

**Processes associated with making submissions  
for district boundary changes**

Local Government Advisory Board

An explanation of how the Local Government Advisory Board receives and assesses proposals for district boundary change. Every attempt has been made to ensure that the information contained in this document is correct. However it is recommended that proponents check the requirements in Schedule 2.1, *Local Government Act 1995*.

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*Background*

The Local Government Advisory Board is the body established by the *Local Government Act 1995* to assess proposals for changes to local government district boundaries.

*Who can make a proposal?*

The Board can accept proposals for change from the Minister for Local Government, local governments, or from electors.

*Relevant information*

The following information will help with formulating and submitting proposals (see also page 2):

- Schedule 2.1 of the *Local Government Act 1995*.
- **Guiding Principles** (Background Paper from the Local Government Advisory Board).
- **How can we change our boundaries??** Pamphlet from the Local Government Advisory Board.
- **Form 1** (Format for a petition from electors to initiate a boundary proposal).

*What happens to a proposal?*

Valid proposals (those that meet the requirements of the *Local Government Act 1995*) can be:

*Formally assessed*  
*See pages 3&4*

*Informally assessed*  
*See pages 5*

The Board may reject a proposal if it is deemed to be similar to a proposal that the Board has assessed in the preceding two years. The Board may also reject a proposal if it considers that it is frivolous or otherwise not in the interests of good government.

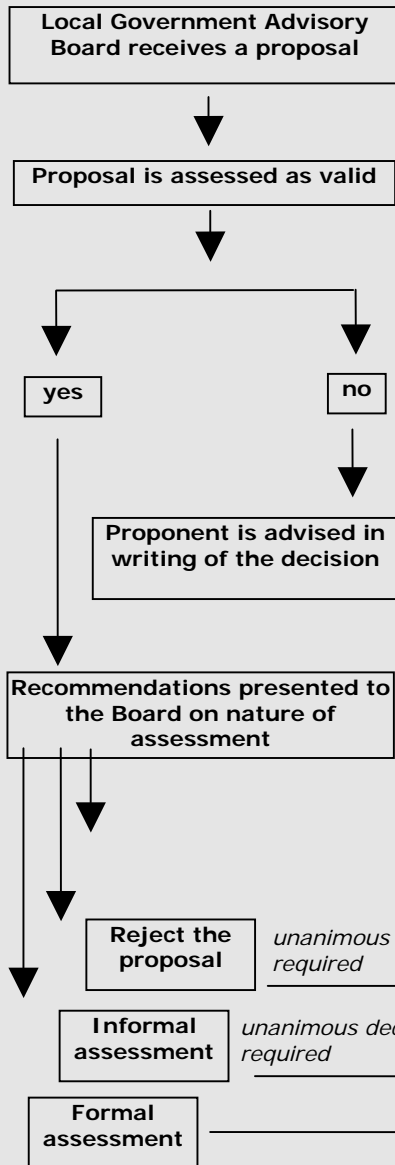
All valid proposals must be considered by the Board.

*For advice and assistance*

You can contact the Local Government Advisory Board to discuss any aspects of your proposal.

Contact: Ross Earnshaw (08) 9217 1510

There is a toll free number for country callers - 1800 620 511.



Proposals can come from the Minister, local governments or electors.

For a proposal to be assessed as valid it must:

1. set out the nature of the proposal and its effects on local government
2. have a plan showing the proposal and its relation to existing boundaries
3. comply with any regulations (Form 1).

If the proposal comes from electors it must have the correct number of petitioners, that is, affected electors who are:

- at least 250 in number or
- at least 10% of the total number of affected electors.

The Board can decide to undertake a formal or informal assessment of the proposal or reject it if it is deemed to be similar to a proposal that the Board has assessed within the last 2 years. The Board may also reject a proposal if it considers that it is frivolous or otherwise not in the interests of good government.

Each proposal will be considered on an individual basis.

### Notes for Local Governments Considering Submitting a Proposal

The Board has developed *guiding principles* for the prescribed matters to be considered in its assessment of any proposal. Brief comments on each of these matters should be included in a proposal.

If a *formal assessment* is undertaken, the Board will invite written submissions from the affected local governments. These submissions should be based around the prescribed matters.

