

Shire of Boyup Brook  
2022 Ward and Representation Review  
Discussion Paper



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## Background

### MANDATED REMOVAL OF WARDS AND REDUCTION IN NUMBER OF COUNCILLORS

The Minister for Local Government has written to the Shire Boyup Brook advising that a Bill to amend the Local Government Act is expected to be introduced into Parliament in early 2023.

As the current government has majorities in both the lower and upper houses, the changes to the Local Government Act will be finalized prior to the next local government elections.

The Minister has given all local governments a choice to act early and conduct its own ward review and has threatened serious repercussions for the Councils that do not do so.

The Minister has advised that when the new Act is proclaimed, all wards in Tier 3 and Tier 4 local governments will be abolished and the maximum number of Councillors permitted will be determined by the Shire's population. For the Shire of Boyup Brook this means that all wards will be abolished, and the number of Councillors reduced to a maximum of seven (7).

### CHOICE OF PATHWAYS

The Minister has given Council a choice between two pathways:

1. Voluntary Pathway. Council to conduct a ward review to remove wards and reduce to the number of Councillors to a maximum of 7 Councillors (the maximum allowed for a tier 4 local government), or
2. Reform Election Pathway. The Minister will declare all council positions vacant at the next election and will set the number of Councillors for the Shire based on its population. In this scenario, the five Councillors who were elected during the last elections and still have two years to run would have their terms as Councillors ended early. A whole new Council would need to be elected with half of the new Councillors having 2-year terms and half having 4-year terms.

The Shire of Boyup Brook Council has made the decision to conduct a voluntary ward review to minimize the disruption to the Shire and its ratepayers that would result under the Minister's "Reform Election Pathway".

### CURRENT LOCAL GOVERNMENT ACT REQUIREMENTS

Clause 6 (3) of Schedule 2.2 of the *Local Government Act 1995* ordinarily requires a Local Government to conduct a Ward and Representation Review every eight years upon request from the Local Government Advisory Board.

The last Ward and Representation Review for the Shire of Boyup Brook was undertaken in December 2020 and resulted in the Shire retaining its wards and with 9 Councillors representing the Shire.

However, as noted above, because of the State Government amending the Local Government Act and the Minister's letter to the Shire stating that the Government will implement the Local Government reforms in time for the October 2023 Council election, the Shire of Boyup Brook is required to make significant changes to the number of Councillors comprising the Council and this has triggered the need for an unscheduled Ward and Representation Review.

The Shire of Boyup Brook is now obligated to complete the Ward and Representation Review to initiate all applicable Local Government reform changes and finalise this process by 14 February 2023. This way, the changes resulting from the review will take effect from the October 2023 Council elections and the Shire will retain half of its Council. While the options are limited to a choice in the number of Councillors (realistically between 5 and 7 Councillors), the Discussion Paper explores the pros and cons of each number and seeks public comment for a six-week period prior to the Council making a final determination.



## **Number of Elected Members**

The **advantages** of a reduction in the number of Elected Members may include the following:

- The cost of maintaining Elected Members is likely to be reduced;
- Fewer Elected Members are more readily identifiable in the community;
- Few positions on Council may lead to a greater interest in elections with contested elections and those elected obtaining a greater level of support from the community; and
- There is a state-wide trend for reduction in the number of Elected Members and many local governments have found that fewer Elected Members works well.

The **disadvantages** of a reduction in the number of Elected Members may include the following:

- A smaller number of Elected Members may result in an increased workload and may lessen effectiveness. A demanding role may discourage others from nominating for Council;
- There is the potential for dominance in the Council by a particular interest group;
- A reduction in the number of Elected Members may limit diversity around the Council table;
- Opportunities for community participation in Council's affairs may be reduced if there are fewer Elected Members for the community to contact; and
- An increase in the ratio of Elected Members to electors may place too many demands on Elected Members.

This discussion paper has been developed to assist the community in considering options and ideas as well as clarifying factors that will form part of the review. The options presented are a few of the possible options and scenarios that are open to the Shire to consider.

The Shire will determine a preferred option relating to Elected Member representation following consideration of all submissions.

## **Public Submissions**

All residents and / or business operators within the Shire of Boyup Brook are encouraged to review this discussion paper and provide your feedback on the options presented.

Members of the community are invited to make a submission about any aspect of Ward boundaries and representation. This can be made to the Chief Executive Officer by:

- Post/over the counter: Shire of Boyup Brook, 55 Abel Street Boyup Brook WA 6244
- Email: [shire@boyupbrook.wa.gov.au](mailto:shire@boyupbrook.wa.gov.au)

Forms are also available over the counter at the Shire's Administration Office and can be emailed to you.

