

LOCAL GOVERNMENT AMENDMENT BILL 2023

Second Reading

Resumed from 22 March.

MS J.J. SHAW (Swan Hills — Parliamentary Secretary) [10.16 am]: Deputy Speaker —

The ACTING SPEAKER (Ms M.M. Quirk): Member for West Swan.

Ms J.J. SHAW: Swan Hills.

The ACTING SPEAKER: Swan Hills, sorry; and I am the Acting Speaker, not the Deputy Speaker.

Ms J.J. SHAW: Sorry. We are all having an identity crisis!

I will just seek an extension because I know that I will use all my time this morning.

[Member's time extended.]

Ms J.J. SHAW: Thank you, Acting Speaker.

This is a somewhat punctuated debate for me. Members may recall that yesterday I began some comments on the Local Government Amendment Bill 2023 and reflected on some of the reforms and some of the positive aspects. I will just very briefly mention the introduction in the bill of the principles around the recognition of Aboriginal Australians. I just want to put on the record today, as the question that will go to the Australian public has been announced by the Prime Minister, my unequivocal support for a Voice to Parliament. I will also commend the member for Belmont for her contribution to the debate yesterday. I thought it was fantastic and it really underscores the important role that all levels of government and all communities play as we debate what I think is one of the most fundamental policy issues we will face. I unequivocally express my support for the Voice to Parliament and encourage my community to vote yes.

Yesterday, I was just about to have a chat about some of the issues that we are experiencing in the City of Swan. As I said, the debate was punctuated by private members' business. I want to pick up where I left off and talk about and provide examples of just why these reforms are so very, very relevant. As I said yesterday, the people of Swan Hills are sick to their back teeth about the dysfunction they are seeing in local government and the appalling behaviour we are seeing, as evidenced by some councillors in local government. We need these reforms, people need to start paying attention and, more importantly, they need to turn out and vote in October if they genuinely want change. I want to open with those comments.

The first reform that I am going to talk about this morning is the optional preferential voting and backfilling. The Local Government Amendment Bill 2023 will provide for the introduction of optional preferential voting that gives electors the greatest degree of choice by being able to indicate their preferences. Voters are very familiar are optional preferential voting. It has been used in state and federal elections, so it is something that we are all very familiar with. This bill will introduce it at council elections, bringing the process more into line with state and federal elections. There will also be provisions for the filling of vacancies. Rather than having a retirement trigger a by-election, the preferential voting system will enable us to backfill a vacancy as and when they arise, which saves ratepayers considerable expense. The City of Swan recently had a by-election following the retirement of a councillor, and I will discuss that later.

When the preferential voting issue has been debated, some quite disingenuous commentary has been offered particularly from the opposition about the risk of politicisation. Let us face it, we are not really going to sit here and take lessons on local government reform from the opposition, given the absolute dog's breakfast it made of local government reform in the past. But there is something about pots and kettles here. We have had the most flagrant politicisation of local government by the Liberal Party. For its members to turn around and somehow pretend that party politics does not occur, frankly, is insulting to the intelligence of the people of Swan Hills and the state of Western Australia. It is an insult, but it actually reflects the kind of born-to-rule chauvinistic approach that those opposite tend to take when dealing with their constituents. They really do think we are all stupid. We are not stupid and the wool has not been pulled over our eyes. We very clearly understand how politics works within the Liberal Party. Nobody is fooled by the charade that is being played. We all know that Hon Nick Goiran and Hon Peter Collier are still pulling the strings and circumventing political processes. We are not stupid. It is blatantly obvious that the City of Swan in particular has been susceptible to the most flagrant politicisation. One only has to turn up on polling day to see a raft of Liberal councillors getting out there in their light blue T-shirts. It is no secret, so to pretend otherwise is insulting. The member for West Swan and I are probably the two current members of Parliament who have the most direct evidence that the Liberal Party seeks to influence and control the way that local governments operate in the wake of the release of over 700 pages of WhatsApp text messages from "The Clan" in which Hon Nick Goiran and his little mates all messaged about how they are orchestrating things. I draw the attention of the house to pages 658 and 659 of "The Clan" messages in which the guys patted each other

on the back for the elections in 2019 and how they managed to get control of the local councils. There is a bit of an exchange from members of “The Clan” about other councillors, but I will talk about the member for West Swan and me. Christopher Tan messaged —

We got three up in Thea city of swan. The libs now have the balance of power we should get the deputy Mayoral position and be able to cause Rita and Jess Shaw no end of trouble.

They all started high-fiving each other in their little clan text message group. If there is no clearer indication that local government processes have been politicised, it is in the very text messages that they exchanged among themselves—I mean, please! Do not insult the people of Western Australia. Honestly, I know it is 700 pages long—I have read them; I am a bit of a geek like that—but it makes for some pretty good reading and it highlights how chauvinistic the Liberal Party is towards the people of Western Australia. Then, blow me down, once they got control of the City of Swan, they started moving motions to scuttle the most transformative public transport project that has ever been delivered to the people of Ellenbrook: the Morley–Ellenbrook line. They used their control of the City of Swan to start moving motions to deny the people of Ellenbrook the public transport connectivity that they have been crying out for for decades and to deny the people of West Swan access to train stations. Those people do it all the time. That is what happens in the City of Swan.

