

**Submission  
No 106**

## **INQUIRY INTO LOCAL GOVERNMENT IN NEW SOUTH WALES**

**Organisation:** The Palm Beach and Whale Beach Association

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# The Palm Beach and Whale Beach Association

PO BOX 2 PALM BEACH NSW 2108

The Director  
General Purpose Standing Committee No 6  
Parliament House  
Macquarie Street  
Sydney NSW 2000

2 July 2015

Dear Sir

## **Inquiry into Local Government In NSW**

### **Submission from The Palm Beach and Whale Beach Association**

The Palm Beach and Whale Beach Association is a not-for-profit, non-political organisation of volunteer owners and residents who are passionate about keeping our area unique and keeping the local council and state government honest. The Association makes the following submission:

#### **1 The Appointment of Independent Pricing and Regulatory Tribunal (IPART)**

The association challenges the appointment of Independent Pricing and Regulatory Tribunal as the assessing body for council amalgamations. The government promised an independent panel. IPART is not independent in relation to council matters, having spent many years setting rates and levies for councils.

There is nothing in the terms of reference for submissions by individuals or community organisations to be taken into account in the decision making.

This completely undermines and disenfranchises the residents of Pittwater from their community values, which were the prime mover of Pittwater gaining independence 23 years ago.

#### **2 Scale and Capacity**

It is now clear, after the state election, that the New South Wales government could force amalgamations if it deems a council to be unfit (contrary to their undertakings before election). The main criteria to be used to assess the fitness for the future is scale and capacity. The chairman of IPART, Dr Peter Boxall, at the public meeting on Monday 15 May, refused to define what specific criteria would be used to make the assessment.

If a minimum population (? What number) is the determining factor, some councils will automatically be declared unfit, although they may be fit in all the other ways.

IPART has failed to clearly define what criteria will be used to assess scale and capacity.

The underling premise of scale and capacity evaluation is that large councils are more effective and more efficient than small councils. There is no evidence to support this assumption.

There is little evidence that the social, cultural and historical context of a council will be taken into account.

### **3 Formation of Pittwater Council**

The original Warringah Shire Council area was divided into A, B, C and D Ridings. There was a sentiment held by some in A Riding, the northern Riding (Pittwater) the largest in Warringah and taking up more than 40% of Warringah's land area, that they were being increasingly ignored and subject to what they considered inappropriate development and policies for their area.

The Local Government Boundaries Commission conducted a public inquiry.

IT FOUND:

"The Pittwater situation is a compelling example that local government issues are not related solely to costs and services. People are very concerned about local government as Government, about policies and how they are arrived at, how the public view is taken into account and about the style and management by which they are governed"

A referendum was ordered.

This culminated in 1991 when a non-compulsory postal poll of the residents of A Riding was taken over the question of a possible secession. This resulted in a 73.5% vote in favour of secession.

The Minister for Local Government at the time, Gerry Peacocke, announced the secession of A Riding from Warringah Council and Pittwater Council was formed.

Warringah Council has been dismissed three times since the 1960's for corruption, bribery and other issues.

Pittwater Council is unique in that it was formed by a vote of the residents. It was the first new council to be formed in NSW in 100 years.

The historical issues regarding the founding of the council in 1992 must be taken into consideration.

If Pittwater Council is to be amalgamated, another referendum of the residents must be undertaken. Amalgamations should only be considered if supported by the majority of the community.

The community will not tolerate an amalgamation with Warringah Council, which in the past has been proven to be unworkable.

### **4 Environmental and Cultural Issues**

The community is concerned regarding the environment and cultural issues which are not addressed in the terms of reference.

## 5 Regional Co-operative Model

SHOROC is a strong effective partnership between the councils that make up the region of the Northern Beaches from Bradley's Head to Barrenjoey – Manly, Mosman, Warringah and Pittwater councils.

SHOROC aims to leverage 'strength in numbers' by partnering with our councils and communities to lobby for increased investment in our region and deliver campaigns on issues that matter such as transport, health, sustainability and climate change.

Through collaboration, SHOROC improves the way we do things within and between our member councils by driving efficiency and cost savings in council services, resources and business processes, joint tendering, procurement and professional development and then invests these savings back into the region.

