



Parliamentary Debates

(HANSARD)

FORTIETH PARLIAMENT
FIRST SESSION
2019

LEGISLATIVE ASSEMBLY

Thursday, 4 April 2019

Legislative Assembly

Thursday, 4 April 2019

THE SPEAKER (Mr P.B. Watson) took the chair at 9.00 am, acknowledged country and read prayers.

PAPERS TABLED

Papers were tabled and ordered to lie upon the table of the house.

ROYAL PERTH AND BENTLEY HOSPITALS — RAINBOW TICK ACCREDITATION

Statement by Minister for Health

MR R.H. COOK (Kwinana — Minister for Health) [9.02 am]: I am pleased to announce that the mental health inpatient services at Royal Perth Hospital and Bentley Hospitals, which are part of the East Metropolitan Health Service, have become the first public health services in Western Australia to achieve the Rainbow Tick accreditation. The Rainbow Tick accreditation requires achievement against a set of nationally agreed standards that indicate delivery of safe and inclusive services to lesbian, gay, bisexual, transgender and intersex—LGBTI—people in the community. The six standards are organisational capacity, workforce development, consumer participation, a welcoming and accessible organisation, disclosure and documentation, and culturally safe and acceptable services. Since February 2016, the hospitals have been working toward achieving Rainbow Tick accreditation by improving practices to promote inclusivity of patients, carers and staff who identify as being LGBTI.

To achieve the standards for the mental health inpatient services at the two hospitals, an extensive education program and policy and practice review was delivered across the two sites to promote and inform staff of practices that promote LGBTI inclusivity. The services utilised staff who nominated to be rainbow champions, along with lived-experience representatives and LGBTI community members to support staff during the accreditation process. This contributed to healthcare providers having a better understanding of the diverse and unique set of challenges faced by LGBTI consumers and staff.

In September 2018, the Royal Perth Bentley Group underwent a formal assessment against the standards, specifically in mental health inpatient services. In March 2019, the Royal Perth Bentley Group became the first public health service to achieve the Rainbow Tick, which is a significant achievement for the service and indicates a considerable benefit to its consumers and staff. The East Metropolitan Health Service board provided its support for the placement of rainbow flags at the hospitals upon achievement of the Rainbow Tick. The rainbow flag demonstrates support and respect for the LGBTI community and any staff members identifying with this community. I congratulate all involved.

FORCED ADOPTIONS MEMORIAL — TOWN OF VICTORIA PARK

Statement by Minister for Culture and the Arts

MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts) [9.04 am]: I would like to inform the house of a recent event I was honoured to be invited to—the unveiling of an important memorial that recognises the apologies of state and federal governments for the forced adoption of children. The memorial consists of two sculptures, titled “Empty Arms—Broken Lives”, and was commissioned by the Association Representing Mothers Separated from their Children by Adoption, known as ARMS. It was unveiled in the Town of Victoria Park on Thursday, 21 March 2019, to mark the sixth anniversary of the national apology offered by then Prime Minister Julia Gillard on behalf of the Australian government on 21 March 2013. On 19 October 2010, Western Australia became the first state in Australia to apologise to mothers who had been subjected to forced adoption. The Western Australian Parliament apologised to the mothers, their children and families who were adversely affected by these past adoption practices. In fact, the Western Australian Parliament was the first in the world to offer an apology for past forced adoption practices and was supported by both sides of the house. The apology was heard by a large number of those mothers and families in the public gallery. Acknowledging and validating the trauma was a critical step in the healing process, and it enabled some closure.

These sculptures are a symbolic acknowledgement of the pain and trauma suffered by all people separated by forced adoption. The unveiling of this memorial marks an important milestone for those people whose lives were impacted by these past practices and policies. ARMS donated the sculptures to the Town of Victoria Park, which has embraced their significance and found a home for them in Read Park, reflecting the inclusive and caring approach of the Victoria Park community. I would particularly like to acknowledge the work of Mayor Trevor Vaughan, Anthony Vuleta, CEO, and the entire team at the Town of Victoria Park for their support and assistance in adopting this important memorial. I would also like to acknowledge the hard work of ARMS coordinator Lynne Devine in making this memorial a reality, and to Sue MacDonald, my constituent, for first introducing me to this history by sharing her story. These sculptures are a poignant reminder and acknowledgement of a deeply traumatic and sad time in our history. It is hoped that the memorial will provide a place for quiet reflection.

EARLY CHILDHOOD LEARNING AND DEVELOPMENT CONFERENCE

Statement by Minister for Women's Interests

MS S.F. McGURK (Fremantle — Minister for Women's Interests) [9.07 am]: I rise to inform the house about Child Australia's Early Childhood Learning and Development Conference that I had the pleasure of attending last weekend. Over 1 000 delegates, representing community sector agencies, early childhood education and care providers, and government agencies delivering early years services, attended over three days. The conference included international and national keynote speakers, alongside practical workshops for thought leaders, educators, academics, allied health professionals and other practitioners working with children. Child Australia established this conference in 2007 to advance three primary goals: to build the capacity of professionals within the education and care sector; to promote high quality education and care for children; and to improve the learning and developmental outcomes of Australian children.

Child Australia last hosted this biennial conference in March 2017. This is Western Australia's largest gathering of professionals supporting education and development of young children. Keynote presentations were made by a range of experts in their fields, including Dr Louis Cozolino, a leading child neurodevelopment specialist from the US, and Dr Nat Kendall-Taylor, CEO of the FrameWorks Institute. Local experts also presented at the conference, including representatives from CoLab, Playgroup WA and the State Library of Western Australia. Promoting the importance of the early years within the early childhood education and care sector is crucial. The McGowan government recognises how important it is to support children in the vital early years to set the foundations for their future development. That is why the Premier announced "Our Priorities: Sharing Prosperity" last month. One of the most important targets in the early years is to increase the number of children in WA who are developmentally on track when they start school. Building on the quality services being provided to young children and families is of the utmost importance if we want to give our youngest Western Australians the best start in life. I commend Child Australia for its ongoing commitment to early childhood development.

WESTERN AUSTRALIAN 2019 TELSTRA BUSINESS WOMEN'S AWARDS

Statement by Minister for Women's Interests

MS S.F. McGURK (Fremantle — Minister for Women's Interests) [9.09 am]: I inform the house about the Western Australian 2019 Telstra Business Women's Awards, which was held on Thursday, 28 March. These prestigious awards recognise and celebrate the achievements of businesswomen in Australia. The 2019 awards mark the twenty-fourth year of the awards, making it the longest running women's awards program in Australia. I had the great pleasure to speak at the awards and meet many outstanding women across a range of sectors who are choosing to do business their way. In the process, they are delivering better outcomes for their staff, their communities and their bottom line.

The overall WA winner, who will now go on as a finalist in the national awards, is Leonie Knipe from Avon Valley Toyota. As the first female dealer principal for Nissan and Mitsubishi in Western Australia, Leonie takes an inclusive approach in the way she directs the dealerships. She says she wants diversity in her business, from young people seeking their first work experience to older workers looking for a new opportunity. I acknowledge all the outstanding winners across each category whose achievements range from delivering arts education to rural children and adults in the Pilbara, and providing accounting services that would otherwise be unavailable to people in Kununurra in the East Kimberley region. I acknowledge the winner of the Public Sector and Academia Award, Paula Nelson, who was the first woman in almost 170 years to manage Fremantle Prison, which is Perth's only world heritage attraction. Finally, I make special mention of finalist Kelda Oppermann of Zonta House Refuge Association. Although Kelda was not the winner in her category, as the Minister for Prevention of Family and Domestic Violence, I witness firsthand the outstanding work that she does and her nomination as a finalist was richly deserved.

As Minister for Women's Interests, I am heartened and buoyed by the achievements of women across our community who are making a difference every day. Along the way, they are making Western Australia a better place for all of us and challenging gender stereotypes with every inspirational step.

CITY OF JOONDALUP — TOWN PLANNING SCHEME

Grievance

MS E. HAMILTON (Joondalup) [9.12 am]: My grievance today is to the Minister for Planning. I know that the minister is aware of the concerns raised by residents in the Joondalup electorate with regard to the City of Joondalup's local housing strategy. The legacy of poor communication and a lack of leadership by the City of Joondalup has created a confused and hostile environment in which parts of the Joondalup community feel concerned that their local government is not able to address community concerns. I have spoken about this matter in the chamber on numerous occasions; indeed, this will be my second grievance to the minister on this matter. Unfortunately, the views of my community and the sentiments of my grievance remain unchanged. That being said, I hope that today the minister is able to dispel some of the myths about this matter in the public domain and provide some further information for my community and the communities of my colleagues in neighbouring electorates.

I again raise the way in which the City of Joondalup has approached the development and implementation of its local housing strategy and, more specifically, the way in which it has broadly communicated with local residents and communities in the 10 housing opportunity areas about the increase in density, the process, what it means for their suburb and what will be delivered on the ground. I also note that Joondalup is the only local government that has established HOAs. I make it clear to my community that we as the state government have an obligation to address urban sprawl in the Perth metropolitan area, and I will not shy away from that. To address urban sprawl and the pressure it places on resources and infrastructure, we need to increase the density of existing suburbs with good-quality developments in strategic locations. Most of the community understands and accepts this. It would be easy to say that the residents who object to infill have the attitude of “not in my backyard” or “not in my suburb”, but that would be grossly unjust and simply incorrect. These residents are upset that they have been denied the opportunity to meaningfully engage with and understand the process of developing the City of Joondalup’s local housing strategy.

The state government has accepted the targets set by the previous state government, but the local government must develop a plan that meets those targets in consultation with its community—the ratepayers—in a way that meets community expectations. It must meaningfully consult about its plans and bring the community along, otherwise it will face a loud and passionate response once developments are approved and construction commences. This is what has happened in the northern suburbs. Residents are frustrated and dissatisfied with the consultation that has taken place and perceive it as a hijacking of their suburbs with developments detracting from the way of life that they had anticipated in the suburbs they call home. We have all seen *The Castle*; Australians love their homes. It comes as no surprise to me that residents in HOAs are active and vocal about their displeasure with the local housing strategy. They feel that they did not have a proper say and that the city undertook a box-ticking exercise in its consultation and, as a result, they have to live with the consequences of poor policies, poor developments and poor outcomes. Residents feel that the city has cherrypicked items from the state government’s Metronet plan, which outlines a comprehensive approach to development, and used it to justify increasing density in isolated pockets. Criteria such as proximity to public transportation have been used without consideration of other key criteria, such as the need for a mix of business, residential and leisure space, housing diversity, and public services and facilities, which are required to facilitate transit-oriented development. Without in-depth analysis, planning and consultation, the city has taken a clumsy approach to this issue and has been met with a poor reception from the communities that will be affected.

I have raised this matter with the minister on several occasions, including in my last grievance in March last year so I know that she is well across the issue. I thank the minister for asking the city to undertake a review of its local housing strategy and for her recommendation that it be a city-wide review. I am informed that the review has been completed, that preliminary information is in the public realm and that the matter will come before the council next week. I note that residents feel concerned about the way in which this process is structured. They feel that it did not provide for complete interaction with the consultation process. Further, people in Edgewater very much feel that the results are truly reflective of the consultation and surveys that were embarked upon prior to this process.

I fear that what may have been lost in this drawn-out process is the chance to ensure that density is centred in appropriate and strategic locations. In my deputation to the Joondalup council in November 2017, I spoke of the importance of developments not detracting from the amenity of the suburbs in which they are located. Ratepayers bought into leafy green suburbs, and sensible development must ensure that this characteristic is maintained.

I was recently puzzled by the Metro North-West Joint Development Assessment Panel’s decision about two Edgewater developments that involved the same DAP process, the same developer, a similar development and similar arguments, but a different outcome. How can such different decisions be made on similar developments only a short time apart? I wholeheartedly agree with the reasons that the Tuart Trail development was rejected by the DAP, but I am at a loss to see how the same criteria did not apply to the Chipala Court development that was approved earlier this year. Residents quite rightly feel confused and do not trust the process.

Upon taking office, the McGowan government recognised the disparity in the quality of developments across local governments in the metropolitan area. We have made big steps to address this issue and ensure that local governments and developers meet a minimum standard across the board with the release of “Design WA” and the apartments code. I understand that a medium-density guide is being worked on as we speak. Additionally, the government has announced Connect Joondalup for the redevelopment of the former Joondalup basketball site. Both sites are located in the heart of the Joondalup central business district, which is where medium and high-density developments should take place to take advantage of existing infrastructure and amenities. These developments should also be considered by the city in developing and meeting state targets.

Although I am speaking about my community, it is important to note that similar issues have been raised in Kingsley, and this matter has been raised by my colleague Jessica Stojkovski with ratepayers and community groups in Woodvale. There are also similar issues in Burns Beach. Residents in the City of Joondalup need to understand what they can do to be better heard by their local government, and that is the reason for my grievance today. The communities of Joondalup, Kingsley and Burns Beach need to be assured that the information they receive is accurate and that their views will be heard and considered by the City of Joondalup.

MS R. SAFFIOTI (West Swan — Minister for Planning) [9.19 am]: I thank the member for Joondalup for the grievance and I also note, of course, that the members for Kingsley and Burns Beach have raised similar concerns about the history of what has happened in this area. The member for Joondalup outlined the history and some of the concerns very well, but I will just go through them again to outline very clearly what our approach has been and also the way forward. I think that is very important. As I said, I acknowledge the disquiet and concerns throughout the suburbs that the member represents about some of the work that has been undertaken in the past in housing opportunity areas and with the plans for infill. I know that she has met with a number of local residents and residents' associations. I know that she has been well briefed and is very much across this issue. I know it is something that she has been very passionate about. I am also a little concerned about some of the misinformation that has been put out over the past three to four months. I have tried to take a very bipartisan approach to these issues. To get that density and infill is a challenge, because, in many instances, people do not like change, and it is a change for many of the suburbs in which we live.

When we were elected to government, I adopted the previous government's infill targets. This is a key point that I want to make. These targets were established by the previous government and endorsed by the previous cabinet. I was not going to rip up work that had been done. I adopted those targets and then went about looking at the scheme amendments and the schemes before us. It was clear to me from very early on that in many instances the way those targets were being met was not appropriate or did not get the outcomes that I sought to achieve. I remember some similar issues in Ballajura when I was in opposition, when a sort of wholesale subdivision approach was taken rather than looking at density in appropriate areas. For example, the suburb of Ballajura and other suburbs that were created around that time have many cul-de-sacs, so the design of the suburb sometimes makes it difficult to get density in key places. I became aware of this a lot in opposition, so when I became Minister for Planning it was clear that maybe the approach taken was too simplistic in many instances. The approach that I have taken is to adopt the targets, but to be a bit more nuanced in how we achieve those targets.

Amongst the schemes that have come before me, Nedlands is an example of a proposal that was originally put forward by the Western Australian Planning Commission. I worked with the WAPC. We managed to change the proposal that was finally put back to the City of Nedlands to reduce the impact or the scope of the up-zoning to some key areas along some key activity corridors and centres. I have also been very engaged with the City of Subiaco, because the original proposal went too far into the suburbs. We really scaled it back to ensure that we got the same density targets or infill amounts, but centred it around activity areas. There has been a lot of debate around something that is happening within the City of Cockburn, which the member for Willagee has put to me a number of times. The city took what I felt was a very similar approach to that of the City of Joondalup, with a lot of the subdivision to occur across the suburb. Many people supported that approach, in particular those who wanted to subdivide their land, but when we looked at who had supported it, we found that many other people were probably not aware of it. I have asked the City of Cockburn to reconsider that approach so that we do not replicate what happened in Joondalup. I am taking the lessons from Joondalup with me as I look at other scheme amendments that are before us.

I wrote to the Mayor of Joondalup about this issue. Originally, there seemed to be a bipartisan approach to this issue, yet he is now saying, "This is not up to me. It's not up to us. It's all the state government." I will reiterate to this chamber today what I outlined to the mayor. I said —

It is true ... that the State Government are the final decision makers on local government planning schemes. However, it is local governments who are responsible for initiating local planning strategies and amendments to ... schemes and it is the local governments responsibility to engage with its community and work with those communities to determine the appropriate locations for additional density.

That mayor was a member of the cabinet that endorsed the infill targets and he was in government when that scheme was adopted. To turn around and say that it is all up to the new state government is completely false and does not help us to sort through the problem. I understand that the amendments are going to the Joondalup council next month.

Ms E. Hamilton: The outcomes of the review, next week.

Ms R. SAFFIOTI: The outcomes of the review will be going before council next week. We are very keen to make sure that the work has been done and the community has been consulted so that we get the density in the right places. As the member outlined, we are committed to ensuring we have even more infill across the suburbs, but we want to ensure it goes in the right places and that the community has had widespread consultation. We are very keen to see what the council decides, and we are very keen to continue to work to ensure that we have a density solution that is more appropriate and better reflects the activity centres. The member also referred to the Design WA suite of guidelines, which outlines that where we have density, we should have appropriate design. The Design WA apartment guidelines are out and come into force very soon. Of course, we are also developing the medium density and precinct planning Design WA suite of documents.

We are very keen to continue to work with the community. As I said, it is about ensuring that we get those outcomes. As the minister responsible, I will work with the WAPC and I will then go back to the councils and get them to work with the community, so that we get the right outcomes and identify the right corridors. That might mean more density in some parts, but it will not be so widespread throughout a community.

TONKIN HIGHWAY–MUNDIJONG ROAD EXTENSION*Grievance*

MRS A.K. HAYDEN (Darling Range) [9.26 am]: My grievance is to the Minister for Transport. I thank the minister for being here for my grievance this week. I note that my last one was heard by her parliamentary secretary. It was about a petition that was tabled containing 1 593 signatures from the local community, requesting that the minister invest in making the daily commute safer by upgrading the Thomas Road–Nicholson Road intersection. I assume that the minister was updated and briefed by her parliamentary secretary and that a response is being worked on. Considering the announcement this week by Andrew Hastie of \$10 million in funding, I hope that the response will be a positive one.

Today I am once again advocating on behalf of the residents of Darling Range. The community has asked me to continue to raise this issue with the state government and to ask it to deliver on its promise to extend Tonkin Highway through to Mundijong Road. As the minister knows, this affects not just the people who live at the end of Tonkin Highway in Byford, but also those in Oakford, Mundijong, Serpentine and Jarrahdale. It also affects the tens of thousands of motorists who travel along Tonkin Highway.

Since the people of Darling Range elected me to represent them on 23 June last year, I have advocated to the Minister for Transport, as the responsible minister, for a start date for this project, which will provide certainty for landowners and protect daily commuters in this area. As the minister should be aware, a number of lives have been lost on the side roads that are currently being used in this area. The community is desperate for this promise to be delivered. To date, every response provided by the minister in writing, in answers to questions, and in short quips here in Parliament, has been dismissive and deflective, including falsehoods that the East Metropolitan Region received nothing for eight years under the previous Liberal government. After two years on the job, I trust that the minister now has an understanding of the process of road development. The previous Liberal government, which I was very proud to be a part of, invested over \$1 billion in roads in the East Metropolitan Region. As the minister well knows, many of those roads were in her electorate. However, she chooses to attempt to rewrite history.

Tonkin Highway is the biggest north–south transport route across the East Metropolitan Region. There is a strategic long-term plan for this vital piece of infrastructure. The biggest investment funded and started under the previous Liberal government, worth \$1 billion, was the Gateway WA project, which eased congestion for tens of thousands of motorists along Tonkin Highway and produced over 7 000 jobs. The gateway project was the biggest road investment in Perth's history, and upgraded Tonkin Highway from Great Eastern Highway through to Dunreath Drive, Abernethy Road and Roe Highway. Investment was also delivered to the Berkshire Road–Roe Highway upgrade. Drivers are now seeing the benefit of the Liberal government investment in Tonkin Highway north through to Collier Road, Morley Drive and Malaga Drive et cetera. The works have now started going through to Ellenbrook and Muchea, which is something that the previous Liberal government advocated and worked hard for, and committed to doing. However, the next stage of Tonkin Highway is where the Minister for Transport comes in. We need her support, and it is her decision to complete the next part; that is, to extend Tonkin Highway south, with upgrades to Hale Road, Welshpool Road and Kelvin Road and the extension south from Thomas Road to Mundijong. The minister and her Premier, along with the Labor Party's previous member, previously agreed that this extension was required. They all agreed and committed to the extension in 2017, and then again at the by-election with the Labor Party candidate, they all agreed to the extension and committed to that. They were all happy to splash their smiley faces across the local papers and in the material that was put into letterboxes, and they agreed and committed to the people of Darling Range that the Tonkin Highway extension upgrade was crucial and that they would deliver.

Where are we now? As the minister and the Premier crowed this week and last week, they have a great working relationship with the federal Liberal government. They have accepted the money that it has generously given the state for many projects and GST upgrades. Part of that crowing includes \$10 million for the Nicholson Road and Thomas Road upgrade. It includes also over \$400 million for the Tonkin Highway extension, as delivered by Andrew Hastie, who is a great working member for the people of Canning. Ken Wyatt, the federal member for Hasluck, has also delivered \$293 million in total for the upgrades to Hale, Welshpool and Kelvin Roads.

The state government now has millions and millions of dollars to go forward on these projects, yet today it is sitting on the money in the bank. My questions to the minister on behalf of the people of Darling Range are: When will she start creating the jobs that these projects will deliver to the community? When will she start spending the money granted by the federal government? When will the people of Darling Range have certainty around the land they own along with the proposed Tonkin Highway extension? When will the minister stop sitting on this pile of cash and start delivering on the promises to upgrade the Tonkin Highway extension to Mundijong and the vital infrastructure along Hale, Welshpool and Kelvin Roads? Many motorists across many electorates will benefit from that extension. We all know that Tonkin Highway is a vital road infrastructure for trucks, transport and general motorists. We ask the minister to take off her political hat for one moment and deliver on the promises that she made the people of Darling Range and surrounding areas and create the jobs for Western Australia with the money she has been given by the federal government.

MS R. SAFFIOTI (West Swan — Minister for Transport) [9.32 am]: I thank the member for Darling Range for that grievance. I hope she puts my entire response on her social media stream. The member said today that she was elected by the people of Darling Range in 2018. She was actually the member for that area for eight and a half years. She was elected as member for East Metropolitan Region by the people of Darling Range for eight and a half years. We have done a *Hansard* search to see how many times the member raised Tonkin Highway in the Parliament in that eight and a half years and the answer was zero. Zero! She did nothing. She was the member for eight and a half years and she did nothing—absolutely nothing. She did not raise the issue.

She stood up today and said that the money was in the bank. She has misled this house. She does not understand the budget. When does the money flow for this project? Where is it?

Mrs A.K. Hayden: You have got the money. It is untied. Where is your planning?

Ms R. SAFFIOTI: The member has no idea. She gets talking points sent to her from the federal campaign because her whole existence is basically based on people who parachuted her into that seat, and now this is payback. That is basically it. I know the area of Darling Range because, unlike the member opposite, I was born and bred in Darling Range. I grew up in Darling Range and I know the Tonkin Highway very well. That is why the McGowan Labor government has made it a priority. Let us go through the history.

In the lead-up to the 2008 election, Tony Simpson described the Tonkin Highway extension as a priority for the community and the Liberal Party. The then shadow Treasurer, Steve Thomas, said that it was a great project and supported its construction as soon as the state government could afford to do so. That was in 2008. The former government had billions come in. It racked up a \$40 billion debt and it could not find money for the Tonkin Highway extension in eight and a half years. Shame, member for Darling Range! Shame, member for Darling Range! Shame!

Mr V.A. Catania: Years of neglect.

Ms R. SAFFIOTI: Do not get involved in this.

In 2010 the Minister for Transport, Hon Simon O'Brien, said that it would take five to eight years to build the Tonkin Highway. They did nothing. In 2012 —

Mrs A.K. Hayden interjected.

The DEPUTY SPEAKER: Member for Darling Range, I call you for the first time. Would you please let the answer be given?

Ms R. SAFFIOTI: Put this on social media: the member for Darling Range did nothing. In eight and a half years she did nothing. Nothing.

Mrs A.K. Hayden interjected.

The DEPUTY SPEAKER: Member for Darling Range, I call you for a second time.

Ms R. SAFFIOTI: In the 2013 election campaign, Tony Simpson said that his focus for Darling Range would be transport. He said that the then government would finalise the work of the Tonkin Highway extension community working group and lobby to have its recommendation implemented. The Liberal Party sent off Tony Simpson to set up a working group to develop a business case. The member mentioned the strategic business case yesterday. Did the former government submit that to Infrastructure Australia? No, because it was not a proper business case. I have done the research and, in fact, it was a business case developed to try to get funding from the federal government. Let us keep going through the history.

Mrs A.K. Hayden interjected.

Ms R. SAFFIOTI: It was never submitted to IA. I will give the member an update.

The former transport minister, Dean Nalder, said that the extension would not be a high priority for the then state government. We keep going. The then federal member for Canning, Don Randall, said that he approached Dean Nalder and previous transport ministers about the extension until that point, but was not treated as a priority. In 2015, the then member lobbied and lobbied. The mayor came out and said that the state government did not think that this was a priority until 2031. The transport plan the Liberal Party released said that that project should be built in 2031. That is the history of the project.

Mrs A.K. Hayden interjected.

Ms R. SAFFIOTI: Member, I did not interject on you.

What happens? Andrew Hastie is elected. Do we see this project on the agenda in the federal budget? No. In federal budget after federal budget after federal budget, not a cent is allocated. Did the then state government commit to a cent? No. Did it make it an election commitment? No. It did nothing—absolutely nothing. The member for Darling Range, who was the member representing this area for eight and a half years, did nothing. She had transport ministers who said that it would not be built until 2031. Then what changed in 2017? It was the election

of a state Labor government. That state Labor government started working to put it on the agenda, and we undertook the serious work that needs to be done to get the business case developed. We started working on stage 1 and stage 2 business cases. Last year in April–May we approached the federal government to get the funding allocated, and it was. However, we wanted 80 per cent funding for this project. In the meantime, Main Roads Western Australia was developing the business case process, the proper process, that the federal government demands. Stage 1 and stage 2 business cases were done in August 2018.

On 5 February this year we submitted our stage 3 business case to the federal government through the Department of the Premier and Cabinet, which then sent it to the federal government. Infrastructure Australia is currently assessing the stage 3 business case. We are in the process of starting the environmental approvals. We are actually doing the work. The thing that changed was the election of a state Labor government that put it on the agenda. I raised it with the federal government. The Premier and the Treasurer wanted 80 per cent. I raised also the 80 per cent and now we are at that stage. We are doing the work.

Does the member for Darling Range know when the funding is allocated?

Mrs A.K. Hayden interjected.

Ms R. SAFFIOTTI: No, does she know? She does not know because she does not do her work. She gets sent talking lines because she does not have the ability to research. Let us go through the cash flow they sent. The substantial funding for this project flows in 2021–22. We are doing the work and we are going to get this project done because we see it as a priority. We put it on the agenda. Hastie has been there since 2015 and the only reason we have funding is because of the state Labor government. I will contact the 1 900 people in Darling Range and tell them exactly how many times the member opposite raised this matter in eight and a half years to show them how lazy she was. All the member for Darling Range was doing was the wine circuit, if not the cocktail circuit.

PATIENT ASSISTED TRAVEL SCHEME

Grievance

MR V.A. CATANIA (North West Central) [9.40 am]: My grievance is to the Minister for Health. Can the minister imagine how hard it would be to send a child hundreds, if not thousands, of kilometres away to go to school or seek medical treatment? It is devastating and emotional. I cannot imagine it because I have not been put in that position, but many of my constituents have. Imagine a child who is boarding away from home because they were not able get the right amount of education at home or because their parents were fortunate enough to be able to send them away to board in Perth, to be able to receive the best education they can. Does the minister consider that child to be still in the care of their parents? Do they still live at home? These are questions I would like the Minister for Health to answer. A constituent has come to my office to say that they have been unable to spend time with their child who has epilepsy, who needs to spend several days in hospital. The child is boarding away from home. The parent obviously wants to be with the child to ensure they can provide support and to know what is going on. The parent has been rejected by the patient assisted travel scheme. They are not able to travel down to Perth to spend time with their 12-year-old because the child is deemed to be not living at home. Even though he is still in the care of his parents, he is boarding away from home. The child has the option of having a carer present, but the hospital does not allow that to occur because the parent must be there to be able to assess the child properly, and for emotional support. To spend time in hospital with such a condition is devastating and emotional enough for that child. To be boarding away from home, thousands of kilometres from where they live, can also sometimes be devastating and very emotional for a child. Not being able to have a parent present in hospital while the child seeks medical treatment is emotional and distressing for the parent as well as the child. I call on the minister's Department of Health to reassess the way it supplies PATS, especially to children who are boarding away from home. The parents of this child fought very hard to keep the School of the Air open so they know how hard it is to live in the bush and provide the education that their children need. This government has tried to take away their education stream. They will not give up and I will not give up because this is a major issue for people who live on pastoral properties and who have no option but to send their children to boarding school.

These are exceptional circumstances but would metropolitan people with a child who has an epileptic condition who needs to go to hospital be happy to have a complete stranger attend their child's specialist appointments? A hospital will not even let patients, if they are under the age of 12 years, be there without a parent or guardian present. I do not think anyone in this chamber would accept having a complete stranger present in hospital with their child when the option for the patient assisted travel scheme is there to provide support for parents who have dependants, like the situation I referred to, so they are able to ensure that they are there for their child. The parents or carers also need to be able to make medical decisions on behalf of their children. Also, if they have more than one child, what do they do with the other kids? Do they just leave them at home on a station by themselves while the father is out fixing fences or windmills, or doing the runs? Getting a babysitter is often very difficult if they are several hundreds of kilometres away from a town or city. The patient assisted travel scheme should be not only for parents but also for those dependants who have to travel with a mother or father down to Perth to be able to provide care.

This is not the first issue my office has had with PATS. We are inundated and have been inundated with them for the last couple of years. The health department has directed patients, for example from Carnarvon, to see medical specialists in Geraldton. That is all very well; it is only down the road! It is 460 kilometres down the road. Some people are not able to fly there because there is no connecting flight. They have to spend six or seven hours on a bus to get to Geraldton when they have been told they should not be travelling by car or bus. They are forced to go to Geraldton because the specialist is there. They may be able to catch a two-hour flight down to Perth to be able to receive the specialist treatment they need, without spending six or seven hours in a bus or car. I think the criteria should be changed to allow these people to fly to Perth to seek the treatment that they ought to seek. They are often elderly people who do not have the ability to fly to Geraldton but can only catch a bus or take a car. Flying is the best and safest way for those people to travel. I need the minister to reconsider how PATS is deemed in my electorate. I hope he can fix these issues I have brought to his attention today.

