

LOCAL GOVERNMENT AMENDMENT BILL 2023

Second Reading

Resumed from an earlier stage of the sitting.

MR D.A.E. SCAIFE (Cockburn) [3.52 pm]: Before question time I was speaking on the virtues of optional preferential voting being introduced to our local government system here in Western Australia through this bill, and one of the attacks that has been levelled against optional preferential voting is that it somehow facilitates party politics in local government. As I explained, that is not the case. In fact, I quoted the former Liberal member for Ocean Reef, Hon Albert Jacob, who said that he thought the concerns about optional preferential voting leading to party politics in local government were overblown. The other point I want to make is that I do not understand what is inherently wrong with allowing party politics in local government. I know we do not have the same system as in, say, Queensland or New South Wales, but in my view, the idea that people who are politically active and are politically engaged in their communities and associate with people who share similar values, concerns and ideas about how to address issues should want to get involved in local government in an organised sense is not at all problem; it is to be expected. As I outlined previously, we already have examples under the current system of tickets being run and teams campaigning together for multiple vacancies.

Although I will not get an opportunity to respond to contributions made by opposition members if they invoke these concerns about partisan politics in local government, I want them to squirm while they are making their points and I want them to bear in mind the points I have made, which are not ideological positions but commonsense positions based on the way the optional preferential voting system works, and has worked for a long time, in Australian politics. They should also reflect on the fact that they have plenty of people in their own ranks who have run for, or have been elected to, local councils and who either openly, or in some cases not so openly, have declared their political affiliations.

During question time I was quickly going through some of the councils in Perth and I saw that Jesse Jacobs is a councillor with the City of Canning. Of course, Jesse Jacobs has run against the member for Cannington for the Liberal Party in previous elections. Tony Krsticevic, the former member for Carine, is currently a councillor with the City of Stirling. Peter Abetz, the former member for Southern River for the Liberal Party, is now on the City of Gosnells council. I have mentioned Hon Albert Jacob, who is the Mayor of the City of Joondalup and former Liberal member of this chamber. There is Rod Henderson, who is a councillor for the City of Swan and, from memory, ran against the member for Swan Hills in a previous election. People sometimes refer to places in politics being a departure lounge. In some respects, these local governments look more like greener pastures where people have been put out to live out the end of their lives, so washed-up Liberal politicians have decided that after they have been kicked out of this chamber —

Mr J.N. Carey: There are no politics in local government—Liberals or Nationals!

Mr D.A.E. SCAIFE: No, minister, there are no politics in local government except for washed-up Liberal politicians who have been booted out by their electorate, need a retirement plan and decide they will get on the local government bandwagon. Other than that, the minister is right; there are certainly no politics on the conservative side in local government!

[Member's time extended.]

Mr D.A.E. SCAIFE: I want to reflect on where preferential voting comes from in the history of Australia. Again, this is a point I want opposition members to squirm their way through, if later on they start talking in opposition to optional preferential voting. Preferential voting is unique to the Australian political system, but it was not an invention of the Labor Party. Preferential voting in Australia was an invention of the Country Party, the forerunner to the National Party, in collaboration with the then other conservative party, the Nationalist Party, which later merged to form the Liberal Party. The Labor Party is not the architect of preferential voting in this country. Do members know what the catalyst was for preferential voting? I will see whether the members for North West Central or Roe know what the catalyst was.

Mr P.J. Rundle: No, I do not believe so.

Mr D.A.E. SCAIFE: No, they do not know. It was the 26 October 1918 Swan federal by-election. In that by-election the Labor Party polled 34.4 per cent of the primary vote, the Nationalist Party—so not the National Party—polled 29.6 per cent of the vote and the Country Party candidate polled 30.4 per cent of the vote. Because at that time first past the post was applied, Labor's candidate, a 21-year-old bloke called Edwin Corboy, with 34.4 per cent of the primary vote, became the first Labor member elected for the division of Swan in the federal Parliament. What was the solution to that? The Nationalists and Country Parties got together afterwards and said, "This is not fair; this is not right—that somebody who got only 34.4 per cent of the vote should be elected to our federal Parliament, so we are going to find a way to fix this." They thought to themselves: "I know—preferential voting!" The Country Party

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actually came up with preferential voting because it did not want to see a repeat of what happened in the Swan federal by-election in October 1918.

When members of the opposition come to do their critiques, I really hope they are brave or stupid enough to rail against optional preferential voting on behalf of whatever captured cohort of conservative councillors are telling them to rail against it, because they will need to squirm their way through the fact that the original architect of preferential voting in Australia is the National Party. If members of the opposition want to explain why optional preferential voting is not good enough for local government, they should also explain why it apparently has been good enough for the National Party since it was called the Country Party more than 100 years ago. That is my challenge to the opposition.

I want to run through another good reason for optional preferential voting—that is, the ability to backfill positions when there is a vacancy. Under the current system when there is a casual vacancy there is no way to conduct a countback to establish who is the next preferred candidate. Because everybody gets just a tick next to their name, there is no way of weighting voters' preferences.

There have been two vacancies in the east ward of the City of Cockburn in just the last two years due to serving members resigning their positions. I make no criticism of those councillors. They have their own circumstances and have to make those decisions. As a result of the first vacancy, an extraordinary election had to be run. That costs tens of thousands of dollars. In fact, in the case of an extraordinary election to fill a mayoral position in a large metropolitan council the costs can be hundreds of thousands of dollars. That is an absurd cost to ratepayers to rerun an election that may have taken place 12 or 18 months previously. Under an optional preferential system, the Electoral Commission will be able to conduct a countback, as it does for casual vacancies in the Legislative Council, for example. It is clearly a preferable system that does not put on ratepayers the cost of filling vacancies. We will be able to simply go through the countback to see voters' preferences and who the next preferred candidate is and backfill the position.

In closing, I want to touch on two matters. The first is the inclusion in this bill of parental leave for councillors. I really commend the minister and the government on including provisions for parental leave in this bill. It is a cause that has been championed by many councillors and advocates over the years, but I want to particularly acknowledge former Councillor Lara Kirkwood. She was a councillor with the City of Cockburn until she stepped down recently. Lara had her beautiful baby Hunter not so long ago and, at the time, was surprised to find that the process for getting parental leave was not particularly clear and somewhat arduous. She essentially had to apply to the council itself for that leave. I accept that granting parental leave to councillors is not the same as granting parental leave to employees. Councillors, like members of this chamber, are not employees; they are elected representatives. In many cases, the job of being a councillor is not a person's full-time job; they may have part-time or full-time employment doing another job.

Granting a parental leave entitlement to councillors is not a simple straightforward matter, but having a clear entitlement to and procedure for parental leave for councillors will mean that councillors, particularly women, who have caring responsibilities can be given permission to take off time from their role and time out from the stresses of being a local councillor to focus on their family and caring responsibilities. That is important and fits with the minister's and this government's agenda to increase diversity on our councils as well. Some councils are still dominated by men. I think about four local government areas in Western Australia still do not have a single woman on the council. It is increasingly rare but does still exist. Women continue to be under-represented on our local councils. Giving councillors a parental leave entitlement will send a policy message to women that having children, and family and caring responsibilities is not a barrier to participation in local government politics. It should also be taken as a message to blokes who might be councillors to avail themselves of that kind of entitlement and involve themselves in the life of their new family.

As a father-to-be soon, later this year in July, I know that I am going to be confronted with the issue of trying to balance being a representative with being a father. It is something that I am looking forward to, but I know that I am going to have to make some deliberate decisions about my role in this chamber and the community to make sure that I can free up the time and space in my life to be present at home, and that my wife, who I am sure all members in this place would agree is much more important to the prospects of the government than I am —

Several members interjected.

Mr D.A.E. SCAIFE: I do not think anything I have ever said has been so well received! My wife is much more critical to the prospects of this government at the next election than my presence. I playfully refer to myself as being "surplus to requirements" on occasions whereas the same could not be said of my wife, so I need to make some deliberate decisions about being absent from this chamber and from my responsibilities in a way that still I uphold my responsibilities to my electorate, but also uphold my responsibilities to my family. The same principle applies in local government.

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The last issue I want to touch on is the adjustment of the number of councillors to the size of the population. I think this is a really sensible reform. In some councils in Western Australia people are completely over-represented. I think Western Australia has something like one-third of the local government areas in Australia even though we have 10 per cent of the population. People are in many ways over governed by local government because there are so many local councillors to residents and ratepayers. It is really sensible to have some kind of yardstick that more sensibly adjusts the number of councillors to the number of residents and ratepayers.

I represented the minister at a forum held by the Fremantle Network last year at the Local Hotel in South Fremantle. I have to say, I was little bit nervous about presenting on this proposal to the group because Fremantle council is a council that will have to make some adjustments, but it was well received by the audience. I have to be honest with members, going back to my comments at the start of my speech, the only people who really seemed to have a problem with it were local councillors themselves. Again, I send a cautionary note to local councillors to not spend their time advocating on issues that affect only them and their circumstances and spend more time advocating on issues that affect residents and ratepayers, which is the job that—like us in this room—they are elected to do. I think that is a really sensible change that will make sure that people are not over governed and there is no longer a ridiculous ratio of residents to representatives. It is a good reform that complements all the good reforms in this bill. On that basis, Deputy Speaker, I commend the bill to the house.

MS A.E. KENT (Kalgoorlie) [4.07 pm]: I rise today to provide my input on the Local Government Reform Amendment Bill 2023. Firstly, I would like to commend the Minister for Local Government for having the foresight and drive to tackle a different and potentially controversial reform agenda.

Local governments are different entities. They are sometimes the last bastion of democracy in a town or city. There would not be many areas where very difficult and unpopular decisions have not been made. It is therefore fantastic that the McGowan government is delivering the most significant reforms to the system of local government in Western Australia in more than 25 years.

This bill will deliver a range of reforms to create greater transparency and accountability for ratepayers as well as cost savings and efficiencies for local governments. The reforms were subject to an extensive public consultation process, enabling some of them to be refined to get the best possible outcome. At the heart of these reforms is the intent to strengthen how local governments work together to deliver to communities across Western Australia. The core reforms to the Local Government Act 1995 will update the principles to include standardised procedures for council meetings across the state, a range of new mandated transparency measures to provide increased access and greater public confidence in the operations of local government, reforms to simplify council planning, the introduction of optional preferential voting to bring local government elections more in line with state and federal elections, and other changes to make local governments more consistent and efficient. Other significant reforms, including a new local government inspector, are being progressed but are not part of the Local Government Amendment Bill 2023.

I would like to use this time to highlight how these reforms will assist with transparency and accountability in my electorate of Kalgoorlie. The first elements that I would like to touch on are the establishment to recognise Aboriginal Western Australians; underlining the importance of considering sustainability, climate change and intergenerational issues; and the promotion of collaboration between local governments.

We are about to have a referendum to alter the Constitution so that it establishes an Aboriginal and Torres Strait Islander Voice, which is long, long overdue. Critically, these important principles have been drafted in recognition that every local government must consider the unique and specific conditions within its district.

This bill also delivers on formalising tiers of local governments, recognising the immense diversity of the 139 local governments that operate under the Local Government Act 1995. There are huge differences between the local governments across Western Australia, from metro councils with more than 200 000 residents to rural shires with only a few hundred people living in the district. Some local governments have more than 1 000 staff while others run with fewer than 30. These changes mean that regulations can set different requirements for larger and smaller local governments. For instance, financial reporting requirements can reflect the size and complexity of a local government's operations. Regional shires do not operate with the same level of complexity that many metro local governments do. It is important that regulations can be matched to the size and complexity of local governments. The McGowan government is committed to reducing red tape for local governments. I know that the smaller local governments shires in my electorate will be grateful for this.

