

15.5 Ward and Representation Review

Administration



Responsible Officer:	Lisa Clack, CEO
Author:	Lisa Clack, CEO
Legislation:	Proposed changes to the <i>Local Government Act 1995</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 15.5A - Discussion Paper: Review of Representation

Purpose of Report



Executive Decision



Legislative Requirement

For Council to approve the release of the Shire of Merredin Review of Representation - discussion paper; included as Attachment 15.5A, for public comment.

Background

On 3 July 2022, the Hon John Carey MLA, Minister for Local Government, announced the final package of proposed local government reforms, which included the removal of wards for Band 3 and 4 Local Governments, and a reduction in the total number of Councillors, based on the population of the district.

While there are currently no wards in the Shire of Merredin, the reforms propose a reduction to elected members from the current number of nine (9), to a maximum of seven (7), including the Shire President.

The Shire of Merredin considered the correspondence from Minister Carey regarding Local Government Reforms: Election Transition Arrangements at its October Ordinary Council meeting, held Tuesday 25 October 2022.

At the meeting Council resolved the following:

That Council;

- 1) NOTES the correspondence to the Chief Executive Officer from the Hon John Carey MLA, Minister for Local Government, dated 20 September 2022, instructing local governments of the two options available with respect to transitioning towards the proposed local government electoral reforms;
- 2) AUTHORISES the Chief Executive Officer to advise the Department of Local Government, Sport and Cultural Industries, by 28 October 2022 of the following;

- a. The Shire of Merredin intends to adopt the 'Voluntary Election Pathway' as the preferred pathway for the election transition arrangements; and,
 - b. The Shire of Merredin's high-level plan is that Council will in principle, propose to reduce the number of sitting Councillors by one at Council election of each of the October 2023 and October 2025 ordinary elections, subject to the outcomes of a representation review, and public consultation. This recommendation is based on:
 - i. the allocated future total number of seven (7) Councillors being understood to be the maximum allowable number for the Shire of Merredin under proposed future legislation based on its current population, and,
 - ii. the need to reduce the risk to business continuity for the Shire, should all positions be declared vacant by the Department under the reform pathway.
 - c. To deliver this and meet the requirements under both the current Act, and the Ministers instruction, the Shire of Merredin will undertake a Ward and Representation Review, to be forwarded to the Local Government Advisory Board for consideration by 14 February 2023.
- 3) AUTHORISES the Chief Executive Officer to initiate a Ward and Representation Review to determine the specific changes to the structure of the Council for the 2023 and 2025 ordinary elections, to be completed by 14 February 2023; and
 - 4) NOTES the process will include public consultation, including the invitation of public submissions for a period of not less than six (6) weeks, during December 2022 and January 2023.

Accordingly, the Administration has provided advice to the Department of Council's intention to undertake a voluntary process, including a high-level plan outlining the potential changes to be implemented for the ordinary elections to be held in 2023. A discussion paper included as Attachment 15.5A, has been written, to initiate a Ward and Representation Review as per the requirements of the Act.

Comment

The discussion paper attached meets the requirements and next steps needed as part of the local government reform.

Following publication of this discussion paper and a period of public comment, a further report will be brought to Council with recommendations and an implementation plan.

The implementation plan is to reduce the number of sitting Councillor positions by one at each of the October 2023 and October 2025 ordinary elections.

Policy Implications

The discussion paper outlines that the Minister has indicated that the change will take place regardless of Council's view.

Statutory Implications

The recommendation meets the outlined requirements for both the Minister for Local Government's proposed changes to the *Local Government Act 1995* ("the Act"), and the

current provisions of the following sections of the *Local Government Act 1995* which may apply:

Part 2 Constitution of local government

- Division 4 -- Membership and size of the council
 - S2.18 Fixing and changing the number of Councillors

	Strategic Implications
➤ Strategic Community Plan	

Theme:	4. Communication and Leadership
Service Area Objective:	4.2 Decision Making
Priorities and Strategies for Change:	4.2.2 The Shire is progressive while exercising responsible stewardship of its built, natural and financial resources.

	Risk Implications
--	--------------------------

Moderate – there is a risk with the potential reduction in sitting members, however this is a required process.

	Financial Implications
--	-------------------------------

Nil

	Voting Requirements
--	----------------------------

- Simple Majority Absolute Majority

	Officers Recommendation
--	--------------------------------

That Council ENDORSE the discussion paper included as Attachment 15.5A for release to the public for the purpose of public consultation for a period of not less than six (6) weeks, during December 2022 and January 2023.