MR R.H. COOK (Kwinana — Minister for Health) [9.47 am]: I thank the member for bringing this issue to the attention of the chamber today. The patient assisted travel scheme is a valuable part of our health services. It began in 1978 under a commonwealth program and was transferred in 1987 to the state government. It continues to provide an essential support for country patients. More than 38 000 country residents benefit each year from PATS. As I said, it provides important assistance to those patients but I accept, and I think we all accept, that the burden on country patients in terms of cost and inconvenience given their remote locations and the services provided, and the general burden of travel, falls on country patients much more than on any other people who receive health services in Western Australia. We continue to try to provide those services in a way that genuinely meets the needs of country patients. Despite the fact that between 2014–15 and 2017–18 there was an annual growth of 32 per cent in outpatient telehealth activity, PATS continues to be an important component of the delivery of health services. The cost continues to grow despite the growth in telehealth services. In 2017–18, the budget for PATS expenditure was \$39.9 million and in 2018–19 it increased to almost \$45.5 million. It is still a growth area in health expenditure, and rightly so. We want to make sure that people in the bush benefit from world-class health services and PATS is an important part of that process.

We continue to look at the way that PATS is managed. This was brought into stark focus in the 2015 review by the Public Accounts Committee. It made a number of recommendations about the way that PATS is administered and the level of support that is provided to patients. Some of those recommendations were put in place, but unfortunately at the time the government of the day did not provide a comprehensive response to the report, so perhaps we need to go back and have a look at the report and see what other learnings there are from it.

The situation the member described is essentially that there is a young patient located in Perth because he is here for educational reasons and is attending a boarding school, and the parent is located on a station outside Carnarvon. We would expect that young patient to have an escort—ordinarily, a guardian—when he goes into a hospital environment, but because of the unusual circumstances of this case, the guardian is many hundreds of kilometres away. I have sympathy for that specific issue, and I think the member is right to bring it to the attention of the Parliament today. I do not have personal experience of the patient assisted travel scheme, but I do have personal experience of epilepsy, and I can understand the anxieties that that situation would cause that young patient's parents. I understand that, because of his chronic disease, he has to get clinical assistance at the hospital, but without the support that other young patients would take for granted—that is, to have a parent there with them. I am very happy to have a look at the individual circumstances of this case, because I think the member has made an important point.

Mr V.A. Catania: I'll provide those details to you.

Mr R.H. COOK: Thank you very much, member.

The last time PATS was reviewed was in 2009, when there was an increase in the mileage rates for some patients. I know that the WA Country Health Service continues to examine PATS closely to make sure that it meets the needs of patients as best it can. I will ask the WA Country Health Service to provide me with a briefing on what additional changes it thinks could be put in place.

The nature of health services continues to change. Telehealth has significantly changed the way in which we deliver health care.

There are more conversations going on in this chamber!

The DEPUTY SPEAKER: That is a very good point, Acting Premier. Members, can we just keep the side conversations down. Thank you.

Mr R.H. COOK: The way in which we deliver health care is changing significantly. Telehealth services provide us with significant opportunities to improve the way we deliver health care in Western Australia, utilising the digital networks we have available to us. For instance, the member might envisage a situation in which this young patient comes from the school with an escort from the school, but the parent might be able to participate in the clinic via teleconference. That might not be suitable in this case, but one could envisage those sorts of opportunities

being available to us in order to meet the immediate needs of this young patient. It is important that we maintain a system whereby patients can gain access to health care, not on the basis of their ability to travel, but on the basis of their need. This is an important principle of our health system, and that is why PATS remains an important part of what we do. I will continue to review the situation with regard to PATS and I will certainly examine the specific situation of this young patient and see if we can provide some relief in that circumstance.

POLICE AND COMMUNITY YOUTH CENTRES

Grievance

MR T.J. HEALY (Southern River) [9.53 am]: My grievance is to the Minister for Police, to continue supporting the great work that the Gosnells Police and Community Youth Centre does in my community. I know the minister is a very strong and longstanding supporter of the impressive work of Western Australia's police and community youth centres. Like her, I have seen firsthand the difference that PCYCs make in the lives of young people, their families and our communities. For nearly 80 years, PCYCs in Western Australia have been assisting young people. Formed in Western Australia in 1941, the then Police Club aimed to provide guidance and structure to young people to prevent and reduce crime in the community while their parents were away, fighting in World War II, or working in factories or offices.

Since those early days, families have changed, work has changed and education has changed. The internet and social media have had a huge impact. WA PCYCs have evolved to meet the changing, demanding and often complex needs of Western Australian young people. Located in many metro and regional communities, PCYCs have engaged with young Western Australians and have quite literally turned lives around. PCYCs work. As a teacher, local councillor and local MP, I have worked very closely with them in my area. They deliver effective outcomes, yet I understand that their future is bleak and that their financial position is unsustainable.

Our local Gosnells PCYC opened in 1975; if members know where the current McDonald's is in Maddington, that is where the hall originally was. In 1981 it moved over to Lower Park Road, near one of the ovals in Maddington, and in 2014 it moved to its current home in Kenwick. Supporting young people in my electorate and the surrounding communities, the Gosnells PCYC delivers many programs focused on engaging youth, with great outcomes for them and for crime prevention. The centre is attended around 3 500 times per month by local young people and their families, who participate in a range of activities including the safeSPACE program and the intervention program Full Throttle, which is a bike rebuilding program. I want to commend Alan Elliot for his work in that program. They rebuild bikes that have been abandoned in the community or claimed as stolen. When they rebuild those bikes, with the help of young people, they give them back out to the community for free to people who have lost their bikes or had them stolen. There is also the brilliant Off the Rails program, delivered on Friday nights in the Armadale and Gosnells districts. There are some fantastic services across our region. The centre also offers sports such as boxing, gymnastics, judo and archery. I attended a wonderful tour of the gymnastics team's facility last year.

I would like to mention some great PCYC leaders in my community: Julie Cugley, Elaine Collens and the incredible Frances Higgins, who was our Gosnells citizen of the year last year for teaching gymnastics for more than 25 years at our Gosnells PCYC. Again, it is a great location and a great service. I also want to thank Bob Meredith at Fremantle PCYC, who is an incredible person and has been a stalwart of that facility for decades. He has provided a great service to his community and has taught me the importance of PCYCs.

I know the PCYCs play an important role in our communities, even beyond my electorate. I was talking recently with the member for Pilbara about the important work that the PCYC does in Roebourne, Geraldton, Broome, Bunbury, Midland and Rockingham. The PCYC provides an incredible service in delivering its aim of a brighter future for young people through direction, development and opportunity. Certainly, I spent most of my school holidays as a child at Kensington PCYC, because it was on my mum's way to work when she worked in the city. I would also like to commend two new senior sergeants—Senior Sergeant Craig Stephen at Gosnells Police Station and Senior Sergeant Quentin Flatman at Canning Vale Police Station—and the work they continue to do in our local area.

Having experienced the tremendous work that Western Australian PCYCs do in our community, I was taken aback and quite frankly angry to learn that the former Liberal–National government had put the great PCYC organisation in jeopardy. I understand that the plan overseen by the previous police minister, Liza Harvey, removed police officers and administrative support staff from PCYCs. To keep their centres open, WA PCYCs had to find money to pay salaries previously covered by Western Australia Police Force, which has resulted in significant operating losses for the organisation and has put its future in peril. I remember in 2014 former police minister Liza Harvey coming out to cut the ribbon at our new Gosnells PCYC; in fact, she was also cutting services and support.

I am keen to see this great organisation continue to support future generations of Western Australians, to help members of my community realise their potential, and to help prevent crime in our communities. Thank you very much.

MRS M.H. ROBERTS (Midland — Minister for Police) [9.58 am]: I thank the member for Southern River for his excellent grievance and for his continued strong support for PCYCs in this state. PCYCs have been around for nearly 80 years. They originated post-Second World War and they have been a key crime prevention tool and a way of involving youth in positive activities in the community for more than 80 years. Tens of thousands of young people in this state have benefited from their involvement with police and community youth centres. I have heard firsthand of lives that have been turned around because of a young person's involvement with a PCYC. The member for Southern River has outlined some of the brilliant programs that are in place at his local PCYC in Gosnells. Some of those programs are simply sensational. I can tell the member that similar programs operate throughout our great state, from Broome and the Pilbara, as the member mentioned, down to Albany and Collie, and throughout the metropolitan area. Indeed, some of the newer suburbs have not benefited as much from PCYCs, because it has been a very long time since one was opened in a new area.

People may remember that under the former government, the Brown review examined PCYCs going forward. I was very sceptical of that. I accused the government at the time of taking the "P" out of PCYC—of taking the police out of police and community youth centres. Traditionally, most PCYC managers were police officers, many of them at senior sergeant, senior constable or constable level, and they were part of the heart and soul of those communities. This was the case when we were last in government and for decades before that. In Albany, the police officer in charge of the PCYC had been there for a very long time and was very much respected and part of that local community. The wages of all those FTE police officers were paid recurrently out of the state's police budget. The former Liberal coalition government, under the leadership, if one can call it that, of Liza Harvey, removed those FTEs. A new model evolved in which the managers of the centres would no longer be police officers. There was talk at the time of continued police involvement and support, but that became more and more limited. The former government gave cash to the PCYCs—it effectively gave them some money for capital works—but it did not give them sustainable support into the future. This has left PCYCs in a very precarious position. Their year-to-year budgets are a struggle. The PCYCs not only have spent the money that the former government provided in exchange for removing all of those full-time jobs, but also have had to sell property and assets in order to meet their year-to-year budgets. Quite plainly, it is unsustainable.

The new leadership of the PCYCs have come to the government. I know that they have been to see some of my ministerial colleagues and a number of members of Parliament, both on the government and the opposition side. They are genuinely and rightfully concerned about their future. I would rather be in the position of not having to say, "I told you so", but this was obviously always going to happen. The former government took away the FTE positions from the PCYCs and left them to fund those positions on a recurrent basis. They were always likely to struggle.

I have no intention of letting police and community youth centres fall over. The Commissioner of Police is a very strong supporter of PCYCs. He has had a very close relationship with PCYCs throughout his policing career and knows firsthand the benefits they have provided to the young people of this state. Too often in the news we see young people doing the wrong thing. We have recently seen images of marauding groups of youths in Cockburn. Cockburn is not unique; there are issues like that with young people right across the metropolitan area and in some country centres too. We need to involve youth in a positive way in worthwhile activities.

Many a life has been turned around because of a young person's involvement with a PCYC. PCYCs are now much more than they were when the program was established in the 1940s. It is no longer just about sport and it is not just for boys. PCYCs started off as more of a boys club, teaching boxing and more athletic pursuits. As the member for Southern River outlined, they now do a range of other really worthwhile activities. I know that some of the programs the member alluded to are on offer at other police and community youth centres in Rockingham, Kensington, Fremantle and other sites. It is a shame that the former government left the PCYCs in this precarious position. It is yet another example of how our government is going to have to step in and pick up the pieces, as it tries to help the PCYCs restructure and reorganise so that they can be sustainable into the future.

I looked up a record in *Hansard*. Back in 2008, when we were last in office, 20 FTE police officers worked out of PCYCs. By 2012, that number was down to 14, and then the former government effectively removed them all. More and more, the Commissioner of Police is encouraging police officers to spend time at PCYCs, because without police there, they are just another recreation club. They need the police support. Although we do not intend to, and will not, put police back in there as managers, we will make sure that police are involved in all their activities.

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

Fifteenth Report — "Annual Report 2018" — Tabling

MS E. HAMILTON (Joondalup) [10.06 am]: I present for tabling the fifteenth report of the Joint Standing Committee on Delegated Legislation, titled "Annual Report 2018".

[See paper 2355.]

Ms E. HAMILTON: This report advises the house of the key activities of the committee for the 2018 calendar year. The committee scrutinises instruments made under statutory delegation and determines whether the instruments are beyond the scope of delegated power or otherwise in breach of the committee's terms of reference. The committee continues to scrutinise a large volume of delegated legislation. In 2018, 377 instruments, including

161 regulations and 121 local laws, were referred for scrutiny. The committee also tabled eight reports. In seven of those reports, Parliament was asked to consider whether eight instruments should be disallowed, and all eight instruments were disallowed by the Legislative Council.

Motions for the disallowance of delegated legislation usually do not proceed in Parliament if satisfactory undertakings are given to the committee. The committee recommends disallowance only as a last resort. In 2018, the committee received nine departmental and 30 local government undertakings. The committee encountered one set of amendment regulations that abrogated a fundamental common law principal. Another set of amendment regulations were unreasonable and had unintended consequences. Satisfactory undertakings were received in both instances.

Section 3.12(2A) of the Local Government Act 1995 excuses minor procedural errors in local law-making. That section has been operating for over two years, and the report discusses examples of occasions on which the committee has and has not applied this section. Five local laws breached their empowering acts due to procedural defects, which could not be excused under section 3.12(2A).

The committee also encountered a local government's prescription of modified penalties in the absence of a general penalties clause; the complications that can arise when a local law simply adopts the text of another local law by reference; and a systemic issue in the local laws of extractive industries that gives local governments the power to enter onto private land.

The committee trusts that the matters noted in the report will assist persons and bodies making delegated legislation to understand the committee's processes and the issues identified in previous instruments.

I commend the report to the house.

TEMPORARY ORDERS 40, 101, 146, 147 — STANDING ORDER AMENDMENTS

Amendment to Motion

On motion by **Mr D.A. Templeman (Leader of the House)**, resolved —

That business of the Assembly, order of the day 1, be postponed until the next day's sitting.

FIONA STANLEY HOSPITAL — POWER OUTAGE

Standing Orders Suspension — Motion

MR S.K. L'ESTRANGE (Churchlands) [10.09 am]: — without notice: I move —

That so much of standing orders be suspended as is necessary to enable the following motion to be moved forthwith —

That this house calls on the Minister for Health to immediately detail what briefings he has received with respect to the power outage at Fiona Stanley Hospital and to explain the duration of the power interruption, the wards impacted and whether any patients were harmed or placed at risk as a consequence of a power failure; and to outline what he is doing to ensure all public hospitals have uninterrupted power supply.

Standing Orders Suspension — Amendment to Motion

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

To insert after "forthwith" the following —

, subject to the debate being limited to 15 minutes for government members and 15 minutes for non-government members

Standing Orders Suspension — Motion, as Amended

The ACTING SPEAKER (Ms S.E. Winton): As this is a motion without notice to suspend standing orders, it will need an absolute majority in order to proceed. If I hear a dissentient voice, I will be required to divide the Assembly.

Question put and passed with an absolute majority.

Motion

MR S.K. L'ESTRANGE (Churchlands) [10.10 am]: I move the motion.

We have suspended standing orders today because it is the only vehicle open to the opposition in this place to provide the Minister for Health with an opportunity to get on the record, for not only this house, but also the people of Western Australia, the situation with the power outage at Fiona Stanley Hospital and what he is doing to ensure the safety of that hospital and other hospitals in Western Australia that may be subject to power outages in the future. The minister could have made a ministerial statement today, but he did not take that opportunity. That is another reason for today's suspension of standing orders. Members should think of this suspension more as a matter of public interest-cum-opportunity for the minister to make a ministerial statement.

The opposition has received information about what happened yesterday at Fiona Stanley Hospital and it continues to flow to us. We understand that there were some unique circumstances in metropolitan Perth with electricity storms and some generation facilities being damaged due to vehicle accidents. There are all sorts of stories. What

happened at Fiona Stanley Hospital was brought to our attention by a staff member, who we will not name. They indicated that it was something of concern to them and that we should bring it to this place. I will highlight some of the information that was brought forward.

The information was: “I went to work today. There was a power outage. Not normally a problem as we have backup generators, except today the generators failed.” This person had knowledge that as a result of the outage there was no cardiac monitoring for patients in the cardiology ward. They also said that the essential power, or red electricity, as it is called, which is supposed to always work, did not. They said that it was on and off. I assume that the red electricity is the backup power. A hospital can be thought of like a system. When a business continuity plan is being made for that system, one of the key things that should be factored into the system is what should be done if the main source of power turns off and how a constant supply of power to the hospital can be ensured. I expect there would be backup generators and backup batteries—whatever is required to keep the essential elements of the hospital operating so that patients are not put at risk. The person who works in the hospital called this power red electricity. I could be wrong, and I am happy to be corrected, but they are saying that the power that is supposed to always work did not always work in this instance. The person said, “Thankfully the open heart surgery was delayed for some reason in the morning, so the chest had not been cracked before the power went out!” They also commented that the intensive care unit went to battery backup on their pumps and ventilators. Clearly they are completely separate from the hospital itself, which is good. Those battery backups probably sit with the bed so they were able to continue working.

They said that power was definitely out for just under two hours, that it took much longer for the lifts to start working, that elderly patients had to climb many stairs, and that there were volunteers and water was on every level for the orderlies. Another comment was that a maternity patient leaving with their small baby after delivery held it as they carried it down the stairs. They said, “It was all pretty crazy, to be honest, and I’ve had a few wines since getting home.” This person has clearly thought, “What’s gone on here today? How has this happened?” The person’s area lost essential power—at least it was on and off in surges and was not reliable. They said that reports that the generators kicked in are false. We need some clarification about that. An employee said that the generators did not kick in. Maybe the director did a doorstep interview this morning and said something and the minister said something slightly different, because reporters are giving us different messages. Employees are saying that the generator did not kick in, but a director or somebody of that rank is saying that it did kick in, so we are getting conflicting messages.

This employee puts the fact that patients were not harmed down to luck. We are not here to try to run this as a massive gotcha scare campaign motion. That is not what this is about. This is an essential service for the people of Western Australia. We have many large and complex hospitals in the Western Australian health sector, which all rely on having electricity flowing to them to ensure that patients are kept safe and are not put at risk. In this instance, we are getting mixed messages about what happened yesterday. A person would not have to be advanced in the study of business continuity planning to work out that the number one backup plan that would be needed is for power. We would like some information from the minister about exactly how the backup power plans work and what the backup plans for them are. If hospitals rely on power generation that is external to the hospital and the primary source is taken out and the secondary backup, which is external to the hospital, is taken out, we want to know why the hospital does not have an internal generation capacity that can kick in very quickly if those external sources shut down. We would like to know what that is about.

We are not particularly concerned about the planning and make-up of these hospitals because we think that governments need to review and update their business continuity plans for hospitals regularly because hospitals take on new equipment and facilities such as new MRI machines. I visited the new MRI facility linked to brain and spinal surgery the other day at Sir Charles Gairdner Hospital. The minister will remember it, because he would have opened it. They are still training on that machine and have not got it up and running, but it is an amazing facility. The specialist surgeon talked me through how carefully they have to move the patient from the operating theatre table, with their head cracked open and the brain exposed in some instances, into the MRI machine. They have to keep everything hygienic so that very careful imaging can be taken and then get the patient back into the operating theatre to sew them back up. It is a very delicate and serious procedure. If there were a power outage during the procedure, I am not sure that patient’s safety would be cared for properly. Those are the types of questions that we want answered today. If the minister cannot answer them all today, we would very much appreciate it if he could come back to this place sometime in the very near future to give some us some reassurance about what happened yesterday and what he has put in place to make sure that it does not happen again. I will leave it there for today. I appreciate the minister accepting the suspension of standing orders to get on the record what the government is doing with that hospital system.

MR R.H. COOK (Kwinana — Minister for Health) [10.19 am]: In a strange way, I thank the member for raising this issue, because it gives me a chance to provide some preliminary information to the chamber about what happened yesterday. The motion calls on me to provide further detail; I certainly will. I will put together a brief ministerial statement at some point in the future so that we get it on the record in specific detail. I obviously did not have the chance this morning. We are still reviewing what happened yesterday, but I am very happy to provide the member with some detail this morning, which comes from the chief executive of the South Metropolitan Health Service,

Paul Forden. Yesterday, there was some electrical storm activity in the area, so originally I thought that must have been the cause, but it was actually a truck that hit a power pylon. That impact had two effects on Fiona Stanley Hospital. The hospital is fed by two network feeds: one from Murdoch and the other from Riverton. In Western Power pylon terms, it is understood what Murdoch and Riverton means. The redundancies in the system are that if the Murdoch feed, which is the main feed, goes down, it switches automatically to the Riverton feed. I understand that yesterday, the truck, wherever it hit, did so in a very unhelpful way and took out both the Murdoch and Riverton feeds at the same time. That is the reason that there was a full power outage to the hospital, which is very unfortunate.

The hospital is equipped with four generators—two diesel and two gas. Again, this information was provided just now by Paul Forden. The two gas generators are primarily used during the summer months to allay peaks and troughs that occur in the supply of electricity to the hospital. It runs these generators in the background to keep the power source to the hospital on a constant stream, particularly during those summer months when there is a big draw on the power network. The two diesel generators are the hospital's emergency generators. When the power went out yesterday morning, the two diesel generators kicked in straightaway. That led to a range of protocols being followed in the hospital, which is normal practice. They include postponing all operations while the power outage is in swing, and I suspect all members can understand why it would do that. Other protocols observed included shutting down the lifts; the hospital going into basic power draw, which means that it switches off all unnecessary power; and staff starting to use two-way radio communication; they had that as a backup just in case things went particularly badly.

In addition, the member made the observation that a bunch of rumours were going around. I had not heard the one about the cardiology unit, though obviously that will be examined. The other one I heard is that patients in the intensive care unit had to be manually ventilated. My understanding is that that did not take place. I am sure members have heard a bunch of other rumours as well. Fiona Stanley Hospital, as everyone knows, is a big institution with many staff and it is not hard for those rumours to kick off. The chief executive went to great lengths to say just how proud he was of the work that the many thousands of staff who work there did to respond to the issue yesterday.

Gas generators take longer to kick in. The diesel generators had already kicked in, but the decision was made to fire up the gas generators for extra insurance, or to create further redundancy in the system. The gas generators take a little while to start to kick in, and as the member observed, the power outage was for around 2.5 hours. By the time that decision was made and the generators started to crank up, the situation was resolved and Western Power restored the mains power to the area. From that point of view, I understood that there was a failure in those generators. It has since been explained to me this morning that it was not a failure; the gas generators just take longer to fire up than the diesel generators. That is the advice I received over the phone from both the communications team and the chief executive this morning. I will obviously be asking for a full briefing on the matter, and I am happy to make that the basis of a brief ministerial statement to the chamber as soon as that comes to hand.

This power outage affected the entire area, so St John of God Murdoch Hospital was in a similar situation and also struggled to deal with the significant power interruption, but I am very pleased to say that patient safety was not compromised. Obviously, inconvenience was caused to members of the public at the hospital and to any patients who were going to have an operation or procedure that had to be postponed. Apologies to all involved as far as that is concerned. Once again, I thank the staff for continuing to provide outstanding service under those difficult circumstances. I can confirm to the house that I will be very pleased to provide a more comprehensive and formal response in the form of a brief ministerial statement as soon as it comes to hand.

Question put passed.

REVENUE LAWS AMENDMENT BILL 2018

Third Reading

MR B.S. WYATT (Victoria Park — Minister for Finance) [10.26 am]: I move —

That the bill be now read a third time.

MR D.C. NALDER (Bateman) [10.27 am]: I will wrap up and provide a short commentary on the Revenue Laws Amendment Bill. We have supported the bill in the house and I again thank the Minister for Finance for resolving the issue, particularly for farmers as result of the West case, which took on an unintended consequence for farmers in succession planning. We really appreciate that that has now been resolved. A broader issue that was raised by the member for Moore yesterday is worthy of consideration for future governments—that is, succession planning. Although the member was relating it specifically to cray fishermen, we need to reconsider whether the transfer of assets to children when there is no real exchange of money should be a dutiable act. There is a fair question about whether families, when they pass on assets to their children, should be exempt from duties, and that needs to be examined for the future. That is all I want to add at this point. We appreciate that some loopholes have been closed, we believe that is it an appropriate action and we look forward to the passage of this bill.

Question put and passed.

Bill read a third time and transmitted to the Council.

LOCAL GOVERNMENT LEGISLATION AMENDMENT BILL 2019*Second Reading*

Resumed from 14 March.

MR J.E. McGRATH (South Perth) [10.29 am]: Although I am speaking first, I am not the lead speaker for the Liberal Party on this bill; the member for Carine is the lead speaker. I just want to make that clear at the outset. I am very interested in talking about local government because I think local government is a very important part of the process of governance in our state. Local government is often referred to as the third tier of government. People in local government, and often in communities, will say that it is the tier of government that is closest to the people. That is probably right, because people can get a lot closer to local government and councillors than they can to state or federal government. The legislation before us today is overdue. It is the first time since 1995 that a real effort has been made to make some changes to how local governments operate. This is the first part of legislation that will be introduced.

The member for Carine, our shadow Minister for Local Government, will obviously speak in a lot more detail about this issue, but I want to make a few points about what I think about local government. A lot of members in this place started in local government. It is often seen as a platform to go into state or federal government. I did not serve in local government. I sometimes wish I had, because it is a great training area. I think the world has changed completely—I have noticed that in my electorate of South Perth. The role of local government for many, many years, going back to the old Road Board days, involved roads, rates and rubbish, and the maintenance of parks and gardens. I grew up in Hamilton Hill. I remember that Cockburn Road Board had a very small office and a great big workshop out the back, where all the work in that shire was done by council workers. Nothing was contracted out. It worked well back then because Perth was a smaller place. Western Australia, though geographically very big, had a smaller population.

As time progressed, there was an evolution. Now in the twenty-first century, there are huge demands on local governments to deal with density. Density targets have been placed on local government by the state government. That is the state government's responsibility. The state government has to look at how we are planning for density in our cities; even in our bigger regional cities. This has placed a lot more responsibility and pressure on local government. In high-density areas where there are new projects and activation, councils have to start building taller buildings, but local residents do not want them and there is a lot of conflict. Sometimes councils and their officers are put under pressure. Some terrible things are said about council officers and councillors. Out in the streets, people say that the council did nothing; they cannot do anything. I tell them to go and see their local council, and they will say that they have talked to the councillor and he said, "We can't do anything; I'm only a councillor. The officers do everything and the CEO." I do not buy that. We cannot have a system now that may have operated in the 1950s and 1960s, in which councillors did everything, basically, and they had a council secretary. The workload and the demand now on councils requires very well trained and capable council officers to set up strategies and plans for the future. After plans are put forward to the council, councillors get to vote on them. If they are not happy with the work that the officers have done, they can send it back to be redone. It is a bit like in state government—the Minister for Transport does not do all the work planning roads and bridges and things like that. She may say that there is a need in this area because we have a bad traffic congestion problem, so the people at Main Roads WA or the Department of Transport would be given the job of finding a solution. When they have done all that work, they would bring that work back to the minister. The minister would either like it or not; and, if the minister liked it, she could take it to cabinet. Cabinet might not like it. There are processes. At the end of the day, councillors get a reasonable say in matters pertaining to their city or their council.

I will go back to how this all started in more modern times. In 1995, soon after the Richard Court government was elected in 1993, the government kickstarted a reform process for local government. Not much had been done in local government for a long, long time. The local government minister of the day was Hon Paul Omodei. He released the details of a bill to streamline and reform the existing act. It was a 700-page bill that contained 750 clauses. A lot of things that were to be changed meant changes in other areas. This will obviously happen here with some of the recommendations in this report, which the member for Carine will obviously talk about. If these things go through, the Dog Act and other similar acts will probably have to be amended. Minister Omodei said at the time that the draft bill was the culmination of a process which began in 1988—that was seven years previously—and was the first comprehensive review of the principles on which local government's main legislation was based.

The release of the bill was followed by three months of public consultation. After a substantial parliamentary and public debate, Parliament passed the Local Government Act on 13 December 1995. Paul Omodei said at the time that the new act was the first major revamp of local government legislation this century. Local governments have always been there and they are a product of the state government, but for many years they were allowed to roll along doing things. Obviously, the state government at the time was pretty happy with how things were going, but there came a time when change had to happen. Now the Minister for Local Government, who was also a very prominent member of local government in the Mandurah or Peel region —

Mr D.A. Templeman: The City of Mandurah.

Mr J.E. McGRATH: The City of Mandurah. The minister is bringing in some changes. I will go through the changes as I see them. The first one is universal training. When I was elected to this place, members received no training. Hon Phil Pental, who was my predecessor, gave us a bit of a talk in here. I remember him saying one thing: “You get an allowance called an imprest account. My recommendation is to spend it all!”

Mr D.A. Templeman: Good advice!

Mr J.E. McGRATH: But we did not get training on what we would confront. In this job, members learn on the run. Members are much better at politics after they have been here for 10 years. It is all based on experience—decisions made that are right or wrong—including being in this chamber and seeing how government works. Training has some merit.

I also notice that there will be candidate training. I heard a story about a councillor who was elected but did not nominate until half an hour before the closing time. This particular councillor had looked at the various wards and was weighing up the best one to jump into. When he finally picked one, he jumped in at the last minute and was elected to council. He had not done any training. Obviously, a question the shadow Minister for Local Government will be asking the minister is: what happens in that situation? A person might not want to show their hand. They might say, “I don’t want everyone in the area to know I’m doing training to become a councillor. I want to keep this pretty quiet”, because a lot of people like to sneak up on it.

Mr J.N. Carey: Why? That’s so ridiculous!

Mr J.E. McGRATH: It does happen. Some people will think about it and think about it, and then decide at the last minute. I have been informed that people can do this training and it will not be made public. People will have done the training —

Mr J.N. Carey: You can still be sneaky.

Mr J.E. McGRATH: It is not being sneaky. People can do the training and then go.

Mr D.A. Templeman: The process for candidates is an induction. It’s fulfilling an induction process.

Mr J.E. McGRATH: Yes. Once a person is elected to council, they have 12 months to do some further training. I think that is fine. I notice that there is no penalty for someone who does not complete those modules or whatever they have to complete. I am told that it is more about encouraging people to do the training. It is not a process in which someone is given a mark and if they fail the test, they are told they are probably not fit and proper to be on the council. It is more about getting a process going in which councillors are better prepared for the job they have to do.

