

Ward and Representation Review Information Paper



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Town of Claremont Ward and Representation Review

Information Paper

Background

The Town of Claremont (**Town**) is a band 3 local government with a population of approximately 11,000 residents.

Council is comprised of 10 Elected Members, being the Mayor and 9 Councillors. Councillors are elected equally across three wards (East, West and South) and the Mayor is elected by popular vote of the district.

The Mayor and Councillors are elected for four year terms with the terms of half the Councillors concluding at each biennial election.

The current composition of Council and election cycle is as follows:

Ordinary Election 2023		
Councillor	Ward	Term Expiry
Cr Suann	South	October 2023
Cr Telford	East	October 2023
Cr Main	East	October 2023
Cr Edwards	West	October 2023
Cr Brown	West	October 2023
Ordinary Election 2025		
Councillor	Ward	Term Expiry
Mayor Barker	N/A	October 2025
Cr Goetze	South	October 2025
Cr Kelly	South	October 2025
Cr Hatton	East	October 2025
Cr Franklyn	West	October 2025

A ward map can be viewed at **Annexure 1**.

Local Government Reforms

In July 2022 the Department of Local Government, Sport and Cultural Industries announced its final package of reforms to the *Local Government Act 1995 (Act)*. The reforms are intended to provide a stronger, more consistent framework for local governments across the State, and are described as the most significant package of reforms for WA local governments since the Act was passed more than 25 years ago. The reforms are the result of extensive consultation with local governments and the public.

The Reforms will, amongst other things, abolish wards for band 3 and 4 local governments and require the number of Councillors to be based on district population.

The Town of Claremont is a band 3 local government. The following metropolitan local governments are also band 3: Town of Bassendean, Town of Cottesloe, Town of East Fremantle and Town of Mosman Park

The following rural local governments are also band 3: Shire of Bridgetown-Greenbushes, Shire of Capel, Shire of Chittering, Shire of Christmas Island, Shire of Collie, Shire of Coolgardie, Shire of Dalwallinu, Shire of Dandaragan, Shire of Dardanup, Shire of Denmark, Shire of Donnybrook-Balingup, Shire of Exmouth, Shire of Gingin, Shire of Halls Creek, Shire of Irwin, Shire of Katanning, Shire of Kojonup, Shire of Laverton, Shire of Leonora, Shire of Meekatharra, Shire of Merredin, Shire of Moora, Shire of Narrogin, Shire of Northampton, Shire of Plantagenet, Shire of Ravensthorpe, Shire of Toodyay, Shire of Waroona, Shire of Yilgarn and Shire of York.

The Town of Claremont is not a typical Band 3 local government, as it includes a regional centre.

The number of Councillors for a local government with a population between 5,000 and 75,000 is proposed to be set at 5 – 9 including the Mayor. Under the reforms the Town will be required to abolish its wards and reduce the number of Council Members from 10 to between 5 and 9 (inclusive of the Mayor).

The reforms will also:

- Introduce optional preferential voting for all local government elections. Meaning Electors will have the choice to number preferences for as few or as many candidates as they wish.
- Require the Mayor of band 1 and 2 local governments to be directly elected by the district. Currently under the Act all Councils may determine whether the Mayor is to be elected by public vote or by vote of the Council. This choice will remain for band 3 and 4 local governments once the reforms are implemented meaning Council is unaffected by these reforms.

A Bill to amend the Act and introduce the aforementioned reforms is expected to be introduced to parliament in early 2023 to allow the reforms to be implemented in time for the 2023 Ordinary Election (**Election**).

The Minister for Local Government has written to local governments providing the option of voluntarily enacting the reforms prior to the Election by undertaking a Ward and Representation Review under the *Local Government Act 1995* by 14 February 2023. Alternatively, if local governments are unable to agree on a plan or opt out of the voluntary process, the Reform Election Pathway may be enacted which would see all of Council's offices declared vacant, wards abolished and the number of Councillor offices set based on the reform proposals. The Election would then be held to fill all Council offices with a split between two and four year terms to re-establish an ordinary election cycle.