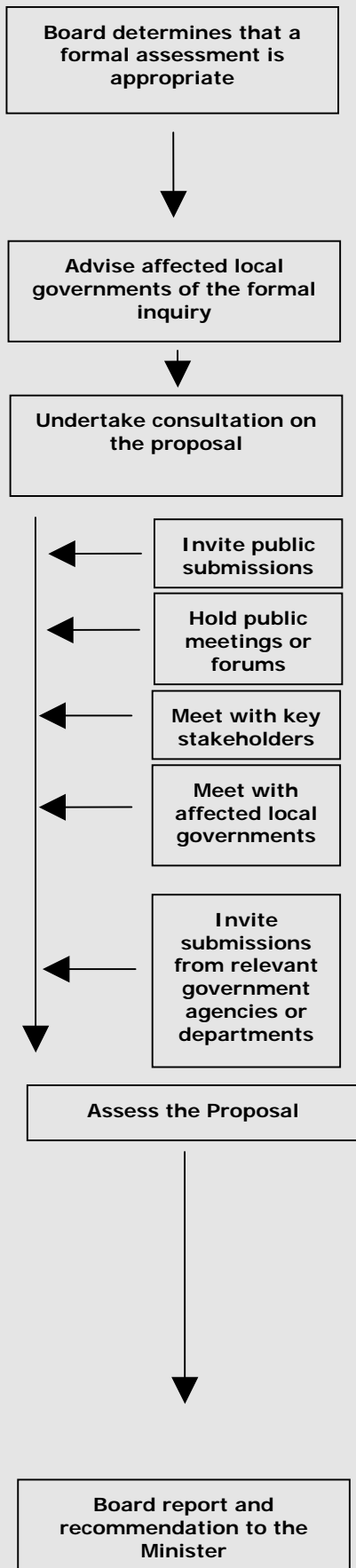
Where local governments are seeking *minor amendments* to boundaries, the Board requests that they attempt to reach agreement with the other affected local government(s) and submit a joint proposal to the Board. This will speed up the assessment process.

All proposals should be signed by the Mayor or President and the Chief Executive Officer.

The Board will inform affected local governments of proposals which impact in them when it has made a decision on the level of assessment. It would recommend that proponents also inform their neighbours of any proposals for boundary change.

## Formal Assessment Process

Local Government Advisory Board



At the commencement of a formal inquiry, the Board advises affected local governments

- that there will be a formal inquiry and
- of the scope of the inquiry.

The minimum public submission period is 6 weeks. The Board will advertise the proposal and the invitation for public submissions in the relevant community newspapers.

Dates and times for public meeting and forums will be advertised in community newspapers and on public notice boards. Local Governments will be advised of these times.

Key stakeholders include but are not restricted to:

- rate payer and progress associations
- local business and service groups
- elected members
- government agencies.

The Board will meet with the councillors and senior officers of affected local governments. They will also be invited to make written submissions to the Board.

Relevant departments and agencies will be invited to put in written submissions. Where there are specific issues or regional offices, the Board will arrange to meet with officers.

The Board will assess the merits of the proposal against the prescribed matters:

- community of interest
- physical and topographical features
- demographic trends
- economic factors
- the history of the area
- transport and communication
- matters affecting the viability of local governments, and
- the effective delivery of government services.

This does not limit the factors which can be taken into consideration. For example, the Board will also consider the impact of the proposal on representation.

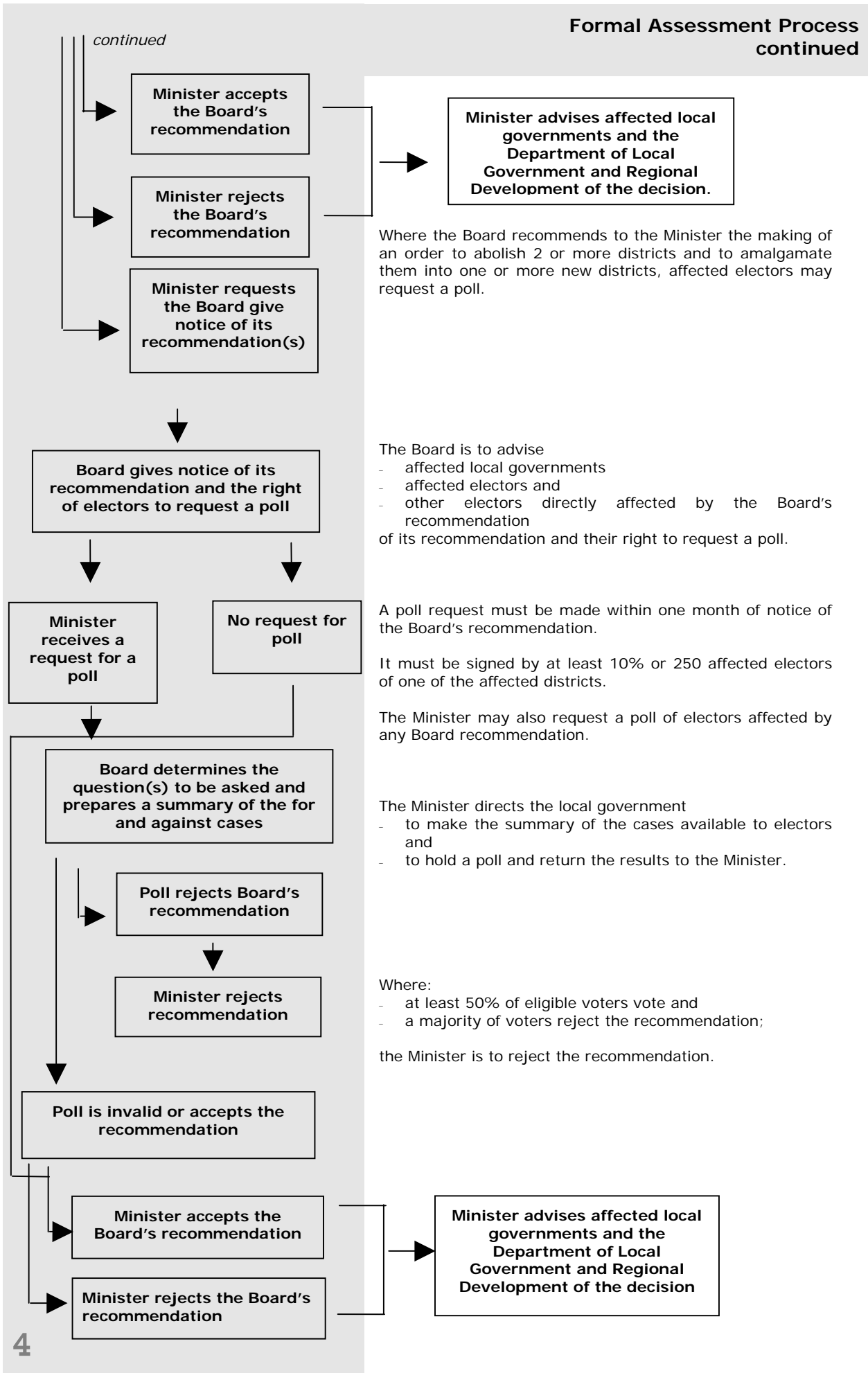
At the completion of its assessment the Board may recommend that the Minister:

