

**LOCAL GOVERNMENT — AMALGAMATIONS — POLL PROVISIONS**

*Motion*

**MR D.A. TEMPLEMAN (Mandurah)** [5.05 pm]: I move —

That this house —

- (a) condemns the Premier and the Minister for Local Government for allowing, through its forced amalgamation process, some communities in the metropolitan area an opportunity to have a poll under the Dadour provisions in the Local Government Act 1995 about their local council's future, while others have not been given that democratic right; and
- (b) further, supports all affected communities having a right to a poll on their council's future.

**The ACTING SPEAKER (Mr I.M. Britza)**: Excuse me, member for Mandurah. Members, you need to get out of the chamber quietly, please.

**Mr D.A. TEMPLEMAN**: This house has debated numerous motions about the government's forced amalgamation process in the metropolitan area. It has been an elongated, mishmash of goalpost changing, deceitful tactics and deceitful actions by the government and the minister. It has been a flawed process. No economic business case or model has been presented to support its purpose and it is based on a broken promise to the people of Western Australia prior to the March 2013 election.

**The ACTING SPEAKER**: Excuse me, member. I just need to direct you that you cannot call a minister of the Crown deceitful. You asserted that. I am just warning you, that is all.

**Mr D.A. TEMPLEMAN**: I will amend that to a deceitful government.

We know the history of this process, we have gone through it on numerous occasions and I am not going to go through it again. A number of weeks ago, the Local Government Advisory Board made recommendations to the Minister for Local Government about what local government should look like post-2015. The board recommended that a range of councils either merge or dissolve and split into other entities through amalgamation or boundary changes. The minister indicated that he has accepted all but two of the board's recommendations. We have been left with some communities in the metropolitan area affected by the changes to local government that will have an opportunity to take part in a poll through the Dadour provisions of the Local Government Act, which are triggered and enacted when certain things occur. The Dadour provisions were inserted into the act some decades ago —

**Mr A.J. Simpson**: It was in 1974.

**Mr D.A. TEMPLEMAN**: Sorry—in 1974. The minister and Premier argued in previous debates that the Dadour provisions are undemocratic. They have stated that on a number of occasions.

**Mr D.J. Kelly**: That is unlike the upper house.

**Mr D.A. TEMPLEMAN**: Yes, unlike the upper house.

I highlight that the Dadour provisions were inserted into the Local Government Act to allow communities affected by a change to their council entity to have a poll. We know that the poll provisions for triggering a final outcome are set very high. Fifty per cent of the population of the affected area has to turn out to vote in the first place, and then a majority of those that vote have to vote in favour or against the proposition. That outcome is binding. It is quite difficult to achieve that, particularly in metropolitan councils, with higher numbers of resident ratepayers and electors. It is much easier in regional Western Australia to get the turnout. In recent times, we have seen the Shire of Goomalling, earlier this year or late last year —

**Mr A.J. Simpson**: It was 16 April last year.

**Mr D.A. TEMPLEMAN**: Last year, the Shire of Goomalling had a turnout of 90 per cent, or something of that nature, on a proposal to merge with the Shire of Narrogin. With a democratic vote under the provisions, the people of that locality decided that it was not in their interests, or they did not wish to merge with the neighbouring shire. Whether we like that result or not, it was an outcome of the democratic process set out in the Dadour provisions.

In the metropolitan area, however, there are larger numbers of electors. In the local government areas that the minister, through the Local Government Advisory Board, has proposed, we will see councils ranging in elector numbers from—the minister can correct me if I am wrong—60 000 in the proposed new City of Fremantle,

**Extract from Hansard**

[ASSEMBLY — Wednesday, 26 November 2014]

p8879b-8894a

Mr David Templeman; Mrs Michelle Roberts; Mr Dave Kelly; Mr Bill Johnston; Mr Tony Simpson

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which will be the lowest populated metropolitan council, through to the largest council in the Perth metropolitan area, which is the City of Stirling, with over 200 000 electors. The problem, as I see it, and the reason this motion has been moved, particularly paragraph (a), is that the Premier and the minister have allowed a process to exist under which some communities will have a say and will have access to the Dadour provision by the nature of what is being proposed for them, while others will not. As has been given as an example, people in Mundaring will not have access to a Dadour provision poll trigger, while those councils in the western suburbs that will be part of the proposed, but not agreed to, locality of Riversea, would have access to the Dadour provision, because what is proposed for the councils that will be part of Riversea will be subject to the Dadour provision in the act. That essentially means that there are two classes of citizens—those who will have a vote and an opportunity to have a say on the outcome that has been proposed for their council and those who will not.

That is what the opposition and, I believe, a significant number of people in the affected councils have as a particular beef with the government's proposal and its process. In the opposition's view, that is an issue of democracy. Recently, the minister and I both appeared as part of a forum at the Local Government Managers Association conference in Fremantle and had this question put to us. My point to the minister, which I will repeat now, was that there is nothing to be afraid of in allowing those communities that are at this stage disenfranchised to have a say. I believe that that should be enshrined in the legislation, and indeed as a democratic principle. People should be allowed to have a say on their future.

I was unparliamentary during question time when I called my colleague, the member for Swan Hills, an inappropriate name. I was angry that the member for Swan Hills' response to the dismissal of the legal action that was announced yesterday was one of glee. His comments were specifically that—to paraphrase him—it was only a small number of people and they are dissipating all the time. That is a very risky assessment for the member for Swan Hills to make about people who are genuinely concerned about their community. I do not really care whether the number is 100 or 100 000. The principles of our democracy are that people have an opportunity to have a say, and that their concerns should be heard. The interjection that caused me to be inappropriate with my language was based upon the belief of some members on the other side—not all members, but some members—who have accepted the forced amalgamation proposal put by the Premier and by the Minister for Local Government without questioning the legitimacy of the arguments put by many members of the community. To do that was a gross act of deceit, that they are not prepared to accept that some people in the community care about the services their local authority may or may not provide and the identity that that community values.

That is why people in hills communities, in the electorates of the members for Darling Range and Kalamunda, feel very strongly about what is being foisted on them. It is why Mayor Marks of the City of Belmont has expressed concern about the cost to ratepayers of the process that has been foisted on his council. I do not think it is appropriate to be dismissive, as some members opposite have been, because I think to do that is not only dangerous—some would say stupid—but also a flagrant disregard for the democratic rights of people to be heard. People are saying quite clearly that they want a chance to have a say. They want a chance to tell the government what they think of the proposals. Members for Belmont, Kalamunda and the hills areas affected by the proposed changes are disenfranchising their own electors by not allowing them to have a poll and are, in my view, disregarding their right to have a say about their community.

Quite honestly, if they had that opportunity, it would be up to them to reach the threshold of 50 per cent plus one and to get a turnout of voters to have a say and to persuade the community members who turn out that the proposal for their council is either appropriate or inappropriate. Why is the government afraid of letting them have a say? The government is not afraid to give people in Subiaco, Nedlands, Mosman Park or Claremont an opportunity to have a say. They will have a say in this proposal, but the people of Kalamunda and Mundaring will not. As we move towards the next election, the Labor Party will be making a range of comments and releasing, of course, our perspective of local government reform and our view on a range of matters that affect local government. It will refer specifically to the debris that the government will leave us when we come into government in March 2017. We will be very specific with the people of Western Australia about the value we place on local government and on the people who work in local government. They believe in community participation and in democratic rights to determine what their communities look like and in the shared values of their community. Frankly, they will differ in various parts of the state, including in the metropolitan area. People living in the hills treasure a set of values that may be different from the values of those living in Morley, Belmont, inner-city Perth, Bassendean, Bayswater, Lynwood or Gosnells. There will be a range of aspirations, but surely it is the right of the people who live in those areas and the businessmen and women who run businesses there to have a say in what they believe is important to their community. The minister's process is allowing some to have a say but many not to have a say. That is one of the fundamental points of difference between our side and the minister's approach.