At the Ordinary Council Meeting on 25 October 2022, Council resolved to undertake a Ward and Representation Review to voluntarily implement the reforms.

The Act provides that a local government of a district that is divided into wards is to carry out a review of its wards and the number of Councillors in each ward at least once every 8 years.¹ This review mechanism will be utilised to voluntarily implement the reform changes.

A Ward and Representation Review was last undertaken in 2016 where Council resolved to maintain its existing structure.

¹ *Local Government Act 1995* Sch 2.2 cl. 6(1)

Review Process

Pursuant to the Act the review process involves the following steps:

1. Council resolves to undertake a Ward and Representation Review;
2. Local public notice is given inviting public submissions on the review for a period of 6 weeks. Information is provided to the public to detail the options available under the review by way of a discussion paper;
3. Council considers submissions received and makes a decision regarding the review;
4. A report is submitted to the Local Government Advisory Board (**the Board**) for its consideration;
5. If a change is proposed, the Board submits a recommendation to the Minister for Local Government;
6. The Minister may accept or reject the Board's recommendation;
7. Changes to wards and representation are subject to a Governor's order which is published in the Government Gazette. The order will include the date the changes will apply which may be the date of Gazettal or the next ordinary election day.²

Council is required to submit a formal report to the Board by 14 February 2023 to allow sufficient time for the Board and Minister to consider the proposed changes and to allow the changes to be in place for the Election.

Where an order is sought to create or change the boundaries of a ward or change the number of offices of Councillor for a ward, the Act requires Councils to have regard to the following factors before reporting to the Board:

- Community of Interest;
- Physical and Topographic Features;
- Demographic Trends;
- Economic Factors; and
- The Ratio of Councillors to Electors in Wards.³

As the reforms will require the Town's wards to be abolished and Councillors to be elected across the district rather than equally across wards, the above criteria are not required to be considered as part of this review.

Options to consider

The reforms will require wards to be abolished for Band 3 and 4 local governments prior to the Election (**Annexure 2**). The rationale provided for the decision to abolish wards was:

- Wards increase the complexity and cost of elections;
- In smaller local governments, the population of wards can be very small;
- These wards often have councillors elected unopposed or elect a councillor with a very small number of votes. Some local governments have ward councillors elected with less than 50 votes; and
- There has been a trend in smaller local governments to reduce the use of wards.⁴

² Local Government Act 1995 Sch 2.2

³ Local Government Act 1995 Sch 2.2 cl. 8

⁴ Department of Local Government, Sport and Cultural Industries. Local Government Reform – Summary of Proposed Reforms.

The Elector⁵ to Councillor ratio under the current ward structure is as follows:

Ward	Number of Councillors	Number of Electors ⁶	Councillor to Elector Ratio	% Ratio Deviation
East	3	2807	1:936	-7.67%
South	3	2686	1:895	-2.95%
West	3	2330	1:777	10.62%
Total	9	7823	1:869	

The above data shows that electors in the West Ward are overrepresented by Councillors compared to electors in East and South Wards. This is due to a lower number of Electors in the West Ward compared to the other wards. Where wards are in place the Board expects each local government to have similar ratios of Electors to Councillors across the wards of its district. It is the Board's preference for the ratio between wards to fall between the plus or minus 10% range.⁷

Councillor to Elector ratios vary tremendously across local governments in Western Australia. E.g., the Shire of Sandstone has 1 Councillor per 10 electors and the City of Joondalup has 1 Councillor per 9200 electors.

Council is proposing to remove the ward system as will be required under the reforms.

In accordance with the reforms there will be a reduction of at least one Councillor from the composition of Council. The following structures are available in line with the reforms:

- 4 Councillors plus the Mayor for a total of 5 Council Members;
- 5 Councillors plus the Mayor for a total of 6 Council Members;
- 6 Councillors plus the Mayor for a total of 7 Council Members;
- 7 Councillors plus the Mayor for a total of 8 Council Members; or
- 8 Councillors plus the Mayor for a total of 9 Council Members.