- accept the proposal and make orders in accordance with the proposal
- reject the proposal.
- the making of some other order which is not significantly different from the original proposal.

An absolute majority is required to support the Board's recommendation.

*Continued over page*

**Formal Assessment Process  
continued**



Where the Board recommends to the Minister the making of an order to abolish 2 or more districts and to amalgamate them into one or more new districts, affected electors may request a poll.

The Board is to advise

- affected local governments
- affected electors and
- other electors directly affected by the Board's recommendation

of its recommendation and their right to request a poll.

A poll request must be made within one month of notice of the Board's recommendation.

It must be signed by at least 10% or 250 affected electors of one of the affected districts.

The Minister may also request a poll of electors affected by any Board recommendation.

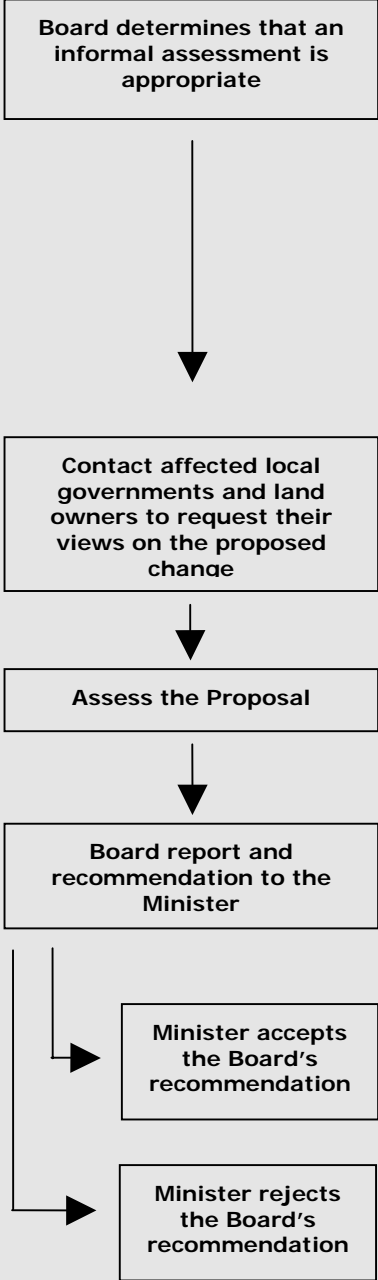
The Minister directs the local government

- to make the summary of the cases available to electors and
- to hold a poll and return the results to the Minister.

Where:

- at least 50% of eligible voters vote and
- a majority of voters reject the recommendation;

the Minister is to reject the recommendation.



Criteria for making this determination include:

- the proposal is considered to be of a minor nature; and
- not one that requires public submissions.

Examples of minor proposals include:

- transfer of individual lots or leases
- realignment of boundaries to correspond with changes in road alignments
- transfer of part lots to one local government
- historic anomalies.

Whilst some proposals appear to be minor in nature, their impact may be such that the Board would choose to undertake a formal assessment in the interests of public involvement.

The views of affected land owners are important in the Board's consideration of the proposal.

The process is assisted if affected local governments are in agreement about the proposal.

The Board may recommend that the Minister:

- accept the proposal and make orders in accordance with the proposal
- reject the proposal.