Report (Version 1 with the following committee recommended amendments (Pages 4 & 5):

City of Albany (at this time) is a sustainable Local Government, which:

- o *retains its current boundaries;*
- o *resolves to conduct a Ward Review with the preferred intention of introducing 4 wards with two Elected Members per ward and a popularly elected Mayor – thereby reducing its Elected Members from 12, plus a popularly elected Mayor, to 8 plus a popularly elected Mayor as of October, 2011;*
- o *works with the Shire of Katanning as a Regional Grouping;*
- o *further develops the 'Regional Cities Alliance' proposal with our partners for high profile projects across WA;*
- o *scopes, introduces and develops its own bespoke business unit to assist service delivery to interested Local Governments, with relevant and required technical and business skills on a fee for service basis; and*
- o *welcomes the opportunity of further discussion on Local Government Reform post this voluntary stage instigated by the Minister.*

Carried En Bloc"

6. On 22 September 2010, the Department of Local Government requested the City of Albany to consider working towards one of the Minister's Key Objectives to initiate an amendment to legislation to change the prescribed number of elected members to between six to nine.
7. On 19 October 2010, Council resolved to reaffirm a previous Council decision to reduce the number of elected members from twelve, plus a popularly elected Mayor, to eight plus a popularly elected Mayor and authorised staff to commence the process of conducting a ward and elected member representation review to ascertain the cause and effect of reducing the existing six wards to four with two elected representatives for each ward and a directly elected Mayor.
8. However, the Local Government Advisory Board (LGAB), advised that they felt that even though Council resolved to reduce the existing six wards and the number of elected representatives, it was considered appropriate that other options should be considered and views from the public be sought.
9. On 14 December 2010, Council endorsed the following options for consideration:
 - a. Option 1. Four wards with two elected representatives for each ward (eight councillors);
 - b. Option 1A. Description: Concentric circles radiating out from the City Centre.
 - c. Option 1B. Description: Corridors radiating out from the City Centre.

- d. Option 2. Eight wards with one elected representative for each ward (eight councillors). Description: Radiating out from City Centre.
- e. Option 3. No wards with eight elected representatives (eight councillors). Description: No Wards.
- f. Option 4. Six wards with two elected representatives for each ward (twelve councillors). Description. No change, basically retaining the current ward structure and representation.
10. Extract from the Minutes of the 14 December 2010 ordinary Council meeting:
*“Moved: Councillor Hammond
Seconded: Councillor Holden*
- *That Council write to the Local Government Advisory Board and request an extension be granted to allow an appropriate amount of time to conduct public consultation.*
 - *That an extension until the 01 March 2011 be requested.*
 - *Council Endorses options for consideration as detailed in the Proposed Ward Distribution Maps and Community Discussion Paper and commence advertisement for public comment.*
 - *That all submissions must be received by 5pm on 8th February 2011.*
- Motion Carried 8-0 Absolute Majority.”*
11. On 22 February 2011, Council decided for the status quo to remain. An extract of the Council resolution follows:
*“Moved: Councillor Wellington
Seconded: Councillor Hammond*
- (i) *Reaffirm Council’s prior decision at the ordinary meeting of Council on 19/10/2010 to reduce the number of elected members from twelve with a popularly elected mayor, to eight with a popularly elected mayor.*
- (ii) *The Local Government to undertake another review of wards and representation in three years time.*

Motion Lost: 3 votes for, 6 votes against.”

DISCUSSION

12. On 22 February 2011, Council resolved to maintain the status quo; however a reason was not included in the resolution and the process was technically abandoned, as the City did not propose to the Board the making of an order.
13. Therefore the last accepted review of ward boundaries was undertaken in 2006 as a statutory requirement under Schedule 2.2 of the Act; which resulted in a reduction of councillors from 14 to 12 and ward from 7 to 6.
14. Schedule 2.2 of the Local Government Act 1995 (the Act), clause 6 provides that a review of Ward Boundaries and the number of councillors of each ward shall be undertaken at least once every eight years.
15. The next scheduled mandatory review will be conducted by default in 2014.
16. In accordance with clause 6 of Schedule 2.2 of the Act, Council has two options available, which will result in the same course of action,:
- a. Option 1. Council can initiate the process; or
 - b. Option 2. Wait to be directed by the Advisory Board, noting that a local government is to carry out a review at any time if the Advisory Board requires the local government in writing to do so.

GOVERNMENT & PUBLIC CONSULTATION

17. Contact was made with the Local Government Advisory Board.
18. Note: The Local Government Advisory Board is a statutory body established under the Local Government Act 1995 (The Act) to provide advice to the Minister for Local Government on local government constitutional matters. It has five members including members nominated by local government and the Department of Local Government & Communities (DLGC).
19. The Board's major function is to assess proposals to change local government boundaries and their systems of representation and then make recommendations to the Minister.
20. Board advised to submit the last review even though the process was technically abandoned; however, advised that it would be appropriate to brief Council on the ward and representation review process, historical actions and the options available.

STATUTORY IMPLICATIONS

21. Under Schedule 2.2 of the Act, local governments with wards must conduct regular reviews of ward boundaries of representation in consultation with their communities.

POLICY IMPLICATIONS

22. There are no policy implications related to this report.

RISK IDENTIFICATION & MITIGATION

23. The risk identification and categorisation relies on the City's [Enterprise Risk Management Framework](#).

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Lack of community engagement</i>	<i>Possible</i>	<i>Minor</i>	<i>Medium</i>	<i>Community consultation is mandatory requirement during the review process.</i>

FINANCIAL IMPLICATIONS

24. The financial implication of administering the review process is minimal as it will be accommodated from within existing budgeted funds and existing staff resources.
25. However, at a future point in time, if Council determines that changes are required to the current ward and representation an extra ordinary election will be required to be conducted.

LEGAL IMPLICATIONS

26. Nil.

ENVIRONMENTAL CONSIDERATIONS

27. There are no direct environmental considerations related to this item.

ALTERNATE OPTIONS

28. Detailed in the discussion section of the report.

SUMMARY CONCLUSION

29. It is recommended that the City of Albany initiate the process.

Consulted References	:	<ul style="list-style-type: none">• City of Albany Discussion Paper – Review of Wards and Representation 2011.• Minutes of the Special Meeting of Council dated 22 February 2011• DLGC Guideline: Review of Wards and Representation: for local governments with a ward system and local governments without a ward system guideline dated November 2008. Source: http://dlg.wa.gov.au
File Number (Name of Ward)	:	GO.BOU.1 (All Wards)
Previous References	:	<ul style="list-style-type: none">• SCM 22/02/2011• OCM 14/12/2010 Item 4.7• OCM 19/10/2010 Item 4.10.