Being a councillor is different from coming into this place. When a person is elected to council, they are on their own. When we are elected, we have staff. We have an electorate officer and a research officer, and our party machine if we are in a major party—not that we get a lot of help from the party machine as a rule. I have found that politics is a fairly selfish game in which people are so busy doing their own job that we do not get much help from anyone else.

Several members interjected.

Mr J.E. McGRATH: I am just saying that councillors are on their own and their only friend is the CEO if they want advice or to ask someone what they need to do. These are ordinary people who might never have run a business or anything like that. They are elected to council because they want to do something worthwhile and support their local ward.

I will talk about council member behaviour. It is good that the department will produce a model code of conduct. The member for Carine will obviously talk a little more about that. I notice that the code of conduct will also apply to candidates. I think this is probably important because there was some terrible behaviour at the last local government elections. The problem is that candidates running against sitting ward members do not have to abide by the code of conduct but the ward members do, and with social media and things like that we have today, they can say all sorts of things for which they presently cannot be held to account. Under this new legislation, action could be taken against those candidates. In one case, dead rats were found on some councillors’ lawns. We do not need that sort of behaviour and hopefully this legislation will be able to stamp it out.

The area of gifts has always intrigued me. I spoke to one councillor who told me, “If my husband buys me a birthday present and it is worth over \$200 or \$300, I have to declare it.” I said, “How ridiculous.” There is a lot of misconception and confusion about gifts. I am on the board of South Perth Hospital and it has a dinner function at Royal Perth Golf Club every year for the surgeons who do day surgery and things like that. One of the councillors invited to the function wanted the hospital to tell them what the event was worth. How is that worked out? A person at the function has a couple of red wines and a meal. I think that a councillor would not need to declare going to an event put on by a hospital owned by the community.

I think this legislative change might make it simpler for people to work out the declaration of gifts. If anyone gives a gift to someone who is in a position to make a decision on an application that person might make for

a development or whatever, that gift should be declared. In doing so, the councillor needs to declare an interest, not be involved at all in the debate, and obviously not vote on it. I think the same thing happens in cabinet—members can declare an interest. It is a worry. Is it an interest when a developer invites a councillor to a box at the footy? Maybe it is; I think it probably is. We have to be very careful about those things. Certainly, if a councillor has been at a box as a guest of a developer, and that developer made an application to the council, it is my view that they should not participate in that decision, because they could be compromised in some way.

[Member's time extended.]

Mr J.E. McGRATH: It is good that the gifts register will be outlined in a very open and transparent way so that councillors will be able to follow it. I think, at present, councillors just declare everything and obviously there is paperwork to be done when councillors put in all the gifts they receive—you know, when their third cousin buys them a meal at a restaurant.

Mr D.A. Templeman: I think the important aspect of this is recognising that with hospitality there are occasions when it is appropriate that councillors, through their role, go to those things. We are seeking to clarify all that and make it transparent in the publication of the register.

Mr J.E. McGRATH: A lot of ministers and former ministers from both sides of this chamber would have been to boxes at the football, especially one box owned by a very prominent developer. If that is okay for members of Parliament or ministers, what about councillors?

Mr F.M. Logan: No.

Mr J.E. McGRATH: I have not seen the Minister for Corrective Services there, but I have seen others.

I will now refer to CEO recruitment and performance management. The member for Carine will talk about this at length. This is a difficult area because the CEO is often much maligned, especially by councillors if they do not agree with what he is doing. Some councillors do not like the fact that they cannot talk to staff or council officers and have to go to the CEO. That is not different from our situation as members of Parliament. We cannot just ring up the Department of Transport to talk to officers there without going through the minister. That is the protocol. When a councillor asks a council officer, "How are you going to handle this?" and tells them, "I think you should do this", it is like they have someone standing behind them while they are at a typewriter or a laptop trying to do their job. We cannot have that sort of interference from councillors. The process has to have a proper governance model.

I refer to the recruitment and performance management of the CEO. I am not sure where it was, but a council did sack the CEO one week and then reinstate him two weeks later. How embarrassing; we cannot have things like that happening. We need a better system to handle these issues. People complain about how much CEOs are paid. The CEO in my local government, the City of South Perth—we are by far not the biggest council—has a big, big job. The CEO has a very big job handling a very big budget. If we want the best people, we have to pay them. I believe there are categories of payment for CEOs. The other thing that I have always found interesting with CEOs is when there are behavioural issues or vexatious complaints from one councillor against another. They have to be taken to the CEO. Say there is a complaint against two councillors by member of the community. It has to go to the CEO and the CEO says, "What am I to do with these two councillors?" But he also knows those two councillors will get a vote when his contract comes up. Maybe the reports do not go any further because the CEO thinks that if he gets all these councillors offside, he will be out of a job when his contract is up. I am not sure, but I am sure the member for Carine will flesh this out with the minister.

The next issue is greater accountability to the community. I am told that councils now have power, but they have no process. Maybe this legislation will put in a better process. I refer to some of the terminology in the legislation. One provision says that things have to be put out for public inspection. In the old days public inspection would be Harry and Martha getting in the old car and driving down to the local road board. They would walk in and on a board somewhere would be what was going to happen. The world has changed now and not as many people visit the local council as they used to. This bill is modernising, and from my point of view it is pretty good. I am sure the member for Carine will come up with some issues, because this is his shadow portfolio. I am speaking first only because I need to handle something else and I have had the approval of the member Carine to jump in ahead. That way he can come in off the long run, which I am sure he will!

MR A. KRSTICEVIC (Carine) [10.51 am]: I would like to thank the member for South Perth for that contribution and for putting so much responsibility on me in the only hour I have to put things on the table. I will try my best to go through them as quickly as possible. We are looking at the Local Government Legislation Amendment Bill 2019 as the first phase of our review of the Local Government Act 1995, which, as has been mentioned previously, was the first major reform done by Hon Paul Omodei back then. That was a long time ago, and we know that local governments have moved a long way since then. As a matter of fact, this originally came from the state government department, the Main Roads Board. When we look back at where local government started and where it is today, and we try to project into the future, if it keeps going at this rate, it will dwarf state government at some point with its size and responsibilities. We obviously need to think about where the future

of local government is, how much responsibility we are giving it, the pressure we are putting on councillors and mayors to undertake that responsibility and all the cost shifting that goes with that. I think there are some very serious issues with that. It also highlights the strong support that I have for a comprehensive review of the Local Government Act 1995 as a propriety to make sure we have an act able to assist us in the future that is agile enough to be refined, improved and added to along the way. A lot of that will be done through regulations. It is important to give the flexibility to make those decisions on the run.

For those who end up reading this speech or who do not know, I will give a very quick summary of the set-up of local government. We all know there are 137 mainland governments, two in the Indian Ocean territories and 10 regional governments, which is 149 in total. There are over 1 200 councillors out there. Every time I look at the local government sector it seems to employ more and more people. At the moment around 22 000 people are employed in local government. They manage assets of over \$40 billion and have an annual revenue operating budget of \$4 billion. We are talking about a very significant organisation that continues to grow and evolve in complexity in its service delivery and the areas it focuses on. The 1995 act is no longer capable of supporting where the sector is heading. There may also be things that local government is doing today that it maybe does not need to be doing; maybe they need to go back to the state government in some cases. A lot of analysis and review can be done across different areas about how those things are done. Planning is obviously a very significant issue for local government, and it is causing issues out there in the community.

The phase 1 consultation process closed on 9 March 2018, and recently, on 31 March 2019, the phase 2 consultation process closed. It is interesting to note that there were only 243 submissions, and I think the minister would agree that that is a very dismal performance for submissions in phase 1.

Mr D.A. Templeman: There was some good quality.

Mr A. KRSTICEVIC: I looked at them and some were better than others, but yes, there was a lot of information there. There were 171 submissions available for viewing online, but one must remember that there were only 163 actual submissions, because a number of people put in multiple submissions, so there was not actually 243 submissions from that many individuals. There were fewer people who put more submissions in. Interestingly enough, there were only 44 submissions from local governments themselves, which I thought was quite disappointing, considering what is discussed in phase 1 is such an important aspect and has created so much heartache and so many issues for the sector for so long. The feedback I got about the online survey in phase 1, which I think the minister might have got as well, was that it was very clunky and very difficult. A number of councillors gave up. Others refused to give up and went in four or five times to make sure their input was successful. I am not sure what happened there. I will read an article from the *Western Councillor* of December–January about the commitment the minister made at the time to the Western Australian Local Government Association and the sector. It says —

The Minister set his sights high when he first announced the reform process and informed WALGA in June 2017.

As stated in WALGA’s discussion paper, the Minister’s commitment was to conduct the review in two phases.

“The first will focus on modernising Local Government, with the policy work and consultation to be completed in 2017 with a Bill in 2018,” stated the paper.

We are in April 2019, a long way away from when the minister originally promised the sector that he would be introducing this bill. When we look at the number of bills the minister has introduced, he obviously has not had a busy legislative agenda. He has only really introduced one of his own bills, the Local Government Amendment (Suspension and Dismissal) Bill, which took 20 months to get through Parliament. Prior to that there was the Local Government Amendment (Auditing) Bill and the Heritage Bill 2017, which were done by the previous government and already sitting here ready to go through. I would be interested to know why it has taken so long to get to this point, because although the bill has very good points in it and some areas that probably need a bit more refinement, it does not look overly complex. As I said before, there was less consultation and feedback in phase 1 than phase 2, and it is great to see that the numbers were improved in phase 2. That may well be because the reference group increased in firepower and ability and was capable of getting more done than at the start of the process. More importantly, the group probably learnt from the mistakes of the first part of the process. The article in the *Western Councillor*, goes on to say —

“The theme for the second phase is delivering for the community, with the policy work and consultation to be completed in 2018, —

Obviously, that did not happen —

with a Bill in 2019.”

Of course that is not going to happen either. It is interesting to note that the minister made all those commitments initially. A bit of angst and heartache in the sector was caused by not getting clarity on some of these complex areas such as gifts, for example, which I will speak on at length.

I note the forums that were held, a couple of which I went to myself. The local government workshops were held at 14 locations—four in the city, in suburbia, and 10 in the country. A total of 395 people showed up to those forums, with 140 people in the city locations and 255 in country locations. They were mainly forums for staff, councillors and people in the sector. Considering there are 22 000 staff and 1 200 councillors, not a lot of people showed up to those forums to find out what was going on and to have some input into that process. I have to admit that I was a little surprised when I went to the City of Stirling forums and saw so few people there. I was disappointed with myself because I thought that if I had sent an email to my electorate, I could have filled that room 10 times over with the number of people who see me about local government and they could have had input into this area. It was a little frustrating that that was the case.

Community workshops were held at 15 locations, with 10 in the country and five in the city. Again, only 139 community members showed up to the workshops, with 79 attending at city locations and 60 at country locations. Obviously, my staff and I helped to bolster the number of people who attended. Again, I was disappointed about that. I also thought that an attendance register could have been kept and people's email addresses taken because that would have provided a great opportunity to engage with the few people who did attend and say, "You know what? We're going to keep you in the process because you've made the effort when not many other people have." It was also disappointing that they were not doing that. It is also interesting to note of the 1 200 elected members, only 10 councillors provided submissions, with only one of those from a CEO. That is a small number considering that we are dealing with something very serious.

One has to wonder whether the machinery-of-government changes to this department killed its ability to do its job as well as it could. I put that on the table because the local government component of the Department of Local Government, Sport and Cultural Industries currently has only 28 full-time equivalents after eight of its 36 staff took redundancies. That is a reduction of 22 per cent of staff during the greatest reform of local government. Twenty-two per cent of staff were told, "See you later! Thank you very much." All the expertise and professional development that they had accumulated over many years went out the door. The total FTEs in the Department of Local Government, Sport and Cultural Industries—I received this information in the answer to a question on notice—is 412 but only 8.5 per cent of other staff were given redundancies. A massive number of people left the local government section and took their expertise with them during the time of major local government reform. The department is obviously struggling to cope with the reform and all the other local government issues that are flowing in at an alarming rate.

It was great to see 3 145 responses, 1 700 from community members, during phase 2. Again, a lot of those responses were done online. I went through one of them and, again, not a lot of information could be given. It was basically tick a box. I wanted to go back and change something but I could not do that. The system kicked me out. The response went in when I actually did not want to send it off. I am not sure how many of those went through the system. Of course, this whole process may result in a green bill at some point because the review of the whole act is so massive.

What does the Local Government Legislation Amendment Bill 2019 cover? It covers universal training, and, of course, there will be issues with that because of city and regional and online and face-to-face issues and how that will work and the complexities around that. It also covers the code of conduct for candidates. Member for South Perth, there is probably nothing that can be done about candidates' conduct on Facebook et cetera. It is my understanding that they can be dealt with only after they are elected because they can be referred to the standards panel and dealt with down that path. Apart from that, the options are normal defamation procedures and other actions that people take as normal citizens when someone does something on Facebook. The bill covers councillors, CEOs, staff and standard panel issues—there is some good stuff in there; the standardisation of recruitment and performance agreements; gifts, which is very, very important; transparency, and I will touch on local government defamation protection for screening online; public notices; the availability of online information; and red tape reduction, which is important. When I asked question on notice 3034 during the phase 1 consultation process, I received a list of the people who were a part of the process and who attended the meetings that were held on 27 June and 12 October 2017. There were no councillors on that list—not one. I have that list of names here and no councillors were involved in the phase 1 reference group, which I found amazing considering what we are looking at. As a matter of fact, the Western Australian Local Government Association was represented only by Tony Brown. As I said, the phase 2 reference group has been beefed up, with the member for Balcatta chairing it. A whole range of organisations are represented, including the Australian Services Union WA. It is also important to note that of the 19 people on the reference group, from what I can see, there are only two councillors; namely, WALGA president, Lynne Craigie, and WALGA representative Karen Chappel, both of whom are from the country so there was no city council representation on the reference group. None of the big councils have been invited, which is quite disappointing. The reference group has plenty of people on it, but councillors are very poorly represented. I think the minister needs to look at that.

There are many reasons that this review is important. I will quickly touch on a number of reports that have been critical in forcing this review, particularly in the area of behaviour and conduct in phase 2. Members will probably remember the Corruption and Crime Commission's "Report on Misconduct Risk in Local Government

Procurement”, which was released on 4 February 2015. I refer to that report because procurement is an ongoing process and, as members would know, the previous Liberal–National government introduced the ability for the Auditor General to undertake performance audits, and one has been done on procurement. The issues faced in 2015 are similar to those faced in 2018–19. Procurement is an internal process within a council under the administration of the CEO. We often hear councillors say rightly or wrongly, “We have no control over the CEO. There could be corruption going on, but we don’t know. We ask questions and we’re told it’s all administrative. We’re not allowed to know. How do we know whether we need to report it to the CCC or the Public Sector Commissioner? How do we know if something is going right or wrong, especially if the CEO is colluding with the director or a staff member?” All these are valid questions that need answers.

I will quickly touch on the CCC report. There were six investigations. The first had to do with the City of Stirling and a building contractor who fraudulently obtained financial gains through contract collusion. The second involved the Town of Cottesloe and contracts that were awarded over 15 months to a private company that was owned by the town’s conservation and maintenance officer. The third involved the CEO of the Shire of Murchison, who fraudulently obtained \$41 000 worth of goods over two years. The fourth investigation looked at state and local government employees who spent \$620 000 on purchasing toner cartridges from a group of related companies. They did not follow the procurement process. Most of the toner cartridges were thrown out because they had so many. They were all getting gifts for making orders. The fifth investigation involved the CEO of the Shire of Kalamunda, who purchased over \$1 million worth of software from a company despite not having the authorisation to do so. That person did the same thing when he was the CEO of the Shire of Augusta–Margaret River. He purchased \$230-odd thousand worth of software and received lots of gifts and benefits. The sixth investigation involved an employee of the City of Bayswater, who awarded contracts to businesses owned by personal associates and family members. In 2015—no doubt this continues—there were holes and gaps in the procurement process. The Auditor General’s fifth report, “Local Government Procurement” reads —

All 8 local governments we reviewed had shortcomings in their procurement practices, most related to weak procurement controls, processes and documentation for tendering, purchase orders and approvals, and reviewing invoices and payment.

The Auditor General recommended that all local governments —

... including those not sampled in this audit, should review their policies, processes and controls against the focus areas of our audit.

Each LG we audited should provide an action plan to address this recommendation, table it with their Council, and make it available on their website ...

I am not sure whether that has been done; I will have to check that. The councils that were looked at back then were Bassendean, Dalwallinu, Fremantle, Greater Geraldton, Harvey, Kalgoorlie–Boulder, Karratha and Stirling. The Auditor General found a whole range of things but I will not go through the list because I do not have time. In 2018–19, there was some very serious stuff, which came off the back of the 2015 report. There was another report by the Auditor General, titled “Management of Supplier Master Files”. That is another great opportunity for people to do things. Five of the 10 entities the Auditor General looked at were local governments, and the conclusion was —

Most of the 10 entities we audited did not have comprehensive policies or procedures, which resulted in a lack of formal monitoring and review of their supplier master files. More than half the entities had weaknesses in controls over creation or amendment of their supplier records. In addition, at 3 entities, some suppliers were owned by or related to employees and the entities did not adequately manage these conflicts of interest processes.

The councils in that report were Perth, Belmont, Busselton, Gosnells and the Shire of Augusta–Margaret River. Again, there were more issues there. We know the Auditor General is now doing financial audits as well, which is a great initiative of the Liberal–National government that put the legislation together. It was able to be passed during this term of Parliament. From the “Audit Results Report”, 42 local governments were looked at and 36 material matters of noncompliance with the Local Government Act were discovered. In addition to material matters of noncompliance reported in auditor’s reports, they reported 290 financial management and control matters of varying significance to management in their management letters. In accordance with the Local Government Act regulations, they reported adverse trends in the financial position of 24 local governments. The report states in part —

... valuation methodologies used by various valuers to fair value property, plant, equipment and infrastructure, often differ significantly, potentially affecting comparability of asset values across local governments.

Members can see that in just that small space there is a huge amount of responsibility for CEOs, which counsellors do not necessarily get to see very easily. How do they get to that information? I do not really know how they get to it. I do not think that they can at the moment, so we need to find a way to stop corruption and the potential for corruption. Processes and systems are not working properly. At the end of the day, this is the CEO’s responsibility

and it needs to be built into the CEO's contract that if audits find out that systems are failing—guess what?—there are penalties for the CEO. They cannot just sit back and take half a million dollars in salary and ignore those facts or try to palm them off on a director or staff member, saying it was nothing to do with them and there is nothing to see here. I think that is what happens more often than not with some CEOs. They are able to deflect from themselves and make everyone else look bad, which means they keep getting their contracts renewed.

Mr J.N. Carey: I agree with you there.

Mr A. KRSTICEVIC: The member for Perth agrees with me; I thank him. He has the expertise so he would know. That is the impression I get from speaking to people in the sector.

Again, 50 per cent of the Corruption and Crime Commission's referrals are from local governments. I think the CCC needs to be given more money, as does the Auditor General, to do more procurement audits. That is very important. There is some work to be done there and I would really like the minister to lobby on behalf of the sector to get more money so that the CCC and others are able to do that and make sure things are happening. I am sure that some people in the sector would applaud that. The large majority of people in local government are honest, law-abiding citizens who want to do the best thing for their community and want to deliver the best outcomes. I think that is very important.

It is also important that the minister adheres to the partnership agreement. The minister goes on about the partnership agreement all the time and how important it is. I am a big supporter of the partnership agreement. I do not really care whether there was one in place during the last term of government. I have supported it since I have taken on this role. I know that the minister has not previously adhered to the partnership agreement, even though he said he has.

Mr D.A. Templeman: That's rubbish.

Mr A. KRSTICEVIC: If the minister goes back to the dismissal—

Mr D.A. Templeman: Have WALGA and the LG Pros raised this with you?

Mr A. KRSTICEVIC: Since the minister asked, I will read it out to him now. During the debate on the Local Government Amendment (Suspension and Dismissal) Bill, which took over 20 months to go through this Parliament, the minister indicated on the record during the consideration in detail stage that the partnership agreement had been adhered to. The member for Cottesloe would remember that. The minister said, "Yes, I've done it." I wrote to the Western Australian Local Government Association and to the Local Government Professionals WA. I said, "The minister said he has been through the partnership agreement. Can you please tell me what you have to say about that?" This is the email I got back from LG Professionals —

We understand due to time constraint, the time frame as stipulated in the partnership agreement could not be adhered to fully.

It refers to time constraints but the bill took 20 months to go through this Parliament.

Mr D.A. Templeman: Read the agreement!

Mr A. KRSTICEVIC: I did. The government could not find 12 weeks to go through it. The LG Professionals said the partnership agreement was not adhered to because there was not enough time, even though the bill sat in the upper house for a year.

Mr D.A. Templeman: Read the agreement!

Mr A. KRSTICEVIC: I also wrote to WALGA. It must have read the agreement; it signed it. This is the response WALGA gave to me —

In respect to the Suspension and Dismissal Bill, the government had advised that this was an election commitment and hence did not require the full sector consultation process.

The government said to WALGA that it was an election commitment and it did not require the process. To the LG Professionals, the government said it did not have time. That is what they said. I find it absolutely amazing that, firstly, the two of them had different answers to the same question and, secondly, that the minister said he had gone through the agreement.

Mr D.A. Templeman: Read the agreement!

Mr A. KRSTICEVIC: Maybe the minister needs to go back to the LG Professionals and WALGA to tell them, "We did go through the agreement, but maybe you didn't read it, just like the member for Carine didn't read it." Maybe the people who signed it did not read the agreement either. I do not have feedback yet but I hope that this bill has gone through with a partnership agreement, which has come in today. I am sure the member for Mandurah will say, "Yes, Minister."

Mr D.A. Templeman: Read the agreement!

Mr A. KRSTICEVIC: I am just telling the minister what WALGA and LG Professionals said to me.

Mr D.A. Templeman: No, this is what you do all the time!

Mr A. KRSTICEVIC: The emails are from them! The minister can respond. Anyway, I am not taking interjections.

Mr D.A. Templeman interjected.

The ACTING SPEAKER: Minister.

Mr A. KRSTICEVIC: I am not taking interjections. I am just raising information that has been given to me on the record, which is important.

Several members interjected.

Mr A. KRSTICEVIC: It is in writing from the two professional bodies that the minister signed a partnership agreement with, that say the minister did not do it.

Ms R. Saffioti interjected.

Mr A. KRSTICEVIC: I am not taking any interjections from them.

The ACTING SPEAKER: Minister, the member has indicated he will not take interjections. I will also ask you, member, to please not put questions to other members and please speak to the Chair. Thank you.

Mr A. KRSTICEVIC: I will very quickly go through a couple of the clauses and information in the bill, then I will get back to some other information if I have time. Firstly, there is something to do with public notices and statewide public notices. Again, it is about moving them into the regulations and allowing a minimum of three options for councils to be able to advertise in the community because of the changing technology. They may want to be doing consultation and communication through Twitter or Facebook or whatever other means might be available in the future. I think we all know that when councils do things, they put out notices and people in the community always say, "I didn't get the notice. No-one told me. I didn't know what was going on." Councils always say that they have done the right thing—communicated and tried their best—but that needs to be changed because there are some serious problems. Regarding notices, we need better information. It is great for a notice to say "LPS3" or "R80" are being implemented but most people do not know what that is; they have no idea. They think it does not affect them, but if we send them a photo and say, "Guess what? This three-storey building will be built next to your house as a result of this amendment", then all of a sudden they will go, "Oh! That picture means something to me!" Now the notice will mean something and they therefore will have a reason to jump up and complain. That was discussed during grievances today. More needs to be done on that front so that the community understands what is going on and so that the council is also forced to make sure it explains things better as well. Obviously, the community also has a responsibility to show interest. That is very important.

We talked about induction training for new members or candidates. When they put in their application form, they have to tick a box to say they have done induction training. I would be interested to know during the consideration in detail stage whether the application fails automatically and they cannot nominate if they do not tick the induction training box. Induction training is basically an online exercise in which someone reads through the module, answers some multiple-choice questions along the way and then they say it is completed at the end. There is no assessment and no cost or expense to the candidate. It is just a matter of going through the process. Like the member for South Perth said, a person who did not know where they were going could still do an induction course and then decide whether they would do it. There is no major process to get through it, so it should be relatively simple.

The next clause refers to the annual review of employees' performance and provides that the performance of the CEO and all staff must be reviewed on an annual basis, which is obviously very, very important. How it needs to be done is being looked at as part of the process; I will talk about that in a second. It is important to make sure that the review is done properly, the performance is recorded and appropriate actions are taken if they need to be, whether it be training, discipline or whatever else it might happen to be, as a result of things that have been discovered, and to give people good feedback if they are doing a great job.

There are model standards for CEO recruitment and performance. We know that that is an issue. There have been examples in some councils in which CEOs have been terminated. Confidentiality agreements are signed, and then they pop up at another council two weeks later as CEO, but nobody really knows why they were terminated and whether they were terminated for disciplinary reasons or a compromise had been reached on certain issues. Sometimes we hear in the sector that senior members and CEOs just get recycled, recycled and recycled. I have heard comments from councillors who have said to me, "Thank God that person's gone; good luck to the people who've got them now!" I do not know how widespread or serious that is, but that is something I hear. It is probably worth noting that we do not really want bad CEOs or directors being recycled through the sector over and again, causing trouble and havoc. There are examples from newspaper articles of some CEOs who have been charged and convicted and then re-employed soon afterwards. It is probably one of the few professions in which that can happen that easily.

It is important to make sure that we have a standard for the recruitment of CEOs, the review of their performance and their termination. That has to be standardised in regulations across all councils so they all know what they are doing and all have the same thing in place. Councils can also add their own twist to the standard provisions; they

have to do that within a certain period. The standard provisions are taken as given until a council develops its own provisions, and temporary employment of a CEO is included in that, which cannot exceed more than 12 months. I think it is very important to make sure that there is a fixed process and time frame for that to be done.

A code of conduct for employees is very important. The CEO will determine the code of conduct for employees and put it together to make sure that everyone understands their job. That will be in the regulations, but there also will be an opportunity for the CEO to add more. It needs to be published and made available to people, and the CEO has the ability to amend it. I would like to see the code of conduct for employees also signed off by the council, because I think it is important to make sure that the councillors are happy with what the CEO has done with it. All too often, whether in state, federal or local government, people forget that employees are there to serve the people. We are there to help make the system as easy as possible for them, to improve their lives, to do things as efficiently as we can and not to make things difficult. I know people sometimes say, "I'm too scared to complain about what's happening at the council, because guess what? They'll put me at the bottom of the pile and I'll have to wait even longer." I am sure we have all heard that story many, many times. We need to make sure that that sort of behaviour cannot happen.

How can councillors have some say in or understanding of the conduct of employees? That is why performance reviews, especially of CEOs and directors, should perhaps be done externally rather than internally, because directors are normally the referees for CEOs and their performance reviews, and the CEO is the employer of the director, so they are obviously going to make nice comments about each other. It is in the interest of the CEO to do so because he will get a pay rise, and the director obviously wants to get more money and responsibility. We have to be careful about mates patting mates on the back and make sure that that process is taken out, because we hear stories from time to time. It might be very rare for these things to happen; I do not know how widespread it is. It definitely happens from time to time, but it is debatable how widespread it is.

Gifts were also mentioned and, my God, what an absolute basket case this has been. The current situation is that councillors are not able to accept gifts of more than \$200 without approval from the minister to participate in events. If I have time, I will go through situations in which council meetings have had to be adjourned because of a conflict of interest with a councillor attending an event, and there was not a quorum to be able to make a decision because a councillor had received more than \$200 in gifts from a particular person whom they were making a decision about and they did not have time to get an exemption. It just turns into a basket case.

Interestingly enough, I was talking to a councillor who said that under the current act certain people are exempted, including relatives, but relatives do not include one's mother-in-law and father-in-law. Unless that councillor wants to put their details on a register, including their name and address, what the gift was and its purpose and other reasons, they should not accept the gift. Do some councillors maybe accept gifts from their mother-in-law or father-in-law and not worry about declaring it, or just assume that they are relatives? Maybe. Who knows? I would not blame them. It is ridiculous to say that a councillor's mother-in-law and father-in-law cannot give them a gift, whether for an anniversary or some other significant event. Councillors have to put all the details on a register, and there are councillors out there who are scared to do that. It also includes cousins and close friends. If a councillor gets married, they have to declare everything from everybody who falls within the very close-knit definition of "relative", which potentially includes their future mother-in-law and cousins; they all have to be declared. They have to do it all within 10 days, otherwise the CEO will refer them to the Corruption and Crime Commission. If they have a wedding and the next day happen to jump on a plane to go on holiday for three or four weeks, they will have already missed the 10-day limit. That is if they have looked at what the gifts are; I assume that the 10 days does not start until they open them and know what the gift is. They should be careful if someone sees them opening a present that is over the \$200 limit.

Obviously, the new provisions are a lot better. Councillors can accept gifts of under \$300 without having to declare them; that is magnificent. If they are more than \$300 and up to \$1 000, they have to declare them, but the council can give them dispensation to vote on matters that are before council. Again, that is a good thing. Under the changes that have been made, it is now similar to the provisions for a minister. It only has to be gifts from people or organisations that are associated with council matters, not things they receive in a personal capacity. If it is a wedding or anniversary and people give them gifts, that is all okay in respect of conflicts of interest and reporting. If it is more than \$1 000, the minister gives them the authority to participate in decisions, but I assume the minister would delegate that to someone in the department.

Mr D.A. Templeman: The DG.

Mr A. KRSTICEVIC: The director general will approve that without any issue. It is probably unlikely that too many people would get gifts over \$1 000, but one never knows. We would expect most people to fit between the \$300 —

Mr D.A. Templeman: Have you ever received any gifts over \$1 000?

Mr A. KRSTICEVIC: No, definitely not! Not even a pen, like the Minister for Health!

Now the minister has thrown me off! The CEO also has to disclose those gifts. Another interesting thing about the gift provisions is that the council can approve a list of gift recipients. It is a policy for attending events, whether it is a concert, conference, function or sporting event. The council can have a policy to say that if a councillor goes to, say, the North Beach Football Club—the most successful amateur football club in Australia —

Mr D.R. Michael: Very good facilities, too.

Mr A. KRSTICEVIC: Magnificent facilities, to which both the City of Stirling and the previous state government contributed significantly. I would like to congratulate the City of Stirling for looking after that part of the electorate.