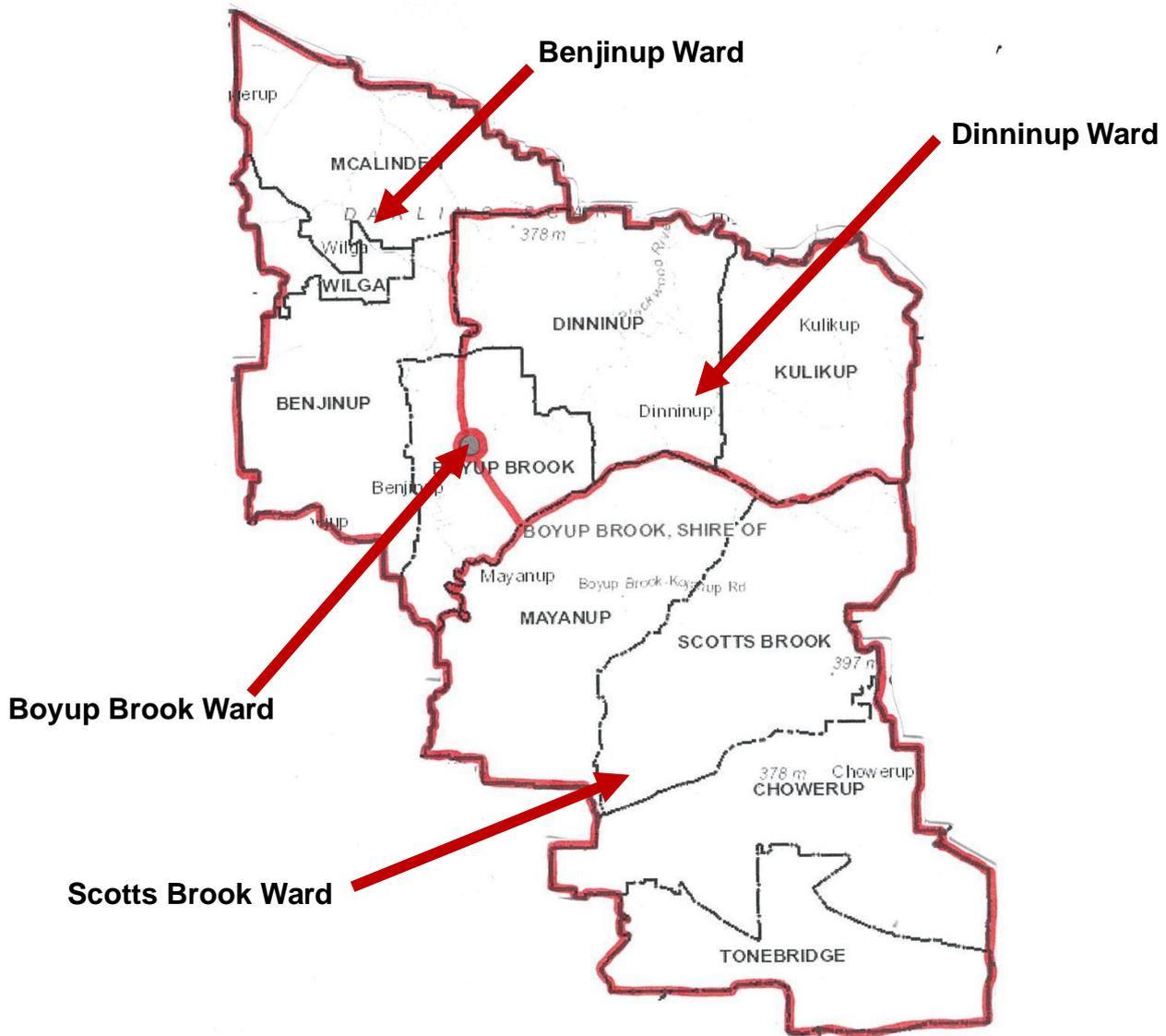
All submissions are to be received by **Wednesday, 21st December 2022**



## Current Situation

The Shire of Boyup Brook comprises of Nine Elected Members, and is divided into four Wards; Boyup Brook, Benjinup, Dinninup, and Scotts Brook Ward.

The Boyup Brook Ward has three elected members and the other wards each have two elected members.



## Removal of Wards

The Minister for Local Government has written to the Shire Boyup Brook advising that a Bill to amend the Local Government Act is expected to be introduced into Parliament in early 2023.

The Minister has advised that when the new Act is proclaimed prior to the next local government elections, all wards in smaller local governments, including the Shire of Boyup Brook will be abolished.

There is therefore no option available for the Shire to retain its current ward system and all wards will be abolished prior to the next Council elections in October 2023.



## Cost Per Elected Member

Under the *Local Government Act 1995*, Elected Members are entitled to fees, reimbursement of expenses and allowances. The total cost to the Shire of Boyup Brook of these fees and allowances would vary depending on the number of Elected Members. Costs regarding support services and overheads would not change greatly if there was to be a change in the number of Elected Members or Wards. The fees and allowances paid to an Elected Member is outlined below:

### Elected Member Allowance

- Elected Member Annual Meeting Fees \$7,615
- Information Technology \$1,280

Elected Members are also reimbursed for Elected Member related expenses for travel and childcare costs if claimed.