The key reform that has caused the most discussion in the City of Kalgoorlie–Boulder in my electorate is the reform to better align the size of councils across Western Australia with the population of a local government's district. The bill sets limits based on a local government's population. A local government area with a population of up to 5 000 will have five to seven councillors, including the president; a local government area with a population between 5 000 and 75 000 will have five to nine councillors, including the mayor or president; and a local

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government area with a population above 75 000 will have nine to 15 councillors, including the mayor. This was a recommendation of a panel report to government in 2020. These values were also refined through public submissions. The reality is that Western Australia is over-governed. There are more than 1 100 council members across Western Australia.

Councils typically work best when all council members can work through differences of opinion and find consensus on how best to deliver for their local community. There are cost implications of a higher number of elected members in that it costs ratepayers more money. Put simply, this bill will provide consistency in representation and formalise the link between the number of electors and council members. This reform will mean that the City of Kalgoorlie–Boulder will be reduced from 12 councillors plus the mayor to eight councillors plus the mayor. In pure monetary value, this will result in a saving of \$126 712 in elected members' salaries and fees to ratepayers each year.

I will provide an overview of how this was received by the council in Kalgoorlie–Boulder. At a special council meeting in August 2022, councillors were asked how they would prefer to cut current numbers. The minister presented each local government with the opportunity to indicate whether they would like to take a voluntary or reform election pathway before the bill's introduction. The voluntary pathway would include reducing councillor numbers by at least five at the next two elections by electing four councillors rather than six, as well as the mayoral position. Under the reform election pathway option, all council positions would be declared vacant. Much has been said in the media about how this was dealt with in Kalgoorlie–Boulder. Last year, the minister said that the state government's intentions and his reform agenda were clear. He also stated that the City of Kalgoorlie–Boulder was over-governed. The minister's comments came after the mayor argued that determining Kalgoorlie–Boulder's elected member representation based on population discounted the unique parameters of the goldfields council's responsibilities. The minister stated —

... we are strengthening the transparency, accountability and efficiency of local governments, and this set of electoral reforms will enable fairer local democracy and community engagement.

Who can argue with that? In December last year, when it came time for a decision on what Kalgoorlie–Boulder councillors would prefer to achieve the cull, they failed to reach an absolute majority. Five councillors voted for a spill while five hoped for the change to occur over two elections. Their indecision came after locals were asked to have their say about how the extra positions should be removed. The consultation resulted in 72 per cent voting for a full spill. If we fast-forward to three weeks ago, Minister Carey was in Kalgoorlie–Boulder and he was questioned about the position of the councillors. He made it very clear that the indecision of elected members about how to eliminate four seats meant that all positions on the council would become vacant. In addition, the minister said that “while the majority of local governments decided on the transitional option, some chose a full spill—but not many were unable to come to a decision”. The minister is quoted in a newspaper article as saying —

“Kalgoorlie is pretty unique in that it sort of appeared to throw up its hands and say ‘we can't make any position clear’,” he said.

“In doing so, they've effectively made a decision for their community and that decision is they will be spilling a full council. No resolution is a resolution ... I must respectfully say it was pretty clear.

“Most local governments have been able to navigate this. Most local governments have come to a position.

“Kalgoorlie is pretty unique from memory in that it's one of the few councils going through this process that has appeared to have said ‘this is too hard’—well, most other local government have done it.”

The City of Kalgoorlie–Boulder mayor then said that a full spill was probably the best way to go to achieve the reduction, particularly as there had been a lot of negative comments about the council in the community. He said that a fresh start, a new system and new numbers would give the people of Kalgoorlie–Boulder a chance for a fresh start.

Here is the thing. There was a complete backflip, with the mayor now saying that he thought that eight councillors and a mayor is good, and the biggest thing was that he hoped for was that the people of Kalgoorlie–Boulder would turn out in big numbers and cast their votes for a new council. Amen to that!

I have often been critical about the lack of community engagement by some local governments so the community engagement in these reforms is welcomed. Under this bill, every council will need to adopt a community engagement charter. These charters will provide a stronger framework for local governments to engage with people in their district. This is especially important to ensure that public engagement involves a diverse range of voices and is genuinely inclusive. People in my electorate are always asking me about opportunities to engage with local governments about community issues. They have often found themselves without a voice. This bill provides for regulations to set requirements on how local governments are to engage with their community. My community will have that voice. As part of the reforms, the state government is working to introduce the requirement that all local

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governments in bands 1 and 2 must hold a ratepayer satisfaction survey at least every four years. Specific questions that must be asked will be set so that results can be compared between local governments.

In line with this transparency, the reforms will also mandate communication agreements between council members and the local government administration; the requirement for all local governments to publish information through online registers; and the requirement of the publication of performance indicators and results for all local government chief executives. This will provide ratepayers with a clear line of sight into how local governments are allocating resources and finances.

This bill is a major milestone in the delivery of the McGowan government's local government reform, which is the biggest set of changes for more than 25 years. Work is also continuing on the next tranche of legislation, which will establish the new local government inspector and monitors. The inspector will overhaul the oversight of local government across Western Australia and will have strong powers to investigate and respond to dysfunction in local governments. Together, the inspector and monitors will enable problems within local governments to be addressed at a much earlier stage. For example, if there is a breakdown of professional working relationships within a local government, the inspector will be able to send in a monitor with specific mediation skills to address the conflict. How I wish that had been available two to three years ago! Make no mistake, this government is delivering positive local government reforms that will benefit ratepayers across Western Australia for decades to come.

I have been vocal in this house on issues and concerns I have had previously with the City of Kalgoorlie–Boulder and I look forward to seeing these important local government reforms being implemented. I believe that the City of Kalgoorlie–Boulder's council and staff, and its community, industry and businesses, deserve the transparency and accountability that these reforms will bring. That is worth repeating—transparency and accountability. It is essential that every dollar spent in local government benefits the ratepayers and small business and is transparently accounted for. These reforms have been a long time coming. I am pleased to commend the Local Government Amendment Bill 2023 to the house.

MR S.A. MILLMAN (Mount Lawley — Parliamentary Secretary) [4.21 pm]: I thank the member for Kalgoorlie for her contribution. I was hoping to get a bit more of a history lesson on optional preferential voting in your contribution as well, Acting Speaker (Mr D.A.E. Scaife), but I was pleased to learn of the key and critical role that the conservative parties played in implementing that particular reform, and I had hoped that they would take up your invitation, Acting Speaker, to address the chamber more fulsomely on if and why their position has changed this time around.

I want to make a few brief comments about the Local Government Amendment Bill 2023. This is incredibly significant reform. Within the state of Western Australia, local government plays not only an important part in governance and democratic arrangements, but also a key role in the delivery of services and representation of its citizens. This is why we need to make sure we get the reform process and the regulatory framework right. If we do not, then local government reform can be a source of great aggravation and frustration on the part of the broader community. In bringing forward such significant reform, the Minister for Local Government should be commended for the deliberate and methodical way in which he has done this. That is to be cast in stark contrast with the bungled council amalgamations of the previous Liberal–National government. During the time of Barnett Liberal–National government, it was obvious that the area of local councils needed attention; it needed a laser-like focus and significant change. When we look at some of the things exposed by the *Report of the inquiry into the City of Perth*, which for many people now is just a memory, we can see that the state of Western Australia was crying out for local government reform. The former Liberal government had the ability to spot the problem. It identified the problem and it knew that local government needed reform, but it was completely incapable of delivering appropriate, methodical and reasonable reform. It went about reform by advocating for council amalgamations in a way that significantly alienated the population and completely undermined their efforts to get those reforms through. Since the McGowan Labor government was first elected in 2017, we have seen that when it undertakes significant reform, it does so in deep collaboration with the affected communities. It makes sure that the consultation processes are in place and that the communities of interest are heard. It is true to say that when we engage in consultation and collaboration, not every stakeholder is going to be ecstatic. Not every stakeholder will say, "That's exactly what I wanted to have happen." Consultation is not a veto on sensible reform. To the extent that there are a minority of voices singing out in opposition to these reforms, they have had their opportunity as part of the consultation process to express their view. That is their opportunity and their right. Our corollary duty as a government is to make sure that we consider those perspectives and then arrive at the most sensible and efficacious outcome. It is in that process that this minister, together with his department, has done an excellent job.

This reform has been a long time in the making. The consultation and review process ran from 2017 to 2020. It was an extensive review that includes the Local Government Act review process, the *Local Government Review Panel: Final report*, the *Report of the inquiry into the City of Perth*, the Select Committee into Local Government's *Final report: Inquiry into local government* and also engagement with ratepayers and the community directly.

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One of the most salient features of this reform package is that it now speaks to the participation of all citizens in the democratic and local government process. It results in a greater democratisation of how that third tier of government works.

A number of reforms introduced by virtue of this legislation will do away with what I would call the squeaky wheel, the loudest voice or the dissent community member who disrupts a council meeting for no good purpose. It is that tiny minority who cry loudest but who do not represent the broader views of the community. The new meeting requirements and regimes in the powers contemplated by this legislation will impose penalties or offences for those people who deliberately and repeatedly disrupt council meetings. This means that a more orderly and respectful democratic process will be able to be undertaken at council meetings. That is the first thing.

The second thing that this bill will introduce is optional preferential voting, which you, Acting Speaker, touched on. I do not need to touch on the importance of optional preferential voting because of your contribution. Whenever I speak to voters in the Mount Lawley electorate, they like the fact that they will have that choice of optional preferential voting. It tends towards selecting candidates who are not single-issue candidates but who run on a platform of working across all portfolio areas for which local government is responsible. It gives us more mature, sensible and pragmatic councillors on local council and it avoids the capture of single-issue minority candidates. We end up with a broader representation of the community. Not everyone is completely satisfied, but more people are more satisfied. We have a greater good for a greater number by virtue of the introduction of the optional preferential voting.

The second advantage with optional preferential voting is that, in theory, one is hopeful that because it is more closely aligned with the voting system used at state and federal elections, we will get greater participation in local council elections and a higher valid vote at both local council elections and state and federal elections that use a similar voting system. When it comes to local council elections and participation in the electoral process, one of the frustrations that I have in the electorate of Mount Lawley is that the turnout rate for voting in local council elections is very low. That is the case across the seat of Mount Lawley, whether it be in the City of Vincent in the southern part, the City of Bayswater in the northern part or the City of Stirling that takes up the majority of the seat. All the services delivered by local council, both on its own and in concert with state government, are vital and important community services. They make a difference to people's daily lives, whether it be the local library, the local play group or the local sporting facility. It is a source of sadness for me that we do not have more members of the community participating in the electoral process. We can be hopeful that by introducing optional preferential voting, more sensible candidates will run and more members of the community will take an interest in the process as they will know the candidates running for local council because they will have connected with them through the community.

I am hopeful that one of the corollary benefits of this sensible reform is that more sensible people will take on a role in our local council and that we will get more candidates. A couple of elections back, a couple of our councillors on the City of Stirling were re-elected unopposed. They might contend that that was a ringing endorsement of the representation that they provided to the community, but others might say it was a function of ambivalence on the part of voters. I hope that these reforms and this discussion and debate that we are having in the chamber today raises awareness of and participation in local government.

The next thing I will talk about is the role of local government in delivering services. I will talk about the three councils in the neighbourhood that I have the privilege of representing—the Cities of Stirling, Bayswater and Vincent. I commend the councillors and mayors of each of those local councils. Without doubt, they are effective representatives of the local community. I think they are committed to doing what they can to serve the local community. We might not agree on philosophical political matters. I think it is fair to say—the Acting Speaker talked about the fact—that oftentimes, local councils are retirement homes for failed Liberal Party members of Parliament, and that is true. It might also be a nursery for aspiring Liberal members of Parliament. I have had a few of them run against me, which is fine. Unfortunately, they were unsuccessful.