The Councillor to Elector ratios for the available structures are as follows:

Number of Councillors	Number of Electors ⁸	Councillor to Elector Ratio
4	7823	1:1956
5	7823	1:1565
6	7823	1:1304
7	7823	1:1118
8	7823	1:977

The method in which changes to the number of Councillors are implemented must ensure that as near as practicable to half of the terms of the total number of Councillors are to expire at each biennial election.⁹ This affords fairness to those Councillors whose terms expire at the 2023 Election. For example, if Council

⁵ Local Government Act 1995 s 1.4 - elector, in relation to a district or ward, means a person who is eligible to be enrolled to vote at elections for the district or ward

⁶ Elector data sourced from 2021 Ordinary Election Electoral Roll

⁷ Local Government Advisory Board – A Guide for Local Governments: How to conduct a review of wards and representation for local governments with and without a ward system.

⁸ Elector data sourced from 2021 Ordinary Election Electoral Roll

⁹ Local Government Act 1995 Sch 4.2 cl. 1

ultimately resolves to have a structure of 7 Councillors plus the Mayor (total of 8 Council Members), one office would be removed in the 2023 Election and the other in the 2025 Election.

The advantages of a reduction in the number of Councillors may include:

- Fewer Council Members are more readily identifiable to the community.
- Council Member expenses will be reduced.

Pursuant to Council Policy LG516 Fees, Allowances and Expenses for Elected Members, Councillors are paid at the maximum level of each payment type under the Salaries and Allowances Tribunal Local Government Chief Executive Officer and Elected Members Determination. The current annual remuneration package for a Town of Claremont Councillor is \$20,276.

	Allowances payable	Savings
Councillor Meeting Attendance Fee	\$16,776	
Information and Communications Technology Allowance	\$3,500	
Total per Councillor	\$20,276	
Mayoral Meeting Attendance Fee	\$37,881	
Current total allowances payable for 10 Council Members excluding Mayor and Deputy Mayor allowances	\$223,865	
9 Council Members	\$203,589	\$20,276
8 Council Members	\$183,313	\$40,552
7 Council Members	\$163,037	\$60,828
6 Council Members	\$142,761	\$81,104
5 Council Members	\$122,485	\$101,380

There will also be a reduction in administrative time responding to Councillor queries and providing induction and training, insurance costs for Councillors, external training costs and attendance at conferences, ICT costs and dining and refreshment costs.

The disadvantages of a reduction in the number of Councillors may include:

- A reduction in the number of Council Members may limit the diversity of interests 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.¹⁰
- If the number of Councillors at the Town is reduced and the number of Committees remain, some Councillors may be required to sit on additional Committees. This may result in an increased workload for Councillors.

How to make a submission

This paper outlines all possible Council composition options under the reforms to gauge public consensus and assist Council with reaching a final determination.

The options outlined in the Discussion Paper are provided for discussion purposes only and are not intended to be all encompassing or to indicate which options would be supported by Council.

The public are invited to make a submission to the Town about any aspect of this review.

Submissions can be made by completing an online survey to indicate a preferred Council composition and provide any additional comments.

The online survey can be accessed at <https://www.surveymonkey.com/r/TOCReview>.