One of the peculiarities exposed in one of the Local Government Advisory Board's recommendations is that some new entities will not have a ward system and some will. This is a big concern of mine in a participative democracy. I firmly believe that all metropolitan councils should be mandated to have a ward, a province or a precinct within council areas. That belief is based firmly on a view of community participation and representation. If there are to be councils of 200 000 electors, of 80 000 electors or around 150 000, as is proposed for, I think, the new City of Melville, it is essential that we allow the opportunity for localities within that new council entity to elect one of its representatives to the council. I can guarantee that that will not happen if there is not a ward or a precinct system. The simple fact is that the Robson report referred to, from memory, the politicisation of councils. I think that not having a ward system, a province or a precinct system will encourage more politicisation of big councils. I think it is important that the local netball coach of 20, 30 or 50 years who has been coaching in the locality of Lynwood or Gosnells or who has been the community champion in the newly constituted council of Swan, and who might hail from Mundaring, should have a chance to represent their locality of Mundaring in a new entity. I think the minister is taking a retrograde approach by not requiring that democratic process to be enshrined within the new entities he is creating. I believe it is essential to mandate a precinct or a ward system to ensure that the 16 newly constituted metropolitan councils—we have to see what happens with Riversea, but let us put Riversea aside—the so-called suburbs that the minister says will not change, have an opportunity to be represented fairly. In my view, the Labor Party will put that very strongly as a point of difference because it goes to the very root of community participation and local democracy.

Another issue is that of directly elected mayors.

**Mr A.J. Simpson:** Popular or internal?

**Mr D.A. TEMPLEMAN:** My view is that all the metropolitan councils should have popularly elected mayors. That proposal for the metropolitan area should also be mandated. That is clearly the popular view of many ratepayers to whom I speak. It is not always popular among elected members, by the way, but, quite frankly, that should happen if we are to have participative democracy, a strong ward or precinct system and a mandated directly elected mayor for each of the new council entities in the metropolitan area. The minister might ask: why not do that for all of them? I think—it has been argued very correctly in this place—that there is a very clear difference between the way things are done in regional councils and the way things are done in metropolitan councils. I respect that, but for the new entities, which will have much greater populations, community participation and representation, it needs to be at the forefront of the minister's consideration.

The second part of this motion that I have moved tonight—I will conclude on this—is that this house should support the notion that all affected communities have a right to a poll on their council's future. That is based upon participative democracy and on the key principles of democratic representation. It is heightened as a specific issue because of the process the minister has left us with; that is, some have a right to vote and others do not. The Labor Party firmly believes that if a person or a community is affected by a significant boundary change and/or amalgamation, those people affected by that change have a democratic right to have a say on their future identity.

I will leave it there. The member for Midland needs to speak before the member for Bassendean, who is also keen to speak. I will listen with interest to the other members' contributions and the minister's response.

**MRS M.H. ROBERTS (Midland)** [5.28 pm]: I rise to speak on this motion. This council amalgamation process has been nothing other than a dog's breakfast. I see it as very much politically motivated. The government has made up whatever arguments have suited it to reach the political conclusions it wants.

There is no logic to what the government has proposed. I said many years ago that there was no logic to what was proposed when the Court Liberal government broke up the City of Perth. The current Premier sat there alongside the then Premier, Richard Court, and they said that the only way ahead was to break up the City of Perth because the City of Perth was too big and we needed four councils and not one. We used to have one council that covered what are now the City of Perth, the Town of Vincent, the Town of Victoria Park and the Town of Cambridge. The government cast the old City of Perth in four separate directions. At that time I represented a ward within the Town of Vincent and we asked what the logic was of cutting off Vincent from the City of Perth and having a boundary at Newcastle Street. People who lived in the residential postcode of Perth 6000 were tossed outside the City of Perth boundary despite the fact that their property had been in the City of Perth for more than 100 years. All that was thrown out the window because the Liberal government of the day said that smaller is better and smaller has to happen. It divvied up the City of Perth into four with 20 000-odd people in Victoria Park, 20 000-odd people in Vincent, 20 000-odd people in Cambridge and less than 10 000 on the roll in the tiny geographic town of Perth, which was only a little larger than the CBD. The residential population within the CBD, East Perth and West Perth has increased significantly since then and that is great, but there was never any logic to it. It is about the Liberal government playing politics with local

government every time it gets into government simply because it can. It did not like the make-up of the then City of Perth because in the 1980s the rules were changed so that people who owned multiple properties in a shire could not have multiple votes.

Until the early 1980s and the election of the Burke Labor government, someone who owned six properties in a shire could have two votes for each property and could cast 12 votes. Residents who did not own their house and rented or lived in a Homeswest property got no vote at all. In the 1980s, once the rules changed and we got rid of the multiple votes for multiple property owners, and we enfranchised those people who did not own property in local government elections, we started to get a different kind of person being elected to the council. Until then, the old City of Perth had generally been the preserve of wealthy business people who voted Liberal and were acceptable to them. When I was elected to the City of Perth in May 1986, I was one of only two women out of 28 elected members. There were nine wards with three councillors each and a lord mayor. There were 28 elected people—two women and 26 men. Most of those men were senior in age, wealthy and represented business interests. That is not to say that business interests or older people should not be well and truly represented on a council that represents our city area, but so should women and younger men. We started to see younger men—some of Liberal persuasion—and more women elected to the City of Perth. In the nearly eight years that I was on the City of Perth the number of women grew dramatically. When we concluded, we had about 12 women.

**Ms E. Evangel** interjected.

**Mrs M.H. ROBERTS:** I am not taking interjections from the member for Perth. She is part of the Liberal government that is doing this and part of a Liberal philosophy that consistently interferes in local government to seek some petty political advantage. Breaking up the City of Perth involved enormous costs and a lot of money was lost. It built new council chambers in Vincent. I said at the time that it was a waste of money and guess what? It is somewhat ironic that a Liberal government of a different mould has come back in and said it wants to make these other changes and that smaller is not better. We used to go on about the tiny Towns of Vincent, Victoria Park and Cambridge and the tiny City of Perth, but the Liberal Party at that time said that smaller is better because it saw it to be to its political advantage. Now we are seeing the reverse. Now the Liberal Party is saying that bigger is better because it thinks that now suits its political agenda.

Another thing that occurred at the City of Perth and throughout the state in about 1984 or 1985 is the then Minister for Local Government, Jeff Carr, introduced one vote, one value for local government and said we could not have some wards with very few people and some with many people. The City of Perth had a CBD ward with about 2 500 people on the electoral roll to elect three councillors. The Victoria Park ward, for example, had about 20 000 people to elect three councillors. The North Ward, which was most of the Town of Vincent, probably had 15 000 people on its roll to elect three councillors. The West Ward, in the west of the city, had about 3 500 people on its roll to elect three councillors. These changes took place and we started to get a different result. The Liberal Party is always looking at the politics of it and what is to its advantage.

Today I refer in particular to the issue with the City of Swan and the Shire of Mundaring and what the government is doing. The member for Mandurah has already mentioned the situation with the City of Belmont and the Shire of Kalamunda. For that matter, he also mentioned the City of Swan and the Shire of Mundaring. This is about crass politics and it is very, very wrong. My electorate is comprised of probably about 75 per cent City of Swan and about 25 per cent Shire of Mundaring. Within Mundaring shire in my electorate are suburbs including Greenmount and Helena Valley and part of Swan View. The rest of Swan View is in the City of Swan. The people in Mundaring are not getting a say. Their council will be effectively abolished and absorbed into the City of Perth, without giving them a say. Let us look at the numbers and the basic demographics of Swan and Mundaring. The City of Swan is 1 044 square kilometres—that is huge!—even before any thought is given of joining Mundaring, which is 645 square kilometres. When we add them together, we get nearly 1 700 square kilometres. That is a lot of the metropolitan area and beyond, because the City of Swan goes to Bullsbrook. That is an absolutely huge area to cover.