Mr J.N. Carey: But there are no politics in local councils! That's the National Party line—no politics.

Mr S.A. MILLMAN: Thank you for the interjection, minister. I will take the interjection. One of the great things about this reform is that it reflects the reality on the ground. It speaks to what is actually happening. It is framed by reality. It is not head in the clouds or head in the sand reform. Only the Liberal–National opposition could have its head in the clouds and the sand at the same time! This reform is based on what is actually happening, so it takes into account the reality of the situation. The two ward councillors for the ward that I live in are both members of the Liberal Party. They both ran for state and federal Parliament.

Mr J.N. Carey: Have they been successful?

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Mr S.A. MILLMAN: No, they have not, but that is okay. They may be one day. Good luck to them. In the next ward across, one of the councillors who served as deputy mayor was an unsuccessful candidate for the Liberal Party, but they still do a good job. Maybe their level is that local council level. Maybe that is where they are doing their best work; maybe they should stay there.

I will talk about some of the things that the City of Stirling in concert with me as the member for Mount Lawley has worked to deliver for the people of Mount Lawley. I will talk about some of my 2017 election commitments and I will also talk about my 2021 election commitments. Were it not for the resources of the City of Stirling, we would not have the wonderful Alexander Park Tennis Club, and were it not for the existence of the Alexander Park Tennis Club, we would not have been able to contribute \$100 000 towards the upgrade of the facilities there. We have the great Coolbinia Bombers Junior Football Club. I had the privilege of hosting the Coolbinia Primary School P&C at Parliament today; its members did not stick around for question time, so I was not able to acknowledge them then. They had other things to do, unfortunately. But we have Coolbinia Primary School and we have the Coolbinia Bombers. That is a fantastic institution in the seat of Mount Lawley. We provided \$10 000 for the purchase of new training equipment. We have the cricket wickets at the Yokine Regional Open Space. In 2017, we were able to contribute money, member for Morley, to the Dianella football and athletic club on Morley Drive. That reinvigorated that space, made it so much more useful and gave it a new lease of life. We have the work that I did with the City of Stirling on the Flinders Wellington sump. That was a terrible Water Corporation sump on the corner of Flinders Street and Wellington Street in Yokine. As a result of the investment put in by us in concert with the City of Stirling, we have turned that into a beautiful dog park that is now well covered with urban canopy and is a great local community facility. We have invested in the Mount Lawley Beaufort St Community Centre. We have contributed \$5 000 towards the purchase of new toys and advertising equipment for the Yokine Community Playgroup at Ranger Road in Yokine. I was out there with one of the local ward councillors painting the new mural on the front of the Yokine Toy Library. My point is that it is important we have local government representatives who not only speak to their community's values, but also are active in delivering outcomes for their communities.

I turn to 2021. We worked with the City of Vincent to provide \$10 000 towards new picnic facilities for the Banks Reserve upgrade. I have already mentioned the Beaufort St Community Centre. There is the Coolbinia bushland. At Forrest Park, where the Perth Soccer Club trains, we have installed \$130 000 worth of new lights for the Perth Soccer Club, making it a fantastic venue —

Mr J.N. Carey interjected.

Mr S.A. MILLMAN: — for the juniors. That is why I got a shout-out at the WA Italian Club the other week, minister! Because of the money that local councils have invested in those facilities that are used by the Perth Soccer Club, the Perth Soccer Club will now host soccer teams for the FIFA Women's World Cup, because the standard of facilities has been raised over the course of the McGowan government.

I give a shout-out to the Inglewood Bowling and Sports Club—the “Sporties”. Its members are doing a terrific job. There was \$80 000 for the installation of a new flagpole and refurbishment of their kitchen. I give a shout-out to Julian at the Inglewood Mt Lawley Community Garden. People there are doing a great job. There was \$2 500 for gardening equipment. Every time we have an event at the Inglewood Mt Lawley Community Garden, Mayor Mark Irwin comes all the way from Scarborough. He is really passionate about that little Inglewood pocket and he is a really good supporter of the Inglewood community garden and the Inglewood bowls club, so I thank Mayor Mark Irwin for that.

I was at Mount Lawley Bowling Club with the Mount Lawley P&C on Saturday night. It has had \$100 000 towards the installation of new lighting. I will not go through all the local commitments that we have made—I will save some of that for my response to the budget speech—but my point is that a lot of these projects would not have been possible without an engaged, responsible and professional local government. I think that is where particularly the officers and the Mayor of the City of Stirling do a terrific job. But it is also about raising issues that are important to the broader community.

I want to talk about two things. These reforms recognise the role of Aboriginal Australians in decision-making processes, which I think is a really important aspect of these reforms, particularly, as the member for Kalgoorlie said, as we consider the vote on the Voice referendum later this year. I was at a citizenship ceremony for the City of Vincent with Mayor Emma Cole, who does a terrific job. I am really rapt that Mayor Cole is the Mayor of the City of Vincent. I was at a citizenship ceremony in January. The City of Vincent had organised for the performance of the national anthem to be in Noongar. Everyone who was there had cards; the band that the city had retained to come and perform at the citizenship ceremony taught us all the words to the national anthem in Noongar, and we got to sing for the citizenship ceremony. That is a terrific way of elevating an important issue in the minds of the community and was a really memorable occasion for the people who were becoming citizens at that ceremony.

May I have a short extension, please?

Mr David Scaife; Ms Alison Kent; Mr Simon Millman; Ms Meredith Hammat; Mr David Michael; Ms Jodie Hanns; Ms Hannah Beazley

The ACTING SPEAKER (Mr D.A.E. Scaife): Extension granted.

[Member's time extended.]

Mr S.A. MILLMAN: I can see that was said through gritted teeth!

The ACTING SPEAKER: I just note, member, that at the outset, you said you were making brief comments. That is all.

Mr S.A. MILLMAN: They were going to brief, but once I got started —
Several members interjected.

The ACTING SPEAKER: Member for Mount Lawley.

Mr S.A. MILLMAN: Thank you, Acting Speaker. I am sorry for having misled you!

In order to promote awareness about family and domestic violence, the City of Bayswater has a terrific campaign in which it is unveiling a whole series of purple benches at various locations. I know that other members have been to these unveilings and seen the promotion of awareness in beautiful locations. These are just little things that these councils are driving to raise community awareness about some of the issues that we are confronting as a society and what work can be done in order to address those issues.

One of the councillors for the City of Stirling raised a discussion point. I do not know whether anyone knows the forecourt at the City of Stirling civic and administration buildings in Cedric Street. There are lots of pavers; there are no trees. There was a debate in the council about putting in some trees out the front, which I thought was a great idea. A couple of councils are keen on urban canopy, as I am. The suggestion was that the new installations be reflective of the six Noongar seasons. For a council like the City of Stirling, which has had some tension and debate around the name, I think that this will be a great move as it moves towards implementing its reconciliation action plan, and I hope that it is supported.

Let me return in the last couple of minutes to my starting point, which is that when it comes to local government in Western Australia, it is unarguable that this field of endeavour is in desperate need of root-and-branch reform. It needs significant reform. It is undoubted that if you want to engage in that reform, you need to increase democratisation, increase participation, and give a fairer and more equitable voice to the broader community. We need to get away from the loudest minority hijacking proceedings and taking control of public debate. We need a broader sense of what is important to the community. We need to do it in a way that brings the community with us, and we can do that only by having proper, thoughtful consultation and a very mature review process.

These reforms are precisely built on that and are in stark contrast to what the previous Liberal–National government did. These reforms really speak to the legacy and actions of the McGowan government. We spot the need for investment in health, building public transport infrastructure or legislative reform, and we go about doing it in a way that brings the community along with us. These will be difficult and hard reforms, but they will ultimately deliver what the community desires and deserves, which is greater democratisation at local council level, greater participation, greater transparency and greater accountability. For those reasons, I commend the bill to the house, and I congratulate the minister and his staff for the excellent work they have done in putting the bill before us.

MS M.J. HAMMAT (Mirrabooka — Parliamentary Secretary) [4.41 pm]: I also rise to make a contribution on this very important Local Government Amendment Bill 2023. It is worth broadly noting a few things about the bill before I make some more specific comments.

First, I congratulate the Minister for Local Government for his work in bringing this bill to the house and to Parliament today. We know that there has been a long process of consultation with industry and community on this bill since the McGowan government was elected in 2017. Indeed, even before the McGowan government was elected, as the member for Mount Lawley rightly said, it was identified by the former Barnett government and its haphazard council amalgamation program that there was a need to look at what is happening in local government, which is a very important third tier of government.

I want to congratulate the minister and the former minister for their excellent work on this. One of the things that is very important about this bill is the very significant consultation that happened to bring this to Parliament. There was extensive consultation with industry and the public from 2017 right through to 2020. Once the package of reforms was proposed, there was another round of consultation between November 2021 and February 2022. I understand over 200 submissions were received as part of that process. Since 2017, more than 3 000 survey responses and written submissions have gone into forming the government's view and informing this set of reforms. There were also significant consultation and workshops with peak bodies, like the Western Australian Local Government Association. The City of Perth inquiry unearthed some governance issues that this legislation will address. This legislation was widely consulted; not just local councils but also the community had lots of opportunities to have a say about it. It

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is really essential to have in the front of our minds that, yes, the local government industry might have views, but, fundamentally, it is there to serve the public and the community. It is really important that we get the provisions right to ensure that local government is operating as an effective third tier of government.

The government undertook extensive consultation, and local government is a really critical part of the system of government in Western Australia. I, for one, am a great advocate of democracy and the really strong representative democracy that we enjoy in Western Australia and Australia more broadly. At the heart of this legislation is a commitment to make sure that our local governments are the best democratic institutions that the community expects, they are operating in a representative and transparent way, and they are fulfilling the needs of the community.

I have always been a really passionate supporter of democracy and free elections—the principles that really underpin our system. It is really easy to take it for granted. We often see Australia as a very strong western democracy, and we take that for granted. In fact, it is easy to listen to people who are disgruntled and grumble about what politicians should or should not be doing. I am very much a supporter of our democratic system, and when I go to citizenship ceremonies, I actively encourage people who are becoming citizens to take a really active interest in not just local politics, but also the local community because we understand how closely the two are related. Our democracy is always better if people are actively involved in it. Like most things, the act of participation strengthens the end product. Democracy is, indeed, a participation sport rather than one we should watch from the sidelines.

One of the things I am often reminded of in my electorate, when I meet people who are here as migrants or refugees, is that we should never take that for granted. In many places around the world, the democratic principles that underpin our system of government are not there or are at risk and have been wound back. People in some countries in fact suffer incredible personal hardship for standing up for things that we take for granted, like freedom of speech and the right to vote freely in elections. I encourage all members to think about how this legislation is a really important plank that will strengthen our democracy and reflect on how important it is that we are attentive to the success, durability and resilience of our democratic system. People all around the world look with envy at the democracy and the democratic system that we enjoy in this country. I am thinking of people in my electorate from Myanmar, which has just marked the second anniversary of the military coup and has had more than one million people displaced since that occurred. Many have fled the country because it is simply not safe for them to live there anymore. Their passion and commitment to restoring democracy in their home country is incredibly fierce; they hold onto it. That is something we should all keep in mind. I am very happy to talk about this bill because I share their passion and commitment for making sure that we live in a really robust and sound democratic system.