Alternatively, a written submission can be made by:

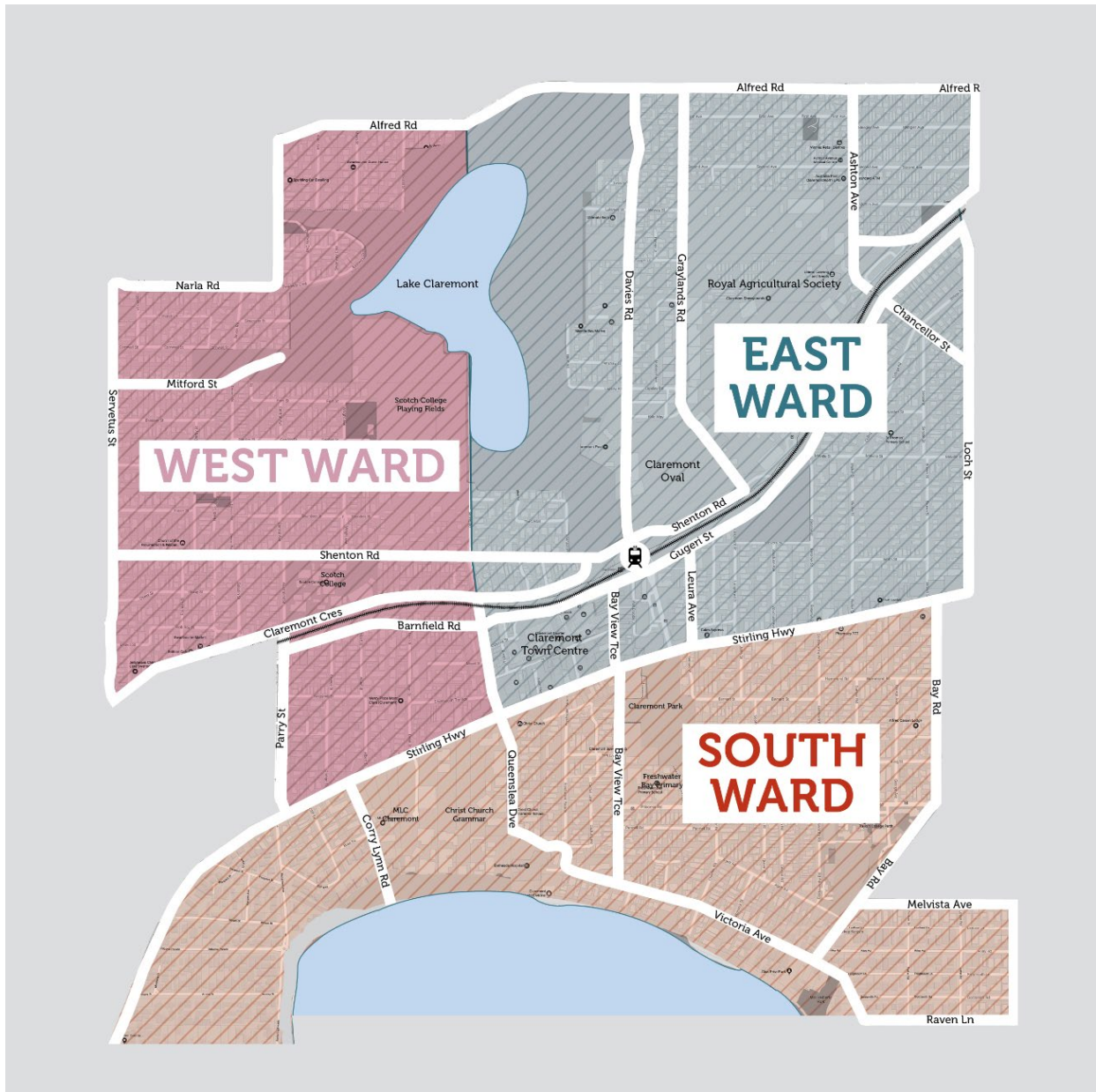
- Email to toc@claremont.wa.gov.au
- Mail to PO Box 54, Claremont WA 6910
- Delivery to 308 Stirling Highway, Claremont WA 010

Submissions must be received by the Town by **Friday 9 December 2022 at 12pm**.

Questions can be directed to the Governance team on 08 9285 4300 or at toc@claremont.wa.gov.au.

Thank you for your interest and involvement in this review.

Annexure 1 – Ward Map



Annexure 2 – District Map (No Wards)