By way of comparison, a lot of people think that the City of Stirling is a big local government authority and that perhaps we would not want a council to get much bigger than that, but members might be surprised to learn that the City of Stirling is only 105 square kilometres. The existing City of Stirling, irrespective of proposed boundary adjustments, is 105.2 square kilometres. The City of Swan is 1 044 square kilometres and the Shire of Mundaring is 645 square kilometres. That is a combined total of 1 689 or nearly 1 700 square kilometres. It is huge. Imagine trying to campaign over 1 700 square kilometres. It is absolutely huge! Let us look at the populations involved. About 125 000 people live in the City of Swan. That is a lot of people in its own right. I remember when the Court Liberal government thought the City of Perth, which had about 85 000 people when the government broke it up, had way too many people. But the City of Swan has 125 000 people and the government wants to add to it nearly another 40 000 people from Mundaring. I think that

the last census in 2011 showed that Mundaring had a total of 36 000 people living in that shire and the population has no doubt grown since then.

By the time any process occurs, we are surely looking at somewhere in the order of 165 000 people across nearly 1 700 square kilometres. That is huge. If we created a ward system, we would have very large wards. Without adding Mundaring, the Midland ward, for example, which is fairly typical for the City of Swan, is nearly as big as my state electorate. When we consider that 165 000 people could be living in the shire, we are talking about something considerably larger than the federal electorate, and we expect people to get around it! Geographically, it is certainly much larger than quite a number of federal electorates. It is huge. People might ask: what is the point? The point is that Mundaring will effectively be absorbed into the City of Swan. Its residents will not have any say and they are likely to have no representation. In fact, I predict that if the government's current amalgamation plan goes ahead, Mundaring will have a population of precisely zero.

We might ask how that can be. It is because the current government has designed and is supporting a plan to effectively disenfranchise everybody in Mundaring. Earlier in the year I was reading about what would happen if Mundaring was amalgamated into the City of Swan. People were concerned that, on a ward-by-ward basis, they might get only three councillors out of 15 and that would not give them much of a say. Thirty-six thousand people would go from having their own council and a very big say in things, and a ward system and the like, to a mammoth council with only three councillors out of 15. They will ask: How will we fare in that situation? What kinds of decisions will the council make about my neighbourhood if there are only three councillors out of 15? I think they raised some very legitimate concerns. I know that people in Mundaring have raised those concerns with the member for Swan Hills. They have also raised them with me and some of the upper house members. I have looked at some of the material that is available online. I noted some of the comments that people made earlier in the year. A Mundaring resident said —

I have lived in the Shire of Mundaring with my family since 1975. We love the Hills' unique way of life that cannot be replicated in other areas of Perth.

It also has a strong link to the original inhabitants, which is reflected in its name and the maintenance of a special history and culture not to be found elsewhere.

This is why I am taking the trouble to contact you all, to let you know that I am totally opposed to any proposal to abolish the Shire of Mundaring. However, I do support amalgamation with Swan.

It is highly likely that those in high places expect a minimum of feedback from the community, allowing the state government to push through unplanned, unprepared and in some respects, unconstitutional local government reform. This is far from the case and there are many more in Mundaring, who like me feel strongly enough to protest.

The Shire of Swan is already large enough and still growing quickly. It is a contradiction in terms to say that the services, resources etc for the residents of Mundaring will improve if Swan takes over. In fact there are already plenty of complaints from the residents of Ellenbrook re the lack of services provided by Swan as reported in the "Hills Gazette".

...

Of particular importance to us Hills dwellers is the provision of a co-ordinated, localised, professional and highly efficient bushfire protection service as has been demonstrated only too clearly this summer. Abolition of our Shire puts a big question mark against the future protection of our environment and properties.

Let me say this once again—I totally reject any move to abolish the Shire of Mundaring and support ...

I believe that person got a response from the office of the member for Swan Hills along these lines —

You have raised some interesting points. In response to your question *Why can elections not be held prior to amalgamation*—Local government elections across Western Australia run on a two-year cycle—the next ones being October 2015. The date of ordinary elections is determined by provisions in the Local Government Act.

With new local governments commencing from 1 July 2015, it is only necessary to appoint commissioners from this date in cases where an amalgamation has occurred. As noted, for the period between July and October 2015, commissioners will carry out the role of the council, ensuring a smooth transition process up until the election of the new council.

Frank requested clarification on the matter of **poll provisions** from the Minister, who advises the following:

***There have been no amendments to the poll provisions of the Local Government Act.***

It goes on. That was back in February or March. Back in February or March it was anticipated that the City of Swan and the Shire of Mundaring would be amalgamated and that commissioners would potentially be put in place for a short period. That is clearly what the member for Swan Hills believed. He said that he has been in contact with the Minister for Local Government's office. I assume that the Minister for Local Government provided him with that information. But it turns out that there will not be an amalgamation anymore. People in Mundaring will get no say. It is an amalgamation—an absorption.

[Member's time extended.]

**Mrs M.H. ROBERTS:** Mundaring is to be absorbed into the City of Swan. I am about to explain the most scandalous and undemocratic part of the process. The intention is to keep half of the 15 councillors—I think it is seven or eight of them—who were elected at the last election. They were elected on a ward basis for wards solely within the City of Swan. Those people will remain in place under this government's plan. The other half of the council positions will go up for election. There will be no wards at all throughout the whole of Mundaring and the whole of Swan. For any local person who represents, let us say, a ward in Mundaring—maybe a ward in my electorate covering Helena Valley or the like—they have to campaign not just the whole of Mundaring but also the whole of the rest of Swan to have any chance of being elected. They have to campaign 165 000 people from Bullsbrook to Gidgegannup, Ballajura, The Vines, Aveley and Ellenbrook—nearly 1 700 square kilometres. If someone spent \$1 campaigning each person, it would cost \$165 000. If they managed to get it down to 50c an elector for the campaign by maybe sending one joint letter to householders, that would still cost over \$80 000. That is absolutely huge. I think the maximum amount payable to a councillor is \$30 000 a year. We have to question why someone would spend \$80 000 or maybe more to get themselves elected to a position in which they would earn, at most, \$30 000 a year. I do not know how that works out. We are potentially putting a huge impost on people. The alternative is to go with the existing system in which all they get is their picture and a maximum of 150 words, which can go out in the mail to everyone.

The problem for the people of Mundaring is that they are not known in The Vines, Ellenbrook, Ballajura, Noranda, Beechboro or Gidgegannup. Because they will be part of only about one-quarter of the population of the whole shire, there is every chance that those people who have been representing the City of Swan will dominate the election result because only seven or eight positions will be available across 165 000 people. Unless they can develop a profile or get themselves out there, they will not get anywhere. The fact of the matter is that the existing councillors at the City of Swan get a profile right across the City of Swan. That is because the council puts brochures, magazines and annual reports—there are several publications a year—in people's letterboxes so that they can see who their local government councillors are. The people who represent the Swan Valley ward will have their picture in the letterboxes of people who live in the Midland ward and the Ballajura ward, or whatever, and those people are promoted throughout their area. The chances are that if only seven or eight positions are up for grabs, and it is across that huge area, the people who live in Mundaring will not get the three out of 15 councillors that they thought was unacceptable. My prediction is that they will get zero or maybe one councillor. Someone suggested to me that once the council is put in place, it will be able to decide whether it wants to have wards in the future. However, those wards will be absolutely huge. They will be bigger than a state electorate. I question whether people will be willing to campaign across that huge area for a potential \$30 000 a year.