I want to reflect on a couple of personal anecdotes in making my contribution. A number of speakers before me talked about preferential voting, because preferential voting is one of the things this bill will introduce. I want to share with the house my experience as a year 6 student, I think I was, in a classroom exercise in which our teacher sought to demonstrate why preferential voting is so important as a plank for democracy. That exercise has stayed with me. It is a really simple concept to grasp that using a preferential system gets us to a better result in the end. A number of students in the class were selected to be candidates; I was one of them. Members will be very excited to know that we had to give a short speech, and I had a populist pitch about no homework and lower taxes! Members can see that perhaps my ideological views have shifted somewhat since then; I am now a big fan of homework. After voting using the preferential system, which was the first way we went about it, I was elected. The teacher then made us vote again, using a first-past-the-post system. Of course, we found that it was a different result, but in a classroom of 30 students, it is pretty easy to see that with four candidates, a fairly small number was required for a person to get elected under a first-past-the-post system. My pledge for no homework went down in flames! We were then required to vote using a first-past-the-post system whereby voting was not compulsory. I cannot remember the exact figures, but only half the class were able to vote, who then went about voting in a first-past-the-post fashion. We could see that a very small number of students could vote for a candidate and that candidate would be elected. It is a very simple exercise that makes the issue really clear: first-past-the-post voting, particularly when voting is not compulsory, can and often leads to results whereby people are elected with less than a majority of support and, in some cases, quite small levels of support. The proportion that a candidate might need would depend on how many candidates are running. Recent local government elections in some of the wards that overlap with my area in Mirrabooka have had a number of candidates involved, not a simple running off between two candidates. This is one of the issues that this legislation is seeking to resolve.

I have been a bit surprised by some of the commentary from those who think that preferential voting will be a terrible thing once it is implemented in the local government system, because that very simple year 6 exercise illustrates the point beautifully. If we want a system of electing people whereby candidates are supported by the local community, which is such an important precondition for them then to do their job well on council, that is the vehicle through which they get elected. I struggle to then grasp why it has been so opposed by some quarters. Preferential voting is a system that clearly delivers the fairest result, and that can be demonstrated pretty clearly. If we want to elect people who then succeed, they have to have support from the community. If someone is elected onto council

and maybe less than 10 per cent of the total number of people who they represent voted for them, I do not see how they can claim to have that kind of support and how they can be an effective representative in those circumstances. The voting system issue is important. It is about making sure that we have a voting system that delivers candidates into our local councils and that that system has a strong underpinning to ensure that we have fair results.

We cannot divorce the voting system that we use in local government from the fact that we have non-compulsory voting. I am not advocating that voting at local council levels should be compulsory. I just think we need to recognise that that is an important part of the context in which local council elections operate. We only have to look around the world to see that where there is non-compulsory voting, engagement in the democratic process is different from what it is in Australia. Australia is very lucky to have compulsory voting. It is a very good thing that has served us very well. If we look around the world, we see that in countries like the United States, for example, where voting is not compulsory, much of the work during election time is about not just focusing people on which party they would prefer to vote for, but also getting people to turn out to vote at all in the first place. That is often not because people do not want to vote or they are not interested, but because the logistics of doing it can be challenging depending on individual circumstances. If voting is understood to be something a person does not have to do or is not compulsory, a lot of people simply elect not to do it. That is unfortunately true for marginalised people in society, including people who are poor, who lack transportation, or do not have a job that allows them to take the time off. When voting occurs on a Tuesday, that could be quite important. Maybe there are language issues or people are managing disabilities. There is a whole range of reasons why people's life circumstances might make it much easier for them to choose not to vote than to choose to go and vote. I would not want to see a system in this country whereby we did not have compulsory voting, because it would create some additional challenges to our strong democracy. Local councils are a bit different and there are other considerations for whether voting is compulsory or not. Much of it now is undertaken by way of a postal ballot, which I hope makes it easier for people to vote in their local government elections. As I said at the outset, I would urge people to take an active interest in their local councils and local council elections, and indeed to be involved in not just voting, but also being fairly active in their communities, which delivers us all a far better and more robust democratic system at the end of the day.

I support preferential voting being introduced in this bill and I was very interested in the comments of the Acting Speaker (Mr D.A.E. Scaife) regarding the origins of that system, particularly in the Western Australian Parliament. A number of other provisions in this bill are also important for strengthening the transparency of local councils and ensuring that they go about their business of representing local communities in a way that is rigorous and transparent. I want to talk about a few of those provisions, because they are important. One of them that is noteworthy is the requirement to provide for videostreaming of council meetings for larger councils, or at least audio recordings for smaller councils. I know that many members love to watch their local council considerations. I am looking at the member for Balcatta, who I know is a top viewer of the City of Stirling council proceedings. These current proceedings are broadcast and people are welcome to tune in at any time to see the riveting debate and stimulating contributions that are made. I think we all understand that the majority of people do not spend their whole life sitting at home glued to their computer screen either watching Parliament or local councils' proceedings, but people should be able to. One of the fundamental principles behind our democratic system is that transparency, and it is really important that people have an opportunity to see what is going on. Clearly, since the Local Government Act was last amended, which I understand was about 25 years ago, we have seen great leaps and bounds in the technology that would allow for that to happen in a way that is pretty easy, straightforward and cost-effective. The community now also expects it. It is the right time to introduce those proceedings and, again, it is an excellent way for people to become engaged in what it is that their local councils are doing.

[Member's time extended.]

Ms M.J. HAMMAT: I also want to talk to the provisions of introducing a statewide caretaker period. Again, this is a really important provision that will bring local governments in line with community expectations about what a tier of government should be properly doing. I think that caretaker periods are well understood. During an election process, controversial or major decisions should not be made, and for good reason. I think the community has a good understanding of that as a fundamental principle, and this bill will ensure that that is applied at local government levels. That is something that is essential to ensuring our democracy is seen as being rigorous and robust.

I also want to commend the minister for the provisions in this bill to reform the size of councils to ensure that they are fit for purpose and not too large. Anyone who has been involved in large committees will understand that large decision-making bodies do not always deliver better decision-making. More is not always better. Having an appropriately sized body is essential to enabling those forums to have discussions, solve problems and make progress.

In the time that remains, I want to focus, as have other speakers before me, on the fact that this bill will enshrine the principle that Aboriginal Western Australians should be given greater involvement in local decision-making. This year we will have a referendum on introducing an Aboriginal and Torres Strait Islander Voice to our federal

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Parliament. I applaud the Minister for Local Government for ensuring that this will be captured in the Local Government Act. We have come a long way since the Local Government Act was last amended. There is now a growing community expectation and awareness about the importance of ensuring that our First Nations people will have a Voice in the decisions that affect them. We will have a referendum later this year, and I also applaud the federal Labor government for progressing this important issue. It is easy to forget the history of this issue. One of the great things about the Voice referendum is that it will enable us to reflect on our difficult history in getting to this point.

The request for a Voice to Parliament came to the Australian people in May 2017 through the Uluru Statement from the Heart. This statement was developed after a number of First Nations people had met and held a number of deliberative dialogues around the country to consider how we can progress reconciliation in Australia and build a reconciled community that recognises the place of First Nations people. A number of members attended a recent event at which Thomas Mayor recited that statement and talked about his role as one of the people who not only helped to develop it but also spent years travelling around Australia talking to leaders and other people about what the Voice will be and why it is so important to the reconciliation journey. I want to use this occasion to acknowledge his incredibly important work in doing that.

People can look up the Uluru Statement from the Heart and read it for themselves, but in essence it calls for a constitutional Voice for First Nations people. It follows that by calling for a treaty, and then for truth. It has three elements, Voice, Treaty and Truth, that will drive reconciliation in Australia. The Uluru Statement from the Heart does that in a way that is not only beautifully written but also thoughtful and reflective. It seeks to bring together in a single Voice from First Nations people their claim and desire for reconciliation. They have asked that the Voice be enshrined in the federal Constitution for the practical reason of ensuring that it will not be able to be removed by any subsequent government of the day. That is very important when we reflect on the degree of division that we have had up until this time. People might recall that during the time of the federal Liberal–National government, tens of thousands of people walked across Sydney Harbour Bridge in the Walk for Reconciliation, but the federal government was nowhere to be seen. We had a Liberal–National government and Prime Minister that were not interested in giving that any priority and not invested in trying to progress reconciliation. The Uluru Statement from the Heart was an attempt by our First Nations people to say that these are the elements that we need for reconciliation.

That time in 2017 speaks to that issue. The then Turnbull government dismissed the idea of a Voice and ruled out a referendum because it said that it did not want a third chamber of government. It basically completely dashed the hopes of all involved. The then Minister for Indigenous Health, Ken Wyatt, tried to put in place what was called an Indigenous voice co-design, but that did not lead anywhere. That is why this has become such a key part of the federal Labor government’s agenda. That is also why the Voice will soon come to the Australian people in a referendum. I want to say on this occasion that I will be voting yes to a Voice in our federal Parliament, and I hope that all people in the community will do the same. It is very important that at this moment in time we take the opportunity of accepting the invitation that First Nations people have offered to us to walk a path of reconciliation. However, unfortunately, we are seeing again that the federal conservative parties are not willing to accept this as a joint process. It is an enormous shame that this opportunity to progress reconciliation is again being rejected by the federal conservative parties. I talked earlier about the democratic process. I urge all members of the community to engage with the democratic process and involve themselves in the Voice referendum by learning all about it, and to vote yes, because we will be a better nation for it. This is a moment in time when we will have the opportunity to choose reconciliation with our First Nations brothers and sisters. I urge all Australians to do that and not be distracted by red herrings. I also want to underline the fact that it is always Labor governments that have walked the path of reconciliation. Therefore, it is only fitting that this proposed provision in the Local Government Amendment Bill has come from this state Labor government.

I want to read a quote from Senator Patrick Dodson, who as people will know is a great Labor senator. He said this prior to the election of the federal Labor government —

“What’s needed is political leadership. From Whitlam returning Gurindji land to Vincent Lingiari, to Keating’s Redfern speech and Rudd’s apology, Labor has shown it is ready to walk with First Nations people and all Australians towards a fairer, more just future. This is the next logical step.

“The Australian people should have their say on a voice to parliament,” he said.

I think that is right. That sets out very powerfully that it has always been Labor that has been prepared to walk the path of reconciliation. I am hopeful that this referendum will be successful. I look forward to all that will follow from building greater reconciliation with our First Nations people and accepting the opportunity that has been given to us through the Uluru Statement of the Heart and this referendum.

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In the brief time left to me, I want to touch on a couple of other things in this bill. The first is paid parental leave. It is incredibly important to provide a mechanism that will enable people who have children to take leave from their council responsibilities. We have spoken many times in this place about the importance of encouraging young women in particular to step up to political leadership. Paid parental leave does not exercise the mind of only young women, but we know that these kinds of provisions are likely to attract additional young women into the local government sphere. Parental leave is important to ensure that young people who are starting a family are able to engage with their role as a councillor and understand that they can take time as and when they need to manage their family commitments. This is a really important provision that I hope will encourage many more young women to stand for council.

In the brief time left to me, I want to use this opportunity to say thank you to councils I work with in the electorate of Mirrabooka—the City of Stirling and the City of Wanneroo. As others before me have said, working with both these councils is incredibly important to deliver great projects to improve the quality of life for the people who live in the Mirrabooka electorate. Often, the state government working in partnership with local councils is a good way to deliver better amenities and facilities, and improvements in their surroundings. I have made a number of election commitments in Mirrabooka that go to that, everything from fairly small projects like shade sails in a park right through to much bigger projects like upgrading shops and building bike paths. All these make a significant difference in people’s day-to-day lives, so I want to record my thanks to the mayors from both those councils and the local ward councillors I work with in being able to achieve some of those things for the people of Mirrabooka. With that, I commend the bill to the house.