The people that make up SHOROC are the Mayors, Councillors, Executives and staff of the partner councils as well as the team that staffs the SHOROC organisation. A major strength of SHOROC is the experienced council staff working together collaboratively through a range of working groups to develop and implement SHOROC projects and campaigns.

For instance SHOROC capitalises on economies of scale in the Northern Beaches region and its role has expanded to encompass advocacy and planning in regional transport, health, environment etc. – all without amalgamation. Last financial year, collaboration via SHOROC gained our region \$644M in funding for public transport and roads, that is, \$233 million for public transport and \$411 million on roads. It also secured \$129 million for health services. Plus SHOROC won the PIA's President's Award for excellence in planning.

The Palm Beach and Whale Beach Association strongly supports a cooperative model like SHORAC.

## 6 The Annual General Meeting of the Palm Beach and Whale Beach Association

The 97th Annual General Meeting of the Palm Beach and Whale Beach Association Inc. (PBWBA) was held on Tuesday 5 May 2015 at Club Palm Beach.

The meeting was very well attended by residents who were most concerned by the Government's Review Panel Report 2013 which recommended combining the Pittwater, Warringah and Manly councils into one single council to serve 250,000 residents.

The meeting was addressed by Mark Ferguson, the general manager of Pittwater Council.

The general consensus was that Pittwater Council has served the community well during its 23 years of operation.

The following motion was passed unanimously.

**MOTION:** If Pittwater council is deemed fit for the future there must be **no change** to council boundaries without community consultation.

## 7 “Pittwater Forever”.

The Palm Beach And Whale beach Association has joined with 18 other resident associations to form "Pittwater Forever". This is a federation of the major Pittwater Residents Associations.

Pittwater Forever strongly supports Option 1. That is:

**Pittwater Council** remains as is.

### **The Community Consultation Phase**

The NSW Government’s Fit for the Future announcement, made a recommendation that Pittwater be merged with Warringah and Manly to form one Council with a population of around 259,000 residents.

Pittwater Council is opposed to the option of one Council for the northern beaches, as Pittwater Council is completely sustainable and Fit for the Future in its current form and structure, according to the NSW government Fit for the Future criteria.

Pittwater remains committed to a strong independent Pittwater Council providing local representation and delivery of local services to the people of Pittwater on the existing boundaries.

Pittwater Council sought the community’s feedback on all three options outlined in the recent KPMG report and Council brochure sent to households in Pittwater.

### **The three options for consideration are:**

- Option 1 – Pittwater to maintain the status quo, to remain as they are without any boundary changes.
- Option 2 – Greater Manly/Greater Pittwater – This option involves boundary changes and splits the area, creating two councils of approximately equal population size.
- Option 3 - A single northern beaches council.

An independent telephone survey was implemented during the community engagement process for Fit for the Future.

In addition, approximately 3500 surveys were completed via the online and paper survey methods.

The results showed that 96 % of the residents surveyed in the paper and Internet survey wanted the Option 1. In the phone survey the figure was 89%

These surveys showed overwhelming support of the community for Option 1.

**Council Community Consultation Meeting:**

The meeting was held on 19 May. Over 350 people attended the meeting, There was lively debate.

Five members of the community spoke for the motion. One spoke against the motion.

MOTION: If Pittwater Council is deemed fit for the future there must be no change to council boundaries without community consultation.

The motion was passed by the audience with one dissenting vote.

**Council Meeting.**

At the extraordinary council meeting on 29 May 2015, the council voted to include only Option 1 in its submission to IPART. This decision followed a meeting between the mayor and the community leaders.

The Council submission reflects the views of the community.

It is now time for the council and the community to continue to work together to achieve an outcome that is acceptable to all parties.

IPART must also take into account the views of the community when making its decision.

The community values its local independent council which has served it well for the last 23 years.

We live in a democracy and the whole basis of a democracy is it that the will of the people must be heard. If the will of the people is ignored anarchy will prevail.

Yours faithfully

A/Professor Richard West AM  
President PBWBA

Storm Jacklin  
Past President PBWBA

Copies to:

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