If a councillor goes to a club's functions or events and it is more than \$300, or more than \$1 000 over the course of a year—not that it would be—they disclose the gifts over \$300 but they do not have to worry about a conflict of interest because it is included in the events register, as approved by the council. Therefore, they do not have to seek permission. From time to time, I go out for a coffee with councillors and I offer to shout the coffee because it is the right thing to do. They say, "Oh, no, no. I'll pay for myself." I say, "Well, it's only \$5 for a coffee." They say, "Yeah, but it could get to over \$50 over the course of a year."

Mr D.A. Templeman: How many coffees are you having!

Mr A. KRSTICEVIC: It will not be with the same individual!

Mr J.N. Carey: How often did Lisa say that to you?

Mr A. KRSTICEVIC: Never, actually—but I am sure the member for Perth had a few.

I say, "That's ridiculous. Why can't I buy you a coffee?" Anyway, I am not complaining. If they want to buy their own coffee, that saves me \$5. That is great. Obviously, after this amendment goes through, I will be shouting coffees, so there will be an expense there for me—but that is great. I am happy to do that. I do that with all my constituents.

Mr D.A. Templeman: You've never bought me one!

Mr A. KRSTICEVIC: If the member comes to my electorate and visits me, I will do that for him.

Mr D.A. Templeman: You've got a reputation!

Mr A. KRSTICEVIC: Trust me. If the member checks my accounts, he will see a lot of coffee on there for constituents and others who rock up.

There is some really good stuff here that will make life a lot easier than it used to be for councillors in terms of gift provisions. We know how much trouble these gift provisions have created for councillors over time. It has been an absolute mess and many people have got in trouble for it. If I get time, I will read through some material that shows the level of confusion among CEOs and even the department. In 2016, McLeods produced a good report on that. Sometimes we are hard on councillors and point the finger at them for not disclosing or declaring. If we look at all the material—all the different rulings and legal advice and dysfunction in how some CEOs manage the situation—we should not be surprised that things slip through the cracks. As members of Parliament, there are things that slip through the cracks. We forget to declare things and leave things off our registers. This is done accidentally or inadvertently through our electoral office or through ministerial offices. Sometimes it is a slip of the mind. There are articles about members of Parliament who have accepted gifts they should not have accepted and have had to give back, or those who have had to refund money because they have found out there was an error in some of the funds that they received. We are always saying councillors should be prosecuted and sacked and hauled over the coals, but for ministers it is there for five minutes and then we move onto the next thing because it is not that important; it was a slight error or a confusion with the system. We do not give it the same level of scrutiny as we do when we attack councillors or mayors when they do the same thing. That is an interesting lack of consistency by members of Parliament and the media. Local newspapers will continually trawl through these things and other councillors will keep it going for political reasons to get as much political mileage as they can without looking at the genuineness of what has happened and the impact on the council and its decision-making process.

I have already mentioned attendance at events.

The gift provisions will apply to CEOs as they do to councillors. I think that is important. The gift provisions for employees are under the realm of the CEO, but I think there needs to be some tightening up. Corruption and Crime Commission reports and audit reports have plenty of examples of staff who have done things inappropriately or corruptly. I am not sure how we make CEOs accountable for the outcome or whether there should be penalties for CEOs who do not do the right thing or those who are incompetent. I do not know what the right remedy is to make sure that CEOs are capable. Hopefully, recruitment and training processes around CEO performance management will raise the bar, because councillors definitely need help.

Mr D.A. Templeman: I think LG Pros has a key role to play.

Mr A. KRSTICEVIC: Definitely. I can give members an example of a councillor who wrote to me and said, "We employed a new CEO. Members of the dominant faction decided they were going to be on the selection panel."

They told us that we were not allowed to participate or go to meetings, even as observers, to listen to the selection process. They have 50 per cent plus the mayor, so the rest were all left out. When it came to council, we were told that this is the person we would employ and that we could ask only one question each then vote.” They did not know who the other candidates were and they had no report. The person spoke to them for only 10 or 15 minutes. They said that one person was lucky because they snuck in two questions, but everyone else got only one question. That person was employed as the CEO. That is ridiculous!

Mr D.A. Templeman: You support the proposal—what we are trying to do?

Mr A. KRSTICEVIC: Definitely! One hundred per cent!

Mr D.A. Templeman: It’s about lifting the standard.

Mr A. KRSTICEVIC: God, yes!

Mr D.A. Templeman: All councillors have a role in the selection of their CEO.

Mr A. KRSTICEVIC: Yes, they do. Exactly! They should not be left out. The minister and the department would know more, but councillors tell me that the CEO has reported them to the standards panel because his performance review is coming up and they cannot participate if they are before the standards panel. That is what the CEO tells them, but I do not know whether that is true or not. If they are reported to the standards panel, they are told that they cannot do the performance review. The CEO’s mates are all safe and can look after him, so everyone is happy. That is something I have heard happening and I have an issue with that.

We know that the CEO or someone else can be the complaints officer. I reckon it probably should be someone else—someone senior—rather than the CEO. The CEO can have oversight of that person, but maybe another person should be the senior complaints officer rather than the CEO who has a relationship with the councillors and is dobbing them in to the standards panel or the CCC because they might have done something wrong or he does not like them or for whatever other reason. That is an interesting point that I think needs to be fleshed out.

The model code of conduct for committee members and candidates is very important. There are three principles—a guiding principle to guide behaviour, requirements relating to behaviour, and the provisions specified by the rules of conduct. I think the requirements relating to behaviour can be added to by the council. They cannot take anything away, but they can add to them, which I think is good. Unfortunately, candidates’ behaviour cannot be moderated, but if someone does the wrong thing on Facebook or other areas and is elected, they can be referred to the standards panel. It is yes and no. Most councillors tell me that sitting councillors are not generally the people who create problems. It is generally new candidates who create problems, with all that bad blood going on. They might be doing that at the encouragement of sitting councillors, and some sitting councillors occasionally do it. I think it will refine that process a little bit more. I think it will be good to get that through before the next council elections because from some of the stuff that I hear around the tracks I can see some messy situations if we do not.

Mr D.A. Templeman: Please talk to your upper house members about the importance of doing that.

Mr A. KRSTICEVIC: I think it is important for the minister to talk to the Leader of the House in the Legislative Council, Hon Sue Ellery, because she seems to be the one slowing these things down in the upper house, as she has with other bills. The minister should make sure that he gets her under control and I think it will be fine.

Mr D.A. Templeman: I’ll do that and you do your thing with your people.

Mr A. KRSTICEVIC: That is okay. I do not think that will be a problem.

As I said, candidates and councillors are covered. The standards panel is another basket case. Oh my God! Obviously there will be refinements, which is great. The reduction in the period of reporting complaints to the standards panel from two years to six months is generally a good thing. Some things may not come to the surface until after six months. I wonder whether six months is the right amount. I am wondering why it came down to six months. Generally speaking, when people refer things to the standards panel, has it traditionally been over six months or under six months since the issue that has been reported? I wonder why the government has come to six months. I think a reduction is a good idea, but I wonder how the government came to that figure. When something goes to the standards panel, it can ask the parties to go through mediation. If they go through mediation, the process of mediation will be considered by the standards panel if they do not come to a resolution. If the parties refuse to go to mediation, that will be considered by the standards panel as well. The councils will pay for the mediation and a professional mediator, which will be an additional cost for councils. Again, I think that mediation is a good thing. If people do not genuinely participate, that is a serious matter. The regulations will determine how that will all work—the time frame, the appointment of mediators, and the recovery of costs. I think that is a good thing from that perspective.

The other thing that I think is important here is confidentiality. When a person reports someone to the standards panel, it will now be an offence for them to disclose that information and make it public. A lot of these sorts of disclosures come out just before council elections, when people are trying to smear other people and throw mud at them: “I referred Joe Bloggs to the standards panel and there is a council election coming up in six months; let’s

start churning out some media and make it all happen.” Of course, the person is completely innocent; they have not done anything wrong. However, the standards panel process takes time—maybe a little too long, I would suggest. While the process is dragging its feet, people are subjected to inappropriate media and scrutiny. There is an article on “lemon-gate”, which I am sure the minister is familiar with, about a councillor who received a bag of lemons and was reported by the mayor to the standards panel for accepting a bribe. It took a long time for that issue to be dealt with and thrown out. Previously, that same councillor had moved a motion of no confidence against the mayor, saying that the mayor should resign, and the motion was carried by the council 10 to one. Obviously, the mayor was the only person who voted that they should stay; everybody else said that the mayor should go. The mayor then did the right thing and referred the councillor to the standards panel for a bag of lemons! That is a joke. That should have been thrown out on day one for being ridiculous. It should not even have gone through the standards panel process. I do not know how one refines that. However, it does raise another point. If one is elected as mayor by the councillors and they vote 10 to one, saying, “Mate, you’re not doing a good job, you need to go”, there is actually no way they can get rid of the mayor. Should they be able to get rid of the mayor? I would think so. If every member of the Labor Party decided that they did not want the Premier and they wanted to get rid of him, guess what? They could! If every councillor around the table said that the mayor is a dud and is not doing a good job —

Mr D.A. Templeman: What are you advocating?

Mr A. KRSTICEVIC: I am just saying that it is worth exploring.

Mr D.A. Templeman: But the logic to the argument is that you don’t support popularly elected mayors.

Mr A. KRSTICEVIC: Well, I think direct election of mayors is something that needs to be considered.

Mr D.A. Templeman: Where do you stand on it?

Mr A. KRSTICEVIC: Personally, I think direct election is better. That is where I stand. There are a couple of reasons I think that is better. Firstly, the community gets to choose. Secondly, it would increase voter participation in council elections. People would be more engaged. The mayoral candidates would spend more money on promotion and advertising, and would make commitments, as would councillors on the back of that as well. I do believe in direct election; I think it is better. In Gosnells, they drew a marble out and one of three candidates became the mayor. That is silly, ridiculous and stupid.

I have an issue with the standards panel passing on the cost to a councillor. The average cost is less than \$1 200 for a standards panel inquiry, which cost is passed back to the council for reimbursement—the council currently pays. Some work needs to be done about that. I know that the charge is not automatic, but I do not like the fact that they will be charged for going through that process. They are volunteering their time. They have a very important job. The process has been a disaster; it needs further refinement. They do not get paid much. They are trying the best they can. The CEO runs the process, and they are getting attacked for all sorts of reasons. I think that needs to be looked at as well. I am not overly excited by that component of it, and I think that should be reconsidered. There should be a higher threshold for councillors to be forced to pay. For a minor breach, I do not think that is appropriate.

I am a supporter of universal training; however, I have an issue with how much it could cost and how cumbersome the process could become. Should ratepayers be forking out tens of millions of dollars on an eight-year cycle to be upskilling councillors? I think there are some issues there. Councillors are lawyers, accountants, planners, former members of Parliament, former Speakers and former ministers. To be honest, some people are less qualified as ministers than some of the councillors and mayors out there, and they do not have to do any training. We have ministers who potentially have no education or qualifications, just life experience. I am not discounting that they are doing a good job—it is not about that—but that is the category they fit in. On the other hand, we have lawyers, doctors, accountants, professionals and people with a Master of Business Administration who are councillors. Most good councillors already do the company directors course. Now we are saying that there is going to be training and assessments. I think it should be like continuing professional development, in which one does not necessarily need to do an assessment, but has to go through a module, get to the end of it and be signed off on it. I think that is a little bit over the top, especially if the person has three degrees, has been here for 20 years and has been a minister and all these other things. However, in saying that, training is very, very important, because too many councillors do not know their job, their responsibilities or the powers that they have as a councillor.

Another issue with training is that there is eight-year recycling. If the course has not changed, I do not know whether someone would have to redo it every eight years. We are talking about continuing professional development here as well, so there will be the initial course and continuing professional development. Assuming that course has not changed, why would they have to do it again? One may say it is a refresher, but professional development itself should be a refresher. Also, councils themselves run sessions for these people. I think that is overkill. This is costing ratepayers. It is important. We need to make sure they are trained, but we do not want to waste money. We do not want to invest in the wrong areas. Even if we have to spend that amount of money, maybe we can put it in a smarter place where we can add more value.

There will be five modules: understanding local government; serving on council; meeting procedures; conflicts of interest; and understanding financial reports and budgets, which is probably the most important one. All of them are important, but it is amazing how many people do not understand financial reports and budgets or their processes. I know the member for Balcatta used to go through the budget with a fine toothcomb in his day; he pulled up the CEO many times.

Mr D.R. Michael: I think they might need me back again.

Mr A. KRSTICEVIC: Yes, they might need the member back again.

That is what we need. Obviously, everything will be published online. The courses will be online as well as face-to-face. There are regional and city locations. Will it be different? Nowadays, most degrees can be gained online from any university around the world. The assessment process for these modules will probably be more rigorous than it is for some degree units. We need to make sure we get that right. Obviously, it will be in the regulations, but I do not want the minister to open this up as an opportunity for registered training organisations to go out there and make tens of millions of dollars out of ratepayers when it is unnecessary. The department is going to provide the content as it has the knowledge. Okay, the department does not have any staff anymore, more or less—it has been really decimated—and maybe we need to look at bolstering up the department so that it can do the modules and content itself, in some respects. I just seek some information around some of that detail. Obviously, continuing professional development is important, and reviewing the policy every couple of years is a good idea.

Another refinement is the issue of authorised persons. Another is the issue of local governments not being liable for acts of defamation, which means that a council can live stream their meetings or events, or broadcast them live on Facebook. It does not mean that the councillor cannot say something defamatory—there are still penalties as per the normal legislative process for that—but it allows councils to move into the modern era. Hopefully, that will make councillors more conscious of their behaviour and what they say, because they probably do say some wrong things in council meetings now, but nobody records it. There might be nobody in the gallery. No-one pays attention; it is just robust debate, so it is not taken on board. It will be under the new system, so that is good.

I will just touch base very quickly on the standards panel, as an example of what I was talking about. In 2017–18, 82 complaints were made to the standards panel. That is not a lot in terms of 1 200 councillors, and probably some of them were multiple complaints against the same councillor. That is an interesting thing. In 2017–18, only 67 complaints were finalised. That is not good. Of the 67 that were finalised, only 21, or 31 per cent, had a breach; 17 had no findings of a breach; and the panel refused to deal with 15 of the complaints. I would have thought that it could have refused to deal with the “lemon-gate” one in about five minutes, instead of it hanging in the media. Only 31 per cent of breaches to the standards panel were upheld, and I think that is an important issue to note.

It is important to put on the record that if there is an issue with a CEO, the minister can authorise an inquiry into the council, and that way they could look into the CEO. That maybe needs to be thought about a little more, when CEO conduct is concerned. Obviously, people can refer people to the Public Sector Commission and the Corruption and Crime Commission. As I said before, only a small amount of money is reimbursed from councils.

The member for Mandurah would probably do well to reflect on this one. A councillor in Mandurah is supposedly being investigated at the moment and he does not know what is going on. It has been happening since 2017, and I just find it amazing that a councillor can be under investigation and knows he is under investigation, but he does not know why he is under investigation or even if he is truly under investigation. I noticed that the investigation into Mandurah council, which was reported in a question on notice on 1 November 2017, has now fallen off the list. I am not sure what is happening with that Mandurah inquiry, why it has fallen off the list, or where it has gone. Has it been shoved under the carpet? I do not know. It is just not showing up on the system anymore. It is worth noting that it has been shut down.

Mr D.A. Templeman: That is really not appropriate. You don’t say such things.

Mr A. KRSTICEVIC: I am just saying that it is not there; it is gone. There was one in the City of Joondalup that said it has been withdrawn.

Mr D.A. Templeman: Be a little careful with your language. You don’t say such things.

Mr A. KRSTICEVIC: I am just saying the councillor does not know what is going on.

Mr D.A. Templeman: Yes, but you just said it has been shut down.

Mr A. KRSTICEVIC: I do not know where it has gone. I have asked questions.

Mr D.A. Templeman: You were doing reasonably well until this point.

Mr A. KRSTICEVIC: Do not worry, I would not get too excited about it. I am just saying that I do not know where that inquiry has gone. It would be good to know.

I have mentioned the “lemon-gate” scandal and we have talked about the 82 complaints. There are a number of inquiries into councils at the moment, including Melville, and I know the minister has made a commitment to look

into them. There are a lot of good things in this bill and some areas that probably need a little more refinement around the cost of the training and the passing on of the costs for the standards panel. Those things definitely need to be looked at. Like I said, I do not want to add any unnecessary burden and I am looking forward to stage 2. If it becomes a green bill, then it will be important for people to look at all legislation that has passed to see whether any further refinements are needed and whether anything has slipped through the cracks. We do not always get it right and we know that there are always problems.

MS L. METTAM (Vasse) [11.51 am]: I would also like to make a contribution to this debate. The opposition is supporting the Local Government Legislation Amendment Bill 2019. I will make a couple of comments on the bill, and then on local government in general. It is disappointing that only 44 submissions were received from local governments across the state. I am sure the Minister for Local Government would share that concern. This was a valuable opportunity to provide some feedback on legislation that has been brought to the house. That being said, our lead speaker, the member for Carine, has outlined a number of concerns surrounding the issue of gifts. From the outset, local governments and local government councillors have an important role as decision-makers on developments and planning. It is vitally important that there is a good degree of transparency when dealing with these matters and that the public can be confident about their relations. As many in this place would agree, councillors across the state largely do a fantastic job representing their people, and it is no easy task. I am sure that having this level of transparency around gifts will only provide a defence for councillors. Enabling them to be transparent in this manner will only assist councillors and the work that they are trying to achieve.

I believe there is a challenge in attracting and obtaining good councillors. We know that the best decisions are those that are the most reflective of the community and are delivered by councils with a broad range of councillors who represent the demographics of the particular area. It is always a challenge getting people engaged with and involved in local government. I think the average rate of engagement in council elections is around 30 per cent, which is not as high as we would like. That is an issue. Also, there is growing concern in the community about the diminishing role, if you like, of councillors and the growing influence of the CEO. I have received a lot of feedback on the diminished powers of councillors concerning what they can speak up about in the media and on behalf of the electorate that votes for them. There are a number of issues there.

I would like to take this opportunity to raise a specific issue that relates to not only local government, but also the small business and tourism portfolios. Local governments are, in some cases, competing with small businesses, specifically in the tourism sector. Concerns have been raised regarding free camping sites that are in close proximity to operational or commercial caravan parks. The caravan industry is a \$19 billion industry across Australia; it is of great value. The grey nomads and a growing number of younger people are taking up this activity and it is an important part of the tourism sector. In Western Australia, over 900 000 people travel across the state engaging in this activity. I note that the state government has invested in a road-trip campaign. I would imagine that the caravan sector is the most likely sector to benefit from this investment of over \$500 000. Free camping certainly provides a lot of benefits. We know that even though those free campers are not investing in a caravan park, they are certainly spending money in town and supporting other small businesses in that area. But we are seeing free camp sites supported and invested in by local governments, paid for by ratepayers, and competing directly with small businesses that have been operating in the vicinity for some time. I point specifically to an example such as the Mt Barker Caravan Park and Cabin Accommodation. Shirley and Steve Smith of the Mt Barker caravan park have recently raised the issue with me. They have been operating a caravan park for 11 years in Mt Barker. During that time they have seen a managed free camping site undertaken by the Shire of Plantagenet. The shire has not only granted a recreational vehicle-friendly status when it has reapplied, but also expanded the site from two in 2012, to 15 sites some years later.

This free camp site is only within 500 metres from the existing small business. It is a small business that employs a number of staff, pays council rates and complies with all of the health and safety regulations, but the local government is competing against it. As I said, Mt Barker caravan park provides camping sites, powered sites, a dump point, and shower facilities in toilet blocks, and is well supported by not only many individuals within that town but also the Albany small business centre. I quote Richard Keeler from the Albany small business centre —

Steve and Shirley Smith have been operating the park for 11 years and taken it from a very sub-standard venue to a well-managed and maintained park, popular with tourists and longer term residents.

Mt Barker caravan park has substantial support from the business community but the Smiths feel that their concerns about health and safety at the shire site are unheeded and that they are suffering financially due to the shire's actions. The Smiths support recreational vehicle-friendly camping as long as it does not include the shire providing free sites. They have some policy questions regarding this, namely: If local governments provide sites, should they be licensed and comply with legislation and regulations? Who would police local government compliance with the act and regulations? Can a local government fairly regulate commercial operators when it is effectively an operator itself? There is very little commercial return for a local government that is competing specifically in this way, but it is having a devastating impact on the small business involved.

Shirley and Steve Smith have invested heavily in this caravan park and in the people they have employed. I find it extraordinary that over this period the shire has expanded its competitiveness with this caravan park by expanding its number of sites from two to 15. A number of issues have been raised by community members about the way the free camp site has been managed in terms of its appearance and some of the waste that has been dumped at the site across the road.

Steve and Shirley Smith, like many other people who have raised such concerns, point to the Caravan Industry Association Western Australia and its sustainable overflow policy. It is about encouraging local governments to work with their tourism associations to provide free camping to support the best outcomes for tourism in this state and, at the same time, supporting small businesses, specifically small businesses with existing sites in town. One of the policy ideas suggested in this document is that free camping, in the absence of commercial sites, should be 15 to 20 kilometres outside of town. Small businesses that have already invested and met the obligations that local governments oversee and manage on behalf of the state are supported in this way. This is not about protectionism; this is about local governments allowing small businesses to provide legitimate services. I imagine that many ratepayers would have concerns about a local government competing with small businesses that employ locally and invest locally, and also meet the health and safety standards that I have referred to.

Caravan parks employ people. They use local goods and services in the community. What is the value of a noncompliant free camping site, specifically when it is competing with small business? The policy of the Caravan Industry Association WA, which has been in place for a number of years, is about engaging with tourism associations. A number of local governments embrace this policy. For example, it has been working effectively for some time in Broome. We are talking about low-cost tourism, which is exactly what these caravan parks provide.

John and Dani Layman operate a number of caravan parks across the state. I refer to one in Geraldton. I will quote from an email that I received from John and Dani related to the competition they are feeling in the vicinity of Geraldton Belair Gardens Caravan Park. Referring to the council's position on the free camping site, their email states —

We understand that this remains the Council's position, however continued competition from free camping over our peak months (June, July, August, September) will leave our business, and others in the community, in a difficult position. If our peak season isn't good, it limits our capacity and planning for the whole year—whether it be in respect of infrastructure development, staffing levels or otherwise.

...

Additionally, the health and safety concerns in respect of the free camping are likely to be exacerbated during peak season due to increased demand.

[Member's time extended.]

Ms L. METTAM: I point back to the caravan industry's policy because it has a policy about tourism associations working with local governments to provide overflow camping sites to address and support peak season demands—obviously when caravans sites and these small businesses cannot meet the demand during these periods—and the capacity for local governments to undertake a role in filling genuine gaps. The email continues —

We are a family owned and operated business who have worked to improve Belair since we purchased it 17 years ago. Making digs at our park and our facilities is unfair and disappointing. We have spent many millions of dollars on our park, our staff and our training to make sure our business is a wonderful reflection of all that Geraldton has to offer ...

We are not trying to stifle progress, we would relish the opportunity to work with you, but 1km from our front door you are giving our services away for free and without having to comply with any of the same regulations we do. We still have to pay rates, power, water, wages and other operating costs if we have 1 caravan or 10 in the park. We are just asking for a fair go.

The result of undercutting our business is that you will lose our funds and our park for tourism. We will take more long term guests, have less parking for tourists and stop investing in the facilities in the area. This is not a good thing for Geraldton long term.

Wouldn't the shire funds be better spent on events and attractions brining people to the region rather than supplementing those wanting a free 24 car park.

I am certainly not opposed to free camping. It is quite clear that 16 per cent of RV travellers around the state would not consider investing in a commercial site. I am talking about the actions of local governments when they deliberately compete with small businesses. We are talking about free campsites in close proximity to a caravan park that is investing in staff and has compliance as well. As I have said, the Caravan Industry Association has prepared a policy and some local governments are embracing this policy. Certainly, that is of great value. We cannot afford to see our small businesses feel this pressure from local governments. It is simply unfair when there is direct and deliberate competition against an industry that should be supported. I will leave my comments there.

Mr D.A. Templeman: Do you support the bill?

Ms L. METTAM: Yes, I support the bill. I said that at the start of my comments.

MR J.N. CAREY (Perth — Parliamentary Secretary) [12.12 pm]: It is my pleasure to speak on the Local Government Legislation Amendment Bill 2019. I will go into some of the history of the changes to local government in this bill. I congratulate the minister for bringing in these reforms, which are the first phase of creating greater transparency and accountability in local government. I will also outline the history of how Labor has been championing transparency and accountability in local government. In fact, the previous state Liberal government made the biggest shemozzle of local government reform in the history of this state—it was of epic proportions. The Liberal government destroyed opportunities for real reform. I will also refer to some members' comments, like those of the member for Cottesloe, who is leaving the chamber now. He has cast aspersions on and tried to reduce confidence in the local government sector through failed attempts to attack parts of the local government sector and good local councils.

This minister and this government have seen through key reforms. The ballsed-up, dog's breakfast, biblically bad reforms under the previous government were so diabolically bad it was embarrassing. It was very clear that the former Minister for Local Government had different views from the Premier at the time on local government reform and the City of Perth, I would have to say, and was never allowed to act on those reforms and changes. When I spoke to parties on all sides of the debate—developers, industry, local residents—the point they raised about council amalgamation reform was that the previous government was so fixated on the boundaries that it failed to understand the basic tenant: the size of the council is not necessarily important for its performance. It is the culture, the way it is governed and its transparency and accountability that is important. I am deeply proud that this minister, in this Labor government, has not been caught up in those toxic debates that went nowhere and failed. Instead, this minister has focused on trying to improve the culture of local government organisations to drive transparency, accountability and efficiency.

I know this topic well because I was Mayor of the City of Vincent for four years. When I came to the City of Vincent, it had significant culture and transparency issues. In fact, when I came to the City of Vincent, the last independent rating of the council in 2010 had rated it sixteenth out of 18 councils. It was effectively third-last on a list of independently rated councils. For members who are not aware, many local governments will engage a separate independent company to review their performance. In fact, 25 councils participated in the most recent review. They look at 40 different areas, including governance and performance, and ask ratepayers and small businesses what they think. The responses come back and there is an independent rating. I know that it was so embarrassing for the City of Vincent when it was rated sixteenth out of 18 councils in 2010 that it did not even release the full report properly—or it just put it online. That report was a damning indictment for the City of Vincent.

At the City of Vincent, we as a council championed accountability and transparency in local government and in our organisation. We understood that it was critical to rebuild our community's confidence in accountability and transparency. I know that the member for Scarborough and other members opposite have mocked the City of Vincent as a Labor council. Of course, those members fail to recognise that over four years the City of Vincent transformed to become an outstanding leader in transparency and accountability in local government. It had no inquiries, unlike other nearby councils. The City of Vincent became a leader and a champion for this change. The changes we introduced saw the council shift from third-last, or sixteenth out of 18, in 2010 to number one out of 25 councils the next time the council received an independent rating. The Labor, socialist council, as members opposite mock it, became number one out of 25 councils in Western Australia for governance. It became the number one governing organisation. It became the number one council for: city leadership within the community; developing and communicating a clear vision; how the community is consulted about local issues; how elected members understand community needs; open and transparent processes; how the community is informed about local issues; and explaining reasons for decisions and how residents' views are taken into account. That all occurred and the local government became a champion of change, accountability and transparency under the so-called evil Sebastian Labor council and me as the Mayor of Vincent.

Of course, I do not want to compare the City of Vincent with any nearby Liberal-run councils that might still be in a full inquiry right now. There is the stark contrast: the performance between two councils neighbouring each other. It was a Liberal council—absolutely a Liberal-run council. The majority of the councillors of the City of Perth were Liberal aligned. They worked for Liberal members of Parliament, were active members of the Liberal Party and even ran as Liberal candidates at the last state election. There is a clear contrast between the City of Perth and the City of Vincent, which is supposed to be the bastion of socialism—quite ironically. It is the number one council out of 25 for accountability and transparency. That is the clear difference between the two councils, and it was never acknowledged by the member for Carine's side, even though she is his best mate. It was never acknowledged. There is a clear difference between the approaches of the councils. I championed accountability and transparency. The poor minister under the previous government, who was stymied by the Premier, was not allowed to take the actions he wanted. I backed some of his efforts. They were a little bit limp, but I backed them, because we wanted to see change. I mean, he was a wet lettuce and he was limp, and everyone knew it. He used to say on the side, "I am trying my best, John". I sometimes got a text here and there. I said, "We're all with you, Tony. We're trying to back your efforts, Tony, but, you know, your mates in the Liberal Party are doing a protection racket and they won't let you do your full action." It is true. I want to say this: I was so passionate about this topic that I produced a discussion paper on transparency

and accountability and local government; I know the member for Cottesloe will read it and I am sure the member for Dawesville has read it. I did research. It took me months to write. I looked across all local governments in Australia to talk about reforms that we could do. I note that the City of Nedlands, a great bastion of innovation, did not follow us. It did not adopt these changes. It is a great innovator—the Bill Hassel regime! That is another Liberal council. At the City of Vincent, we did drive these transparency reforms. I am pleased to say that the minister has given consideration to the reforms in the paper and we are seeing those reforms. Mandatory training for councillors is now being adopted. The previous government could not do it. The previous minister indicated that he supported it, but he could not get it up. Poor fellow. I feel sorry for Tony Simpson! He is a nice man.

This is critical. I want to make this point to people. There has been some criticism of the minister for putting this forward. There is something simply different between local government and Parliament and it is this: Parliament and state governments are under far more scrutiny than local governments. I think we all understand this. We have a well-resourced opposition that holds government to account. There are questions on notice.

Mr Z.R.F. Kirkup: Not that well resourced!

Mr J.N. CAREY: The Liberal Party was eight years in government; it could have increased the resources! It never did that. Arrogance again—always thinking of being government!

This is why I am arguing for mandatory training. I ask the opposition to give this full consideration. I think members will agree on this. We all know there is much greater scrutiny of government in Parliament—with two houses, questions on notice, estimates committees and *The West Australian* grilling us every day. The reality is that local government does not have that same scrutiny. We have seen local papers collapse, so there is not even a journalist turning up to the local government chamber. There is no opposition. There is not a financial estimates committee. Depending on the processes of local government, there is simply not the same level of scrutiny. That is why I argue for and back the minister's claims that we need mandatory training. We do not have the level of scrutiny and therefore there is an even bigger onus on elected members and their performance and duties. I agree with the shadow spokesperson that they must understand those obligations. That is why I support mandatory training.