Just while we are on preferential voting, I was very concerned when in a recent by-election, the City of Swan moved to make it an in-person only election, which completely disenfranchised the people in the Altone ward. It led to the lowest voter turnout in the City of Swan that we have seen in many years, if not ever. I was very concerned to hear rumours about Liberal Party–aligned councillors in the City of Swan now pushing for all council elections to be in-person only. I actually questioned the Minister for Local Government about this when we were being briefed on this bill because, again, members opposite are trying to disenfranchise people. They love it that they can get their little clan-aligned people to turn out in person. By removing the postal voting process, they would disenfranchise thousands of people in the City of Swan. The former Mayor of the City of Swan apparently said that if he had his way, he would run the City of Swan like a benevolent dictator. That tells members everything they need to know about the Liberal Party and how its mates view local government as an instrumentality to wield against this democratically elected state government and the agenda that it is prosecuting for the people of Western Australia—absolutely shameful!

The second key reform is about the direct election of mayors for large local governments. I really hope that the people of Swan Hills are paying attention to this. Introducing direct election will mean that we all have a say. It will not be left to councillors to vote for mayors. There is a bit of a saying in politics that the people always make the right decision. I can tell members that councillors for the City of Swan have not always made the right decision, and my constituents, the ratepayers of the City of Swan and our communities are the poorer for it. One reason the direct election of mayors has been introduced is to give people a direct line of sight, visibility and media attention on the process, because usually it is hard to get that, particularly when councillors are brokering amongst themselves for the mayoral position. That is not always the case and during my time as a member of Parliament, I have worked with excellent mayors and great shire presidents, but I have seen the good, the bad and the very ugly. I have witnessed personal conduct that has drawn the attention of the press. It has also given ratepayers an insight into people’s values and their suitability to hold public office. As we move forward to October 2023, I really hope that the ratepayers of the City of Swan do their due diligence.

Interestingly, if I google “Shire of Mundaring president”, I get three pages of results and only one article that mentions the Shire of Mundaring president and his support for the Wooroloo bushfire recovery. I will compare the pair. If I then google “Mayor of the City of Swan”, I get dozens of articles, many of which are about positive things, but the eleventh article talks about a mayor who was forced to apologise after labelling councillors “only housewives” and “batshit crazy”, and also accusing councillors of being just employees of the Labor Party—I actually think that makes someone pretty good, but, you know! One does not have to go far before seeing media attention. Further down there is an article about the current mayor and his support for healing after the Wooroloo bushfires, and still further down is an article outlining how a former City of Swan mayor had to apologise for calling a young boy at a citizenship ceremony the next “darker skinned Nat Fyfe”. I am as aghast as other members are. It is disgraceful. The people always do get it right, if we accept that premise, but council has got it wrong in the past. As I say, our community has been the poorer for it. We need to keep moving forward with direct elections. We need to elect a mayor who is committed to delivering, who can work with the federal and state governments and who will act with integrity and not abuse their position.

There are a few other provisions in the Local Government Amendment Bill 2023 around standardised meeting procedures and the video and audio of meetings, which will be good, because if anybody takes the time to look at the way that the City of Swan has conducted itself, they will see that it has a heap of problems and is completely dysfunctional. I want to assure my constituents that this dysfunction will be addressed.

The next tranche of reforms will contain a heap of provisions about wards and councillor misconduct. I draw the house's attention to the City of Swan's register of complaints. Between 2015 and 2019, there was one complaint a year. In 2020, when there were real issues around the leadership of the council, there were 13 complaints. In 2021, under a new mayor, it was back to one complaint. It is worth having a look at the councillor conduct complaints register for the City of Swan to see the sorts of complaints that were made about certain behaviours. According to the Local Government Standards Panel, in 2019–20, the City of Swan had the second largest number of complaints behind the City of Cockburn, accounting for 17 per cent of all complaints lodged. Twenty-five councils had one or two complaints, but the City of Swan sits there with 17 per cent of all complaints lodged. The mediation of those complaints through that process cost the ratepayers of the City of Swan \$17 500. In the following year, there were another 13 complaints about the City of Swan, which was disproportionately high, covering \$18 500 in sitting fees.

I will briefly clip through the sorts of complaints that were lodged. They include councillors involving themselves in administration matters; abusing their authority; failing to declare interests as to impartiality prior to voting for the mayor; making allegedly derogatory comments about and reflecting adversely on other council members at council meetings; repeatedly interrupting council meetings; calling councillors liars; endorsing Facebook posts that made detrimental comments about councillors; allowing statements about the city's annual budget to be published on Facebook; emailing members of the public to discredit other councillors; making disparaging comments about councillors to the CEO of community not-for-profit organisations; making comments like “batshit crazy” and “just a housewife” about other councillors; making disparaging comments in advertorials, which, in my view, was an absolutely flagrant misuse of the position of mayor; making disparaging comments about the state government in advertorials; and implying that other councillors are racist. There have been reports of assaults in the media. The current mayor has been whacked with a microphone by a ratepayer. This council is dysfunctional.

Debate adjourned, on motion by **Mr D.T. Punch (Minister for Regional Development)**.

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