Some people have put to me, and I tend to agree, that this will effectively politicise local government to a much greater degree. People will not be able to just campaign locally and go around to their local schools and get the family to help them letterbox a couple of suburbs so that they can get onto council to represent their interests. In order for people to have any chance, they will need to campaign across the whole shire, and that will be very expensive. It has certainly been put to me that only the major political parties will be able to fund candidates for local government in that scenario. That would be a sad thing. I am not saying that people with a particular political bent should not be involved in local government. I am saying that it should be on an equal footing. Everyone should have a fair chance to be elected. A person should not need to be with a political party to be elected to local government.

What concerns me equally is the issue of vested interests. I suspect that this is the major driver for some people in the Liberal Party. I believe they want to see more development. They do not like little shires such as Mundaring that protect the lifestyle of their residents. If the residents of Mundaring are not given proper representation on the City of Swan council, I do not see how their lifestyle can be protected. I am worried that even if developers do not donate to candidates directly, they will support them indirectly. Developers and companies stand to make millions of dollars out of developments. If the council is able to parcel up and lot up parts of the Shire of Mundaring for housing and development, that will be money in the pockets of developers. It will be in developers' interests to have some pro-development people on council, and they may well back or sponsor candidates for local government. Again, that would be a very sad thing.

I do not see the logic for this. Members have stood in this house and talked about how we need to have fewer local government authorities, because there are too many. This has been the argument from government. We have known in this state for a very long time that there are two levels of anomaly. The first anomaly is that in the whole of the western suburbs, there are absolutely tiny councils. I have always said to the Liberal Party that it should deal with the issue in its own backyard. The real issue has been Cottesloe, Claremont, Nedlands, Mosman Park and Peppermint Grove. The Shire of Peppermint Grove has fewer than 2 000 people, and the other shires have under 10 000 people, or certainly under 15 000 people. If the government wanted to sort something out, perhaps that is what it should have sorted. But that is the very problem that has not been sorted as part of this process. The other anomaly, and the other very expensive part of it, is that there are some tiny country shires. A strong argument can be put for the amalgamation of those shires. Those are the shires that make up the big numbers. Mundaring and Swan, and Belmont and Kalamunda, are all mid-ranking shires in terms of numbers, but this is where the push is on.

I put it to members that it is not about logic. It is about politics. It is about supporting some of the developers. It is about preventing people with parochial and smaller interests from being active in local government. That is a sad thing. I can well and truly understand the frustration that can be experienced when there are one-issue councillors—that is, people who stand for council because they are against a particular proposal in a particular street or suburb—but this is taking it to a ridiculous extreme.

I put it to the minister—I can speak very clearly for only Swan and Mundaring in this instance—that the minister is taking the local out of local government. The election system that the minister is putting in place for the combined City of Swan–Mundaring is a gerrymander extraordinaire. The minister has said that he is not putting in commissioners, he is not having a ward system, and he is not having an election across the whole of the shire. He is going to turf out the whole of the council of Mundaring, and keep in place half of the council that represents Swan, and fill the other half with people who are elected, with no boundaries, from across the whole combination. That is a scandal. It is crooked. It is rotten and crooked. I do not think it is fair. It will be extremely unfair on the people in the Shire of Mundaring. We will have this queer system under which the councillors who have been elected on a ward basis for the various wards in the City of Swan will remain in place, but the other half who are up for election will be turfed out, with no boundaries and no rules—just let us have an all-in election, with no ward boundaries, for the combined Swan–Mundaring council. I have heard of some gerrymanders and some cons in my time, but this is extraordinary. I think the real motivation is that the government wants people with money and means, and with political backing or the backing of developers, to get elected to the City of Swan, which will then include Mundaring. This will be to the huge detriment of the people currently in the Shire of Mundaring, and it should not be allowed to go ahead. The people of Mundaring deserve to continue to have a voice. There is no guarantee in this system that they will get a voice at all. They will just be absorbed into the City of Swan, potentially with no representation.

Minister, I do not think this has been a good process at all. It has gone on for years. The minister has not sorted out the western suburbs. He has not sorted out the country. I will put a rider on that. I am not in favour of forced amalgamations. I am in favour of working productively with people to get a result. The minister could have, and should have, done that. But that is not what the minister has done. What the minister is doing in Belmont–Kalamunda and Swan–Mundaring is just wrong. In our instance, the minister really is taking the local out of local government.

**MR D.J. KELLY (Bassendean)** [5.59 pm]: I am very pleased to speak in support of this motion. I like what the member for Midland has just said. She said that the government is taking the local out of local government. She has a point there. The issue that the member has raised about the size of some of these local governments that will be formed is also pretty relevant. The new amalgamated City of Swan–City of Mundaring will comprise 1 700 square kilometres. If I am not incorrect, I think the total area inside the M25 in London is 1 800 square kilometres. Imagine having a single local government in metropolitan Perth that is as big as the area of Greater London. It is quite extraordinary when we put it that way, but that is what this government is doing.

Madam Deputy Speaker, I was looking for the member for Morley! I am talking about local government and he is running away.

**The DEPUTY SPEAKER:** Order, member! I think that is unreasonable.

**Mr D.J. KELLY:** I was just going to move on to the impact that these local government changes are having on some residents in the suburb of Morley, so I thought the member for Morley might be interested in hearing about that.

I think I have spoken on this issue before, so I will not again go over all the concerns that have been raised, but essentially what has happened to this section of the suburb of Morley is that it is currently in the City of Bayswater, but because of the boundary change that has been put in place by this government, the

residents of that area will move from the City of Bayswater to the City of Swan. They had no idea that this change was going to take place; all the commentary around the boundary change as it was going to affect the City of Bayswater was that the City of Bayswater would expand and take on areas of the City of Swan, the City of Stirling and the Town of Bassendean. It came as a complete surprise to the residents of about 1 000 homes in the northern part of the suburb of Morley to learn that, even though they were in the City of Bayswater, they were going to be forcibly moved into the City of Swan. There was no consultation with them prior to that decision being made, and not surprisingly they are critical of the City of Bayswater because even after the decision was made, the City of Bayswater did not convey that information to them. In fact, the public material put out by the City of Bayswater implied that all of Bayswater was to stay as it was and that it was only going to expand. It came as a complete surprise to those 1 000 homes that they were to be forced into the City of Swan.

The Minister for Local Government will know that more than 300 of those residents have already had one public meeting in a local park and have formed a local action group. They have a website and a Facebook page, and they are ready to fight to maintain their homes in the City of Bayswater. I think they are perfectly entitled to argue that case. They have concerns—I have said this before—about the differences in the rates that will apply, they have concerns about the differences in the services that will be provided, and they have concerns about the potential for the value of their properties to change if they move local governments.

One might say that people are just being a bit funny if they are worried about how a change in local government is going to affect their property values, but I have been told about a resident who recently purchased a business there, for which they took out a bank loan; the bank loan is secured against equity in their residence. They have been advised that if their residence moves from the City of Bayswater to the City of Swan, it will result in a reduction in the valuation of their home, and because their home has been revalued, it will mean that the bank will consider them to have less equity in the home. They have been told that in all likelihood they will lose the bank loan and therefore lose their business. Understandably, those people are distraught about the prospect of that boundary change, of which they had no forewarning, resulting in the loss of their business. They will not have to wait until the house is sold for any change in the valuation to have a material effect; they have been told that because the loan that supports their business is only viable because of the equity in their residence, any change in local government will have a knock-on effect that will result in them losing their business. I say to members opposite that these changes have very material impacts on people.