Another area I championed in my transparency paper that is being adopted is changes to CEO performance and recruitments. I will probably get a bit of a whack and the association representing CEOs may dislike me, but it is fair to say that the culture of any local government comes down to two key factors—the CEO and the mayor. It is for the simple reason that they are the two most prominent leadership positions. They are often full-time positions, particularly the mayor. They will set the culture and the tone of that organisation. I think, as members of Parliament, we have all been approached by councillors concerned about the culture of the organisation, and that can relate to a CEO or a mayor. When I came to the City of Vincent, a contract came up for our CEO and the council and I made a decision not to renew the contract. It was pretty clear that previous processes were not up to scratch, and we sought to rewrite the book on how we appointed CEOs. In fact, at the City of Vincent we made sure that councillors were fully informed about the processes, and we included every councillor the whole way. That included ensuring that all councillors saw the contract and had a lawyer present to ask any questions about the contract. I think that is critically important. All had an opportunity to ask any questions of the potential candidate for as long as required; there were no set limits. Jumping back right to the beginning, the writing of the advertising brief for the new CEO was approved by the council, so there was a good general discussion. The whole way along, even though there was a delegated steering committee, councillors were fully in brief. Everyone agreed to the same brief. Everyone agreed to the questions that were going to be asked. A lawyer was present to consider the contract for the CEO. I find it extraordinary that councillors have voted to approve a CEO and not even viewed the contract, and there have been such cases. That is just incredible. We would not buy a house without looking at the details of a contract, yet we have councillors who have appointed CEOs without all of them even looking at the contract. There have been provisions within those contracts that allowed for payments that were against the Local Government Act. That was the case at the City of Vincent, where my CEO's contract gave a payment if a contract was to be terminated. That was against the Local Government Act. We cannot allow these circumstances to happen again. Again, as the minister and the shadow spokesperson have said, it is critical that we have benchmark regulations for all local governments that set very clear processes and ensure that every councillor is fully informed along the decision-making process about appointing a CEO, because it will be the most pivotal decision that any councillor makes. As I have said, the CEO sets the culture of the organisation.

[Member's time extended.]

Mr J.N. CAREY: This has been said by the opposite side, but I have to say that local government is great at recycling. It is brilliant at recycling, particularly when it comes to CEOs. It is a concern for me, because a CEO who has not performed well in one local government can then be readily picked up by another, despite their histories being known. This is extraordinary, yet we see it again and again. It is a challenge for local governments to look beyond the usual pool of CEOs and get someone new. That is what we did at the City of Vincent. When we got a new CEO, we said, "You've got one task—drive the reform of our local government to the highest standards of accountability, transparency and delivery to our customers." That is what we need to encourage. These draft regulations will be critical and they will give greater confidence to ratepayers and councillors that we have

a better process for the appointment of CEOs in Western Australia. Out of all the reforms that we are looking at today, this one is the most pivotal.

These changes will put more information online and provide greater transparency. As the minister indicated, this is the first phase; we need to go even further. I hope that in the second phase we will see more online registers that are readily and easily accessible. I will tell members why. The member for Cottesloe made claims about the City of Subiaco. He said that sleazy deals had been done, but he never substantiated that claim, which is outrageous. He will not make that claim or name the councillors involved outside the chamber because he would be sued, and that is a fact. He tried to bring disrepute to the Subiaco council. The words and actions of people like the member for Cottesloe mean that we should go beyond the voluntary requirements and put everything on the public record so that councils cannot be accused of things in such shameful attacks.

The City of Vincent was the first council to introduce an online gifts register and a travel register. I hope that a number of other registers are included in the second phase of this local government reform, such as a contracts register that records the details of all contracts entered into by a city above the value of \$150 000. Such a register is available online at the City of Vincent. It also has a register of freedom of information requests so that people can see what freedom of information requests have been made. It has a register of interests disclosed at council meetings, and there is real potential to include that in the second phase. A register of interests works by requiring councillors to register an interest online and this becomes a permanent record. A ratepayer who is sitting in a meeting and listening to a debate can go online to the register to see what interests a councillor has previously declared. I think that is quite useful for public debate, but it also give ratepayers surety that such information is online. The City of Vincent has an online lease register. What is that? The lease register details every lease that the City of Vincent has with a sporting organisation, commercial entity—anybody. Why is that important? It is important because we know that sporting organisations and other groups often make claims about sweetheart deals and secrecy and this register puts all those criticisms to one side. Every sporting organisation in Vincent knows what every other sporting organisation is paying to lease its premises. The City of Vincent also has a tenders register that records the details of each tender called by the City of Vincent and a community funding grants register for financial years. All this information is available online and at any time, ratepayers can freely access it. Ultimately, registers put to bed conspiracy theories and other claims that perhaps a councillor or council staff are acting in an untoward way or that there has been a sweetheart deal because everyone can see the information online—there is no mystery. When we remove the mystery from decision-making, we often remove conflict and residents' conspiracy theories.

Mr A. Krsticevic: The information has to be easily accessible.

Mr J.N. CAREY: Yes, absolutely.

Mr A. Krsticevic: Sometimes it's hard to search websites.

Mr J.N. CAREY: The City of Vincent's website—I note that the City of Perth adopted the same change—has a governance or accountability and transparency portal that houses all the registers. I suspect that not every council will do that, but the big councils could do it and it could be done in a voluntary way with a council member contact register with developers. In 2015, the City of Vincent was the first council to adopt a policy that requires the recording of contact between council members and developers. They have to record the nature of any prescribed contact and provide a copy of that record to the CEO within 10 days. I remember that I was again criticised and attacked by a nearby council over this proposal because it said that it was impossible to do. Actually, it is not. It is quite simple to provide a summary of that contact. If people look at the City of Vincent website, that register contains a litany of contacts. It is normal and natural for developers to speak to councillors, mayors and CEOs because, for example, if a major development in a city proposes extra height or whatever plot ratio, it is good to get the developer together with nearby residents in a forum or at a meeting at which the mayor can talk about the potential impacts of density.

Mr A. Krsticevic: Do you have a definition of “developer”?

Mr J.N. CAREY: Yes, it is online, but effectively it is someone who is regularly in the business of development who has a proposal that is going to or through council.

Mr A. Krsticevic: And the prescribed contact—what is that?

Mr J.N. CAREY: It is a development going before council for consideration that can be easily identified. I make the point that this enables a council to caution itself against any controversy or conspiracy theories, à la the member for Cottesloe, who slammed Subiaco council for sleazy deals, the details of which he cannot stipulate in any way, shape or form. This kind of register helps to provide complete transparency and deal with those sorts of policy challenges.

I am very happy that a number of transparent registers will be put online in the first phase of reforms, but I hope that in the second phase more registers will provide readily available information. I note that there is one limit to this; that is, it is a slightly onerous task to expect the staff of a very small council with limited resources to constantly update information online, as opposed to the City of Stirling and so forth. When considering online registers, which are about increasing transparency and accountability, one has to also think about resources.

Another area of the bill is the code of conduct, which is also very welcome. It will make sure that we have a strong and clear benchmark for a code of conduct across local governments. Part of the reason for a code of conduct is to deal with the conduct of candidates during elections. I think members on both sides of this chamber would be concerned about the increasingly toxic nature of social media and its impact on councillors, mayors and even candidates. What I fear is that we will see fewer people standing for local government office. Social media is welcomed; I get a large number of constituent requests via Instagram and Facebook. People do not believe that, but it is the truth—I get constant requests. However, it has also empowered people to feel completely liberated—in ways that they would not, speaking directly to a person—to attack, defame, discredit and destroy personal reputations. It is unfortunately something that is difficult to police, but I think all members of Parliament are seeing it in local groups. Good and decent people on local councils are being totally shredded, and I understand why those people then walk away from public life and simply say, “Actually, I’m doing this in my own capacity as a volunteer and I’m doing my best. You may not agree with the decision I’ve made on council, but to suggest that it is some corrupt conspiracy is absolutely wrong.”

Mr A. Krsticevic: Sometimes you don’t have a choice—it’s state government law that forces you to do it.

Mr J.N. CAREY: True. That is why I support this code of conduct, but I also recognise that there are limits on how far we can go. I think it is going to become an increasingly challenging policy area for government because we are going to see a narrower and narrower field entering local government politics. It will be only the very hardened candidates who are prepared to put themselves up—or, worse still, very narrow-cast candidates who have one single issue; they want to stop a project or maybe they fit into the toxic camp that runs for local government.

I want to say that this is the first phase of these welcome reforms. It is exciting to see these reforms being brought forward, and I look forward to the second phase and even greater transparency and accountability.

MR K.M. O’DONNELL (Kalgoorlie) [12.41 pm]: Greetings, Mr Acting Speaker. I rise in support of the Local Government Legislation Amendment Bill 2019. I speak from experience as a councillor for the City of Kalgoorlie–Boulder. The previous speaker in his contribution made reference to Liberal councils and Labor councils. I first became aware of this when I was holidaying at the Gold Coast and read the local paper, which referred to local councillors as the “Labor mayor” and the “Liberal councillor”. I am not a fan of that sort of thing. It was not until I had been a councillor with the City of Kalgoorlie–Boulder for a couple of years that I started looking around the table and realised that the council was predominantly Nationals-based. However, they do not vote en bloc; they are quite diverse in their thinking and beliefs. I hope we never go down the path of councils being stacked with members of one political party. I would like to see commonsense —

Mr P. Papalia: Although Kalgoorlie is!

Mr K.M. O’DONNELL: Yes, there are a few Nationals members, but they do not vote as Nationals. They vote according to their beliefs and what is good for the city.

When I nominated for council, I just had to fill in a form and submit it. The idea of training for a candidate is very good because it gives them an awareness of what they can expect. Some people say, “I want to go on council”, but when they find out what it really entails they might not be so keen to get involved, whereas others will be.

I loved the electioneering part of running for council. I had never done it before in my life; I loved it. I was walking around with flyers one day and went to put one in a letterbox. A man said, “Can’t you read?” The letterbox had “No junk mail”, and I said, “Correct!” He said, “Well, what are you doing?” I said, “It’s not junk mail—it’s got a picture of me on it!”

The ACTING SPEAKER (Mr R.S. Love): Members, could you take your conversations outside or be quiet, because I cannot hear the member for Kalgoorlie.

Mr K.M. O’DONNELL: No respect! I also want to thank the six people who are going to give up their 90-second statements shortly. They are the ones who are still in here, so that is good!

With regard to universal training, I was college educated and I had an idea of what was going to be involved in council, but I dare say there are many people who would like to be on council who do not have a good quality education. I applaud the fact that there is going to be universal training for candidates that will be ongoing after they become councillors. At the moment, that training is voluntary. If people want to do units, they can do them; if they do not want to, they do not have to. I like the idea that they have to do the prescribed training within 12 months of being elected; I think that is very good.

Mr T.J. Healy: You mentioned about conflicts of interest and councillors; this is to do with training.

Mr K.M. O’DONNELL: Yes.

Mr T.J. Healy: Are you related to any current City of Kalgoorlie–Boulder councillors?

Mr K.M. O'DONNELL: Roger? Yes. There is no problem there.

Mr T.J. Healy: Are you related to any of them?

Mr K.M. O'DONNELL: Yes, my wife is on the City of Kalgoorlie–Boulder.

Mr T.J. Healy: Has she done any training?

Mr K.M. O'DONNELL: As a candidate?

Mr T.J. Healy: Since becoming a councillor.

Mr K.M. O'DONNELL: She has been doing various things—going to conferences and things, yes.

Mr T.J. Healy: Okay, thank you.

Mr K.M. O'DONNELL: To just get back to that, there are going to be people on councils who have affinities and connections with others.

Mr T.J. Healy: I'm not saying she's a Liberal councillor. I'm just asking about training.

Mr K.M. O'DONNELL: No, that is right.

Mr D.A. Templeman: She might be a Nationals councillor!

Mr K.M. O'DONNELL: Yes, I am sure she is!

Mr T.J. Healy: Maybe she's the powerbroker.

The ACTING SPEAKER: Members, just let the member for Kalgoorlie continue with his contribution.

Mr K.M. O'DONNELL: I like the idea of an annual report on training. At the moment there is no penalty prescribed; a good penalty would be if, when it comes to election time, their training were to appear on their profile: "Training—zilch". Let the people see that this person is not interested in improving their knowledge and let them decide.

The mandatory code of conduct is a very good idea. When I was on council I heard about other councils that needed only one person to upset the applecart and rock the boat, and the next minute the minister would come in and say, "Right, all councillors out"—all because of one person. I like the idea of a code of conduct that can be scrupulous with that one person. It is a very good idea.

The standards panel has the power to order a council member to reimburse the local government for the cost of panel proceedings for adverse findings. I would like to later ask the minister what is and is not classified as an "adverse finding". But I agree: if a councillor has gone overboard, I have no qualms about the standards panel being able to recoup its costs.

Councillors will be required to declare gifts over a prescribed amount of \$300 that they receive in the ordinary course of their duties. That is a good idea. Before I was on the council I would have thought, "So what?" But if councillors are sitting around a table, trying to make a decision on a development or on someone wanting to change the hours of their business, I would want to know that everyone around that table has declared exactly what is going on. If somebody has been getting gifts left, right and centre, not declaring them at all, and then voting, I would want to know about it. I have not seen that done, but I would not like it to occur, so I think having a register is very good.

It was pointed out to me that I received a gift—I think it was —

Mr J.E. McGrath: A Rolex watch?

Mr K.M. O'DONNELL: No! It was a bottle of wine. I do not drink wine; I am no good at alcohol. I was asked how much it was. I thought, "What a stupid question. Why would I ask how much it was?" It was brought to my attention that because I was a councillor I should find out whether it was an expensive bottle of wine. I found out that it was cheap, much to my dismay. Obviously, he did not rate me.

Another question I had for the minister is that the amendment says it has to be done within a year. Is it talking about a financial year or a calendar year?

Debate interrupted, pursuant to standing orders.

[Continued on page 2122.]

BLACK DOG RIDE

Statement by Member for Vasse

MS L. METTAM (Vasse) [12.50 pm]: It was a privilege to attend and wave off the 300-plus riders who took part in the recent Black Dog Ride in Busselton. This event was initiated by Steve Andrews in 2009 and has grown to see over 50 rides taking place at other locations across the country, with over \$2.5 million raised in funding so far

for this worthy cause. This event would not have been possible without the many community members who made this event happen, including committee members Ross Scott, Steve Ingram, Shelley O'Brien, John Lewin, Jesse Piperlilly and Trevor Holm, together with the amazing support service provided by the Western Australia Police Force.

This event was also supported by small businesses, such as Busselton Toyota, and community groups who raised funds for this cause, such as Busselton Lions Club and the National Lifestyle Village, which admirably raised \$1 000 for the cause. Although mental health figures are saddening, this recent event is one illustration of how the community response has been overwhelmingly positive, illustrating that we are a community who cares. We are a community that supports a message that says mental health is an illness, not a weakness. Congratulations to everyone. I take this opportunity to congratulate and acknowledge the dedicated staff at Lamp, who are an invaluable resource.

TROPICAL CYCLONE VERONICA — PILBARA

Statement by Member for Pilbara

MR K.J.J. MICHEL (Pilbara) [12.52 pm]: I rise today to express my gratitude for our resilient Pilbara communities who worked together to prepare for ex-tropical cyclone Veronica. I thank our local State Emergency Service staff and volunteers, police, local governments, and the Pilbara Regiment for their diligence and leadership. I thank our local businesses and retailers who donated time and resources to the most vulnerable, our hospital staff, the Horizon Power crew, mining and resource workers, state government department workers and all emergency service volunteers who worked while separated from their loved ones, and our local residents, who looked after each other and followed Department of Fire and Emergency Services advice to stay indoors while enduring cabin fever during the red alert. Our Pilbara communities proved that our spirit does not dampen when faced with the threat of destruction. A special congratulations go to the families of five babies delivered during the cyclone—four at Hedland Health Campus, and one at Karratha Health Campus.

People are still suffering from the consequences of this cyclone, especially the pastoralists. It is disgraceful to hear about the burglaries that occurred during the cyclone. That is not what our Pilbara should represent. The threat of cyclones is a big part of living in the north west, and I believe our community spirit in the face of these events demonstrates why we all call the Pilbara home.

I thank Premier Mark McGowan; Minister for Emergency Services, Fran Logan; and DFES Commissioner Darren Klemm for joining me last week to personally assess the damage and congratulate our local Pilbara emergency services teams, local governments, and everyone involved.

As I speak, a tropical low that has the potential to develop into another cyclone is developing near Darwin and could hit the Pilbara coast.

BAXTERS RURAL CENTRE

Statement by Member for Central Wheatbelt

MS M.J. DAVIES (Central Wheatbelt — Leader of the Nationals WA) [12.53 pm]: Last week I had the pleasure of joining hundreds of community members, customers, staff and supplier representatives to celebrate the 100th birthday of Baxters Rural Centre in Cunderdin. Baxters is the oldest family owned and operated machinery dealership in Australia, continuously owned by the same family since opening their doors in 1919. The fourth generation of the family—Mr Russell Baxter, along with his wife, Corrina—are currently at the helm. Russell's father, Ken, a former principal dealer, is still working in the business, and is supported by his wife, Beryl. The business is one of the biggest employers in Cunderdin and the surrounding district, and has always been a strong contributor to and supporter of local events, sporting teams and schools.

The event to mark the business's 100th year was sensational, and was marked by touching tributes by Ken and Russell, who acknowledged their staff and also the customers they have served over the many years the business has operated. The business was started in 1919 by Russell's great grandfather, Robert Lees Baxter, and grandfather, Kenneth William Baxter, or Bill Baxter as he was known.

The current premises are hard to miss on the corner of Main Street and Baxter Road in Cunderdin. The business has been there in one form or another since the office was opened in a shearing shed, in which most of the district's farmers did their shearing and dipping. This building still exists and is used to store materials for the business.

The resilience of the business can be attributed to good old-fashioned service and a focus always on customers. Being farmers themselves, they understand the importance of machinery and the flexibility required to keep gear in good working order, especially during the peak times of harvest and seeding.

My congratulations go to the Baxters and their staff on reaching such a significant milestone. They are well-respected in the industry and their community. One could tell the family was immensely proud and humbled by the turnout last Friday to celebrate the 100th year of Baxters Rural Centre.

CANNING HIGHWAY–PRESTON POINT ROAD INTERSECTION — PEDESTRIAN SAFETY*Statement by Member for Bicton*

MRS L.M. O'MALLEY (Bicton) [12.55 pm]: In September 2018, an elderly woman suffered head injuries when she was hit by a car at the intersection of Canning Highway and Preston Point Road in East Fremantle. Following this incident, I became aware of further community concerns about pedestrian safety at this busy and dangerous intersection. Local residents have expressed their concern to me during my regular doorknocking, in phone calls and at my mobile offices in the area. Many local residents, such as Colleen Cronin, use the crossing to access local shops on the southern side of Canning Highway. Colleen simply does not feel safe using this intersection, and her feelings are echoed by many local residents. This intersection is a vital connection point for the suburb of East Fremantle, with 34 000 vehicles passing through it on workdays.

After campaigning in the community and working with the Town of East Fremantle, I am pleased that the Minister for Transport; Planning has advised me that the intersection will be upgraded before the end of this financial year. The upgrade will include new pram and wheelchair ramps and tactile pavers at all crossings, along with an improved alignment, walk–don't walk signs, flashing yellow lanterns and the installation of give-way-to-pedestrians signage, to improve driver compliance and awareness of crossing pedestrians.

Residents on either side of Canning Highway and its surrounds will now be able to safely access both sides of the highway. I would like to thank my community for bringing this issue to my attention; the Town of East Fremantle; and the Minister for Transport; Planning, Rita Saffioti, who has shown, and continues to show, a firm commitment to improving road safety in the electorate of Bicton.

ALBANY RING-ROAD*Statement by Member for Scarborough*

MRS L.M. HARVEY (Scarborough — Deputy Leader of the Opposition) [12.56 pm]: The Albany ring-road is an important project for Albany that has been championed by Rick Wilson, MP, the federal member for O'Connor. However, the project has been the subject of blatant politicisation by state transport minister Rita Saffioti. The state government committed only planning money to the project in its last two budgets, with funding for the actual project being pushed past July 2019 into 2021. The minister has announced and re-announced ad nauseum that the Labor government is committed to the project. The member for Albany said on 30 April 2018 that the business case for the project was to be submitted the following Friday. The reality is that the business case was submitted on 2 February 2019—22 months after Labor took office—no doubt to avoid embarrassment at the Labor Party love-in in Albany later that month. But the embarrassment continues, with the February 2019 business case being returned by Infrastructure Australia as it was incomplete. IA requires a phase 4 business case before funding can flow.

Instead of criticising Rick Wilson for successfully securing \$140 million in funding for this project, the minister should focus on producing an acceptable business case to IA and liaise with it to bring the funding forward, as she has bragged about doing with other priority projects. The state Labor government has been awash with federal funding since taking office. The truth is, it chose not to prioritise Albany over other metropolitan projects.

DOLPHIN DISCOVERY CENTRE AND VICTORIA SQUARE, BUNBURY*Statement by Member for Bunbury*

MR D.T. PUNCH (Bunbury) [12.58 pm]: Bunbury is transforming itself into a smart, vibrant and interesting city. Today I acknowledge two projects that have made an extraordinary contribution and, in so doing, have taken out major awards in the 2019 Master Builders Association awards.

The first is the Dolphin Discovery Centre. Local architects designed the new building as an expression of Wardandi stories surrounding the dolphins of Koombana Bay, and married these with a contemporary tourism experience that incorporates interactive marine experiences with social enterprise. Perkins Builders took out the award for construction on a challenging site. I congratulate Michel Greenhalgh, the architect, and his team; Dan Perkins and Perkins Builders; David Kerr from the Dolphin Discovery Centre; and Ashley Clements and Gayle Gray from the South West Development Commission.

The second award went to Victoria Square as the best commercial building in the \$5 million to \$10 million category. Victoria Square is a product of a long-held vision of Nick and Robyn DeMarte, who operate a local business, Halifax Crane Hire. This building stands on Victoria Street and pushes the envelope in architectural design and innovative building practice. It is a proud statement about the future of Bunbury and of this high-quality commercial and residential accommodation. At a time when others are holding back on investment, Mr and Mrs DeMarte took the lead and gave Bunbury an injection of confidence.

Both of these projects used local skills and provided opportunities for local apprenticeships as well as for Indigenous people. They highlight a new Bunbury that is based on a clear vision of the future and a strong sense of purpose. I take the time to congratulate people on making an extraordinary contribution to an extraordinary regional city.

Sitting suspended from 1.00 to 2.00 pm

QUESTIONS WITHOUT NOTICE**LIVING WAGE PROPOSAL — FEDERAL LABOR POLICY****237. Ms L. METTAM to the Minister for Small Business:**

On behalf of the member for Dawesville, I would like to welcome the staff and year 6 students from Dudley Park Primary School in the Speaker's gallery today.

I refer to the comments from Rob, a caller to 6PR last week, who is a small business man in Hillarys. He employs four people aged 14 to 65 and already finds it difficult to cover wages. Rob indicated he will be forced to cut the working hours of his staff if Bill Shorten's wages policy is implemented. What is the minister doing to stop Bill Shorten's wages policy, which will have a detrimental impact on small businesses in WA, like Rob's?

Mr P. PAPALIA replied:

I thank the 6PR telephonist for bringing to my attention the call from Rob—Rob last week; some random Rob. It is an interesting observation that members opposite and the federal Liberal Party appear to oppose people having a reasonable wage. The people who work in hospitality, in cafes, restaurants and bars right across the state, who are essential to sustaining and maintaining all manner of small business contributions to the state, are also customers. They also spend their wages on things that might be an additional contribution to the hospitality sector, and to the very business that Rob claims will be under threat as a result of people being paid a reasonable wage. Those people are his customers. If people get a reasonable wage and have disposable income, they may make the choice of contributing to our hospitality sector—cafes, restaurants and hotels—and sustaining those businesses beyond them relying entirely upon visitors to the state. It is a contradictory position to take; it is mean-spirited and out of touch, because it fails to recognise just how tough a lot of people are doing it—people who are hard workers and contributors to the state, and who sustain small businesses right across the state. It is a fair thing for people to have a fair wage, and I just cannot believe that the member is raising this matter in this Parliament, in a pathetic attempt to be supportive of the federal government.

LIVING WAGE PROPOSAL — FEDERAL LABOR POLICY**238. Ms L. METTAM to the Minister for Small Business:**

I have a supplementary question. At what point will the McGowan government stand up and support small and family business owners across WA who are doing it tough, are working long hours, have taken great financial risks and have put their homes on the line to employ people?

Mr P. PAPALIA replied:

It is extraordinary that the Liberal Party of Western Australia, having put up land tax three times, which had a flow-on effect to small businesses right across the state far in excess of any threat that might be represented by people getting a living wage, has suddenly discovered the small business sector. Congratulations—it is a good thing that members opposite are so desperate that they are now grasping a federal campaign and pretending they have any interest at all in small businesses.

Dr M.D. Nahan interjected.

The SPEAKER: Leader of the Opposition, I have warned you three times. I call you to order for the first time.

Mr P. PAPALIA: If they had an interest in small businesses, members opposite would have done something about the subcontractors who suffered under the previous government. The Leader of the Opposition was the minister who said that the previous government could not do anything about subcontractors who were not paid by prime contractors for government contracts. We are solving that problem. The opposition asks us what we are doing for small businesses. We are solving the problem that the former minister over there failed to even respond to. Thousands of people lost their businesses, many lost their homes, and some people took their own lives because of the inaction of the Leader of the Opposition when he was responsible for looking after small businesses.

The SPEAKER: Before the member for Perth pops up, I would like to acknowledge staff and students from Harvey Primary School, on behalf of Robyn Clarke, MLA.

PLANNING — INFILL TARGETS**239. Mr J.N. CAREY to the Minister for Planning:**

On behalf of the member for Kingsley, I welcome year 11 and 12 politics and law students from Woodvale Secondary College.

I refer to this government's sensible, appropriate and reasonable infill targets that ensure that all local governments do their fair share in meeting the demands of a growing city. Can the minister advise the house why this government has maintained the density targets that were introduced by the thoughtful and measured former planning minister, John Day, which until recently had received bipartisan support?

Several members interjected.

Mr J.N. CAREY: Thoughtful and measured—someone has got to defend him.

Ms R. Saffioti interjected.

Mr J.N. CAREY: I have not finished yet.

Ms R. Saffioti: I was excited to answer, member.

Mr J.N. CAREY: Can the minister also outline to the house the advice she has received about the consequences of the Liberal Party's policy to ban all infill in the western suburbs?

Ms R. SAFFIOTI replied:

Thank you, member for Perth. I was shocked, when I read one of those western suburbs papers, to see that the member for Scarborough was unwinding years of bipartisan support for infill across the suburbs. She was basically saying, "No more infill in the western suburbs; everyone else needs to take more than their share." That is basically what the member for Scarborough said. In relation to the infill targets for Subiaco, the member for Scarborough said, as quoted in *The West Australian* —

... "if we can legally amend it and pull it back we will".

...

"We are in the process now of reviewing our policy and we will be announcing a different infill policy to what we were pursuing in government when it comes closer to the election," ...

What does that mean? It means that the western suburbs will be quarantined, and every other suburb, such as Joondalup, Mt Lawley and Kingsley, will have to take more than their fair share. That is what will happen. To appease the western suburbs, this member will unwind decades of bipartisan support for infill. She came into opposition and is being led by the member for Cottesloe, who was cryogenically frozen in the 1970s and defrosted —

Several members interjected.

The SPEAKER: Members, please—we have heard it, now let us move on. The member for Cottesloe is smiling because he thought it was funny.

Ms R. SAFFIOTI: He was defrosted at the time of Colin Barnett's retirement.

Several members interjected.

The SPEAKER: Come on—the member for Cottesloe smiled at that, and you are saying he is upset.

Ms R. SAFFIOTI: The member is taking policies from the 1970s into the future. That is creating uncertainty. We have had so much feedback from everyone in the industry. The industry advocacy body is saying that what the member for Scarborough is doing is creating uncertainty at a time when we need certainty. We need a stable outlook about how we plan and develop our city and suburbs.

Dr M.D. Nahan interjected.

The SPEAKER: Leader of the Opposition!

Ms R. SAFFIOTI: It has approached my office, the media and members of this chamber and said that it cannot believe that the Liberal Party is doing this to certainty in this state. We need certainty. We want more development. We want jobs in the construction industry. What the member for Scarborough has done is create enormous uncertainty at a time when we need certainty.

HUAWEI — STATE SOLICITOR'S OFFICE — ADVICE

240. Mrs L.M. HARVEY to the Minister for Transport:

Given that the State Solicitor indicated yesterday that he was very concerned that his office's advice was not sought for a contract of the size and significance of the Public Transport Authority's contract with Huawei, has the minister now sought an explanation from the PTA on why it excluded the State Solicitor's Office from reviewing the Huawei contract; and, if so, what is the explanation?

Ms R. SAFFIOTI replied:

Again, I have not seen the uncorrected *Hansard* of that —

Dr M.D. Nahan: She was paraphrasing.

The SPEAKER: Leader of the Opposition!

Ms R. SAFFIOTI: So that was not what he said. Was it the *Hansard*?

Mr D.C. Nalder: The video is online.

Ms R. SAFFIOTI: So that was a transcript.

Mrs L.M. Harvey: The video is online.

Ms R. SAFFIOTI: Was it a transcript?

Mrs L.M. Harvey: I don't have a transcript.

Ms R. SAFFIOTI: As the State Solicitor stated, there is no Treasurer's instruction or Premier's circular that requires State Solicitor's advice for these contracts. Some agencies seek State Solicitor's advice and others do not. That has been the practice. As we discovered from the Perth Children's Hospital contract, seeking State Solicitor's advice does not always reduce the risk to the state. The Public Accounts Committee said in relation to the PCH contract that there were insufficient contractual levers and it was clearly unsatisfactory that the state found itself in that position. I do not know why the State Solicitor said what he said, but he has never raised those issues with me directly and he has not sought a meeting to discuss them. A management team is now in place to make sure that all issues are addressed. I highlight that under the previous government, hundreds of contracts were signed with private legal advice.

