

TERMS OF REFERENCE: INDEPENDENT PRICES AND REGULATORY TRIBUNAL (IPART)

METHODOLOGY FOR THE ASSESSMENT OF COUNCIL FIT FOR THE FUTURE PROPOSALS

The Palm Beach and Whale Beach Association is a not for profit, non political organisation of volunteer owners and residents who are passionate about sustaining our unique area and keeping the local Council and State Government honest.

The association makes the following submission:

1 The Appointment of IPART:

The association challenges the appointment of IPART 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 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.

The terms of reference need to be changed to ensure that the opinions of the community are considered in the decision making.

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. The main criteria to be used to assess the fitness for the future is scale and capacity. Dr Peter Boxill, chairman of the public meeting on Monday 15 May, refused to define what specific criteria would be used to make the assessment. If a minimum population number is determined, some councils will automatically be declared unfit, although they may be fit in all the other criteria.

These Criteria must be clearly defined by IPART before 30 June, the date of closure for council submissions

The underlying 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.

3 Formation of Pittwater Council

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

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 and the largest in Warringah, 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. 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 Peacock, announced the secession of A Riding from Warringah Council.

On 2 May 1992, The Governor of New South Wales, Rear Admiral Peter Sinclair, proclaimed the establishment of the Municipality of Pittwater, the area of which, roughly followed the area formerly known as 'A' Riding of the Warringah.

Warringah Councils have been dismissed three times since the 1960s for bribery, corruption and other issues.

Pittwater Council is unique in the manner 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 poll of the residents must be undertaken. Amalgamations should only be considered if supported by the majority of the community. A recent telephone survey of Pittwater residents performed by Warringah Council showed the 65.7% wanted the status quo and 6.3% were undecided.

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

4. Environmental and Cultural Issues

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

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

We live in a democracy. 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.

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