MR D.R. MICHAEL (Balcatta — Parliamentary Secretary) [5.10 pm]: I am really excited to speak on the Local Government Amendment Bill 2023 today. I am looking around the chamber. I spent almost 12 years as a councillor for the City of Stirling. I know there are lots of ex-local councillors in this place on both sides of politics. The Leader of the Opposition used to be in local government. I think I might be one of the longest serving ex-local government councillors in this place, so local government is very close to my heart.

Before I go on, the member for Mirrabooka just made some comments about the Voice referendum later this year. Anyone who is reading the speech of mine right now who has not read the speech before it should read it. I am looking forward to voting yes, and a yes vote, later this year. Well done, member for Mirrabooka.

I was elected to local government in 2005 at 25 years old. I lived in Tuart Hill, where I still live. Growing up, I got involved in my local cricket club and at that point in my life I kept an eye on politics and what was going on locally. I used to have the feeling that my area and that around me, most of which is my current seat, got squished in the council between the needs of Scarborough and the coastal area, which are all very important—we all go to the beach, and we all like to go there for entertainment and recreation—and, for similar reasons, the needs of areas like Mt Lawley and Beaufort Street, where we all like to go, and the needs of places like Mirrabooka with all the socio-economic issues tied in with the enormous influx of refugees that area took, especially around that time. All those things were important, but I always felt that my area got a bit of a raw deal. In 2005, in the Osborne ward of the City of Stirling, former Mayor Tony Vallelonga retired and just before that the other councillor, Adam Spagnolo, had resigned, so there was a double vacancy in the Osborne ward. At 25 years of age I thought I would put up my hand. I did not know that my good friend Jann McFarlane, who had just lost the federal seat of Stirling in the 2004 federal election, also wanted to run in Osborne ward. Anyway, there was an election for the double vacancy. At the City of Stirling there are only single vacancies. I ended up getting first and had my four-year term with Jann, which was great as she was there for a couple of years with me. It was good for her. One night I voted against a councillor and under the table they stabbed me in the leg with a pen, sort of jokingly, but I looked at Jann and asked, “What have I got myself into?” I will not name the councillor! Anyway, I got involved.

I feel very privileged to have been a City of Stirling councillor and to still live there. The City of Stirling is by no means perfect, and I do not think any local government, or any government generally, is. The City of Stirling provides the most services to its residents. It also helps a lot of other councils with services and with things like Meals on Wheels. It is a council with one of the lowest, if not the lowest, rate in the dollar, so the City of Stirling is one of the cheapest places in terms of the rate it is able to levy. Last I heard, there were just under 100 000 rateable properties. I was Osborne ward councillor, and I was re-elected in 2009 and in 2013. I spent a couple of years as deputy mayor. I am really proud of my time in the City of Stirling and the changes that happened. I was chair of the audit committee for about six years. I care a lot about the audit committee and I will talk about it a little bit later if I get the time. I took an active role in the budget setting at the City of Stirling, and I tried to change the budget processes a bit. Those changes were in train when I left, and I know they have now completely changed, which I am very proud of. I also got to serve on the Western Australian Local Government Association state council for, I think, almost 10 years. WALGA is another imperfect organisation, like most organisations, but the people and staff there were extremely good. I got to know lots of councillors from around the state. As a city slicker with a ward of 30 000 people with two councillors, I got to know and talk to councillors whose wards or council areas had populations in the hundreds. It opened my eyes to some of the issues that other councils around the state had.

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This bill is part of local government reform. As a councillor for the City of Stirling on the WALGA state council, I lived through the Barnett government's local government reforms. They have been mentioned in the last couple of speeches—for example, by the member for Mount Lawley. It was awful. There was the Robson review, which had two parts to it. There were a lot of legislative reforms and there were the maps, and the maps sent everyone crazy! At the time, I think there were 29 local governments in the metropolitan area and the Barnett government's plan was to get that number down to 12. The Barnett government went through pain and pain. Poor old Tony Simpson! He would come to WALGA annual general meetings and he was a broken man. We all felt very sorry for him for having to toe the party line.

Two things get to me about that entire drawn out and protracted process. First, the government did not even look at the legislative reforms in the Robson review that would have fixed some of the things that we are still trying to deal with today. Second, through the pushing for local government amalgamations the Barnett government actually got some councils to agree, but then it would not take the deal. The number of councils would have got down to about 15 or 16 from the 30, but the Barnett government would not take the deal. The Barnett government wanted all seven, I think, councils in the western suburbs to amalgamate. Four councils agreed, but the Barnett government would not take the win. The Barnett government wanted the City of Kwinana to merge with the City of Cockburn, but Kwinana wanted to go with Rockingham and had things ready to go. The Barnett government would not take the deal. I remember talking to the current member for Mount Lawley's predecessor former Speaker Michael Sutherland. I said, "Michael, take the deal. Take the win. It is not exactly what you want, but you can take the win." But the Barnett government did not. I worked with the late Troy Pickard, then president of WALGA, although he was not of my political colours, to try to get the state government to let what it had agreed to be able to happen and then let things go and get the sector back to normal. The other thing that the Barnett government wanted to have was bigger councils, but it wanted to split Inglewood, Mt Lawley, Coolbinia and Menora from the City of Stirling and give them to Bayswater. The City of Stirling said, "Hang on, you are saying we're the poster child, and what are you doing?" Anyway, I lived through that reform. That is why I am really excited we are talking on this topic today.

As a first-term MP last term, I had the privilege to do two things with the then Minister for Culture and the Arts; Local Government. The first was to run the consultation panel and local government reform. That panel got over 3 000 submissions, which is the most that the department or any government agency had had at that point in time. I got to read all of them. That morphed into the Local Government Act independent review, which I got to chair. I want to thank the people who were on that: Professor John Phillimore, Adjunct Professor Graham Sansom, Anne Wood and Henry Zelones, as well as Duncan Ord and all the team at the department at the time who worked very hard on the report. I am pleased to say that some of the recommendations in the report have already happened under the former minister, including things to do with CEO recruitment and performance. This tranche of changes is one of the biggest changes to the Local Government Act since it was proclaimed in 1995, and most of those changes come from the report, so I am very proud of that. During that period—I think this was mentioned before—the Minister for Local Government was elected to Vincent. I remember a Western Australian Local Government Association annual general meeting at which the new Mayor of Vincent came along and talked to the mayors and councillors of the state about all those reforms, such as gift registers and those kinds of things that all councils should be doing to make the sector more transparent. I remember talking straight after him and saying that I agreed. I think we both got howled down by the room. The point I tried to make was that some of those transparency measures were things that local government and councillors already did. In my experience, councillors are not showered with gifts and hospitality. Those things do not tend to exist, so why not be up-front about it and show the public that those things do not exist? I am happy that some of those changes have already come in, and this legislation today builds on it.

I will go through some of the changes that we have heard about and provide some anecdotes as I go through. First, I will talk about the principles and objectives of the bill. We heard from the member for Mirrabooka about those. I think they are really important. One is to promote the economic, social and environmental sustainability of the district. That is something that the City of Stirling knew as the triple bottom line a long time ago. The old City of Stirling records, and probably that of a lot of other councils, tried to put at the back of every report a paragraph on social, economic and environmental impacts. These things started, but that will go across the sector to make sure that everyone thinks it is very important. The same goes for the plan to mitigate the risks associated with climate change. I feel sad saying that. Mitigation against climate change makes me incredibly sad and we should be trying to stop it. I know the Intergovernmental Panel on Climate Change came out with a report last night that makes for very distressing reading. Our streets, suburbs and people's homes will get hotter. Looking at the coastal councils, I know there has been a bit of discussion in the media recently with some councils, including the City of Stirling, about coastal erosion and West Coast Highway falling into the sea. All councils will have to look at these things when running their services and what they plan for and what they do.

Extract from Hansard

[ASSEMBLY — Tuesday, 21 March 2023]

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Mr David Scaife; Ms Alison Kent; Mr Simon Millman; Ms Meredith Hammat; Mr David Michael; Ms Jodie Hanns; Ms Hannah Beazley

Turning to future generations, I think all politicians, whether they are on a local council or the Prime Minister, are guilty of looking at the next election cycle. At councils, even though members might not be up for election themselves, it is a two-year cycle, so they are always looking at the two-year cycle. This principle will make sure that everyone is looking to the future.

Another important principle is to recognise the interests of Aboriginal people and involve them in the decision-making process. I will not go through what the member for Mirrabooka said, but I can say—I think this was referred to—that when I started at the City of Stirling, its engagement with the Aboriginal people was not good. I think most members would probably agree with that. On the council—I will not name former or current councillors—there was a lot of unwillingness to even talk about the issue. I think the Aboriginal flag was flown one week a year during NAIDOC Week. There was no flag in the chamber, there was no welcome to country, no smoking ceremonies and no acknowledgement at any meeting or any speech given by a City of Stirling councillor. I did it a few times and an informal complaint was made that I was going against protocol for doing that.

Talking about these issues, I am sure some people in the chamber will know Samantha Jenkinson from the Hamersley ward, where she served one or two terms. Sam is great. I talked to her and we had similar views. We thought that that was not good enough. I remember feeling really disheartened because in one conversation we had, we said that if we tried to fix these things, two things could happen. There was a risk that we would lose the vote, and even if we got the vote up, the discourse at the council meeting would be appalling from a small handful of councillors. We were not willing to risk the damage that would do to the elders and Aboriginal people in our district, so we did not do it. I put a big thankyou on the record. In my final years under Mayor David Boothman and Mayor Italiano, we had our first reconciliation action plans. The first one was pretty weak, but it was something. We just got it through the council, and the council built upon that. A big congratulations to the current council under Mayor Mark Irwin and the administration under Stuart Jardine. The council has come leaps and bounds since then. We opened a cricket clubroom at Robin Reserve a couple of weekends ago and had a smoking ceremony. That is just the done thing now. It has come leaps and bound, and I am very proud of that. I am just sad it was not like that when I was there. They are important changes in the principles and objectives of local government.

I will refer to the tiering of local government. The state has 139 local governments. They are all so different. I had a quick look at the electoral statistics. I am not trying to point them out, but on 5 January, the Shire of Sandstone had 53 electors and the Shire of Murchison had 72. I know they are massive areas, but I had a look at my old ward, the Osborne ward of the City of Stirling, which, at the same time, had 23 188 electors for just the two councillors. Having a tiered system whereby the government, through regulation, can make sure that those smaller local governments do not have to provide the massive documentation and the financial rigour—they have to do some, obviously—of a massive council like Stirling, which should have a gold-class financial system and all those kinds of things, is really important because those smaller councils just do not have the resources. The City of Stirling finance team issues rate notices to 95 000 rateable addresses and has a massive team to do all that work, whereas some of the smaller councils have literally a handful of staff and the CEO performs about 20 different roles. They just cannot do it. Giving the government the ability to treat smaller councils differently, for a good reason, so that they do not have to have as much compliance and red tape as a big council, is a really important change.

I will refer to reforming council planning. One good thing that the Barnett government did for local government was introduce integrated planning reporting. That was not perfect and needs changes, so I am glad that the minister is making changes to IPR. Getting rid of the strategic community plan and having a proper council plan, for me, is a much better way to go. There was a thing called a long-term financial plan that councils used to have to do. I do not know whether they still do it. The staff at Stirling used to spend months coming up with an Excel spreadsheet trying to predict the rate rise in 10 years. That means nothing, but I know it had to do it. So these are some great reforms.

I will refer to transparency around planning. If a council says that in the next four or eight years it wants to accomplish certain things, my view is that the council should report on those to the community and when it fails, because it will because no-one is perfect, the council should be able to give the reasons why and what the council will do about it.

[Member's time extended.]