HUAWEI — STATE SOLICITOR'S OFFICE — ADVICE

241. Mrs L.M. HARVEY to the Minister for Transport:

I have a supplementary question. Going back to what the minister has repeatedly done with this Huawei contract, which is to say that we are trying to undermine the government contract and that we are at war with China —

Mr P. Papalia interjected.

The SPEAKER: Member!

Mrs L.M. HARVEY: Are you right there!

Several members interjected.

The SPEAKER: Members! I will hear the supplementary question in silence and I will make the decision on whether it is relevant.

Mrs L.M. HARVEY: Given the obvious concerns that the State Solicitor has with the Huawei contract, will the minister now seek advice from the State Solicitor's Office on which contract with the PTA should be reviewed by his office in the future?

Dr A.D. Buti interjected.

The SPEAKER: Member for Armadale!

Ms R. SAFFIOTI replied:

As I understand it, there were three different questions —

Dr A.D. Buti interjected.

The SPEAKER: Member for Armadale, you are a bit frisky today. I call you to order for the first time.

Dr A.D. Buti: She just lied.

The SPEAKER: Do not keep going.

Dr A.D. Buti interjected.

The SPEAKER: Member for Armadale, I call you to order for the second time. There must be something on in Armadale today.

Withdrawal of Remark

Mr S.K. L'ESTRANGE: The member for Armadale called the member for Scarborough a liar and I ask him to withdraw.

Dr A.D. Buti interjected.

The SPEAKER: Member for Armadale!

Mr V.A. Catania: Throw him out!

The SPEAKER: From one who has been thrown out more than anyone else, I do not think that is a very good point. Member for Armadale, withdraw.

Dr A.D. BUTI: I withdraw what I said.

Questions without Notice Resumed

Ms R. SAFFIOTI: There were three supplementary questions. I am not sure which ones the member wants me to address, but she was quoting things that I have not seen. On the point, private legal advice was sought under the previous government for its contracts —

Mr D.C. Nalder interjected.

The SPEAKER: Member for Bateman, I call you to order for the first time. I have warned you three times.

Ms R. SAFFIOTI: The process followed was exactly the same process followed for contracts under the previous government. It is very, very clear. If the member wants to undermine the contracts of the state, go ahead.

LOCAL GOVERNMENT ACT REVIEW — CONSULTATION

242. Mrs L.M. O'MALLEY to the Minister for Local Government:

- (1) Can the minister update the house on the extensive consultation that has been undertaken as part of the second phase of the review of the Local Government Act, including the submissions received and any workshops held?
- (2) Can the minister advise the house whether he is aware of anyone who is trying to undermine the process?

Mr D.A. TEMPLEMAN replied:

I thank the member for Bicton for her question and I acknowledge her contribution to local government.

The SPEAKER: Minister, through the Chair.

Mr D.A. TEMPLEMAN: I also acknowledge in your gallery, Mr Speaker, the president of the Shire of Morawa, Councillor Karen Chappel. I welcome her. She is watching with great interest the debate currently before the house on our first phase of reforms.

- (1)–(2) I am very pleased, member, that we have had a very pleasing response to the consultation period on the second phase of the local government reform process. I need to remind the house that on coming to government, we made a very clear commitment that we believed very strongly that the Local Government Act, which is over 20 years old, needed to be reformed for a range of reasons, but particularly to assist the overwhelming number of people in local government who are doing a tremendous job to do their job within the modern context. I am pleased that we have already embarked on that. A number of local government reforms have been passed through this house, including, of course, the provisions giving the Auditor General responsibility for financial reporting and performance reporting. We have passed the Local Government Amendment (Suspension and Dismissal) Bill 2018 in this place, which allows the minister, on rare occasions, to deal with individual councillors rather than a whole council. They have been the reforms already in the two years since the election of the McGowan government.

We are now into the second phase. We have had 3 145 responses to date. Those responses have come from a very broad area. They have included responses and submissions from elected members, councils and stakeholders. Pleasingly, over half of them were from members of the public, which is very important. We have had a very good cross-section. Over 100 workshops, forums and meetings were held across Western Australia, including 28 community workshops and pop-up stalls. We have had a very good consultation process.

I congratulate the member for Balcatta, who has done an outstanding job in his stewardship as the chair of the reference group that was made up of a range of representatives from key stakeholders such as the Western Australian Local Government Association, Local Government Professionals WA, the regional chambers of commerce, the Western Australian Council of Social Service, multicultural advisory groups, the Australian Services Union and the Association of Mining and Exploration Companies. This has been a very broad, but important, process.

Earlier today, we heard from the person who probably should be the opposition spokesperson for local government, the member for South Perth, who highlighted, as he does in his measured, responsive and clear-thinking way, the response of local government—unlike his counterpart, the member for Carine, who was all over the shop with his often quite illogical responses.

We are on track to deliver quality reform to the local government sector. I thank all those who have been involved so far. We look to use the information that has been collected to begin to discuss and draft responses and, indeed, formulate a green bill. We want to make sure that we create a green bill that we can further consult on before we bring landmark reform legislation to Parliament in the near future.

ANIMAL ACTIVISM

243. Mr R.S. LOVE to the Minister for Police:

I refer to media and social media reports this week indicating that animal activist groups, such as Aussie Farms, are planning to stage a major national event on Monday, 8 April 2019.

- (1) Is the minister or her agencies aware of any animal activist event planned in Western Australia on this day?
- (2) If yes, what security advice is she able to provide in relation to this?
- (3) Will the state government provide any additional resources to assist farmers, agricultural enterprises and regional communities in responding to any planned activist events?

Mrs M.H. ROBERTS replied:

I thank the member for the question.

(1)–(3) I think this is an important issue—an issue that our government takes very seriously. We do not support animal activist events that disrupt people going about their lawful business. We will endeavour to provide what support we can. I understand that the police are aware of the event and they will provide support and the necessary resources. I expect that they will communicate with the relevant parties.

ANIMAL ACTIVISM

244. Mr R.S. LOVE to the Minister for Police:

I have a supplementary question. What is the government's long-term strategy to address the growing rise of threatening, and potentially illegal, animal activist conduct?

Mrs M.H. ROBERTS replied:

The member will be aware that recently an individual was charged, convicted and fined for his activity in that regard. In addition, both the Attorney General and I, along with our agencies, are developing stronger legislation to deal with animal activism. The Attorney General has been looking at using a form of restraining order for repeated actions. The Commissioner of Police is looking at some circumstances of aggravation, such as live video streaming and so forth, to some form of worldwide or smaller audience. They are the two areas that we are looking at when strengthening the law. We do not want to see this continue.

When people disrupt the lawful activities of farmers or others going about their business and everyday life, those disrupted should have the full protection of the law. Because the times are changing, with the advent of technology, part of the incentive for people to carry out this activity is so they can live stream to a social media audience, whether it be around the state, around Australia or around the world, and we want to disrupt that. We will look at putting laws in place that impede that activity so that we can crack down on it. The police are very keen to pursue that activity. Assistant Commissioner Murray Smallpage and others have been actively talking to people in regional areas.

The SPEAKER: I remind members to turn off their mobile phones. It is amazing that when one goes off, everyone looks innocent but there is always someone who looks more innocent than the others.

METHAMPHETAMINE

245. Dr A.D. BUTI to the Minister for Police:

I refer to the McGowan Labor government's commitment of more than \$100 million to tackling the scourge of methamphetamine in our community, including 100 extra police officers for the meth border force. Can the minister update the house on how effective the WA Police Force has been in continuing to stop the supply of drugs into our community?

Mrs M.H. ROBERTS replied:

I thank the member for Armadale for his excellent question and for his support of police, certainly within his community and broadly within Western Australia. As members of this house are all too painfully aware, we saw the meth problem grow substantially in Western Australia from 2009 to 2016. During that period, when the previous government was in office, we saw quite a meth crisis develop. We know that occurred for a variety of reasons. One was the Australian Criminal Intelligence Commission's wastewater drug monitoring program, which peaked in 2016, with Perth having the highest consumption of meth of any city in Australia. It grew substantially over that period because of the results from Drug Use Monitoring in Australia showing the percentage of Perth watch house detainees who tested positive to drugs, in particular, methamphetamine. In 2009, that was 20 per cent of detainees. By 2016, it was up to 60 per cent of detainees. Commensurate with that huge increase in meth use, we also saw a 37 per cent increase in crime in 2016. It is harder to measure the damage that has done to individuals and families.

Since coming to government, we have tackled this issue head on. The member for Armadale would be aware that the first piece of legislation we introduced to this house dealt with meth traffickers. We put in place a life sentence for offenders. We have also allocated \$101.4 million towards engaging an additional 100 police officers and 20 specialist staff. We have put in place a meth truck and new specialist enforcement vans for regional operations and equipped our police with modern devices such as Tru Narc. We are seeing the results of that. The member asked what we have seen recently. People are only too well aware that over the past couple of years, police have seized over 1.5 tonnes of methamphetamine, which is huge. In the last couple of weeks, some members may have seen a significant meth seizure, with coordinated search warrants across Dianella, Morley and Gosnells, seizing 32.5 kilograms of meth, almost five kilograms of MDMA, plus a significant quantity of cash. That was as a result of a joint investigation between WA police and the ACIC. Police say that given the amount of meth and MDMA that were part of that seizure, they are confident that an established criminal network has been disrupted.

The other significant incident that people may have seen in the media in the past week or so is the successful extradition by WA police of a 57-year-old UK national who failed to appear in court on significant drug-related charges. He was arrested by Australian Border Force officers as he tried to escape on a jetski across the Torres Strait. He will now face court in Western Australia. Those people who are found guilty of trafficking meth face the very real prospect of a life sentence in Western Australia.

MITCHELL FREEWAY — WIDENING

246. Mr P.A. KATSAMBANIS to the Minister for Transport:

Given that the Morrison federal government has now funded the extension of Mitchell Freeway to Romeo Road, will the minister now commit to widening Mitchell Freeway between Hodges Drive and Hepburn Avenue or will she allow this missing link to remain and simply add to traffic congestion pain for commuters in the northern suburbs?

Ms R. SAFFIOTI replied:

I thank the member for that question. I am dismayed that the Morrison government has not put money towards that project. Has the member for Hillarys raised it with the Morrison government?

Mr P.A. Katsambanis: I have.

Ms R. SAFFIOTI: The Morrison government rejected the member for Hillarys, who obviously is not an advocate for that area. Because we negotiated joint funding on another project, we have to fund another project without federal funding. Is that what the member is saying?

Mr P.A. Katsambanis: You've got a blank cheque. You can choose where to spend it.

Ms R. SAFFIOTI: What do you mean?

Mr P.A. Katsambanis: How much have they given you?

Ms R. SAFFIOTI: Have they given us funding for this project?

Mr P.A. Katsambanis: They've given you funding to extend the freeway.

Ms R. SAFFIOTI: No, the government has not given us funding for this project. I have seen Christian Porter.

Mr P.A. Katsambanis interjected.

The SPEAKER: Member for Hillarys, you have asked the question. Listen to the answer. You have a supplementary coming up.

Ms R. SAFFIOTI: I have seen the campaign from the member for Pearce about the project but he has been unable to secure one dollar from the federal Morrison government for that project, and so has the member for Hillarys. He failed to get one dollar for that project. I say to the member for Hillarys: get to work, go to Canberra and get some funding for the project.

MITCHELL FREEWAY — WIDENING

247. Mr P.A. KATSAMBANIS to the Minister for Transport:

I have a supplementary question. The minister has had a strong injection of infrastructure funding from the Morrison government. She has had additional funds from the GST and additional iron ore royalties, and this funding was in the forward estimates when the Labor Party took office. Why will the government not support frustrated commuters in the northern suburbs who are tired of traffic congestion and gridlock in peak hours?

Ms J.J. Shaw interjected.

The SPEAKER: Member for Swan Hills, I call you to order for the first time.

Ms R. SAFFIOTI replied:

I tell those commuters in the northern suburbs: thank goodness they have a Labor government. That is what I tell them every day. The work in the northern suburbs starts from the north, member for Butler. The Yanchep extension—we are onto it! The rail line extension —

Several members interjected.

The SPEAKER: Members! If you are going to give it out, you have got to accept it.

Ms R. SAFFIOTI: Then there is the duplication of Marmion Avenue. The state government has given \$23 million to the very grateful City of Wanneroo for that project. The Wanneroo duplication is underway and nearly finished. We have two Wanneroo Road overpasses at Ocean Reef and Joondalup. If we go down the freeway, we have works happening around Cedric and Hutton Streets. Enormous works are happening both north and south. We have an enormous package of works that we are delivering in consultation with the federal government. We have been very keen to get funds, and in relation to this project, I am sorry that Christian Porter has failed to get one dollar for it. I am sorry that he has been completely —

Several members interjected.

The SPEAKER: Minister.

Ms R. SAFFIOTI: I am sorry that the state opposition has asked for it and the federal government has completely ignored them.

Mr P.A. Katsambanis interjected.

The SPEAKER: Member for Hillarys!

Ms R. SAFFIOTI: The member cannot blame me that the federal government has completely ignored the member for Hillarys. Is it my fault that the Morrison government has completely ignored the member for Hillarys? No, I do not think it is my fault. I think it is maybe the member's fault because his history in Melbourne is probably plastered all over the Liberal Party, and they probably know that they cannot trust him as far as they can throw him.

CORRUPTION AND CRIME COMMISSION — UNEXPLAINED WEALTH PROVISIONS

248. Mr T.J. HEALY to the Attorney General:

I refer to the new powers given to the Corruption and Crime Commission to fight corruption and organised crime in Western Australia, including those crimes syndicates that deal in methamphetamine and other drugs. Can the Attorney General update the house on the impact so far of the McGowan Labor government's unexplained wealth laws?

Mr J.R. QUIGLEY replied:

I thank the member for Southern River for his question.

I have a couple of notes here about the figures. It is the case that a McGowan Labor government equipped the Corruption and Crime Commission with new powers to go after unexplained wealth in September of last year. I am pleased to inform the house that the Corruption and Crime Commissioner has wasted little time in identifying and actively pursuing targets. In the six months since these important new powers were conferred on the CCC, it has internally generated four targets. I am pleased to note that three reports of unexplained wealth have been referred to it by members of the public. Strong working relationships have been developed with other key law enforcement entities and it is also evident in the number of referrals the CCC has had from the following agencies: the Australian Federal Police has referred seven unexplained wealth matters to the CCC; seven have come from Western Australia Police Force; five have come from Racing and Wagering Western Australia; and one each from the Australian Border Force and the Australian Transaction Reports and Analysis Centre. In total, 28 potential unexplained wealth matters have come into the CCC's orbit. Of those, one has already become the subject of an operation, six are the subject of an initial investigation, two are currently being appraised, one will be reviewed within 12 months and seven were appraised and found not to be viable for filed intelligence. Eleven matters are yet to commence. The McGowan Labor government was very clear when introducing these extraordinary new powers that they were intended to curb the activities of those in the drug trade and other criminal activities—for individuals who put themselves beyond the reach of the police and profit from the misery without getting their hands dirty. I say very clearly to those individuals that the CCC, as demonstrated in its report tabled in Parliament on 12 March 2019, is highly motivated and adept in following the money trail, so it would pay to fully cooperate when Commissioner John McKechnie, QC, and the commission comes calling upon them to give an explanation for their unexplained riches.

THOROUGHBRED RACING COMMITTEE — RESIGNATIONS

249. Mr V.A. CATANIA to the Minister for Racing and Gaming:

I refer to the resignation of five members of the Thoroughbred Racing Committee.

- (1) What reasons were given for the sudden mass resignation?
- (2) What action is the minister taking to address this concerning development?

Mr P. PAPALIA replied:

I thank the member for some notice of the question.

- (1)–(2) I met with the TRC yesterday—the people to whom the member refers—to seek their advice about any concerns they had at that meeting. They indicated that some of them were contemplating resigning. As the member is aware, this is not a body that reports to me. It is involved with operational matters of Racing and Wagering Western Australia and is a consultative body for the thoroughbred code that reports to RWWA. It replicates the role of the eligible bodies in many respects. It was created by RWWA recently as a means of garnering views from the industry, particularly the thoroughbred industry in this case, with a view to determine whether it wanted to sell the TAB and then to consult during that process. That is why the TRC was convened. However, there are eligible bodies such as the Country Racing Association of Western Australia, provincial racing clubs, Perth Racing, and owners, breeders, trainers, bookies and jockey associations that can be consulted by RWWA to seek the views of the industry. The TRC is duplicating that role.

As to why the members are going, I cannot tell the member. It is probably related to the action by Perth Racing only yesterday in withdrawing its vote of confidence in one of the members of the Thoroughbred Racing Committee and then deciding that rather than be a part of that committee, it would prefer to not replace that person and just use its status as an eligible body for consulting with RWWA. But I cannot tell the member the exact reasons. I am confident that it does not mean there is any breakdown in the ability for RWWA to consult with the thoroughbred industry. It still has all the eligible bodies. In the event that other eligible bodies choose not to replace their members that have resigned, there is still the ability for RWWA to consult.

ECONOMIC REGULATION AUTHORITY — SYNERGY RECOMMENDATIONS

250. Ms J.J. SHAW to the Minister for Energy:

I refer to the recommendation by the Economic Regulation Authority that the Electricity Review Board investigate the operations of Synergy. Can the minister update the house on the circumstances of this issue and concerns raised by the member for Bateman regarding Synergy's market power?

Mr W.J. JOHNSTON replied:

Thank you very much for the question. This is a very asinine issue that the ERA has raised with the ERB. I was very interested in the conversation on radio yesterday from the member for Bateman. I will quote part of the transcript. Oliver Peterson asked the member —

So you'll be pursuing this in the Parliament?

The member replied —

Sorry?

Mr Peterson replied —

You'll be pursuing this in the Parliament?

There was a long pause —

Yes we will be pursuing it.

Unfortunately, of course, the member for Bateman has not pursued it in Parliament, but it is something that I am very interested to talk about. This recommendation of the ERA is not something that I am happy with. My view is that it reflects very badly on the ERA and it follows other bad decisions of the ERA in recent times that are holding back the industry. On Friday I was having breakfast with a number of industry leaders and they were complaining about the operations of the regulator. I will give members some examples. The Australian Energy Market Operator's market-development functions are being stopped. The planning and reform process has been stopped because of the actions of the ERA. Western Power's AA4 decision by the ERA when two final decisions were given, which is extraordinary, allowed the institution of advanced metering infrastructure but not the communications to make them effective. The ERA has also transferred \$250 million of costs from business to the mums and dads in this state. The ERA is asking mums and dads to subsidise business by \$250 million.

Mr D.C. Nalder interjected.

The SPEAKER: Member for Bateman!

Mr W.J. JOHNSTON: They are all decisions that reflect badly on the ERA and I am very unhappy with all of them. This recommendation regarding Synergy relates to the period from March 2016 to July 2017. Let us understand why it was required. It was required because Verve Energy and Synergy were amalgamating. The unloved and unwarranted amalgamation of Verve Energy and Synergy led to this decision. I point out to members that the last time these issues were raised by the ERA with the ERB, the penalty was \$1. The ERA has a bad reputation here. It has made a series of bad decisions that are costing consumers in this state and holding back the development of the system.

I was very amused by the shadow Minister for Energy's commentary on radio. He said —

... what this report reinforces, Ollie, is that a lack of competition is showing a flow-on effect of higher prices into the marketplace.

He went on to say —

Well we believe it needs to be opened up to competitors ...

He went on further to say that he was —

... concerned about someone that has such an influence in the marketplace, ...

The problem is that this is the system created by the member for Riverton. Why is the member for Bateman attacking the member for Riverton so strongly? The member for Riverton amalgamated Verve and Synergy. The member for Riverton stopped competition and he was in charge of the electricity system during the overwhelming majority of the circumstances being investigated by the Economic Regulation Authority. It was a 15-month investigation for the 12 months that the member for Riverton was the Minister for Energy. Perhaps I have an answer for members in the chamber and the member for Swan Hills; it is just another example of the member for Bateman undermining a Liberal Party leader. He has done it once before and now he is doing it again. Perhaps he needs to go and see his friend Greg Poland, who helped to fund his attack on Colin Barnett. Maybe the member for Bateman's friend Mr Poland wants to help him pay for an attack on the member for Riverton.

PALLIATIVE CARE — 2019–20 STATE BUDGET

251. Mr S.K. L'ESTRANGE to the Minister for Health:

I refer to debate in the Legislative Council yesterday in which it was unanimously agreed that Western Australia needs more publicly funded inpatient palliative care beds. The motion called on the government to ensure that palliative care is funded to meet demand. Can the minister provide the house with an assurance that, in the next budget, funding for palliative care services will be sufficiently increased to meet demand?

Mr R.H. COOK replied:

I would like to thank the member for the question, but, unfortunately, the only person in this place who can tell him what is in the budget sits on my right. He will do that in due course. I can confirm that, similar to what was said in the debate that we had in this place last week when one of our Nationals WA colleagues raised this issue, we agree with not only the idea that we need better palliative care, particularly in the rural and regional communities, but also the recommendations from the Joint Select Committee on End of Life Choices that we need to improve palliative care services. As I indicated in that debate, we have a strategy around palliative care services in Western Australia. At the moment, the Department of Health is working on a package that is about filling out the strategy and bringing it to life. We will bring the details of that strategy and plan when they are ready to be brought to this place.

PALLIATIVE CARE — 2019–20 STATE BUDGET

252. Mr S.K. L'ESTRANGE to the Minister for Health:

I have a supplementary question. I thank the minister for his answer. Relating directly not to the budget but to the member as the Minister for Health, can the minister guarantee that there will be sufficient palliative care specialists to meet the needs of the population, particularly in regional Western Australia; and, what ratio of specialist carers per 100 000 people will be adopted?

Mr R.H. COOK replied:

We will obviously bring forward a package that we believe will substantially redress the issue of shortages in palliative care services. In conclusion, I warn members about the idea of beds versus head of population. Western Australia is in a particularly unique position compared with the other states. We have Silver Chain, which supplies a substantial amount of palliative care services in Western Australia. It does so not in palliative care beds, as such, but in people's homes, surrounded by their families. Survey after survey and research upon research has demonstrated that that is what people are looking for in their end-of-life situations. They want to be in familiar surrounds, preferably at home, surrounded by their loved ones. From that perspective, we do not have the same, comparable business model for palliative care services as those that exist in other states. I can assure the member that everyone in both this place and the other place all hold very dearly the idea that we need to improve palliative care services, particularly in rural and regional communities. We are very applied to that task.

FEDERAL GOVERNMENT — FINANCIAL PERFORMANCE

253. Mr D.R. MICHAEL to the Treasurer:

I refer to the McGowan Labor government's commitment to responsible financial management.

- (1) Can the Treasurer advise the house whether this government will adopt the federal Liberal–National government's approach to spending—specifically, the spending of \$180 million to open and close an unused detention centre?
- (2) Can the Treasurer advise the house whether he is aware of anyone who supports and endorses this approach to expenditure?

Mr B.S. WYATT replied:

I thank the member for Balcatta for his question.

- (1)–(2) During the opposition's private members' business last night, there was a lot of love in the room, suffice to say. Members of the opposition spent their time full of loving praise of Mr Morrison and his government. I think that is the best way to describe it. I think if I were to describe the love being expressed by the opposition last night, I could probably use one word—unrequited. I think that is the best way to describe the love being shared by the Western Australian Liberal Party to the federal Liberal Party. It was like a parliamentary performance of *Jessie's Girl*, or maybe Radiohead's *Creep*; I am not sure—one or the other. I want to point out that the Leader of the Opposition said about a range of Morrison policy positions —

We stand by him 100 per cent ... we are standing shoulder to shoulder with Morrison.

Standing shoulder to shoulder—let us think for a minute what the Prime Minister did. He spent nearly \$200 million of taxpayers' money so that he could fly to Christmas Island and do a press conference. That is what he did. It was \$200 million. When I thought about that—because ultimately, the commonwealth does spend money in numbers I find astonishing, let alone these sorts of bizarre wastes of money—it took me back. There is a “shoulder to shoulder” comparison; the Leader of the Opposition spent some \$300 million on a coal-fired power station that we did not need in the end. What else did Mr Morrison do for the unrequited love of the WA Liberal Party? A \$3 billion cut to TAFEs is locked in the budget. A pattern is emerging in the Liberal Party—state and federal—when it comes to TAFEs. The Deputy Leader of the Opposition, whilst minister, increased fees by around 500 per cent to ensure that working families could not get their kids into TAFE to get the skills they need. Mr Morrison has locked in some \$3 billion in cuts to TAFE. We also heard that the Leader of the Opposition is standing shoulder to shoulder with Mr Morrison, confirming that the commonwealth government does not want to support remote communities and their housing requirements, member for Kimberley. It is locked away and confirmed in the budget this week. These are the things that the Leader of the Opposition is standing shoulder to shoulder on with Mr Morrison, yet we had this effusive, bizarre performance last night. Not once was state policy raised during the three hours of debate with this loving *Jessie's Girl* performance from members on the other side. I suspect that the unrequited love is highlighted by the fact that I do not see the Leader of the Opposition on the side of any bus. Every time a Liberal Prime Minister comes to town, conveniently, the opposition has a remote community to visit.

If I could describe it in words better than mine, I would use those of the late, great Dorothy Parker —

The sun's gone dim, and
The moon's turned black;
For I loved him, and
He didn't love back.

HAKEA PRISON — OFFICE OF THE INSPECTOR OF CUSTODIAL SERVICES REPORT

254. Mr Z.R.F. KIRKUP to the Minister for Corrective Services:

Before I ask my question, on behalf of the opposition, I would like to pass on our condolences to the family and friends of Lady Doris Brand, who passed away on 2 April.

I refer to the recent Office of the Inspector of Custodial Services report into Hakea Prison that, once again, shows that this government is failing to take the security of our state's prisons seriously, with chronic overcrowding and underfunded prison officers.

- (1) When is the minister finally going to take responsibility for the fact that under his watch he has seen a rising prison population and the broader Western Australian community put at continued risk?
- (2) Can the minister outline to the house what his plan is to deal with Hakea and the prison system more broadly, or will he continue to just blame the former government?

Mr F.M. LOGAN replied:

(1)–(2) I thank the member for the question. I am glad he has got around to reading the report. This report was just released on Tuesday. It follows on from the 2015 inspection of Hakea Prison by the Office of the Inspector of Custodial Services, the report that was printed in June 2016. It is worthwhile going back to read the 2016 report. I quote from its conclusion —

... Hakea is a prison under enormous stress and pressure. We see little on the horizon to suggest that this situation is likely to change anytime soon. The total prison population is rising at an alarming rate ... 66% in total population over the past nine years... and ...129% in the same period...

That was in June 2016. The Inspector of Custodial Services then went on to summarise his key findings, including —

1.26 Hakea was facing many challenges and it was a time of great uncertainty. Past opportunities for capital developments had been lost and its newest two units were excised as part of a new women's facility.

The member for Dawesville points to the current report by the Inspector of Custodial Services, which refers to it being an older prison that is crowded. The services are under a bit of strain there. He is absolutely right. They were under strain in 2015 at his last inspection, and what was the response from the Liberal–National government at the time? It took the two brand-new units that were built to deal with the expansion, turned them into female units and privatised them. The former Liberal–National government never dealt with the crowding issues. It never dealt with all the other aspects inside Hakea. It had a grand opportunity when it literally had more money than it knew what to do with. Between 2013 and 2017, it did not put one cent into the prison system—not one cent. The former Liberal–National government took the two units that were built for Hakea to deal with the expansion when Christian Porter was the Minister for Corrective Services, turned them into a female unit, and privatised it. That is all it did.

The member comes in here and asks, “What are you doing, minister? It’s been two years and what are you doing?” I will tell the member what we are doing. We have already been through this over and over again, but the member for Dawesville fails to comprehend it. In the first budget, we expanded the number of prison beds by 212 beds. In the second budget, we announced the building—it will be completed by the end of this year—of 160 new beds at Bunbury Regional Prison. We talked about the expansion of Casuarina Prison with 512 new beds; the first two units will be finished at the end of this year. The next two units will be opened in April next year. We talked about reopening the 45 beds that the former Liberal–National government closed down outside Bunbury. We fixed up Broome Regional Prison. We fixed up a whole series of things across the prison system. The total number of new beds that will have been put in place by our government by the end of this year is nearly 900 new beds.

Several members interjected.

Mr D.A. Templeman interjected.

Ms R. Saffioti: I am in the stands, catching the ball.

The SPEAKER: Well, I think both of you dropped the ball! I call the Minister for Local Government and the Minister for Transport to order for the first time. I am sure that the minister is getting very close to the end.

Mr F.M. LOGAN: We will have 900 new beds. That will help Hakea with the pressure that it is under, and that is what it was always aimed to do. All the former government did between 2013 and 2017 was promise a new prison. Does the Leader of the Opposition remember that? The former government promised a new prison. There was no money there and that government never delivered.

HAKEA PRISON — OFFICE OF THE INSPECTOR OF CUSTODIAL SERVICES REPORT

255. Mr Z.R.F. KIRKUP to the Minister for Corrective Services:

I have a supplementary question. I remind the minister that the question was on Hakea.

Several members interjected.

The SPEAKER: Members! Member for Perth.

Mr J.N. Carey: You’re a former senior adviser.

The SPEAKER: Member for Perth, you are a former mayor but it does not have any grunt here. I call you to order for the first time.

Mr Z.R.F. KIRKUP: The question was on Hakea. I ask again: how many riots and prison breaks will it take before the minister takes responsibility for the protection of Western Australians and what actions will he take to address the issues at Hakea Prison?

Mr F.M. LOGAN replied:

I just told the member for Dawesville. We have just put in —

Several members interjected.

Mr Z.R.F. Kirkup interjected.

The SPEAKER: Member for Dawesville, do not answer the questions you ask all the time. I call you to order for the first time.

Mr F.M. LOGAN: Just to answer, once again, the member for Dawesville’s question, and he fails to acknowledge this: we are putting in place 900 new beds, which will help Hakea. We are putting in place —

Mr Z.R.F. Kirkup interjected.

The SPEAKER: Member for Dawesville, I call you to order for the second time.

Mr F.M. LOGAN: We are employing 450 new prison officers. All the former government ever did was freeze the prison officer numbers. We are putting into place 450 extra new prison officers.

Several members interjected.

The SPEAKER: Member for Burns Beach!

Mr F.M. LOGAN: At Hakea, as highlighted in this report, we put in \$3 million to build a new video-link at Hakea to speed up the processes between the prison and the court systems—something that the Liberal–National government never touched over its whole eight and a half years in government. If the member for Dawesville had ever gone to Hakea and looked at that video-link, he would know it was a disgrace to justice in Western Australia. Do not come in here and ask us what we are doing about Hakea.