As I said, these residents have formed an action group and they have a website and a Facebook page. They have organised a second public meeting that is going to take place this Saturday at 11.00 am in one of the local parks. They have invited representatives from the government to attend, and I have been told that so far no representatives of the government have agreed to attend. I understand that the Premier may have other engagements at short notice that might commit him, and that might also apply to the Minister for Local Government, although it would be good if the minister could attend these sorts of local events. However, the residents have been told that no-one at all from the state government will attend that public meeting. Obviously they hope to have people there from the City of Bayswater and the City of Swan, and I will be there, but one would think that it would be nice, if the Premier and the Minister for Local Government are too busy to attend, for the government to send someone to put the government's views at that event. Three members of the Liberal Party in the Legislative Council represent that area, and I understand that they have all been invited, but it is my understanding that, as yet, none of them has accepted the invitation to attend. I know that the residents also approached the member for Morley and that a meeting took place, but I understand that the member for Morley also will not be attending the meeting.

This issue is very important to these residents, and if there is any doubt on the state government's part that this is a group of residents who are highly motivated over this issue, I can assure them that they are highly motivated and highly organised, and that they will put this case to the government forcefully, for as long as it takes. They are at the moment investigating options about whether it is possible for them to put in a submission to the Local Government Advisory Board and they are looking at that option. They are also looking at what resources they will need in order to do that. While they are investigating that option, they are pursuing all other options in order to have this situation remedied.

I want to also raise some very important issues that affect another part of my electorate, and that is the impact of these changes on the Town of Bassendean. The Town of Bassendean has been a local authority for a very long time, and as these changes take effect, the Town of Bassendean will cease to exist. Members would understand that there are some people in the Town of Bassendean who are upset about what has gone on. They are upset not only because they will no longer have their own local authority, but also because of the way this process has developed. Early on, the Town of Bassendean pretty much saw how the government was progressing and it realised that there was virtually no chance that at the end of this process the Town of Bassendean would remain

as a separate local authority, so it was proactive and looked at what its options were. It could have sought an amalgamation with the City of Bayswater or the City of Swan, the two neighbouring localities. Very early on the Town of Bassendean looked at its options and decided it was a better fit with the City of Swan. The City of Swan and the Town of Bassendean put in a lot of effort, spent a considerable amount of money and came up with a proposal for a friendly amalgamation, albeit a somewhat reluctant one for the Town of Bassendean. However, in the circumstances the Town of Bassendean thought that was its best option and the City of Swan was happy to accommodate it. Then what happened? Here is a local authority that does the right thing and negotiates a peaceful amalgamation, only for it to be told by the government through this process to forget about all that and throw it in the bin, the town will be taken over by the City of Bayswater, which is what will happen. People are very bruised by that process. They certainly do not feel as though their points of view were taken into account.

The process is wrong and there are two other aspects of what the government has done that absolutely infuriated many people in the Town of Bassendean. The first is that from 1 July 2015 until the election there will be no representation on the greater City of Bayswater for residents living in Bassendean. From 1 July 2015 until the election sometime in October the new entity will be run only by councillors elected at the last City of Bayswater election. How can the minister possibly say that that is democratic? The residents of the Town of Bassendean will be ruled by councillors who were elected to represent the City of Bayswater. I do not attribute any ulterior motives to those councillors in Bayswater. They did not ask for the situation; they ran at the last election to represent residents in the City of Bayswater. However, as a result of this process they will in effect be the representatives for the Town of Bassendean residents for a period of some months between 1 July 2015 and the election. That is an absolutely appalling situation and it is of the minister's and the government's making. No-one has been able to explain to the residents of the Town of Bassendean why they will effectively be paying rates to an authority that they have no say in because they have had no opportunity to elect people who will represent them. That is the first point.

The second point is that when residents go to that election in October, some of the councillors in Bayswater—I think there are four or five them who were elected in the last election—will not be up for election. They will continue until their terms expire in 2017. Therefore, again, councillors who were elected by residents in the City of Bayswater will be ruling over the people in Bassendean and they will have never gone to an election. That seems to be fundamentally undemocratic. None of the councillors in Bassendean are continuing; they are all getting turfed out as part of this process.

**Ms L.L. Baker:** It's appalling.

**Mr D.J. KELLY:** It is appalling; the member for Maylands agrees with me.

I think there will be eight vacancies created that will be up for election at the October 2015 council election. Those councillors will be elected across the whole city because under this proposal there will be no wards in the new expanded City of Bayswater.

[Member's time extended.]

**Mr D.J. KELLY:** Therefore, a group of Bayswater councillors who were elected via wards in the old City of Bayswater will continue in their positions for another two years and there will be eight new councillors elected in a system in which there are no wards. That concerns people for a number of reasons. First, it will mean that any resident of Bassendean will not be able to stand for election in the new entity even as a representative of a ward of Bassendean or any of the other suburbs that make up the Town of Bassendean. They will have to campaign across the whole of the new City of Bayswater, all the way through that city and now over into the City of Stirling. Residents of the Town of Bassendean not only see that they will lose their own local authority, but they will be put into a local authority that does not even have a ward structure by which they at least get to vote for a ward councillor who will represent their interests in the City of Bayswater, being those of the Town of Bassendean. My understanding of why there are no wards is that it is simply because the Town of Bassendean and the City of Bayswater could not agree on a ward structure, so in the absence of them agreeing, there will be no wards under the government's proposal. That is absolutely ridiculous. Two local authorities are told that they have to amalgamate whether they want to or not and an environment is created in which disagreement and even acrimony is likely, and they are expected to sort out all the details. It is not surprising that the City of Bayswater and the Town of Bassendean could not agree on a ward structure. Under the government's hotchpotch system—calling it a system is probably misleading and gives it too much credit—under this series of chaotic decisions that the government has made that have brought us to this situation, because the Town of Bassendean and the City of Bayswater could not agree on a ward structure, there will be no ward structure. Who loses out? The residents of the Town of Bassendean who feel as though they are losing any semblance of an opportunity to have councillors elected to the new body to represent their interests. I have not heard the government say that it thinks local authorities are better without wards and that is why the government

Mr David Templeman; Mrs Michelle Roberts; Mr Dave Kelly; Mr Bill Johnston; Mr Tony Simpson

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is doing this. I have not heard the government say that at all. It has not mounted a case that says that wards are bad and that is why this is happening. All the government is saying is that it has not put in a mechanism to resolve it in the absence of there being an agreement, that there will be no wards and that people will have to cop it. The minister is desperate; he looks as though he is going to interject —

**Mr A.J. Simpson:** I will just make this point: with a ward structure, we need to go to the Local Government Act that quite clearly explains what has to happen. Every local government has a ward structure. If they wish to vary their ward structure, what they have to do is quite simple: they have to come up with a new proposal, advertise it to the community, and then send it off to the advisory board. When there are no wards, like in the case of Bayswater and Bassendean, if they can come up with an agreement of a ward structure—the member for Bassendean is now smiling at me —

**Mr D.J. KELLY:** That is right because the minister has not been listening to me. I have just told the minister that they cannot reach an agreement on a ward structure. Under the process put in place by the minister, if they cannot reach agreement on a ward structure, there is no ward structure. Who loses out in that, minister? Not the minister and not the councillors who are there. The councillor positions in the Town of Bassendean are being abolished. Who loses but the residents of the Town of Bassendean? They have lost not only their local authority, but also, under the process the minister has put in place, any ability to have a local person represent them through a ward. The minister says to me that it will be okay if the Town of Bassendean and the City of Bayswater can just agree. The minister should have thought about this when he put together this process of forced amalgamations and expected the personalities involved to sort out the details. In this circumstance, for whatever reason, there has been no agreement. What will happen? Elections will be held in October 2015 for eight positions that will stretch across the new City of Bayswater, which will mean that people in the old Town of Bassendean will have to campaign across an enormous area in order to get elected. I share the concerns that the member for Midland raised that asking people to campaign across an area the size of the new City of Bayswater in order to get elected to local government is ridiculous. The cost will be enormous, unless people just put their name on the ballot and hope for the best. If people seriously want to get elected, it will take money. We could say that that will benefit the people who have money. They will be able to mount the election campaigns and get the material printed and do well, and the well-meaning, talented, skilful local who is not as well-heeled will simply, under this proposal, have no ability to get elected because they simply do not have the resources to campaign across such a large area.