Mr D.R. MICHAEL: I think that the reform of council planning is incredibly important and will continue to evolve over time. If anyone is interested, Victorian local government has a comparison website. It is not meant to catch out one government against another, but it makes sure that the cost of borrowing a library book in one council is not hundreds of times more than in a council next door. It compares those things. If members google it, they will find the MyCouncil stuff in Victoria. For me, that is something that we should aspire to. In the future, I implore local governments, especially the bigger ones, to look at service planning and service delivery and make sure that councils understand the cost of services so that they can make informed decisions about what the council does. That is when we can compare apples with apples across local government to make sure that happens. Some big

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councils in Perth have started rolling this out. People like Helen Hardcastle and others who have been to councils such as the Cities of Perth, Swan and Stirling are rolling this out. Rather than getting an Excel spreadsheet with lines and lines of cost centres and trying to make head or tail of it, service planning and service delivery is a much better way of budgeting so that councillors can see it by service, how many FTE there are, what the overheads are and what the service costs are.

Much has already been said about optional preferential voting. As someone who enjoys elections—Labor members may know that I am state returning officer for the party—I say that the first-past-the-post system is one of the least democratic ways to vote democratically. It is appalling. I do not want to name people, but there are countless examples of councillors and mayors who have been elected on less than 20 per cent of the vote. We can see what first-past-the-post voting does in general elections in countries like the United Kingdom. It is a terrible way to vote. It is incredibly simple; that is one thing it has going for it. Other than that, we should not have it.

Preferential voting has been used in state and federal elections for well over 100 years. It was used in local government elections before 1995. It will not surprise anyone to know that I have City of Stirling election results dating back to 1971! Preferential voting was used before 1995. It was brought back by the Gallop–Carpenter government for the 2007 local government elections and removed again by the Barnett government. It is a much better way to do it.

There was talk of politicising local government. I have done artwork for friends running for local government, not for a single vacancy but with four people running, on which there were ticks, votes, for all four people. That is a bloc. We are already creating blocs and politicising in the current system. The current system allows an underperforming councillor to split the vote. If a male councillor is underperforming, they will put up their hand, and if another male and a female go up against them, they will add on a friend to run dead. They do not put out any pamphlets or do anything; they are there just to take away any of the “anti-him” vote and the anti-council vote. Under first-past-the-post system, that splits the vote and gives sitting councillors an unfair advantage.

In my view, a good sitting councillor will always get 40 or probably 50 per cent of the vote. Those councillors get out in the community, talk to people, talk to their clubs and try to do the right thing. They cannot keep everyone happy but they always do that. It is a much better system than one that favours poorly performing incumbents. I have seen that happen at the City of Stirling. Every year there would be a three-cornered race, with two people running against a poorly performing councillor, but because they split the vote, they ensured that that councillor was re-elected on 30 per cent of the vote. They would have two candidates splitting the vote against them. Preferential voting is a much better way to do it. I do not know whether I would have been elected on preferential voting at my first election. Obviously, it was a bit of a weird one at the City of Stirling, with a double vacancy. But I got over 50 per cent my second time and I think I got 85 per cent at my last election.

Ms M.J. Hammat: Hear, hear!

Mr D.R. MICHAEL: It was a good one.

I know there has been a bit of contention about aligning council size with population, but I think there are more than 1 100 council members across Western Australia and we are a bit over-governed in terms of councils. Frequently, some regional councils cannot fill every spot. For those smaller councils with a population of under 5 000, five to seven councillors including the shire president is a good system. It will be a tiered system as well. As I said, the City of Stirling wards have over 20 000 people and there are only two councillors for each ward. I very much support aligning the council size with the population because of the resources to keep a councillor in terms of the increased pay they get now. Most of the time I was on council we got \$7 000 a year. For a big council, it is now well over \$30 000.

The same goes for abolishing wards. There are wards and whole councils with fewer than 100 electors. There is no need to have wards for band 3 and 4 councils. The other thing about wards is that councils have to have a ward review. The ward review is an annoying thing to do for any council. It is a bit like the redistribution we are all about to go through that we always have. When a ward is above or below the legislative limit, there has to be a ward review. There is a bit of a quirk in the current system. We all joke about the gerrymandering in the United States where, unfortunately, state and federal members are in charge of the electoral districts. We have an independent panel that does our seats. In local government, the local government gets to do the ward review. It is a bit different. I know the advisory panel gets to look at it but it is something we might have to look at in the future.

There is the direct election of the mayor of large local governments. I remembered something today so I had a look at this document. At a council meeting on 5 September 2006, I moved —

“That the City of Stirling CONDUCT a referendum concurrent with the 2007 election into the method of election of the Mayor from 2009”

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I supported direct election but I did not go too far; I said, “Let’s ask the people.” The officers did a one-page report saying no. I moved the motion and it was seconded by Councillor Elizabeth Re, who is still on the council. The result is recorded as —

The motion was put and declared LOST.

We could have had direct election of the mayor at the City of Stirling much sooner than we did. At the 2017 election, council did exactly that—after I had left. All these things happen after I leave. Maybe I was the stumbling block for all those years! The council had a referendum and 71 per cent of people said they would like to elect their mayor. At the following election, our current mayor, Mark Irwin, was elected. Obviously he is up for election this year.

I had some interesting times with the old system of electing the mayor. David Boothman is a former Mayor of the City of Stirling. A month or so ago, the members for Mirrabooka and Churchlands and I were at the induction ceremony for David Boothman as freeman of the City of Stirling. I told this story on the night. The first mayor I had at the City of Stirling was Terry Tyzack. Terry and I got off to a rough start but I think we learnt to like each other, so I am okay with Terry now. David Boothman challenged Terry in 2007 and the result was a tie. We had a 15-minute break and after a strong scotch went back to vote. It was a tie again. “Bingo” Boothman is his name because the balls went into the barrel and David’s name came first. He was elected mayor of the largest local government in WA by a draw from the hat. That was high drama. The very new CEO, Stuart Jardine—I congratulate him on his retirement—was very nervous standing at the front of the room. He drew out the ball—I was about 27 years old, so a little less mature than I am now—and I yelled out “legs 11”. He looked at me and I thought: “Oh, no!”

I told another story of an election when David was mayor. On the Sunday after the election, we were trying to work out who was going to be mayor and what we would all be doing. Everyone in our group from the Mt Lawley–Inglewood area wanted to be mayor. It was us and everyone else. It was not political, by the way, and we argued at this meeting. We met at Peters by the Sea at Scarborough. We sat up on the mezzanine with a beer on a Sunday afternoon. We bought an enormous plate of fried everything and nailed it out. It worked well, but with direct election we would not have councillors doing deals on who is mayor and saying, “I want to be this. I want you to support these projects.” We do not want deals behind closed doors like that. I do not think it is the right thing to do. Having direct election of the mayor would stop that completely. That is a great initiative and a great reform.

Community engagement is important in local government. I think there will be a model community engagement charter. If a local government has a charter, it can set the amount of community engagement it does with the local community. If it gets the setting wrong, the local community can say to the council, “We want to be consulted more—or less”, and the council can then change the charter. If they do not, the councillors should get kicked out of office! Every local government and every local government area is different. Some people want more consultation and people in some areas want the council to just get on with things. Allowing a local government to adjust the settings for its own area is important. It makes sure that the council listens to the community and is agile to change its settings.

I am proud that the City of Stirling stills has a caretaker policy for the election period. Councillors are not allowed to move a notice of motion during the caretaker period unless it is an emergency and the CEO says that it is not political. The administration is not allowed to send anything contentious to council during the caretaker period. Councillors can attend events, but they cannot make a speech on behalf of the council and the mayor. The council has all these practices, which are common sense. They happened even without this bill; we all did it. We said, “No, it’s not fair; it’s too much weighted on the incumbent.” I am really happy that there will be a caretaker period across the state.

The member for Mount Lawley talked about sham leases and fixing the issues in the City of Perth. A communication agreement is very important. I have seen examples of councillors bullying staff. I have seen examples across the sector of administrations not giving due respect and due information to their elected members and treating them like mushrooms in the dark. A communication agreement, similar to what exists between the federal government and state governments, is incredibly important. I am rushing now because I have half a minute left!

One of the biggest changes—the City of Stirling did this back in 2007—is that votes will be recorded. I do not know who voted in the vote that I read out before, but once this bill passes, every single vote will be recorded, which is great. A councillor’s voting record will be public.

The live streaming of meetings is very important. I watch City of Stirling meetings on YouTube from time to time! The last change is standardising meeting procedures. It is really difficult for people to know how things work when they go between councils. It is important to get that right. It is my personal opinion that the standing orders of Parliament could also do that at some point. I commend the bill to the house.

MS J.L. HANNS (Collie–Preston — Parliamentary Secretary) [5.40 pm]: I rise to make a contribution to the second reading debate of the Local Government Amendment Bill 2023. I would like to say to the member for Balcatta

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that although he holds the self-appointed record of 12 years as a councillor—sorry, an amazing emoji sent by my son has just flashed up on my phone; I will turn it the other way!—I was a councillor on the Shire of Collie for eight years. That is not quite the self-appointed record of the member for Balcatta, about which we are very pleased, but like the member for Balcatta, I was incredibly proud to represent the people of Collie as a shire councillor for those eight years. Anyone who has been a local council representative would have heard comments along the lines of “What are those beady councillors doing?”, “Why did they make that decision?”, “Council is easy” and “I don’t understand why they do these things.” I can tell members that it is never as easy as people assume it is to make good decisions for local people.

As a mum and a wife, I was used to running a household budget; I am talking about hundreds of dollars a week. As both a vocational education and training coordinator and deputy principal in schools, I was used to managing costs that were maybe thousands of dollars a year. When I got to council, the number of zeros at the end of figures increased significantly; I am talking about budgets involving millions of dollars. The complexity of managing the budget process was an incredibly huge learning experience. The scale of decisions is increasingly complex because councillors have to understand how state and federal legislation fits within and affects what decisions are made at a local government level. I refer to things like town planning schemes and how they impact development applications. When I was on my local council, I was really pleased that the Western Australian Local Government Association set up training for elected members. I certainly got a lot out of that. It helped me in my role as an elected representative for my community.

On reflection, we absolutely have to make sure that councils reflect the broader communities in which people live and function. The different perspectives that people from different backgrounds bring to decision-making processes are very important. I remember sitting around the council table after doing some pre-reading and looking at the officer’s recommendations about something that was before council. I would walk in thinking that I would either support or not support a recommendation. We would have an opportunity to ask questions of the reporting officer and sometimes the question that somebody else had answered raised a point that I had not considered. There were a number of times at the end of the council process when other councillors and I would comment, “Gee, when so-and-so asked that question, I hadn’t actually considered that.” That is why it is very important to have good, broad and diverse representation on councils; it absolutely supports good decision-making in local communities.

I am not sure who holds the record as the local member who deals with the largest number of local governments; perhaps the Minister for Local Government can help with this. I have five local governments in my electorate. I will list them in alphabetical order so that I do not forget them. I have the Shire of Capel, which I share with the member for Bunbury. The Shire of Collie sits wholly within my electorate boundary, as does the Shire of Dardanup. I share the Shire of Donnybrook–Balingup with the member for Warren–Blackwood; Balingup is in the member for Warren–Blackwood’s electorate while Donnybrook is in my electorate.

Ms C.M. Rowe: I think you will find that the member for Warren–Blackwood has the most.

Ms J.L. HANNS: I imagine that that would be the case.

Finally, I share the Shire of Harvey with the member for Murray–Wellington. The local government boundaries do not fit neatly within our electorate boundaries, but there are certainly different challenges in working with each of those local governments and trying to deliver for people as their local member.