The SPEAKER: That is the end of question time.

MINISTER FOR HEALTH*Fiona Stanley Hospital — Power Outage — Personal Explanation*

MR R.H. COOK (Kwinana — Minister for Health) [2.55 pm]: I rise under standing order 148 to clarify and add to the information that I provided to the house this morning regarding the power outage at Fiona Stanley Hospital yesterday morning.

The SPEAKER: Proceed.

Mr R.H. COOK: As I explained this morning, this matter is the subject of an ongoing investigation by the South Metropolitan Health Service and the plant operator Serco. Information into the circumstances and the consequences of the power outage is fluid. However, I informed the house this morning that I would provide updates as and when they were available. I can advise the house that there are four generators at Fiona Stanley Hospital—two are diesel and two are gas-fired generators. The diesel generators are backup generators that kick in when there is a power outage. The diesel generators are tested weekly, and were last tested on 30 March 2019.

I am now advised that at the time the power outage occurred, the downtime procedures were immediately enacted across the hospital and the two diesel generators fired up. However, after 20 minutes, one generator disconnected itself and was not used for the remainder of the power outage. At the same time, the other backup diesel generator reduced its power. This reduced power was rectified after a period of seven minutes and the generator continued uninterrupted at full power for the remainder of the power outage. I am advised that there was no interruption to the power supply for critical patient equipment throughout the outage. I have again been assured that there were no adverse impacts on patients, visitors or staff other than the inconvenience caused by the postponement of operations and shutting of lifts.

A thorough review of clinical incident data is pending, and at this stage no major clinical incidents have been reported. The Riverton power supply was reconnected at around 1100 hours, and the Murdoch supply was available shortly afterwards and reconnected at around 1220 hours. I requested that I be provided with ongoing information regarding the review of what occurred, and I will update the house when I have further significant new information. I can also inform the house that Mr Paul Forden, chief executive officer of the South Metropolitan Health Service, will this afternoon be running through the sequence of events and information available so far with the media so that there is complete transparency concerning this matter. Paul Forden is overseeing the investigation into this matter. Paul Forden has indicated that Serco is to provide the South Metropolitan Health Service within the next 72 hours a report and results from the examination into why the diesel generator cut out and what actions are being taken.

MINISTER FOR POLICE — EVENTS — RAC ARENA*Question on Notice 4506 — Answer Advice*

MR W.R. MARMION (Nedlands) [2.58 pm]: I rise under standing order 80(2) and ask the Minister for Police whether I can receive a reply to question on notice 4506.

MRS M.H. ROBERTS (Midland — Minister for Police) [2.58 pm]: Very shortly.

POLICE ACADEMY — STAFF*Questions on Notice 4374 and 4739 — Answer Advice*

DR M.D. NAHAN (Riverton — Leader of the Opposition) [2.58 pm]: Under standing order 80(2), I ask the Minister for Police when I can expect answers to questions on notice 4374 and 4739.

MRS M.H. ROBERTS (Midland — Minister for Police) [2.58 pm]: I understand that they have been signed off, so the member should get them in a day or two.

CYCLING — INFRINGEMENTS
POLICE FORCE — KIM TRAVERS
POLICE — BREATH TESTS
POLICE — SCHOOL ZONES

Questions on Notice 4499, 4827, 4830, 4838, 4839 and 4840 — Answer Advice

MR P.A. KATSAMBANIS (Hillarys) [2.58 pm]: Under standing order 80(2), I ask the Minister for Police when I can expect answers to questions on notice 4499, 4827, 4830, 4838, 4839 and 4840.

MRS M.H. ROBERTS (Midland — Minister for Police) [2.59 pm]: Yes, the member will have those shortly.

LEGAL AFFAIRS — MEMORIAL VANDALISM AND DESECRATION*Question on Notice 4836 — Answer Advice*

MR P.A. KATSAMBANIS (Hillarys) [2.59 pm]: Pursuant to standing order 80(2), I ask the Attorney General when I can expect an answer to question on notice 4836.

MR J.R. QUIGLEY (Butler — Attorney General) [2.59 pm]: I hope to have that to the member very shortly.

TRANSPORT — PRINCIPAL SHARED PATH NETWORK*Question on Notice 4497 — Answer Advice*

MR P.A. KATSAMBANIS (Hillarys) [2.59 pm]: Also, pursuant to standing order 80(2), I ask the Minister for Transport, who is not in the chamber —

Mr B.S. Wyatt: You can still put it on the record.

The SPEAKER: Thanks, Treasurer!

Mr P.A. KATSAMBANIS: I ask the Minister for Transport when I can expect an answer to question on notice 4497.

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [2.59 pm]: On behalf of the Minister for Transport, I will follow that up. I am sure an answer is coming very soon.

MINISTER FOR WATER — PORTFOLIOS — VIDEOGRAPHY SERVICES
MINISTER FOR WATER — PORTFOLIOS — PHOTOGRAPHY SERVICES

Questions on Notice 4432, 4449 and 4466 — Answer Advice

MR Z.R.F. KIRKUP (Dawesville) [2.59 pm]: I rise pursuant to standing order 80(2) to ask the Minister for Water; Fisheries; Forestry; Innovation and ICT; Science where the answers to questions on notice 4432, 4449 and 4466 are at.

MR D.J. KELLY (Bassendean — Minister for Water) [2.59 pm]: The member's questions always percolate quickly off the top of my to-do list, so he can anticipate an answer in due course.

LOCAL GOVERNMENT LEGISLATION AMENDMENT BILL 2019*Second Reading*

Resumed from an earlier stage of the sitting.

MR K.M. O'DONNELL (Kalgoorlie) [3.00 pm]: Greetings, Mr Speaker. I will finish shortly. I wish to talk about the greater accountability of local governments, which I agree with. When I was going through local council elections, accountability and transparency were main topics for electors.

Mr D.A. Templeman: How long did you serve as a councillor?

Mr K.M. O'DONNELL: It was before I was elected here, so I think it was two and a half or three very good years. I would love to have got on earlier. Many years ago, our council held its meetings during the day, so that prevented many people from being councillors.

Now that that information will be required to be published on the local government website, a map of the district and ward boundaries will help people ascertain which council district they live within. Many years ago, Kalgoorlie–Boulder voted according to ward boundaries. I am no fan of wards. There is no guarantee that quality applicants will apply if the area from which councillors come is restricted. I prefer a broad cross-section of the community.

Dr A.D. Buti: Will you take an interjection, member?

Mr K.M. O'DONNELL: Yes; the plane is not going yet!

Dr A.D. Buti: You say that you are not in favour of wards, but do you think it restricts the talent? Is that what you are saying?

Mr K.M. O'DONNELL: No. I base my comment on what happened in Kalgoorlie–Boulder when it had wards. There were hardly any people in some wards and then there were a shedload in the central Kalgoorlie ward. My comment was restricted —

Dr A.D. Buti: You don't have to live in your ward. You've got to live in the council area, not the ward area.

Mr K.M. O'DONNELL: Yes, but it is under-representation; I am not a fan of wards.

Dr A.D. Buti: It's a valid argument. But the other argument that you can make about councils that have no wards is that you need a lot of money or you need to run on a ticket in order to fund your campaign, and that's what I don't particularly like. That's just a personal view.

Mr K.M. O'DONNELL: That is not a problem in Kalgoorlie–Boulder, because we do not need to do a lot of fundraising.

Local laws made by the local government will also be included on the website. That is very good. Years ago when a police officer arrived at a new police station, the first thing they were given was a folder of station orders so they knew what the station was doing and striving to achieve.

The annual budget will be on the website. That is a good move. If people have access to the budget, they will be able to find out where money is being spent. Next on the list is fees and charges. How many times do people whinge, complain, moan and groan about fees and charges? It will be there in black and white on the local government website.

On plans for the future, I think that sometimes councils sit on their backsides and do not plan for the future. The Mayor of the City of Perth said that a lot of changes had to be made. It will be great for the City of Kalgoorlie–Boulder to have this information on the local government website going forward. It will clearly show anybody new to the city what plans the council has. The minutes of council or committee meetings will also be published on the website. Some people love reading minutes so they can find out exactly what is going on. I think that is very good. Notice papers and agendas will be on the website.

The last thing I wish to say is that I agree that local governments should be encouraged to livestream their meetings. When I was on the City of Kalgoorlie–Boulder, meetings were only recorded through microphones. Then it was mooted that meetings would be videoed, but that idea was put aside. They then decided to videotape meetings and play them later, not stream them live. Hopefully, down the track council meetings will be livestreamed if it is not too cost prohibitive.

Mr J.E. McGrath: It would be required viewing, wouldn't it, in Kalgoorlie—watching the local council?

Mr K.M. O'DONNELL: Yes, we have some very good characters. I do not know who would get the most ratings. Those council meetings would put on a good show. As I say, most councils meet on Monday nights, so it would be a good idea to do that across the state.

Mr J.E. McGrath: It'd probably beat *Dancing with the Stars!*

Mr K.M. O'DONNELL: In conclusion, I support the Local Government Legislation Amendment Bill 2019 and look forward to its implementation.

MR R.S. LOVE (Moore) [3.06 pm]: I would like to make a contribution to the second reading debate of the Local Government Legislation Amendment Bill 2019. The bill is not contentious and the Nationals WA generally support the measures contained in it. However, I would like to tease out a few matters and perhaps get some change in thinking, because the Nationals are not sure that it supports the bill in its totality. Obviously, the bill contains measures that will remove some red tape. Streamlining the appointment of authorised persons is welcomed by local governments. Nobody can deny that, but some matters will require more attention.

The Nationals have a long history of supporting local government. In fact, the objectives of our party include the devolution of power wherever practicable from the commonwealth to the state and from the state to local government. Therefore, support of local government is enshrined in our Constitution and our DNA. During the last term of government, the Nationals steadfastly opposed a belligerent attempt by the then Premier to force amalgamations and unwanted reforms on local governments throughout regional WA. Along with that, we have always sought to enhance the capacity of local governments to meet the demands that are placed upon them.

In 2008, with the introduction of royalties for regions, the country local government fund, a statutory fund under that scheme, was formed. It is still there, despite the best efforts of the McGowan government to denigrate the royalties for regions program, including the country local government fund, through measures such as the introduction of its kangaroo court-type of inquiry that was the Special Inquiry into Government Programs and Projects, which, as we know, was set up with the express purpose of scoring cheap political points against the National and Liberal Parties and which has also been used to justify the effective dismantling and gutting of the royalties for regions program throughout this state. That was an absolutely disgraceful attempt by the Labor Party to use that mechanism to its own purposes so it could spend that money where it wanted to—in the city. We know that is what that was all about, and everybody in rural Western Australia knows that is what the Labor Party has been about since it has been in office. Despite those efforts on the government's part, the country local government fund in that iteration under the Nationals remains a high point of support for local government from state government anywhere at any time in Australia.

One of the streams under the country local government fund is local government capacity building. Under that program, training was offered for regional councils. That training was remarkably similar to the modules in the current proposals. I am looking at the 2016–17 budget, which provided money for that training. I am looking also at a joint press release from the Western Australian Local Government Association and the Department of Local Government, Sport and Cultural Industries about the courses that were offered and supported for regional local governments at that time. The courses included, but were not limited to, understanding financial reports and budgets; serving on council; and meeting procedures and debating. That program, which was supported through royalties for regions, was rolled out for local governments throughout the state. Contrast that with the current situation, in which the government is proposing to mandate training but has given no indication of how that will be funded. We understand, as Nationals and as people who represent regional areas, that there is a need to equip councillors with the skills required to carry out their roles properly. That is why we supported the development of that training program, along with the then Minister for Local Government, and rolled that out throughout the state.

We have now come to the view, reluctantly, that there is a need for some mandatory training for local government councillors. That is particularly in light of the situation that developed in the Shire of Dowerin and the subsequent inquiry by the Corruption and Crime Commission into that local government. Some of the matters that arose in that area serve as lessons, if you like, into what can go wrong in local government, and also give some instruction about how those matters can be rectified.

I now want to read from a governance bulletin dated December 2016 from the director general of the then Department of Local Government and Communities. It states, in part —

The CCC identified a lack of internal policies and procedures to prevent fraud, exacerbated by a lack of understanding among elected council members as to the extent of their role in overseeing the administrative aspects of the Shire's operations.

We have seen examples of where governance and understanding in local governments has fallen down, and that needs to be rectified. It states also —

The CCC's report identified the misinterpretation of regulation 9 of the *Local Government (Rules of Conduct) Regulations 2007* ... as a source of confusion for the council in relation to their roles. This provision restricts council members from undertaking a task that 'contributes to the administration' of a local government.

It goes on to quote a witness to the CCC examination —

"The issue of operational, the separation of roles in the Act, is quite often used as shields by CEOs. "Butt out, that's now operational," so some elected members, particularly those who haven't been to training or haven't any widespread knowledge of local government, they may have concerns, but don't know how to go about dealing with it.

"In my view where the issue of concern relates to the governance of the Shire, elected members have a legitimate right to be involved and ask questions."

A key responsibility within the strategic direction of councils is to approve the annual budget. Of course, this is another area in which operational matters tend to overlap with the role of councillors. Councillors need to understand that this is a key time for them to be involved in overseeing the health of their local government and helping to plan the development of their local government. That goes along with the fact that local government is tasked with both the development of policies and oversight of the carriage of those policies. Again, it is hard for councillors to make those policies without having an understanding of the operations of the council and the appropriate way for it to operate. In order to do that, councillors need to have good information. That implies that they need to have at least a working knowledge of what is happening in their organisation and what is required, and what is best practice throughout the industry. That goes against the grain of some of the current practices of CEOs around the state, who rule councillors out of having an understanding of the operational matters in the shire or local government.

This bulletin goes on to outline a number of lessons learnt. The last lesson listed is —

Most vitally, do we have an appropriate awareness of our responsibilities as council members under the Act and its regulations? Have we sought opportunities for education and training to improve our understanding of our roles in ensuring good governance?

Those situations that have developed in the past demonstrate that there is a need for some mandatory training. The Nationals are not disputing that need. However, I would ask the Minister for Local Government, and the Treasurer, who is not in the chamber at this time, to consider what happened in the past when the government, through the country local government fund, offered to support councils to receive that training. I believe that would also be appropriate given the cost that will be involved in getting everybody up to speed in a short time. We know that in more remote areas, it may be difficult to get people together, and there will be travel costs in getting staff to deliver the training. There has been talk about online training. My understanding is that councillors will not only have to attend training but also be expected to demonstrate competence and knowledge; in other words, they will have to pass some sort of test before they are allowed to get on with their role.

I thank the minister for the briefing. The briefing was earlier this week, so we have not had a lot of time to consider this situation. The people who gave the briefing indicated that the South Australian training regime and modules are being assessed as a suitable model to go forward. I got in touch with the Local Government Association of South Australia to see what the situation is in that state. The South Australian Local Government Act 1999 requires councils to have a training and development policy for their members. That is similar to what is proposed in this bill. The four modules of the training program that councillors are required to complete when they come into that role are introduction to local government; legal responsibilities; council and committee meetings; and financial management and reporting.

Interestingly, it was pointed out to me at the briefing that councillors will be required to repeat their training each electoral cycle—that is, every four years in the life of a councillor.

Mr A. Krsticevic: Every eight years.

Mr R.S. LOVE: Within eight years. I have been told every five to eight years. Thanks; the member has had his go. Council members will be required to complete their training again in totality each electoral cycle. I raised that as being unnecessary and somewhat repetitious. In fact, I think it is quite insulting to councillors to expect them to run through that again and be told what local government is and relearn those basic concepts, I have to say at great expense to the council and the ratepayers.

I asked the people in South Australia what the situation was there. In South Australia they are not required to repeat those modules. It is recommended that they repeat their second and fourth modules—that is, the module concerning legal responsibilities and the module pertaining to the financial management of the local government. They are not required to go through the whole system of modules again. I suggest that the minister have a look at that. I raised it with him, and he did not agree with me, but I think it is unnecessary, and it would be far better if that money was spent in the continual development of those councillors.

What is missing in this whole training exercise, in my view, is making sure that councillors have a very good understanding of the responsibilities under the Planning and Development Act, and other relevant planning considerations, because the other great area of influence that local governments have, even if they are not sitting on substantial planning decisions because of the presence of a development assessment panel, is that they are still responsible for the formation of policies, schemes and strategies that guide planning in their area, and will guide the decisions of those development assessment panels. It would be far better if an emphasis was placed on that rather than making people repeat the same modules that they have already learned, notwithstanding that in South Australia a need is seen for a refresher to catch up on changes that might have occurred in financial management or legal responsibilities in the intervening period. As we know, there are changes to local government acts and the framework in which local government is required to operate. I call upon the minister to re-examine that matter so that not all five modules need to be repeated in every electoral cycle, and also to ensure that consideration is given to financially supporting local governments, especially those that are further out.

The modules in South Australia are delivered through the local government association, but other organisations, mainly legal firms, also deliver some of the training. In-house training, at the centre in Adelaide, for the full schedule of modules for an individual councillor costs \$4 000 plus goods and services tax, and that is for two full days of instruction. For each section of modules that are done separately for half days or whatever, the charge is \$750 a day. There are some situations in which they travel out to local governments or to hubs to provide the instruction, and that is again delivered at a price.

[Member's time extended.]

Mr R.S. LOVE: This training is delivered at a price that anticipates that other councils may come into that regional hub to undertake the training, so if there is a group of councils, obviously the cost comes down but, interestingly, the total cost of delivery goes up. The local government association will make more money for the day, but more councils will be trained. The expenses that are outlined here range from \$4 000 for two full days in-house up to \$8 000 when there are a number of participating councils. Those figures do not include out-of-pocket expenses such as travel and accommodation if councillors are travelling out of the local area. That is the price range, though it is perhaps not what some of the other registered training organisations may deliver. Here, as in South Australia, we will see the relevant association, the Western Australian Local Government Association in this case, as one of the RTOs—that is for certain—and then others may or may not come in on the training as the opportunity is developed.

I want to briefly discuss the introduction of the mandatory code of conduct, which, overall, is a good thing in a number of ways. It will be instructive to councillors about the acceptable way for them to behave. I must say that I have been appalled by some of the behaviour that has been exhibited within my own electorate between council members in some circumstances. It is often fuelled by overactivity at midnight on keyboards, but it is not always limited to that. The in-house shenanigans include such things as members withdrawing themselves from council rooms so that meetings collapse. All these types of things need to be put into the code of conduct and ruled out. People need to know that that is appalling behaviour, and that they should not be involved in it.

I am perturbed that the code of conduct will apply to candidates in elections but will only be enforceable as a breach if a candidate is actually elected. That, to me, seems very unfair on a person who gets elected. They may have been relatively mild during the campaign, and may have been assailed by all sorts of nasty invective from others and perhaps responded once. They are then up on a breach, and the others escape scot-free. Again looking at South Australia, because I asked the people there about those things, they have an electoral commission and an act that is read in conjunction with their Local Government Act, the Local Government (Elections) Act. That is quite a weighty document containing provisions and sanctions for all candidates. I urge the minister to look at that scenario as part of the wider review going on in local government to see that there is fairness for all candidates. I do not think it is fair just to pick on the one who happens to get elected.

I also have some concerns about the situation in which, in the event of an adverse finding, the standards panel can order that the local government councillor pays the cost of the sitting of the panel. I am not opposed to that idea, but I would like some wording wrapped around when that might be the case. If it became par for the course, that would be another reason for people to reconsider their decision to stand for council. I understand the minimum

cost is \$1 200 or \$1 400 for that panel to meet. We do not want to discourage people from running for council thinking that they will be out of pocket every time someone complains about them. They might have done something wrong, and it might have been quite minor, but there will be a severe financial penalty along with an embarrassing sanction that everyone will know about. People are human; they make decisions about why they might enter local government for good reasons, in the main, but they also weigh up what the potential costs might be for themselves. If there are too many of those types of things, that would be a detriment to getting people to stand for local government.

I want to raise the issue of gifts. It has been claimed that the changes to the gift provisions will make them transparent, and gifts will be known about. However, I have to point out that gifts were transparent before. As we know, a requirement to declare gifts was passed, strangely enough, when the City of Perth Bill 2015 was passed in the term of the last government, in quite a strange way. I remember the discussion. We were talking about the City of Perth. The Minister for Local Government was then the shadow minister, and he was opposed to the City of Perth Bill.

Mr D.A. Templeman: No, that's not right.

Mr R.S. LOVE: You certainly were not supporting it.

Mr D.A. Templeman: We voted for it, mate. I am sorry, we voted for it.

Mr R.S. LOVE: The next thing I knew there were amendments, and this is where the gift register came in. This is when the contentious gift register came in that caused so much trouble for people.

Mr D.A. Templeman: We voted for the City of Perth Bill. I am sorry, you are wrong.

Mr R.S. LOVE: You did.

Mr D.A. Templeman: Yes, but you just said I didn't.

Mr R.S. LOVE: You opposed it until these gift amendments were brought in.

Mr D.A. Templeman: Be correct in what you are saying, member, because you are not telling the truth.

Mr R.S. LOVE: I am telling the truth.

Mr D.A. Templeman: No—you said we didn't vote for the City of Perth Bill.

Mr R.S. LOVE: You were over here and you were not making positive noises.

Mr D.A. Templeman: They were amendments.

Mr R.S. LOVE: The next thing, these provisions came in and we had positive noises and you voted for the City of Perth Bill.

Mr D.A. Templeman: But we voted for the City of Perth Bill. Why did you say that we didn't vote for the City of Perth Bill?

Mr R.S. LOVE: I did not; I said that you were opposed. You were making opposing sounds over there.

Mr D.A. Templeman: No, we weren't opposing the City of Perth Bill.

Mr R.S. LOVE: I did not say that you voted against it; I said that you were opposed to it.

Then these gift provisions came in. The gift provisions, which caused so much angst for local governments, were the creation of the minister's deal with the then Minister for Local Government. It is good that it has been cleaned up. However, I would just like to point out that it is not new to have a gift register; it has been in the act since 2016, when that bill went through the house. These provisions were not anticipated when the bill was put forward. They did not seem to fit very well within the legislation, and suddenly they appeared. That was quite strange. That was a very poor piece of legislation. It caused all sorts of problems for people, because people were expected to declare any gift they received just because they happened to be councillors. I know the sorts of problems it caused and I am glad that they have been fixed. It is not the case that there was no gift register previously; there certainly was. There was some level of transparency, but the problem was that it was a bit too transparent. If a councillor's mother gave them more than \$300, I think they had to declare it, which was a little bit beyond the pale.

Mr A. Krsticevic: Mother-in-law!

Mr R.S. LOVE: Okay, mother-in-law. Maybe de facto mother-in-law; I am not too sure about that.

I know that there were such provisions previously and I am glad that they have been cleaned up to some extent. That is very good.

I want to talk very quickly about a couple of other matters. The provisions to do with the employment and review of the performance of the CEO are very welcome. Local governments will have a standardised process so that councillors will understand and participate much more fully in the employment and monitoring of the performance of CEOs. Basically, they will participate in their rightful role as councillors on the collective body that employs that key officer and, through that officer, they will expect the wishes, policies and plans of the council to be carried out. It is absolutely essential that every councillor gets involved in the selection process, understands who has been

selected and understands the process to properly set performance goals and monitor the performance of the CEO as those goals progress. If that is not the case, councillors are not doing their job. It has become apparent to me that there are certain circumstances in which the CEO has a tremendous amount of influence. Councillors do not understand that they have oversight of that officer, that they do not carry out that role properly and that they defer to that person far too much. That is why it is good to bring some balance to the situation and make it quite clear that it is the council's role to monitor that person and to ensure that they do the job that they are being paid quite handsomely in some cases to do by the ratepayers of the local government area.

One concern that has been raised with me by members of my party is the situation in which a CEO who has been employed at a particular council has not had their contract renewed or has had some form of, shall we say, voluntary separation from their employment and then, at the next opportunity, has stood for the local government council. That has led to some real difficulties. We would like consideration to be given at some point to the insertion of a provision for a cooling-off period for very senior officers of that sort before they nominate for the council at which they were previously employed.

I support the words of the member for Perth when he spoke about the need to differentiate between very large and very small councils, especially regional councils, in terms of the disclosure requirements and some of the other regulatory changes that have been put in place at this time. We know that very small local governments do not have the spare capacity that larger organisations have to provide that type of detailed information on a continual basis. Perhaps some thought could be given to providing them with assistance in capacity building or to encouraging more mentoring or sponsoring from some of the other larger, more highly capable local governments throughout the state. The department should understand the differences in the capacity of those local governments and should expect a more appropriate level of disclosure from them than it would from some of the larger ones.

Overall, the Nationals will support the bill, but we will talk about some of the matters that I have raised during the consideration in detail stage and during the bill's consideration in the other place.

MRS A.K. HAYDEN (Darling Range) [3.36 pm]: I, too, rise today to join in commenting on some of the concerns that have been raised by members on this side of the chamber about the Local Government Legislation Amendment Bill 2019. I start by saying to the minister that I understand that finding a balance is always the hardest thing to do with amendments to local government legislation. We have to be careful that we do not end up with a *Yes Minister* situation. The amendments that are made in a local government reform process are always challenging.

Mr D.A. Templeman: I'm up to it.

Mrs A.K. HAYDEN: Good luck to the minister!

I understand that he has been doing consultation, but obviously getting to every local government councillor in Western Australia will be extremely difficult. I know that the avenue is through the Western Australian Local Government Association. I sent an email to all the local councillors in my electorate to let them know that if they had any concerns, they could send them to me. I got a few responses, but since I sent that email, I have got a copy of the amendment bill. Depending on the ability of each local government authority, the relationship between the administration and the councillors plays a big role in whether councillors are aware of what is going on. There are a lot of things that we need to get across to ensure that there has been proper consultation on the changes that we are making. I will raise some of these concerns during the consideration in detail stage if they are relevant, as I understand that there are two phases to the review. I look forward to looking at the next phase of the review when that legislation is introduced.

For eight years in my role as an upper house member, I worked with seven local governments. I am sure that all members in this place understand from their own experience that some local governments work really well, some are trying and some are failing. Sadly, the local governments that are failing make it difficult for the ones that are doing really well, as is the case in most areas of business or government. However, the area that I am really concerned about is when there is a gap between the administration and the council. There is a fine line. The CEO is responsible for reporting a councillor if they act inappropriately, while, at the same time, councillors are responsible for reviewing the CEO. I think we have a bit of a difficult situation. Either a council may be too scared to fight back against its CEO because, at the end of the day, it is able to report them or a CEO may not be prepared to put up their hand when they need to for fear of the ramifications that will unfold during their review or when their contract is due to be renewed. I think we need a separation there to protect not only the CEO, but maybe also the councillors. As I said at the beginning of my speech, there is a fine line to be drawn when finding a balance with amendments to the legislation. I have seen what occurs on both sides. We are all aware of what happened in the City of Kalamunda. Regardless of why and how it took place, no-one should have to go through being terminated on the spot, with councillors doing numbers and people being overturned only a week or two later. No-one should be put in that position. I also think the councillors were put in an awkward position. Those things need to be looked at. I do not think there is enough in this legislation —

Mr M. Hughes: It relates to the detail with respect to that particular series of events.

Mrs A.K. HAYDEN: A lot of events occurred.

Mr M. Hughes: Procedures have to be followed.

Mrs A.K. HAYDEN: Absolutely, and that is what I am saying. We need to ensure that the procedures are clear-cut and there are no grey areas; it needs to be black and white. We are dealing with a CEO—someone who has a very responsible position and in most cases is paid very well.

Mr M. Hughes: You might want to reflect upon the appointment of general counsel, legal counsel, and the role and responsibilities that that person has, who they report to and the contribution that they made to the confusion with respect to the capacity of the elected members —

Mrs A.K. HAYDEN: I will allow the member for Kalamunda to speak about that. We may have differing opinions and we may have different information.

Mr M. Hughes: It was interesting that you raised it because I was not going to touch on it in my speech, but perhaps I will.

Mrs A.K. HAYDEN: It is clear-cut that when legislation goes through this place, we need to make sure that those situations are black and white. We are dealing with someone's employment and livelihood, and we are also dealing with councillors wanting to do the right thing. It needs to be black and white. I will go on to the training aspect at the moment.

Sadly, what I have also seen across some councils—some local governments are doing it exceptionally well, so I do not want to bring down all local governments—is some councillors bringing their personalities and own beliefs into the council. They dominate and can be quite nasty. We really need to look into that.

I believe that everyone in this place is professional. We all have a role to play. We come in here and we play our role. I can tell every member in this place that when I walk out that door, everyone is equal in this chamber and I will not treat them any differently on the street or outside this chamber, but in this chamber we have a role to play. We need to walk out of the chamber, wipe our feet, leave that behind us and move on. I have a great relationship with the member for Armadale. I was at the Armadale citizenship ceremony taking photos for Matt Keogh, the Labor member for Burt. We share things and we help each other when we are out in the community. When we come in here, we play our role and we do our job. I find that there are some instances in local government when councillors cannot do that, and that is when training is vitally important.

We also need to protect councillors from the bullying that goes on within councils. We have all seen what people post on Facebook. Some councillors are subjected to severe bullying. They do not go into council for that. Our general councillors who are elected to local government come from diverse backgrounds. Some have come on board because they were the president of the local football club for 20 years, they are passionate about the area and they want to improve sporting facilities, so they put their hand up to do that. Other people join because they are strong advocates for Landcare and they want to get out there and make sure that their council addresses the issues that matter to them. Each councillor comes onto the council with a completely different background. It is vitally important that we equip them with the ability to withstand media life. They are elected members so all of a sudden, they are thrown into an area that maybe they have not experienced. They also need to treat each other with respect and not go down the avenue that some are going and putting some councillors in a very bad position. We have a duty in this place to ensure that amending legislation that goes through this place protects people and strengthens the gaps out there.

The minister wants to make training compulsory. If training is compulsory, what happens if a councillor chooses not to do that training and simply does not turn up? Do they get a fail next to their name? What if they do the training and they do not pass because they were not adequate or they did not bother to turn up and sit in the chair? Is there a pass and fail status with training? If someone does not turn up to training, is there a status to pass or fail and if one does fail, what happens next? They are elected councillors. We cannot say, "You're sacked; sorry, see you later." I am curious to find out what happens next. If the training is compulsory, what happens next? What about the cost of training? If someone chooses not to turn up or if there is a pass or fail scenario and they have to do the training again, who pays for that training? That is a lot of money to put on to a council to train every councillor and if the councillors do not take it seriously and do not turn up to train, that is a waste of ratepayers' money. My fear is that every time the rates come out, will that be another excuse for the local government to increase the rates for the ratepayers because of the added training fee? I definitely do not want to see local government have another excuse to increase rates.