The City of Bayswater will not be as big as the City of Swan but it will certainly be big enough. It will be bigger than a state electorate and approaching the size of a federal government electorate. Having not mounted a case that wards are bad, it is simply not good enough for this government to put in place a chain of events in which many elections will take place in October 2015 for councils in a system in which they have no wards. Does the minister think that the people who win those elections and benefit out of that system will reinstate wards? Why would they reinstate wards when they are the ones who have demonstrated that they have the resources, the organisation, the reach —

**Mr W.J. Johnston:** The money and the backers.

**Mr D.J. KELLY:** Yes; they will have the backers and the property developers perhaps—not that property developers ever try to get sympathetic people elected onto local government! It is fanciful to think that the people who have all those things and have been successful in the elections will then sit down and come up with a ward structure and put it to the Western Australian Local Government Association. It is a problem minister that must be fixed now. Unless the minister can stand up and say that he thinks no wards is the right system and argue that case and deal with the issues that we have raised, it is a problem that the minister should have figured out and resolved before embarking on this course, because it is nightmare. As the member for Midland said, we are taking “local” out of local government. We might as well change the name. I do not know what the minister wants to call it, but local government just seems to be the wrong name when councillors will have to campaign across areas as big as a federal electorate.

I will finally touch on the issue why residents in the Town of Bassendean and those in the northern part of Morley who will be pushed from the City of Bayswater into the City of Swan are not getting the opportunity to have a vote on this proposal. One of the first things that people ask about these issues is: do we not get a vote on whether or not these changes take place? I have to say to them that, no, the government has deliberately engineered this process so that they will not get a vote that is provided for under the Local Government Act. People ask: how can the government do that? I say that some people in government are pretty nasty. That is a pretty accurate description. The minister has probably not been called nasty very often, and most people say he is a pretty nice bloke, but he is part of a government —

**Mr W.J. Johnston:** He barracks for Collingwood.

**Mr D.J. KELLY:** He is a nasty bloke if he barracks for Collingwood!

The minister is part of a government, with a Premier leading the pack, that has deliberately engineered this process to make sure that as many residents as possible do not get a vote on the changes the government wants to put in place. When we look at what the minister has done, he has deliberately manipulated the process to deny people a vote that they would otherwise have under the Local Government Act. That is nasty. The minister can smile and be a bit jovial about it and that sort of stuff, but that is what he has done—and the people are very angry about it. They are prepared to express that anger and push that point of view as far as possible and many will not forget what the minister has done.

**MR W.J. JOHNSTON (Cannington)** [6.28 pm]: I rise to support the motion —

That this house —

- (a) condemns the Premier and the Minister for Local Government for allowing, through its forced amalgamation process, some communities in the metropolitan area an opportunity to have a poll under the Dadour provisions in the Local Government Act 1995 about their local council's future, while others have not been given that democratic right; and
- (b) further, supports all affected communities having a right to a poll on their council's future.

I became politically active in the 1980s when there was one thing a person could say about the Liberal Party; we could not say much about them, but there was one thing we could say—that is, that they supported democracy. Apparently, the Liberal Party no longer supports democracy. The way the Liberal Party has deliberately engineered the local government amalgamation process is to deliberately deny democracy for local communities. I do not understand what the Liberal Party has against democracy, but I would have thought that allowing people a say about their local communities and the way they are represented by local government would be a good thing and not a bad thing. I do not understand why that type of democracy is so abhorrent to the Liberal Party and why it has deliberately set out this strategy to remove the democratic opportunity for people in communities. The minister knows well that the community that I represent is abhorred by the decision of this minister to deliberately structure the changes to local government boundaries to prevent these local communities having a say about the future of local government arrangements. I do not understand why the minister is so proud of the fact that he has deliberately constructed these boundary changes to prevent democracy —

**The DEPUTY SPEAKER:** Member, I think, under standing order 92, you have to be careful about the imputation of improper motives.

**Mr W.J. JOHNSTON:** We are making it very clear that we are condemning the Premier. As I understand it, if there is a substantive motion, we are entitled to do exactly that. I am addressing directly the substantive motion that is before us. I am not quite sure how standing order 92 would apply in that case.

**The DEPUTY SPEAKER:** Thank you, member for Cannington; I take your point.

**Mr W.J. JOHNSTON:** Here we have the Liberal Party deliberately structuring its proposals to remove democracy from the people of my community. I am not going to go back over all the reasons for why the amalgamation as structured between the rump of Canning and Gosnells is so negative for the community that I represent. However, I will highlight the fact that it will lead to higher rates and a less responsive local government that will not focus as well as the existing council arrangements focus on the challenges of my community. I have already canvassed those matters, and I want to address the issues directly in front of us today.

It is not as though in this undemocratic approach that the government has deliberately taken in these matters that it can tell us what it is trying to achieve. We have debated previously the Premier's continual raising of the fact that there are more than 130 local governments and that after this reform process there will be more than 120 local governments. It is not as though there will be any significant reduction in the number of local governments. It is not as though this process will address the 2008 Western Australian Local Government Association sustainability report, which found that 82 per cent of local governments were unsustainable; for example, the City of Canning was not one of the unsustainable local governments. It is not as though that is what we are dealing with.

It is interesting to note that I became politically active in the 1980s, and I draw the house's attention to series 3, episode 2 of *Yes Minister* titled "The Challenge". Before I got up to speak, I downloaded the Wikipedia summary of the episode. I googled the words "failure standards yes minister" and although I did not remember the particular episode, I remembered the issue. I will read from the Wikipedia commentary on it. It states —

Hacker concludes a meeting in his office, and is approached by one of the participants, Dr Cartwright, an Under-Secretary who has become an expert in local government (and therefore shall rise no higher in

the civil service). He proposes to the Minister that any future local authority projects must list their criteria for failure before they are given the go-ahead.

The idea of a failure standard is that before someone does something, they say, “If these things happen, that means we haven’t succeeded with our mission.” There can be success standards and there can be failure standards. Of course this whole local government process is completely absent of failure standards; therefore, in that way the government does not have to admit when it gets to the end of the process that it has not actually achieved what it wanted to achieve because it has not told us what a failure is. That means that no matter what happens in local government boundary changes, at the time of the next election in two years the Premier will go to the people of Western Australia and say, “Look, our local government reform has been a great success.” That is because there is nothing to measure it against because the government is too scared to say what it is trying to achieve. That is my biggest and strongest criticism of this whole process. The government will spend \$70 million on this reform process—and what for? What will actually be the change? The government will get rid of 10 local governments. Big deal! If that is what it wants to achieve, it does not have to spend \$70 million. It did not have to spend \$10 million—I think it was—for the strategic visions that were funded by the Department of Local Government and Communities three years ago. That was not necessary. It was not necessary to hold hundreds and hundreds of days of consultation. None of those things meant anything! If that is all the government is about, why did it not say that up-front? The fact is that there is no accountability that a single activity of local government will change because of the process we are in. But today it is our day to debate democracy. As the minister well knows, as he gets plenty of correspondence in the *Canning Community Alliance*, the Canning community is very upset about this undemocratic change.