When I was on council, I had the opportunity to do some amazing things, such as being the shire representative on committees or representing council as a formal committee of council. We did some fantastic work in Collie, such as revitalising the business district and town centre, relocating the childcare centre and developing the central park. As anyone who has been to Collie knows, that project has certainly made a huge difference to the look of the town centre. I did some work on the trail strategy for the Shire of Collie. I worked very closely with one of our trail enthusiasts, Erik Mellegers, and out of that process, our trail strategy was developed through council. The state government funded \$10 million for the Collie Adventure Trails project, of which mountain bike trails play a significant part. I was really pleased to work closely with the Collie Visitor Centre to enhance opportunities for tourism within Collie. It was interesting to be part of the CEO recruitment committee and to understand how we recruit people, what we were looking for and what skill sets we were trying to attract, particularly in a regional location.

I wanted to mention all those things before I give my reflections on the bill. I would also like to make the observation that being a local councillor on a regional local government is quite similar to being the local member of Parliament because issues are raised by people in various locations. During school pick-up, someone will want to talk about a playground upgrade they think should be happening in their local park or the issue might be racing on a street and what kind of things the council can do to make the roads and community safer. Local councillors in regional areas are very connected to their local community. An amazing group in my area put on the Eaton Foreshore Festival. The group comprises Eaton Primary School P&C representatives. They pulled together this amazing one-day festival on the Eaton foreshore. The group is hugely supported by the Shire of Dardanup with traffic management plans

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and all the assistance needed to conduct a major event on local government land. The Eaton Foreshore Festival was held last weekend. This group of amazing P&C members raised more than \$28 000 for the P&C through this one-day festival. It is my experience that local councils in regional areas have an opportunity to support local community groups and sporting organisations. As I said, it was an absolute pleasure to be involved with the Shire of Collie.

I would like to mention one other thing before I move on and focus on parts of the Local Government Amendment Bill 2023. I would like to pass on my very sincere condolences to Lucille, Juanita and Miranda, the wife and daughters of Brian Piesse, the ex-president of the Shire of Donnybrook–Balingup. Brian very sadly passed away six weeks ago. I would like to say a huge thankyou to Brian on behalf of myself and the community. He was a massive supporter of communities within the south west. He served on the Shires of Capel and Donnybrook–Balingup. He worked with the South West Development Commission as well. Our only point of contention was that he was, sadly, a very proud member of the Liberal Party. I think he was a member of the Liberal Party for something like 50 or 65 years. It was incredible. He was one of the nice blokes and a genuinely lovely man who was very supportive when I was elected as the local member. He knew that I had some experience in local government and he was incredibly supportive of me. I would like to thank the minister who reached out to Brian’s family and extended his condolences to them on Brian’s sad passing. To Brian’s family and his extended family and friends, I pass on my sincere condolences on his passing.

I will talk about a couple of items in the bill. I was very pleased with the member for Mirrabooka’s contribution on elevating the voice of Aboriginal people in decision-making around local issues. She very succinctly and beautifully put those words, and the member for Balcatta referenced everybody back to that portion of the member for Mirrabooka’s contribution. I absolutely agree with everything she mentioned about having a voice for Aboriginal people within decisions and discussions around local issues. I will not repeat those sentiments because they are almost word for word what I would have said. We could not have written it together if we had tried.

Key item 2 within the bill refers to the tiering of local governments. Again, the member for Balcatta spoke about this. I want reflect on the fact that there are obviously huge differences within local governments in Western Australia. The member for Balcatta referenced those very large metropolitan councils right through to the rural shires across Western Australia, one example of which had, I think, a population of only 61 people. I would like to highlight that some local governments have more than 1 000 employees and others are run with just a handful of people—my notes say that some have fewer than 30 employees; we will use that as a reference point. By tiering local governments, we can start to match the size and complexity of local governments, which is an advantage. I would also like to highlight the fact that in regional Western Australia, local governments are often the largest employer within those communities and provide significant opportunities for people to live and work in regional Western Australia. That is something incredibly important to me.

Local government employment provides a range of opportunities. As the previous vocational education and training coordinator and deputy principal at Collie Senior High School, I set up work experience programs for some of these students. They could do work experience in a range of occupations at the shire such as in parks and gardens or in the mechanical area. The shire obviously had a CEO, who is normally a highly qualified person with some university-level qualifications. It also had pool attendants and administrative roles in payroll and customer service. Local government provides a significant opportunity for employment in the regions. One person employed at the Shire of Collie—I will not say their name because I have not asked permission to speak about them in Parliament—after leaving school, started entry-level employment in local government. They ended up being the CEO of the shire, which is an incredible employment pathway for people living in regional Western Australia.

Local Government Week is celebrated across Western Australia. As part of Local Government Week, I partnered with the Shire of Collie to run what we call the Work Inspiration program. As the deputy principal and person who organised the vocational programs, we arranged for a select number of students who had expressed an interest in the sorts of careers available in local government to participate in that program. We partnered with the Smith Family and the Shire of Collie and developed a two-day workshop for young people who were interested in career opportunities in local government. We ran them through all sorts of things such as working with the local volunteer fire service. The minister would be interested to hear about the sorts of opportunities in the environmental area and the rehabilitation of local waterways.

One of the things we ran the students through was a simulated councillor exercise in which it was budget night. As a councillor, the students had X dollars to spend. They had 20 projects that all added up to \$2 million more than they had in the budget. We got the students to work through what they would remove and what projects they would prioritise and keep in the budget. Some of the projects were real examples that existed, and others were put in there to give them the opportunity to reflect. As both a councillor and teacher running the excursion, it was really interesting for me to hear the decision-making process of these young people. They were really tearing their hair out, “This is so hard, Miss. How do you take this out and include that? If we take that out, these people are going

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to be really upset.” It was a fantastic opportunity to expose young people to what being a councillor and a local representative actually looks like.

That program was incredibly successful. I believe it is still running even though I am not there. To evaluate the program, we spoke to the students afterwards, who all said great things about it. We spoke to the staff, such as the local volunteer fire brigade person who showed the kids how to operate the fire equipment and the people who service the cemetery, where the kids would find out what it was like to deal with bereaved people going there to find out how to inter the remains of their family member. We spoke to a really broad cross-section of people who work in local government. The biggest takeaway for us was that it was great for the kids, but it was actually a significant contributor to work satisfaction for the workers within local government. They were able to showcase all the amazing things that they do and reflect on how they got there and their career journey to that point. We heard of some amazing stories from people who started out in a career very different to the one that they ended up in. It is a program that could absolutely be looked at by schools around Western Australia. We have the model so I think it is certainly an opportunity, particularly in regional Western Australia where local government is a very significant employer within the local economy.

[Member’s time extended.]

Ms J.L. HANNS: I am going to quickly skip through and make sure that I cover the things that I particularly wanted to raise.

Key item 6 is about the community engagement charters. That is a welcome addition to the Local Government Act. This will enable local councils to plan very clearly how they will engage with the different and diverse sectors of communities within the local government area. Gone are the days when local government puts an ad in the paper for four weeks seeking comment and to say that that is its community consultation done. Now it is about how the local government plans to engage with young people and seniors in that local government area, and those two groups in the community may very well require and should require a different community engagement strategy. I think that bringing in that change will mean that community engagement is much better, and communities will certainly feel that they have a greater voice in guiding decisions for our local councils.

I turn to key item 11, which refers to standardised meeting procedures. People are regularly in touch with my electorate office with queries about how to deal with local government. They have a problem that sits with local government, they do not know how to address that particular issue and they are often not aware that it is a local government issue. They think that it is potentially a state government issue. We receive a high number of those queries in my office. Again, going back to that community consultation and engagement process, it is really important that people understand what local governments do.

I note that when I was elected to council, people found the very formal nature of the council meetings quite confronting. Members of the public would come with the idea of raising a particular issue, and they found it actually quite confronting and difficult to understand those quite rigid processes. It is important that the processes that we use in local councils should be uniform across councils so that people have an understanding and appreciation that that is how it happens in councils across Western Australia, full stop—not that is how it happens in only the Shire of Collie, or the Cities of Bunbury or Joondalup, for example, or any of the other councils that exist.

Highlighting the idea of standardised meeting procedures, I think that another contentious area for local ratepayers—they always ask questions about this particular part of the agenda—is the agenda item that is the closure of meetings to members of the public. People often do not understand what that means. They feel that decisions are being made behind closed doors that should be made in a formal council meeting with members of the public in attendance. I often remind people that a council puts out a tender for a road, as an example, or for an upgrade to a playground. The council then has to consider those tenders, and there will absolutely be information that is commercial-in-confidence within them. There might be a difference of \$100 000 in the tender price of one local tenderer when compared with the next most competitive price. We do not necessarily want everyone to know that one tenderer was \$100 000 cheaper than another, because we are trying to get the best value for money for our ratepayers, and that \$100 000 saving could be spent on other services within the community. I think that if the formal structure of council is uniform, people will better understand the processes and why they exist.

I will briefly mention the fact that parental leave for council members is also part of this reform. I think that is an incredibly important part of this bill. When I joined council, I had very young children and my husband was a shiftworker, so trying to get to council meetings was tricky. I am really pleased to say that we had a person within council who took parental leave because she gave birth whilst she was a councillor. We should absolutely be advocating for women to join council at any stage of their life, whether they have no children, newborn children or older children they have responsibility for. That very much needs to be addressed and I am really pleased to see parental leave as part of this process. Obviously, there will be the ability to work around quorums and make sure that we meet quorums for those meetings, but it is a really important part of addressing gender equity and having

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that really diverse representation within local councils. I mention the fact that most of my councils have gender parity or very close to it. I am really pleased that that is already happening in our local governments. As I said, I am very pleased about that, and I encourage other councils to try to achieve the same lofty heights as the councils in the Collie–Preston electorate have achieved.

I turn to key item 13, the new public registers. Again, I will speak briefly on this item. The bill will put in place a new requirement for local governments to disclose key information in public online registers, which will relate to things like leases of local government property and disclosures of interest related to items considered at council meetings. I think that will certainly provide the community with a very clear line of sight into how local governments are allocating resources and finances. To encourage community use of community buildings, the Shire of Collie often offers peppercorn leases to people, so they are paying \$1 or \$2 a year for the lease of a building. I am not sure how many other councils do that. I think that is a fantastic opportunity to make sure that the resources within local governments are used really effectively by the people who need to use them—that is, the community and sporting organisations. I find that the lease of government property to particular sporting clubs or organisations is one of the things that often brings conflict or can be very controversial within local councils. When developing user agreements for local sporting grounds at which there are shared facilities or shared user groups, that is certainly one of the issues that can cause some controversy.

I am very pleased to say that I share the Leschenault Sporting Association with the member for Murray–Wellington. It is physically located in the member for Murray–Wellington’s electorate by one street, but it is the drawcard for people from both our electorates to come and participate in sport there. It sits within the Shire of Harvey and is a shared facility. I think that what it has done is a model for the Minister for Sport and Recreation to be able to showcase as a really good example of how we can develop these very good partnerships.

The Leschenault Sporting Association is the home of the Australind Junior Soccer Club, the Australind Swimming Club, the Australind Soccer Club, the Leschenault Cricket Club, the Leschenault Crabs Football Club—I think they are crabs because their emblem is a crab; it does not mean that they play like crabs!—and the Harvey Brunswick Leschenault Junior Football Club. They describe themselves as —

... 6 local, community minded, sporting clubs that manage the running of the club-rooms and facilities located at the Leschenault Recreation Park. Their aim is to provide a safe, welcoming and affordable venue for families. The sporting pavilion known as “the PAV” is a family friendly community venue with a restaurant and licensed bar facilities. Members receive discounts, special offers and access to events throughout the year. By visiting the PAV you help support the sustainability of local sporting clubs.

