



Submission to Council

Introduction

This submission is made in support of the Motion that was carried at the Annual General Meeting of Electors held on 3 February 2020 for the City to make an annual payment to the West Australian Ratepayers and Residents Association Incorporated (WARRA) to fund the community's involvement and participation in Local Government matters.

WARRA is an Association registered under the West Australian Association's Act. Consequently, any and all funds paid to or received by WARRA may only be used in accordance with the Objects of the Association. Payments to Office bearers, associated parties, members or volunteers are strictly prohibited.

Currently in WA, Local Government Authorities (LGAs) are represented by two highly funded and influential Associations, WALGA and Local Government Professionals. Neither WALGA nor LGP represents the Community or has a charter to act in the interests of the Community.

Individual residents or community groups have no external funding or formal representation at LGA or State levels.

As a consequence, when an individual or community group becomes concerned about a decision or proposal by the LGA, the individual or community group only have themselves and their resources to rely upon. While they may have access to their Elected Member, the Elected Member is restricted in the level of support that they can provide, the information they can reveal and the representation that they can make on behalf of the community.

LGAs are funded by the Community. Without a community there is no LGA and an LGA cannot exist in isolation no matter how much it may desire to do so. The LGA is the Trustee that holds the funds it collects as rates and taxes and the assets, including property and investments it accumulates, **on trust** for the Community and for the sole purpose of providing community services, which includes applying the funds for the sole benefit of the community and not for the benefit of the LGA or the employees or even Council.

While no Resident or Ratepayer can claim legal ownership of the assets held by the LGA, the Residents and Ratepayers are the beneficial owners. That is why the LGA is required under the provisions of the Local Government Act 1995 to hold an Annual General Meeting and provide a financial report to the Community and for the Community to accept and approve the financial report.

Consequently, a request for funding by the Community to support and facilitate Community involvement and participation in LGA governance is a proper and appropriate application of Community funds for a Community purpose.

Funds paid to WALGA are for services provided by WALGA and WALGA does not provide services to the Community. The funds requested are to provide services to the Community, this is not a double dip or a duplication of services or expense.



The City is currently spending community funds to train 12 year olds to spray paint graffiti.

The City is paying community funds to Element Advisory to provide public relations events supporting developers. The City is spending community funds supporting the Town Team movement initiated by a planning firm that will receive consultancy fees. But the City resists paying funds that will support the community who contributed those funds in the first instance.

The human side of not having adequate representation

Recent events have highlighted the emotional impact of the City of Melville's governance on the residents of the City.

The changes being introduced by the Canning Bridge Activity Centre Plan (CBACP) have resulted in serious adverse impacts upon residents and particularly those in close proximity to the changes. Having a clanking tower crane with 40 tonnes of concrete hanging over the master bedroom placed severe stress and forced the incurrence of over \$10,000 on one resident.

Another resident whose property is now a stranded asset with no prospect of sale to either developers or anyone else is severely depressed with concerns about more serious harm.

At a recent meeting in Mt Pleasant, residents affected by these changes revealed their emotions and the pressure that is upon them having to consider selling up and moving or having a large podium wall and tower overshadowing their property. Consistently, everyone concerned was suffering stress, family disputes and uncertainty, with no hope of a satisfactory outcome.

Many of the residents are retired and had planned for a quiet retirement in their chosen location. That peaceful vision has been rudely shattered and many are angry, tired and unhappy and feel abandoned and disregarded. The only support that is available is the community groups and these are not adequately resourced to provide the level of support that will make a real difference in addressing the underlying problems rather than only addressing the symptoms.

Future of Local Government Declaration

Future of Local Government Conference, May 2017

"DECLARATION

The need for change

This declaration rests on a belief that the state of the nation and the health of our society depend on community-driven action in the neighbourhood, not just decisions made in parliaments or boardrooms.

Across the world people are concerned about the apparent inability of governments, business and public institutions to address the economic, social and environmental



challenges of the 21st Century. Our present ways of thinking and governing are neither coping with the pace of change nor meeting citizens' expectations. There is an urgent need for a fresh approach and responsive leadership.

In some ways Australia remains the 'lucky country' but here too we are struggling with economic upheaval, rising inequality, loss of social cohesion, increased rates of mental illness and serious environmental threats, notably climate change. Many Australians are losing faith in our basic democratic institutions and withdrawing from active participation in civic and cultural life. Our reputation as an inclusive, tolerant and compassionate society is under threat.

It's time to explore a new model of governance, one based on a re-energised civil society that draws on the strength and resourcefulness of people working together in diverse local and regional communities – a **localist** response."(my underlining).