I point out that the minister and the Premier like to say, “Everybody, after the end of this process, you’re still going to wake up and you’ll still be in your own house in your own street in your own suburb,” and then they put brackets around that and say, “Except for Wilson.” That is because the suburb of Wilson will be split between the new City of Gosnells and the new City of South Park. It will be interesting to see. I imagine that ultimately the residents in Wilson East, which is staying with the City of Gosnells, will resist all efforts to rename that part of the suburb as Cannington. I can tell the minister that none of them would want that. Then of course it will have nothing to do with the minister; it will be for the local government to decide. I imagine it will ultimately be called “Wilson East” and I imagine that the other part of Wilson that goes with South Park will be called “Wilson West” or just Wilson. There will therefore be change to suburb names. I am interested in the member for Bassendean’s comments about 1 000 houses in Morley. I would bet \$100 that part of that suburb will have its name changed as well, and I would bet that other suburbs around the metropolitan area will have their names changed.

I want to continue on to the issue raised by the member for Bassendean about the ridiculous situation that councils will not be democratically representative of their ratepayers. It is just bizarre that in this process the people in the City of Canning who are to be transferred into the City of Gosnells will have no democratic representation on the council for four years. They will have to go through two election cycles because they will not be involved in the next election cycle and will have to wait until the following election cycle and the election cycle after that to get —

**Mr A.J. Simpson:** They won’t be involved in the October 2015 election cycle.

**Mr W.J. JOHNSTON:** I do not know the date that the minister is intending for the new Gosnells to be created.

**Mr A.J. Simpson:** It is by 1 July next year.

**Mr W.J. JOHNSTON:** All right, so they will get into that one. It will be three years then before they have democratic representation.

**Mr A.J. Simpson:** Yes.

**Mr W.J. JOHNSTON:** That is because councillors will be appointed that the current ratepayers in the City of Canning will have had no opportunity to elect, yet they will still be representing the people of the City of Canning. I do not understand why the minister would not, at the first available opportunity, have all the councillors elected. Then all the ratepayers would have a democratic opportunity to elect their councillors. Then some councillors could be elected for a half term and some councillors for a full term. However, that is not the government’s process. The government’s process is to say, “Well, it doesn’t matter that you’re getting taxed without any opportunity for democratic representation. That’s just tough!” I am not sure of the exact numbers here, but I think about 40 000 residents from Canning will end up in Gosnells with its 85 000-odd residents. About one-third of the combined population will have no democratic opportunity to elect their own councillors. That is completely indefensible. There is no possible defence for that undemocratic process—none at all. It is not as though this is the end result of an open procedure, because the Robson review—paid for by the government—recommended that the Cities of Gosnells and Canning amalgamate to form the City of Cannington. Alternatively, if that did not proceed, it recommended that the City of Gosnells be divided between the

Cities of Armadale and Canning, and for the new city also to be called the City of Cannington. The government received that professional advice. If the government wanted to act on professional advice, that is the advice that it should have acted on. Instead, the government came up with a half-baked scheme to reduce its political pain. It picked on the City of Canning because its council was suspended due to an investigation, although the investigation showed that there had been no misconduct by the council. I specifically use the words, “no misconduct”. The investigation showed that there had been a breakdown in the relationships between the elected representatives and the executive, but no misconduct had been demonstrated. The government used the council’s suspension to cut up the City of Canning, because it thought that it would be the council that would fight back the least. Of course, there was such an overwhelming response from the City of Canning ratepayers that the appointed commissioner, Linton Reynolds, did the only thing that he could, having taken the oath that he had, and he represented the interests of the ratepayers and argued against the government’s proposal.

**Dr A.D. Buti:** He’s an outstanding individual.

**Mr W.J. JOHNSTON:** Yes, he is an outstanding individual.

Interestingly, the overwhelming majority of submissions to the Local Government Advisory Board about the City of Canning were that the City of Canning should remain independent. It is not as though the LGAB process was anything other than corrupted. If it had been a proper process and had looked at the weight of submissions and the detail provided to it, the LGAB should not have supported the decision referred to the minister. The LGAB should have supported the views of the local community. At the end of the day, we know the government is not prepared to support democracy because it is scared. The government knows that the proposal that has come forward is not supported by the majority of people in the local area, and it has deliberately structured the amalgamation process to deny local residents from having a say. I think that democracy is a strength, not a weakness. Once upon a time, the Liberal Party would have supported that.

**Dr A.D. Buti:** That was a long time ago.

**Mr W.J. JOHNSTON:** The member for Armadale is quite right; it was a long time ago.

We are left with rates going up, but the government will say that that is not its fault. It will say that it is somebody else’s fault. Have members heard that? It seems to be a familiar refrain from the government. The government says that the Dadour provisions do not apply here and they do not count, and it is proud that the Supreme Court agreed with that. But that is not the issue; the issue is that democracy is a good thing and people should have the right to have a say. Giving people a right to have a say and consulting are strengths, not weaknesses. Even after all this happens, the residents of the City of Canning, in my electorate, as opposed to those in Beckenham and Langford, will be ruled by people they have never voted for.

Finally, there is the issue of the cost of the election process. There will be 125 000 or 135 000 residents in the combined City of Gosnells. It will cost a minimum of \$60 000 or \$70 000 for a person seeking election to send a single piece of paper to all their constituents. If they want to do more than that, they will need to spend over \$100 000 on their election campaign. It is like a federal campaign. There are 42 000 residents, as opposed to voters, in my electorate, so the combined city will have over three times more people than there are in my electorate. That shows the scale of the combined city. I spent close to \$100 000 on my campaign in the 2013 election, and I imagine I will spend more than that next time. Potentially, a person will have to spend a quarter of a million dollars to get onto council.

**Mr A.J. Simpson:** How much does a councillor spend to get on the City of Stirling council, which has 220 000 residents?

**Mr W.J. JOHNSTON:** Firstly, there are wards in the City of Stirling that restricts the demands.

**Mr A.J. Simpson:** There are 220 000 people.

**Mr W.J. JOHNSTON:** But the wards are small, and people have to campaign only in their ward. They do not campaign —

**Mr A.J. Simpson:** They are still 30 000 people.

**Mr W.J. JOHNSTON:** Thirty thousand people is a little fewer than there are in a state electorate, but the minister is talking about three and a bit state electorates.

[Member’s time extended.]

**Mr W.J. JOHNSTON:** If the minister put wards in the City of Gosnells—I will not refer to corridor conversations, minister—it would be a different issue. If the minister required the City of Gosnells to have a directly elected mayor, that would be a different issue. But neither of those things is happening. We are still allowing the use of a ridiculous electoral process. We are the only state in Australia that uses this system to elect

councillors. No-one in the entire country is elected by the system that we use in Western Australia—that is, first-past-the post multimember constituencies. We are the only state that uses that system. It is a system that encourages candidates to combine their resources and run on a ticket. In the debate about the Local Government Act when the member for Bunbury was the Minister for Local Government, I encouraged members to keep proportional representation instead of moving to this ridiculous first-past-the-post multimember electoral system and a member criticised me for being undemocratic. I pointed out that proportional representation is the system that is used to elect members of Legislative Council, and the system used by local governments is used to elect union officials. That is a really interesting issue. It is also the system used to elect company directors. It is appropriate for unions and companies because a board of directors or a union executive is expected to be united, but there should be no expectation for a councillor to follow a ticket. Councillors should make up their own minds on the basis of the material placed in front of them. They should not be doing deals in advance—that is what a ticket is—to all team up together, because that is factionalism. Under the current electorate system, in the local government that we will end up with, a single constituency with potentially 135 000 electors, it will cost tens of thousands of dollars for people to run election campaigns for a job that should not pay them more than about \$30 000. If we end up with full-time councillors, it will demonstrate the failure of local government reform. We should aim for councillors not to have a full-time workload. If councillors end up with a full-time workload, it is a failure of what we are doing. We should ensure that councillors' workloads remain part time. If the Minister for Local Government ends up with councillors coming to him and telling him their workloads are too much and they need a higher rate of pay, it will demonstrate the failure of these reforms—or these changes; they are not reforms. What will happen? I am not picking on the member for Wanneroo, but I will use him as an example of what happens when money is given to candidates for local government elections. Issues were raised in the media about the member neglecting to publicly disclose one of his donations. We can look at the fact that under the state Electoral Act 1907, unlike the Local Government Act, we have to publicly disclose our donations. Under that act, donations are not allowed to be laundered through another organisation, whereas in local government, donations can be laundered through other organisations. Who will make donations to local government councillors, and probably tickets, and why are they forming tickets and why are people backing them? There needs to be far more disclosure of local government donations. At the moment, they are disclosed for a month after the election. It is completely and utterly inadequate. It needs to be properly done in the same way as disclosure is done by political parties and candidates for state elections.