Here is the bit that I love —

You’re also supporting local jobs with many of our junior kitchen staff getting their first experience in the hospitality industry.

Anybody who would like to visit the PAV absolutely can visit. They are open for dine-in or takeaway meals from Wednesdays to Saturdays. There is a range of hours, but they are open on Fridays from 4.00 pm until late, Saturdays from 3.00 pm until late, and some Sundays as advertised for special events. I want to say a huge thankyou to Angelo D’Agostino and Gary Quinn, who talked me through how they developed that particular proposal. I think it is an outstanding example of how shared sporting facilities can be really successful in local communities.

I will mention a last couple of things. Councils often report to me that it is an issue for them when they are given money—it could be by government or by private individuals or companies—to establish a particular facility, and although the facility is then built, the ongoing costs are borne by the council’s ratepayers. That is absolutely a challenge, and I have regular conversations with my local councils about that. The challenge for them is always about making sure that they balance the budget with the community expectations of facilities and services within their local government area. It is certainly a challenge; I understand that, and I am very pleased to continue to support these local councils in those issues.

I turn to the councils themselves. I say a huge thankyou to all the councillors that I work closely with and the staff who support the council operations and the delivery of services within local communities. I talked about how important it was, particularly in regional areas in my experience, for councils to do that work to support their local communities.

My shire presidents are all very nice, but I have a very nice story to share with members about Councillor Mick Bennett, who is the shire president of Dardanup. The member for Bunbury would be very well acquainted with Mr Bennett. He is always up for a laugh and a good story. He said to me one day, not long after I was elected, “I don’t actually care whether you’re red or blue”—he was referring to political colours, clearly—“As long as I’m getting money out of the state or federal government, that’s all I care about because that’s my responsibility as the shire president. I’m going to work with whoever wants to give us money so that I can win for my community.” I think it is really

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important that that approach is brought to local governments right across Western Australia. I absolutely support Mick in that. His comments were actually made to me at the opening of the Eaton skate park about 12 months ago. I said to him, “You’re right, because when local, state and federal governments work well, the communities are the people who win.” That is a really important note to finish on. I believe these reforms will assist councils to do that really important work in their local communities. I commend the bill to the house.

MS H.M. BEAZLEY (Victoria Park — Parliamentary Secretary) [6.11 pm]: I also rise to speak on the Local Government Amendment Bill 2023, which continues the delivery of the McGowan government’s local government reforms. Together, these reforms will make the most significant changes to the system of local government in this state for more than a quarter of a century. A whole crop of ratepayers and voters have never seen reforms of this magnitude at the local government level. These reforms are very much needed and have been a long time coming, so congratulations to the Minister for Local Government for seeing these through. The reforms are based on the rigorous work and consultation undertaken by the McGowan government over the last six years. Six years in the making, this tranche of reforms, if passed in time, will ensure that a range of necessary electoral reforms will be in place for the upcoming October 2023 local government elections.

My electorate of Victoria Park covers most or parts of the Town of Victoria Park, the City of Canning and the City of South Perth. These three elected councils are very distinct in terms of their culture and priorities. What is common amongst their relative communities is that the ratepayers support these reforms—at least, the ones I have doorknocked, phoned or seen out and about in Vic Park. These reforms will introduce principles into the act that will recognise that Aboriginal Western Australians should have greater involvement in local decision-making, something that I am personally very passionate about and that is incredibly salient to install now as we head towards what I hope will be a successful referendum that will see an Indigenous voice installed to advise our federal Parliament.

The tiering of local governments will also be formally recognised in the act, based on the existing Salaries and Allowances Tribunal framework. This change will mean that regulations will be able to set different requirements for larger and smaller local governments. It is important that regulations can be matched to the size and complexity of local governments. For instance, under these reforms, financial reporting requirements will reflect the size and complexity of a local government’s operations. Rural shires do not operate with the same level of complexity of many metro local governments. I note that all the councils in my electorate fall into bands 1 and 2, with the City of Canning being band 1 and both the Town of Victoria Park and City of South Perth being band 2.

The bill will also reform council planning to streamline the way that local governments plan their future service delivery. This will simplify how local governments plan and ensure that they take a long-term view in considering what services and facilities will be required in the future. On this note, our McGowan government is committed to reducing red tape for local governments. As such, the department will establish clear templates for local governments to use or adapt as they wish.

The bill will also tighten the eligibility rules for a person to be enrolled to vote or run as a candidate in a local government election on the basis of a lease. This will address the issue of sham leases, which was identified in the inquiry into the City of South Perth, which happens to also be my neighbouring council.

The bill will establish community engagement charters that will set a clear standard for how local governments engage with the diverse range of people within their district. I will quote from the minister’s second reading speech, because this is an important reform. He states —

... these charters will ... ensure that public engagement involves a diverse range of voices and is genuinely inclusive, and that engagement—this is critical—is not a platform for vocal minorities to dominate important community deliberations.

In many of my experiences at a local council level, it was often the loudest voices that got heard and actioned, and not necessarily the majority or the most commonsense voices. On this note, I am in wholehearted agreement with former Prime Minister Hon Bob Hawke, who once said —

The things which are most important don’t always scream the loudest.

This bill will formalise that a statewide caretaker period will be followed by all local governments during ordinary elections, and establish council communications agreements, providing an improvement framework for how local councillors receive information and advice from the CEO. These new agreements will be based largely on the system of ministerial communications agreements in place at the state government level. These agreements will set a clear standard for how all members of a council are to seek and receive information relevant to their role and function as elected representatives.

Meeting procedures for all council meetings will also be standardised across the state. The rules for how a council meeting runs can be inconsistent and confusing—I get this feedback all the time from constituents who want to

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raise something at a local council level. This bill will enable the standardisation of meeting procedures for all local council, committee and electors' meetings, providing ratepayers and stakeholders with greater clarity on how meetings are to be conducted and establishing one set of rules for raising questions and making deputations at meetings. Specific requirements for the streaming of council meetings for bands 1 and 2 councils will be introduced—applicable to all my local councils—and audio recordings for all local council meetings for bands 3 and 4.

Reform of the size and structure of local councils will be implemented, which will include ensuring that a council's size is better aligned to the size of the local population. Council members will be provided with specific entitlements to take parental leave from meetings if they have recently welcomed a new child into their household, and councils will be allowed to pay education expenses for council members.

There will be new requirements for all local governments to publish information online, such as leases, grants and significant contracts, through public registers. These registers will provide improved transparency to ratepayers about important things like leases of local government property, the awarding of grants, high-value goods and services contracts, disclosure of interests related to items considered at council meetings, and cash contributions collected by local governments for things like car parking and public open space cash in lieu. This will provide ratepayers with a clear line of sight into how local governments are allocating resources and finances. I can think of quite a few local ratepayer associations that will be very pleased with this particular reform.

Local government CEO performance indicators will be transparent. Importantly, this will be fair because it will give CEOs a type of right of reply through the publication of their comments against KPI findings. The bill will also provide for the direct election of mayors for large local governments. This happens in my local governments already and is a system that has been embraced by my local communities as they value having a direct say in the election of their local council leaders and the subsequent direct accountability of those leaders to their communities.

Another reform is the abolishment of wards for smaller local governments. Again, this does not affect my electorate. There is a longstanding myth that ward councillors represent just the electors of their ward. This is not the case. The Local Government Act 1995 is clear that decisions should be made based on the interests of all people within a district. In addition, we have seen examples in smaller local governments of individuals being voted in as ward councillors with just a few dozen votes. This does not a strong democracy make.

Finally, what I think is vital for better, more reflective representation and more robust democratic systems and processes is the introduction of optional preferential voting, which will bring local council elections more in line with state and federal elections. Optional preferential voting gives electors the greatest degree of choice to indicate their preferences at the ballot box or on the postal vote form, as the case may be.

I would like to talk a bit more about preferential voting because it is important and because it will give me an opportunity to concur with the member for Cockburn, who spoke quite eloquently on it earlier today. I, too, have been astounded at how many elected council members have come to me about this particular reform. I have received feedback from members of my local council and from other councils, mainly because they fear that preferential voting will erode the possibility—or, possibly more accurately, the probability—of their electoral success, and will affect their base and the way they usually campaign, which will now have to be more active and collegiate. This fear is based on the fact that quite a number of current councillors across WA have been voted in on relatively few votes and, therefore, their electoral success is not necessarily reflective of widespread community endorsement.

Of all the reforms—many of which substantially and fundamentally reform the systems and processes of local government—this reform, which could possibly affect personal power bases, is what some—but by no means all, I hasten to add—elected council members have brought to my attention. My strong opinion is that preferential voting strengthens our democratic processes at all levels of government, including local government. Under this system, voters number and rank candidates from most preferred to least preferred. The system kicks in when no one candidate has secured an absolute majority of the primary votes or the number one votes. Under a preferential voting system, the successful candidate must achieve an absolute majority, so all votes, second votes and so on, may be used. That also has the benefit of preventing vote wastage.

Preferential voting also ensures that the ultimate outcome is reflective of the majority of the community's views, unlike first-past-the-post systems, in which an outlier voice can secure a small and energetic supporter base and get across the line. Preference allocations allow people to have their other choices and views represented, not just their number one choice. It allows particles of like-minded philosophies or policies to exchange preferences and assist each other to win. This grouping of like-minded candidates will be transparent in the campaigning process.

The Local Government Amendment Bill 2023 also includes new provisions to allow local governments to fill vacancies on council that arise within a year of an election, if there is an eligible next-highest polling candidate from the previous election. Preferential voting enables this reform because it allows the voter's preference for the

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order of candidates to be determined. This will save costs to ratepayers because extraordinary elections can incur significant costs.

Usually, the biggest disadvantage of preferential voting is that the system is viewed as being more complex compared with first-past-the-post. However, this is counterbalanced in Australia because the preferential voting system has been embedded in our state and federal elections for more than 100 years; as such, it is the expected norm amongst voters. Anecdotally, more people are confused about how to vote in local council elections than they are in state or federal ones, as it is not what they are used to. In addition, our Electoral Commission is very used to counting the votes of a preferential system.

A secondary argument against preferential voting is that voters have to express a preference for candidates that they do not want to support at all. This issue is solved through these reforms by having optional preferential voting, which means that voters can choose to preference as many or as few candidates as they wish. There will not be any preference flows other than what electors put on their ballot paper.

As mentioned earlier, this bill is based on a large body of prior work and consultation. This consultation has refined many of the reforms in this bill, ensuring that we will deliver the best possible outcomes for both ratepayers and local governments. At the heart of these reforms is the intent to facilitate good culture in local government. Critically, this bill's package of reforms is designed to strengthen how our local governments work to deliver services to local communities across WA. It is a major milestone in the delivery of the McGowan government's local government reform agenda which, as mentioned, is the biggest set of changes for more than 25 years. We also support the practical implementation of these reforms for the development of guidance templates, public information and transition plans.

At the same time, work is also continuing on the next tranche of legislation, which will establish the new local government inspector and monitors. The inspector will overhaul the oversight of local governments across Western Australia and will have strong powers to investigate and respond to dysfunction in local governments. The inspector will be supported by a panel of monitors, who will be highly experienced and capable people with specific skills who can be appointed to go into a local government and work with councillors, CEOs and staff to identify how issues can be resolved.

Our McGowan government is working hard to introduce this legislation in as timely a fashion as possible. I am proud that the McGowan government is delivering positive local government reform that will benefit ratepayers across Western Australia for decades to come. I thank the Minister for Local Government for his commitment to local government reform, this bill and the continuing work being undertaken. It gives me pleasure to commend this bill to the house.

Debate adjourned, on motion by **Mr D.A. Templeman (Leader of the House)**.

House adjourned at 6.26 pm
