



## **COUNCILS FOR DEMOCRACY**

### **Western Australian Local Governments in support of their constituents' democratic right to self-determination**

Dear Mayor / Shire President

#### **LOCAL GOVERNMENT REFORM AGENDA**

We write to you to seek your Council's support to join with your fellow councils to preserve the right of your constituents to decide for themselves whether or not your Council should be amalgamated with another council if that is ever proposed.

That right to self-determination is embodied in clauses 8, 9 and 10(2) of Schedule 2.1 of the *Local Government Act 1995 (WA)*. These "Poll Provisions" (called the "Dadour amendment" after the politician who introduced them) enshrine the right for 250 electors or 10% of electors in a local government district (whichever is the lesser) to require a poll on any proposed merger of their council, whereby they can veto the merger so long as at least 50% of electors participate in the poll and more than 50% of those who do participate elect to vote against the proposed merger.

This is fair in requiring proponents for change to use persuasion rather than force.

The Poll Provisions embody your constituents' democratic right to self-determination. Every democracy should be entitled to determine its own future.

The State Government of Western Australia intends to reduce the number of Local Governments, initially through its Metropolitan Local Government Review, but without any assurance that the Poll Provisions will not later be repealed, diluted or circumvented so as to forcibly implement any proposed reduction in council numbers.

The Western Australian Local Government Association (WALGA) in its submission to the Metropolitan Local Government Review shied away from any mention of the Poll Provisions and may not defend their continued preservation.

To better ensure that the State Government and WALGA recognise that the Poll Provisions are sacrosanct and must not be repealed, diluted or circumvented for any reason whatsoever, we request that you move your Council to formally resolve as follows:

**THAT COUNCIL:**

1. Advise the Premier of the State of Western Australia, the Minister for Local Government, the Leader of the Opposition, the Shadow Minister for Local Government, our local members of the Legislative Assembly and Legislative Council, the Metropolitan Local Government Review Panel, and the President of the Western Australian Local Government Association, that this Council calls upon the Parliament of Western Australia to forever uphold and not dilute our constituents' right to self-determination as embodied in clauses 8, 9 and 10(2) of Schedule 2.1 of the Local Government Act 1995 (WA).
2. Request the recipient of each such letter to notify our Council by written reply as to whether they do support and will continue to support the preservation without dilution of our constituents' right to self-determination as embodied in clauses 8, 9 and 10(2) of Schedule 2.1 of the Local Government Act 1995 (WA).
3. Provide to the Secretariat of the Councils for Democracy a copy of each of our above letters and any responses that our Council receives, for use in demonstrating collective support for our constituents' right to self-determination in clauses 8, 9 and 10(2) of Schedule 2.1 of the Local Government Act 1995.

We **attach** for your convenience contact details and a draft letter you can use to facilitate the above resolution.

We acknowledge that each council and each elected member of a council may have differing views on the benefits or otherwise of rationalisation of council numbers in this State. We nevertheless believe that all councils and each elected member share the view that their own and neighbouring democracies must decide for themselves whether rationalisation of their own council is in their best interests.

Each of the below signatories to this letter will be putting this proposal to their respective councils when it next convenes, and we would hope that you do likewise.

Even if you personally do not share this view we would be grateful if you would table this correspondence with your Council to enable it to consider our proposal. Should it be accepted by your Council, then any correspondence to the Secretariat of the *Councils for Democracy* should be emailed to [cfid@cottesloe.wa.gov.au](mailto:cfid@cottesloe.wa.gov.au).

Yours sincerely



**Jock Barker**  
Mayor  
Town of Claremont



**Kevin Morgan**  
Mayor  
Town of Cottesloe



**Ron Norris**  
Mayor  
Town of Mosman Park



**Rachel Thomas**  
President  
Shire of Peppermint Grove