There are all these problems with the local government changes. I cannot call them reforms, because they will not change local governments; they will just change local government boundaries. The minister has heard me say that before. Today I have focused just on those few very important issues, and that is why I join with the member for Mandurah to condemn the Premier and this minister for their anti-democratic behaviour.

**MR A.J. SIMPSON (Darling Range — Minister for Local Government)** [6.51 pm]: I thank members opposite for their contributions to the debate. Yet again we are debating during private members' business the reform process for local government. It has been a long process to get to where we are today. I have lost track of the number of reports on local government and, more to the point, on the local government reform process. Western Australia currently has 138 local governments, with 30 in the metropolitan area. In the post-war period, relatively few local governments have been established. Kwinana was established in 1953; Cambridge, Victoria Park and Vincent were established in 1993; and Joondalup was established in 1998.

There have been a number of investigations into how we can have good local governments in Western Australia. It started back in 1953, with a departmental report on metropolitan boundaries recommending a reduction in the number of local governments to 11 or 19. In 1968, the local government assessment committee recommended a statewide reduction in the number of local governments from 144 to 89. In 1972, the local government boundaries commission recommended a reduction in the number of metropolitan local governments from 26 to 18. In 1974, a royal commission on metropolitan boundaries recommended a reduction from 26 to 18. In 1996, there was the report of the statewide Structural Reform Advisory Committee. In 2006, the Local Government Advisory Board statewide examination of structural and electoral reform identified the need for some amalgamations. As members can see, there has been a lot of talk about local government reform in this state since 1953, and even prior to then, to try to find what is a good local government.

A number of issues were raised by members opposite and I want to put a couple of things on the record. The words they used were that the government has engineered the process. I have been very clear in this house on a number of occasions when I have said that in no way, shape or form have I changed anything in the Local Government Act. I have used the Local Government Act 1995 to do what has been done to date. It is interesting that of the 16 recommendations from the Local Government Advisory Board, only one has been mine; the rest are part of the sector's proposals. Quite clearly, 38 proposals were to be reviewed in that process by the Local Government Advisory Board, and nine were for a boundary adjustment and six were for amalgamation, including the five for Riversea and two for the amalgamation of Perth and Vincent, which we are not going ahead with at the moment. Of the ones that I have accepted, six are for a boundary adjustment. By

5 December, we will know which of those six will go to a poll. The department will go through that process to work out when the poll will be held. It has 28 days after the announcement of an amalgamation was put in the paper to get it to me, so by 5 December I will know which of those six will go to a poll.

**Mr D.A. Templeman:** Is there a time limit for the last date that that poll can be held?

**Mr A.J. SIMPSON:** Yes. I have to work under the Western Australian Electoral Act. It is very similar to a local government election. There is a certain time frame in which the Electoral Commission needs to get things in line, such as advertising that there will be a poll and the closing day of the roll so that people can get their name on the roll. The commission will tell me that it cannot happen before this date, but we are still working through that process at the moment.

The member touched on the issue of the poll provision. It is amazing how they came up with the poll provision in 1974. I want to put this on the record so that we understand what we are talking about. I will use the analogy of a local government with 20 000 people. Of the 20 000 people, 50 per cent have to vote—that is, 10 000 people. Of the 10 000 people who vote, 5 000 plus one must vote no. Quite clearly, 25 per cent of those people will make a decision about whether the local government will move forward. That is the part that I do not think is democratic.

**Mr D.A. Templeman:** Can I just challenge you on that? Follow that logic. All councils are undemocratic because rarely do you get a turnout of over 30 per cent.

**Mr A.J. SIMPSON:** That is correct. The member is talking about non-compulsory voting for local government elections versus making it compulsory for 50 per cent of the people to vote for a poll provision to work. It is quite interesting. In one case, it is not compulsory to vote to get elected, but in the other, it is compulsory to get 50 per cent of the people to vote. It is an interesting point to talk about. Going back to the point that of those 10 000 people, 25 per cent, or 2 000 people, will vote no, a local government would run a no campaign—they will all do that now; they will all get involved in the campaign to vote no—but all it would have to do for a yes campaign is to tell people not to vote. If they do not vote, they will be voting yes. The local government needs a no vote by 10 000 people to make it work. In reality, the yes campaign will be for people not to vote and the no campaign will be for people to vote. That is where the problem is with the whole system.

**Mr D.A. Templeman:** So why are you so scared to bring in amendments to delete the Dadour provisions from the act?

**Mr A.J. SIMPSON:** I still believe that the poll provision is not democratic. I do not believe this system has been thought through in any way, shape or form if only 25 per cent of people will have a say about the whole local government. The member may recall when we talked about removing that provision. The other proposal on the table for a new identity was for everyone to have a say, and I think that is a far more democratic process. In the case of councils A and B, they would go to a poll on a new identity. This is the problem with the poll provisions. We have not changed the Local Government Act in any way, shape or form. I have used the tools and the levers in that act to get to where we are today.

There was a fair bit of argument about whether a boundary adjustment can be done for a whole local government. That is a contentious issue. As we saw yesterday in the Supreme Court, the Chief Justice made it quite clear that we can do that. It is in the act, and I have always stated that it is in the act. Local governments will argue that it was only for a boundary adjustment for a local paddock, a street or a suburb; it was not for a whole local government. However, it does not state that in the act. It quite clearly points out that we can do one or the other.

The ward structure is also causing a fair bit of grief in the wider community. The Local Government Act quite clearly states—a lot of local governments are going through this process—that if a local government wishes to vary a ward structure at one end of the local government area and not the other due to population growth, it will have to advertise the new ward structure in the local paper and put it out for comment to the community for 42 days. After that time, the council could come together and send the new ward structure to the advisory board, which would sign off on it and then I would sign off on it, and that would become the new ward structure at the next general election. In the case of these boundary adjustments, at the end of the day, I cannot put in place a ward structure; it has to come from the local government. The act is quite clear that the local government has to advertise the ward structure. Now that the announcement has been made, a lot of local governments have approached the department about a ward structure and we are working that out now. Now that the local governments know that they are coming together, they can work together and move motions to work out a ward structure. They can advertise it and if they get it back to the department by March next year, we can get it signed off and locked in for the October elections. However, that is up to the local governments; they have to work together.

Mr David Templeman; Mrs Michelle Roberts; Mr Dave Kelly; Mr Bill Johnston; Mr Tony Simpson

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**Mr D.A. Templeman:** Do you have any concerns about the time lines, because the time lines are getting very tight?

**Mr A.J. SIMPSON:** No. I am quite confident that the time lines will be fine. The 1 July date is just a date on a piece of paper that states that councils A and B will be council C. In reality, the identities will still be running it, because they will have two years to work out how those assets will be brought together, to work through a workforce plan and to work through the process, keeping in mind that the first job of the new local government that is elected will be to pick a new CEO. It will have to advertise in the community for a new name. The member may recall that Victoria Park was initially called Shepperton and then the community picked Victoria Park. It will have to go through that process and, of course, consult the community about the logo and the colours.

Debate adjourned, pursuant to standing orders.