A review of the Elected Member Representation in 2020 at other Band 4 Local Governments showed that:

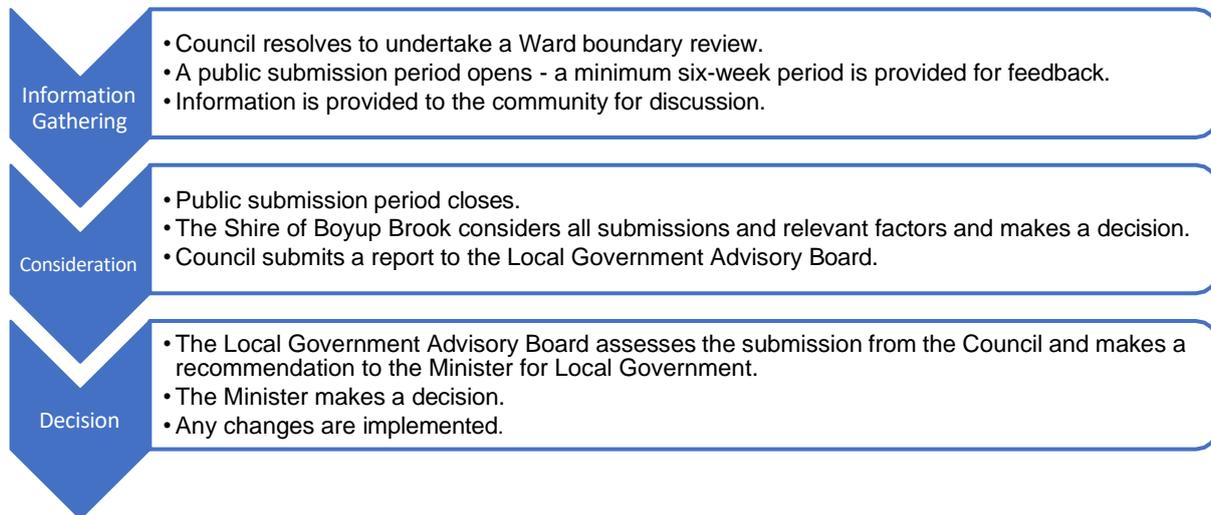
- 63% had seven or less Elected Members (36 of 57)
- One Shire had more than 9 Elected Members
- 86% had less than 9 Elected Members (49 of 57)
- No local government had 5 or less than 5 Elected Members.

The Minister for Local Government has advised that when the new Local Government Act is proclaimed prior to the next local government elections, the number of Councillors will be reduced to a maximum of seven (7).



## Ward Boundary Review Process

The Ward boundary review process must be carried out in accordance with the provisions of the *Local Government Act 1995*. This involves a number of steps:



The next Ordinary Council election will be held on 21 October 2023. To ensure any required changes are made to the Shire of Boyup Brook Ward Structure, the Shire will need to make a submission to the Local Government Advisory board by the 14th February 2023.

More details about the Local Government Advisory Board, and its roles and process are available at:

<https://www.dlgsc.wa.gov.au/local-government/local-governments/boards-and-commissions#advisory>

## Timeline

The following timeline is proposed in respect to the Ward and Representation review:

October 20, 2022	Council Meeting – Council decision to undertake a Ward Review.
November 10, 2022	Public notice period commences inviting submission – six week minimum statutory advertising.
December 21, 2022	Public notice period finishes – Officers finalise accessing public submissions and prepare report and recommendation.
February 9, 2023	Council meeting – Council to resolve preferred Ward representation option for forwarding to the Local Government Advisory Board.



## Options to Consider

The Council will consider the following options and take into account any public submissions:

**Option 1:** No Wards. The Shire Council to be reduced to seven Elected Members.

**Option 2:** No Wards. The Shire Council to be reduced to five Elected Members.



## Feedback Form

You can provide this feedback to the Shire of Boyup Brook in a number of ways:

Post/over the counter: Shire of Boyup Brook, 55 Abel Street Boyup Brook WA 6244

Email: [shire@boyupbrook.wa.gov.au](mailto:shire@boyupbrook.wa.gov.au)

Forms are also available over the counter at the Shire's Administration Office and can be emailed to you.

All submissions must be received by **4.30pm Wednesday 21<sup>st</sup> December 2022**

1. What do you think is the ideal number of Elected Members for the Shire of Boyup Brook?

Seven

Five

Comments:

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2. Do you have any further comments regarding the Review of Ward Boundaries and Representation Discussion Paper?

Comments:

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Name \_\_\_\_\_

Date \_\_\_\_\_

*Thank you for your interest and involvement in this review. The Shire welcomes your comments on any matter that may assist in making informed and responsible decisions for the benefit of the community of the Shire of Boyup Brook.*