The Key Principles of the above Declaration include:

"To play a valued and effective role in a new system of community-based governance, councils need the legislative flexibility and scope to take further steps along the road to localism. They should:

- Have the courage to embrace the future and take informed risks to bring about necessary change
- **Learn how to be community led, making space for communities to take action themselves, and responding positively to local initiatives**
- Deepen their understanding of communities, listening to all their people and engaging with them in new and different ways that reflect community diversity ('Dadirri' deep listening, understanding and communication)
- Empower citizens through participatory and deliberative democracy, including community boards, precinct committees, cooperatives, citizens juries and others
- Embrace new ways of working to ensure that local needs are met through joined-up planning and services
- Forge more local and regional partnerships that address issues and drive change at community, state and federal levels" (my emphasis & underlining).

One of the current trends actively supported by the City of Melville with the emergence now of at least six Town Teams (Applecross, Brentwood, Friends of Attadale/Bicton, Palmyra, Piney Lakes and Rise up Riseley) demonstrates the recognition by LGAs that the involvement and support of the Community is vital to good governance.

The Town Teams are described as follows:

"A positive movement of action led by local people

Town Teams are positive and proactive community groups that include businesses, landowners and residents working collaboratively with their local government to improve a place or area, often a town centre or 'main street'."



The issues with the Town Team movement include that they are very localised and place focused. The movement is driven by planners and developers who will derive income from providing consultancy services and who are the very cause of the Community's concerns.

Most importantly while the City is supporting these Teams and providing them with community funding, they are not focused or equipped to take on the bigger issues such as reviews of Statutory provisions, reviews of Local Government Acts, or processes and procedures which undermine Community rights and transfer power to the State or LGA. These are the root causes of the dissatisfaction and the primary cause of "places" needing to be improved. It is much better to get it right at the start rather than having to use additional resources to correct the mistakes of the LGA who refuses to listen in the first instance.

WARRA

The founders and office bearers of WARRA have demonstrated their ability, knowledge and resourcefulness in considering and addressing the bigger issues and the bigger picture.

WARRA and Swan Foreshore Protection Association (SFPA) have organised numerous public meetings and Special Meetings of Electors. A WARRA representative was appointed by the Minister of Local Government as the sole Community representative to the Review of the Local Government Act Reference Panel. The WARRA motion for funding by the LGA was moved and passed by the residents and ratepayers in Subiaco, Mundaring, Midland, Rockingham, Wanneroo, Joondalup and Melville in 2019.

While the Motion was unanimously blocked by the LGAs that was because the LGAs did not want to support community involvement or support the new model of governance as recommended by the Future of Local Government Summit in 2017.

The City of Melville Council has the opportunity to demonstrate leadership and commitment to the principles enunciated in the Future of Local Government Declaration of Commitment.

Councils need external sources of advice and information to make properly informed decisions. Information provided by the LGA is often open to challenge and sometimes even incorrect.

Properly funded WARRA can and will appoint independent professionals such as architects, planners and legal advisers to provide information to Councils, Councillors, SAT and JDAP on issues where there is community concern. The ultimate decisions will still rest with the relevant authority but those decisions may be made on the basis of all of the information that is available from the various parties and not just selected information from one side.

Properly funded WARRA can and will make community focused representations at the State and Federal level if necessary, to clarify and improve Statutory and Policy practices, processes and procedures so that the Community and the environment is protected and our society meets the highest standards of integrity and ethical behaviour.

WARRA has already made written submissions to the Upper House Select Committee into Local Government, to the Minister for Local Government and the Minister for Planning. WARRA has collected several thousand signatures state wide for a Petition to the Upper



House to be lodged in April this year. This Petition calls for a review of planning processes and procedures, a review of JDAP and the introduction of third-party appeal rights for those directly impacted by a development application. Currently, the only recourse is a costly application to the Supreme Court.

Neither the City nor the Council can achieve what the WARRA Community can in these matters and without this type of Community involvement, these issues will remain unresolved. As long as these matters continue to fester, the City and the Council will be blamed and be asked to deal with issues that are out of their control. Council and the City needs to recognise that it needs the Community more than the Community needs LGAs and must support the Community so that LGAs are not taken over by the State Government.

The Community needs Council's support and involvement in this process of cultural and procedural change.

This funding will go a long way towards rectifying the imbalance between LGAs and the Community. Council can support the Community and rectify that imbalance or allow the status quo to stand.

Council must have the courage to embrace the future and make informed decisions to bring about necessary change. Council must set an example for the administration to follow.

Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has. Margaret Mead

Signed.....

Clive Ross
Chairman