We also have the issue of long-term councillors—people who have been on council for a very long time who think they do not need training and that they know it all. As we all know, things change; technology changes and so does the community. How do we get the message across to those councillors that they may have been a councillor for 20 years but their ways are a little stale and they may need to freshen up a little? It is not just about new councillors coming in; it is also making sure that the ones who are there, the career councillors, are there for the long term and they are updating themselves and refreshing their knowledge, role and responsibilities.

Councillors now get paid more than they did previously. When we are talking about a mayor or president who could be on anything from \$90 000 to \$130 000 —

Mr J.E. McGrath: It could be more.

Mrs A.K. HAYDEN: — it is their responsibility to ensure that they are across their whole role and responsibilities and what they need to do to make sure they are operating within the act. If they are getting paid \$130 000 or more, as the member for South Perth said —

Mr J.E. McGrath: I was thinking of CEOs.

Mrs A.K. HAYDEN: Thank you. We are also paying for their training. I think there is a bit of a grey area around that training, and I would be interested to hear the minister's response to that.

Earlier, I touched on council members' behaviour. I will not go into that again in detail. I think that the modules and mechanisms around that need to be strengthened. We need to ensure that the intervention process is faster. Sometimes it can be so long, especially during an election. By the time the election has been and gone, that councillor may not have got back in and then they have got away with what they have done and the effect of what they have done has already had an impact on the people that they were working against. It has to be a lot faster so we can be reactive and shut that down before it escalates and gets worse. In the case of an election, if the councillor is not voted back in, they get away scot-free but the damage is already done. I believe that process needs to be strengthened.

Mr D.A. Templeman: We're dealing with the damage of the previous government. It happens quite often financially.

Mrs A.K. HAYDEN: We all deal with that when a new government is elected.

Dr D.J. Honey: It's like original sin; it's your problem now.

Mrs A.K. HAYDEN: That is right.

It is sad that we need to introduce a code of conduct. Do we have to tell people how to behave?

Sadly, it seems that we have to. I agree that a code of conduct that gives some regulations, rules and guidance is great, but we do not want to overregulate and over-govern. We need to make sure that councillors understand their principles, role and responsibilities. But, again, if there is a code of conduct and they breach that code of conduct, how will that be enforced? My question to the minister is: How do we enforce the rules when somebody does not abide by the code of conduct? Will we end up with the same process that we have for addressing councillor behaviour whereby it takes so long to nip it in the bud that it gets out of hand?

I will move onto the Local Government Standards Panel. Again, this issue moves into the same realm of what I just said before. A councillor can report to the standards panel knowing that they have breached the code of conduct. It costs between \$3 000 to \$5 000 each time the standards panel convenes. Perhaps if a person knows that when they are reported to the standards panel they have to pay that \$3 000 to \$5 000 cost, it might be a deterrent to ensure that people abide by the code of conduct. If a person goes before the panel and is reported and all they get is a slap on the wrist, that does not stop anyone from repeating the behaviour. If a person is reported and found guilty, the penalty needs to be stronger. We cannot tolerate bad behaviour. Just a simple slap on the wrist does not seem to be fixing the behaviour that currently goes on within local governments.

I am also concerned about the lodgement of bogus complaints that are not real but just made to cause havoc. We need to find a way to limit those or to flesh them out. Perhaps the complaints process needs a couple of "tick offs" before it is lodged with the panel. I know that the panel wastes a lot of time on the frivolous reports and complaints that it receives. That area needs to be tightened up and strengthened to save not only ratepayers' money, but also everyone's time.

[Member's time extended.]

Mrs A.K. HAYDEN: I believe we have got a little bit out of control with the "gift-nazi register". Some local governments have picked up and adopted these guidelines and made them stronger again within their own local government authority. I would rather see local governments mirror what the act outlines for the gift register and not implement another layer over the top of that. I will give an example. I simply dropped off a box of chocolates to the reception staff at one of the local government authorities to say thank you, because as everyone in this place knows, 90 per cent of the inquiries coming through the electorate door are local government issues. I am dealing with my local governments a lot. It was a simple: "Thank you for picking up the phone and putting me through to someone else. Put these in the lunch room." A box of chocolates is worth \$10 and everyone could have a chocolate as a small token of my appreciation. It is a way of building relationships. At the end of the day, we are human and everything we do is about relationships. When I rocked up with a \$10 box of chocolates, the officers came out to tell me, "If you leave them here, they will be going in the bin, or you can take them home. We have a ruling that we are not even allowed to accept a box of chocolates." I think that is going a little too far—I really do.

Mr D.A. Templeman: Maybe it was the wrong brand of chocolates. Did you check the use-by date?

Mrs A.K. HAYDEN: It was Christmas time. They were all on sale. Maybe they just did not want them. Perhaps it was a bit like the bottle of wine that the member for Kalgoorlie got.

The gift register thing has got out of control and we have moved away from the practice of good old common courtesy and being nice to one another. One of the councillors was telling me that a long-term football president was going to be awarded for his contribution to the local football club. He was not able to accept the award because it was a gift. He was a councillor and it could be seen as a bribe—please! He has been in the community his entire life. He has contributed to that football club since he was a little fella, from putting on his boots to train at the club to being the president, and now he is not allowed to accept an award because he is a councillor for the community he is so passionate about. We have to remember that local government is about local people.

Mr J.E. McGrath: Will that be dealt with in this legislation? Will it be corrected?

Mrs A.K. HAYDEN: I hope so. But as long as the local government authority mirrors the gift register guidelines and does not add its own layer or rules over the top. This is what I fear is happening.

Mr D.A. Templeman: That is still a decision for local government. Remember, they are autonomous entities. If they choose to come up with a policy and a practice that does not contravene the Local Government Act, that is still within their realm because they are an autonomous entity. The member needs to be aware of that.

Mrs A.K. HAYDEN: Yes, I understand that but —

Mr D.A. Templeman: The last thing we want to become is so prescriptive. That is not what we want.

Mrs A.K. HAYDEN: Agreed, but at the same time, we are also giving a lot of power to an authority to overregulate and restrict their councillors from simply doing their job.

Mr D.A. Templeman: Well, that is a matter for the council.

Mrs A.K. HAYDEN: I put it on the record that I do not believe local governments should be restricting their councillors and staff in that manner to such a minimal gift register. I would be interested to hear the minister's opinion on that because it could go a long way across the other local government authorities.

I touched on the CEO appointment process and performance review at the very beginning and the need to have separation and protection for both sides. As I said, it can breed bullying and an unhealthy workplace if a CEO or a councillor is too frightened to speak up. I touched on that at the very beginning, but I am quite concerned about it and would like to see whether there is any way of protecting both sides.

Is there a need for local government councillors to register their memberships like we do as members of Parliament? I do not know whether that is in the bill; I did not see it, but, if it is, I stand corrected. As parliamentarians, we put down that we are a member of X, Y and Z. Do councillors need to do that; and, if so, does that then include political party membership?

Mr D.A. Templeman: It might only be at the point of a council consideration. If a councillor is a member of a bowling club and they are making a decision about a bowling club, obviously they would need to disclose. It is interesting to note that one particular media person on the radio has questioned me about how there should be a declaration of political party membership. My view is no, that is a democratic right of everybody but it should not influence essentially the decisions of a council.

Mrs A.K. HAYDEN: There you go! The minister has answered that one for me—thank you very much. I hope the microphone was on and we picked it up, but I am sure Hansard would have got the minister on that one.

I agree and I want to back up the comments made by the member for Vasse about a local government authority not competing against commercial operators within its shire and neighbouring shires. Commercial operators are paying rates to these local government authorities. The free-camping scenario is just one example. I am well aware of a shire that has turned its parking area around a park into powered sites. A website says that the key can be picked up from the hardware store across the road and a person can use it to get access to the toilet and shower facilities and stay up to two or three nights. Meanwhile, just across the bridge is a caravan park that is struggling to get people through the door. I do not think that the role of local government is to compete with a caravan park by providing free overnight accommodation. Some caravan parks do not take the larger caravans or the recreational vehicles—that is the American term.

If that is the case, the shire needs to talk to the caravan park operator and say, “Do you have some space?” or “We have space as the shire. Can you manage it; can you run it; can you look after it?” I really have an issue with it if the shire is competing and giving away free space when there is a caravan park 100 metres down the road. To me, the rules need to be strengthened about not competing against the commercial operators within a shire.

One I have seen recently is competition with local community groups. Is there any way for the minister to put out a notice, a regulation, or even make a ministerial statement to ask shires and local governments to work with their local community groups? I have some that are competing with their seniors group so when the seniors group has an event, the local community group puts on another seniors event. When someone puts on a community event, they will put on an event on the same day taking people away from the community event that is being held by the

Lions Club or Returned and Services League of Australia. There is an RSL Anzac Day commemoration, and the shire has a different one on at the same time. Shires and local governments are meant to support their volunteers and community groups, not compete with them by holding events on the same day to detract from them.

Mr D.A. Templeman: I don't think I'd want the ministerial discretion on those matters. They are community matters and the community should resolve them if those issues occur. It is the community's responsibility, not the government's.

Mr J.E. McGrath: In South Perth, the RSL and the city hold one event.

Mrs A.K. HAYDEN: Yes, most do, but I can tell members that it is not all of them. I am saying it is very sad. This is my opportunity to get up and say that.

What is the role of local government? To me, it needs to make sure it goes back to basics and does what it is meant to be doing—that is, it needs to enhance and support the community. That is what it is meant to be doing, not competing with community groups, whether they be businesses or volunteer local community groups. That is my position on local government and where I think we, as leaders of the state, and the minister as the Minister for Local Government, can influence and make sure that local governments act in the best way for the ratepayers and residents within the community.

In closing, I am not 100 per cent sold on all these amendments. I have raised a couple of concerns that I know the minister will address and we will go through them in the consideration in detail stage.

DR D.J. HONEY (Cottesloe) [4.02 pm]: I was not going to speak on the Local Government Legislation Amendment Bill 2019, but I was inspired to speak today by the debate that has occurred in this chamber.

As an aside, I did deliberately leave the chamber when the member for Perth spoke on this because, based on my experience, the member for Perth has very little sensible contribution to make to debate in this chamber. It is not clever or insightful; it is just a shrill contribution. Quite frankly, it largely consists of offensive personal attacks that do not have any proper place in this chamber. Rather than attack people in this place who raise concerns about issues in their community, he should focus on proper planning in his role as parliamentary secretary and ensure that what is occurring does not destroy proper amenity in Perth suburbs. I have a few words of advice for the member for Perth. Very few people care about the debate that occurs in this chamber. A few keen folk like to look at *Hansard* but the great majority of the population has no idea of what occurs here. A cheer squad of people who are gaining financial benefit —

The ACTING SPEAKER (Mr R.S. Love): Member, we are debating a piece of legislation. Could you come back to that issue, please?

Dr D.J. HONEY: Yes, I am—in exactly the same way as the member for Perth, Mr Acting Speaker. I shall do that. A cheer squad of people making money out of the current policy does not make for broad support for a policy. People care about what they see in their communities. If we look at the City of Subiaco, for example, the mayor has stated that there will be 5 600 new dwellings as part of the city's plan. However, that number excludes the 2 900 new dwellings in the Subiaco East precinct, which will mean a total of 8 500 new dwellings in the City of Subiaco. The 8 500 new dwellings and the approximately 12 000 current dwellings will mean a 75 per cent increase in density. That will have an enormous impact on the amenity in the City of Subiaco. That is the sort of council decision that matters.

We heard today in question time some attempt at an attack on me; I am glad to have the love. The original target in Nedlands was 4 400 dwellings. As far as the city can work out, the target is now 7 500 dwellings. Given the City of Nedlands has only around 7 000 residences, that is a 100 per cent increase in density. That will have an enormous impact on the City of Nedlands.

It was interesting reading on page 10 in *The West Australian* today in article by Peter De Kruijff entitled "Tree target gets the chop." It talks about the City of Stirling and the target of 18 per cent tree canopy cover by 2030. The figure is now 12.6 per cent.

Point of Order

Dr A.D. BUTI: My point of order comes to relevance. The member is always a stickler for parliamentary procedure and rules. He is not even addressing the bill that is before the house. Trees wherever in the western suburbs are irrelevant to the bill that is before the house.

The ACTING SPEAKER (Mr R.S. Love): Thank you. Member, could you bring the discussion back to the legislation that we are debating? As far as I am aware, there is not an issue to do with planning in this legislation.

Debate Resumed

Dr D.J. HONEY: The reason I raise this issue is that it goes to the core of council activity and the core of concerns people have with planning activity and councils. I am illustrating some of those concerns, which were raised by the member for Perth. I understand I was gratuitously attacked by the member for Perth. Members have talked about a whole range of topics today. I do not believe that I am ranging any further from the topic and this is seminal to the role of council and why it is important that we get this correct.

The ACTING SPEAKER: Member, I will determine whether you are off topic, and I think you are off topic, so I will ask you to come back to the topic.

Dr D.J. HONEY: I will finish on this point. In those planning decisions, if the article is correct, we are going to see something like 37 000 hectares of forest lost in the metropolitan area.

Coming into my role as a member of this Parliament, I learnt a number of things. Becoming a member of Parliament is an interesting exercise. Some things are pleasant surprises and others are unpleasant surprises. One of the biggest surprises to me coming into my role and getting around in my community was the very considerable concerns that people have with the way that councils operate. The concerns that have been raised with me have not been about councillors or their behaviour; they have been about how council staff operate and how that affects the operation and decision of councils. In the changes made by the Local Government Legislation Amendment Bill, I can see a hyper-focus on councillors and councils being made more accountable for outcomes. But, in fact, what I have seen in councils is that they have less and less ability to control what is happening in their own areas. I will go through some of these issues in relation to the proposed changes. Most of the concerns relate to planning. Members would know, and I know, some of these decisions were effected by the previous government, but I do not own those decisions. I do know the outcomes. In my electorate, a very large percentage of proposed developments are over \$2 million. In fact, those decisions go straight to the joint development assessment panel and the council has no impact on that. For the decisions that the councils do have control over, the report goes from the planning department to the council.

The member for South Perth made an excellent contribution as usual and pointed out that councils can decide whether to support or oppose a decision. However, a great majority of planning decisions, especially contentious ones, invariably end up in the State Administrative Tribunal. What happens in the SAT? The report that goes to and is considered by SAT is the one that comes from the council planners. If elected councillors want to attend and have any input to a SAT hearing, they have to employ legal representation and get access to a planning report. It is council officers who have the greatest impact on SAT and not councillors. In fact, the role of councillors is substantially diminished. An example of this arose recently when one of my constituents approached me and told me that they had unanimous support to oppose a development and that the council planning office report took everything to the very limit. In fact, it went outside that because there are nominal limits to the extent to which planning approval can be extended, for example, to the dimension of buildings—the planning commission is not bound by that. Despite the fact that the councillors unanimously opposed the development, the report that went to SAT came from the planning officer who had originally recommended that the development go ahead. That development was supported by SAT. Councillors already have diminished responsibility, but they have full accountability. This bill will certainly minimise councillors' control and maximise their accountability for whatever a council does.

One thing I would like to see—these are prospective changes for the minister going forward—is more transparency and accountability for council staff. I would like to go through some of the detail of that, and in doing so I refer to the explanatory memorandum. I understand the motivation behind universal training. I imagine that that will be quite onerous for some councillors. When we had our very thorough briefing from the minister's staff, we were informed that there would be about 16 hours of training for councillors and potential councillors.

Mr A. Krsticevic: Forty hours.

Dr D.J. HONEY: We were told 16 hours at the briefing.

Mr A. Krsticevic: No, it is 40.

Dr D.J. HONEY: I am happy to go with 40 hours. That is a very large amount of training for people who are coming in and simply wanting to represent and do the right thing by their local communities. Can I say that that will act as a significant disincentive for a number of people. I am concerned that as there is more and more accountability and focus on councillors—as I have said, they have quite limited control over what happens in their council, outside of approving a budget in large part—we will either end up with people with an enormous sense of noblesse oblige and driven to represent their community or simply zealots who do not care about what they have to go through. If councillors go onto a council with a single burning issue, that will drive them. There is a real risk that as we make it harder and harder for people to be councillors, we will end up with unrepresentative councils. We may end up with the opposite of what is intended—with some well-meaning people; otherwise, we could end up with councils that are increasingly occupied by single issue candidates—by zealots if you like—who do not represent the broad community. We really need to be concerned about that. As I say, I appreciate the broader experience being required for councillors, but no issues have been raised with me in my electorate about what councillors have been doing, but I have had lots of concerns raised with me about what council officers are doing. I know the point about training has been made by other members, but the simple fact of the matter is that when I came into this house, I had some good training on what fork to use and when I should stand up and not stand up, and all those things. I did not have to go through onerous training in relation to being a member of this place. As with all members, we learn as we go along; yet, we are applying a much higher standard on people in much less well remunerated roles in local councils. As many members know, the work of serving on councils can be quite onerous. There is a requirement being placed on elected members and chief executive officers in relation to gifts. I think that should be significantly extended. If we are requiring this of councillors, then council staff should be required

to do it. I know that people who do lots of developments—that is their business—are extremely solicitous of their relationship with council planning staff. As I have already pointed out, a council planning officer has enormous power. We need to talk to councils about that because it is something that they are very frustrated with. I am aware that a number of people in planning attend corporate boxes at sporting events and other parties. As we will see later, an individual council may develop a policy in this area, but there is no reason that if we are creating transparency around councillors, we should also be creating transparency for other people who have more control over important planning matters. When we get down to it, the area in councils in which the greatest amount of money is involved is in planning decisions, and those who can make large amounts of money are those who benefit from planning decisions. There should be a transparent register of gifts for council staff as well as councillors.

A number of members have said that the recruitment and performance management of CEOs historically has not been very transparent, particularly for non-performing CEOs. Often the poor performance of a CEO is known to an individual council but not anyone else. Often incompetent CEOs—even those who have been involved in improper behaviour—are recycled and sent to another council or they go into the Department of Planning, Lands and Heritage and pop out later and take a senior role in another council. It looks as though this bill is taking a good step to improve transparency of CEO performance. In the examples that have been relayed to me, recipient councils have been extremely upset, firstly, because they find that it is difficult to get rid of an incompetent CEO who does not do their job properly or does it dishonestly; and, secondly, when they find that the same person caused exactly the same problem in one or two councils in the past. The bill is an important step in ensuring that there is a transparent process whereby a CEO who has been removed for non-performance or for worse behaviour at one council, cannot take a senior role in another council without that council being made aware of it.

In terms of greater accountability to the community, I think that a gift register for councillors and councils is appropriate. However, publishing those details on a local website is not, because that may encourage a flurry of internet trolls. It is appropriate that it is available; it is appropriate that everyone discloses their interests at meetings and that councillors and the minister, or others, are made aware of allegations of improper conflict of interest.

With regard to publishing it on a website, I guess, minister, that we will have to see how that goes. I can tell the minister that when I was campaigning, I had a balcony lecture from one of my constituents, who told me that I was corrupt because I would not do this job for free, and that if I had any integrity —

[Member's time extended.]

Mr D.A. Templeman: Did you say a balcony lecture?

Dr D.J. HONEY: Yes—he shouted at me from the balcony. I can tell the minister that I thanked him for his input and politely walked away. There are people who seem to take very extreme views towards councillors. I have the greatest respect for people who take on councillor roles. There is an old saying that the less they pay you, the more they expect. That is no more true than for people who take on councillor roles.

Mr J.E. McGrath: Just quickly on the subject you raised about the register being online, we have a register in here, but ours does not go online; ours is kept in the Clerk's office.

Mr D.R. Michael: Member, technically you get it online via the tabled papers.

Dr D.J. HONEY: It is not readily online, member. As members know, there are some people who do not seem to sleep and like to find things in the middle of the night that they can rail against, and I think that could be quite upsetting. I agree entirely with the excellent contribution from the member for Darling Range. The sharing of small gifts, such as having meals or drinks together, is critically important in human relationships. It is important that people can do that, but clearly if it is excessive or done for the purpose of affecting a relationship, it should be disclosed and revealed when it is improper.

One part of the bill that concerns me—unfortunately, the minister has stepped out of the chamber—is the removal of the category “senior employee”. I have said that councillors now have less ability to have impact on or control over what their council is doing. One of the things that makes their job harder is limiting access to the senior officers in the council. Currently, the mayor, for example, can approach the senior managers within the council, such as the planning manager. I assume that once this bill passes, the mayor and the councillors will be able to approach only the CEO of the council. That will make the CEO the sole source of information in councils. That concerns me. I can tell members, as someone who was a senior manager, that I was able to do my job only because I was able to access and have interaction with the people below my direct reports. That was how I validated the information I received. I would say that every good manager would do that. They would speak to others to try to validate the information they receive. Sometimes by mistake, or otherwise, people do not give us the right information. I am concerned that the mayor and the councillors will lose that ability. I am happy to be corrected if I am wrong, but that is what I understand the impact of that change will be. I think that will make it harder for councillors and mayors to do their job. I would appreciate some clarification on that. It will hinder, rather than aid, the work of councillors if there is only one person on the administrative side of councils to whom councillors can go. I appreciate that people have different experiences with the interaction between councillors and staff, but nevertheless I think it is important that there is some validation outside of the CEO.

I have covered proposed section 5.87B, “CEOs to disclose gifts”. That should include more than just the CEO. I cannot see why we should single out councillors. If we want to require the disclosure of gifts, it should apply to all the staff of the council. I reinforce that it should apply particularly to planning staff, who have an enormous influence in planning matters, yet it appears that they will not be subject to the current disclosure agreements. I understand, minister, that there are more changes to come. If that is the case, that should be considered in those other changes. Otherwise, I have no more comments to make on the bill. Thank you.

DR A.D. BUTI (Armadale) [4.25 pm]: I rise to contribute to the debate on the Local Government Legislation Amendment Bill 2019. I want to pick up on the comment by the member for Cottesloe that the gift register should not be restricted to councillors but should also cover the paid officials or employees of councils. I imagine that might be covered under their employment contract in any case.

Mr D.A. Templeman: CEOs are covered.

Dr A.D. BUTI: Yes. I am talking about the other employees. I imagine that might be covered under their individual contracts, or even under the general duty of fiduciary or duty of loyalty that they owe to their employer. I am not sure that we want local government to get into the minutiae of employment contracts between councils and their paid staff members. That is just a comment that I want to make in respect of that matter.

This bill seeks to improve the standard of councillors and hopefully improve the transparency and accountability of council processes. Councillors work at the coalface. As we know, all politics is local. There can be nothing more local than being a councillor. Councillors have to make incredibly important decisions. It is important that a regime is put in place that seeks to ensure there is appropriate transparency and accountability and that the standard and quality of councillors is sufficient to enable them to make those incredibly important decisions.

Some speakers have talked about the contrast with state Parliament and maybe also the federal Parliament. The member for Cottesloe said that when he came into this place, all he was trained in was how to hold a fork and a knife. I am not sure what training he received —

Dr D.J. Honey: That’s not all I said.

Dr A.D. BUTI: I did not receive that training when I came here. Maybe we are a bit more civilised in Armadale—we know how to hold a fork and a knife, so I did not need that training! I was elected in a by-election, so it may have been a bit different. I am not sure about the member for Darling Range, but I had about a day and a half with the Clerk and the Assistant Clerk on procedures and so forth. The member for Darling Range is an old hand at this, because she was in the other place, so it may have been a bit different for her. I received quite a bit of input when I was first elected to this place. There are opportunities to engage in professional development. I know that the Clerks have sought to interest members in that over the years, though I am not sure how successfully. In my time in this place, I have been on at least two or three professional development courses that have been held here, probably prior to the member for Darling Range arriving.

Mr P. Papalia: You’re very well developed!

Dr A.D. BUTI: Hear, hear! Most people who come to this place have some experience that will stand them in good stead to know what is expected of them. That also applies to councillors, to a degree, because councillors are often elected on a very small number of votes, so there is a greater possibility that they will not have sufficient qualifications, expertise or capacity to fulfil their role as a councillor. That can also happen at Parliament, but there is probably less of a chance that it is going to happen at Parliament due to the election process and the greater scrutiny and accountability in the Western Australian Parliament and even the federal Parliament.

I think it is important that we have this universal training. The universal training—the mandatory training—is not onerous, but it is some form of minimum requirement that all councillors should comply with. None of the councillors I have spoken to have complained about it. They have said that they think it is a good thing. A code of conduct is important. We all have a written or unwritten code of conduct. In this place, in the chamber, we adhere to the standing orders. In cabinet we have to abide by our party code. In some respects a local council is a cabinet. It makes decisions for the council like our cabinet makes decisions for the state. The cabinet has a code of conduct.

Mr A. Krsticevic: You don’t know that from experience.

Dr A.D. BUTI: Nor does the member, and he has been here longer than I, so do not worry about it, mate. Do not worry; okay? You do not know either. Anyway, you never know what might happen, do you?

The fact is that that is a ministerial code of conduct. There should be a code of conduct for councillors. I am not sure whether in all councils a councillor is unable to criticise a decision made by the council. However, it is not unlike cabinet solidarity. Once cabinet has made a decision, we have to abide by it. If we do not want to abide by it, we should resign. I know we had a difference in the last government when the Liberal Party allowed National Party members of cabinet to criticise a decision of cabinet. It was a very unique situation under the Westminster system of government, but that was the case.

Mr J.E. McGrath: I don’t think we allowed them; I think it just happened.

Dr A.D. BUTI: Whatever. The fact is that generally a cabinet member must abide by the cabinet's decision. Members might recall when the Hawke government was elected. Within the first year a Labor minister, Stewart West, did not agree with the uranium policy of the Hawke government and he resigned as a cabinet minister. I can understand the need for a code and that councillors must abide by the decision of the council. However, there should be some avenue for councillors to be able to criticise the decisions of council. I understand how tricky that can be, but it is important that we have a code of conduct.

The standard of the recruitment of CEOs is an incredibly important provision in this legislation. The CEO holds the most important position in the council machinery. Of course, the democratically elected people are the councillors, and the mayor is very important in that respect. However, in the machinery of the council, the CEO is the most important official. While I am talking about CEOs, I pay my gratitude to the outstanding service of Ray Tame, who is the current chief executive officer of the City of Armadale. His contract comes to an end in the next two to three months. He has provided outstanding service to the City of Armadale. Even though he has had to endure some personal family tragedy, he has been an outstanding CEO. On behalf of the people who live in the City of Armadale, I would like to place on record my great respect for his service.

Mr D.A. Templeman: Hear, hear! Very much so!

Dr A.D. BUTI: Of course the minister would have come across him and he would know what a fine individual and person of outstanding capacity he is. He will be sorely missed.

While I am speaking about the City of Armadale, I should say that it has been served very, very well. The current mayor is Henry Zelones. He has a very interesting background. He is an outstanding mayor. He is an American who came to Perth with the United States Air Force back in the late 1960s, fell in love and, basically, stayed. He has been on the council for many, many years. I served with him on the Armadale Redevelopment Authority. He has the ability to absorb complex information, process it well and make a very fine decision. He is a very measured individual. Prior to him, the mayor was Linton Reynolds, who was also an outstanding mayor. We have been very lucky. Linton Reynolds was appointed by the previous government to be the commissioner for the City of Canning. Because he stood up for his ratepayers, who were opposed to council amalgamations, through the work of the current Leader of the Opposition his contract was not renewed. It came to a premature termination. It was appalling behaviour at that time by the Leader of the Opposition. Even the Premier has talked many times about the great capacity and ability of Linton Reynolds. The previous government appointed him as the commissioner for the City of Canning.

The council has been very well served. Prior to Linton Reynolds, we had Roger Stubbs, who was also a very capable mayor. We had Spike Fokkema. He now owns and runs a winery on Bussell Highway in the south west, in the electorate of the member for Vasse, who has just left the chamber. Prior to Roger Stubbs, we had Stan Pries and Ian Blackburn. They were mayors after the Shire of Armadale became the City of Armadale in 1979. Interestingly, Cyril Rushton, a former member of this house, was president of what was then the Shire of Armadale. He was a Liberal—

Point of Order

Dr D.J. HONEY: I am struggling to understand the relevance of this to the specific legislation that is before the house.

The ACTING SPEAKER (Mr R.S. Love): Member for Armadale, just remember what we are debating and keep to the point.

Debate Resumed

Dr A.D. BUTI: I am talking about the competency of members. I was just referring to an outstanding Liberal member of this place, and the member for Cottesloe does not want me to refer to that, which is a bit silly. Anyway, I will overcome his childish behaviour. Cyril Rushton was the president of the Shire of Armadale in 1964 and 1965, and a member of this place. He stood for the leadership of the Liberal Party when Sir Charles Court retired. Interestingly, he won an election—I am not quite sure which one it was—for the seat of Dale but then he lost it. There was a recount and then he won against Philip Vincent by 10 votes. He was subsequently replaced by Fred Tubby.

I do not support this legislation because I have concerns about the capabilities or the processes that have taken place in the City of Armadale. We have been incredibly well served by the mayors and the CEOs. In my time the CEO has been Ray Tame, and he has been the CEO for 20-odd years. The CEOs have all done a very good job. The minister in charge of this bill has imposed mandatory training, and that is very important. I will tell members why it is important. Training is important per se. The City of Armadale has functioned very well because there has been training. The city has been on the front foot in ensuring its council members receive appropriate training. I will not name other councils, but I know that some of my fellow members in neighbouring electorates cover certain areas in which the councils have not necessarily been as well run as the City of Armadale, and they have not served those members as well as I have been served by the City of Armadale. I am very lucky that my electorate takes in only the City of Armadale. I do not have any crossover of councils. The Darling Range electorate has six councils. It would be incredible having to deal with six councils. That is a lot of civic dinners.

This bill is much needed. We know the problems we have had with certain councils. We know what has happened in the past few years at the City of Perth, which is the council that should be held out as exemplary in its performance. This bill should have happened quite a while ago, but it did not. We now have it before the house, and even though some members opposite have raised some concerns, generally I think it is very well supported. I think most well-run councils already engage in training, have codes of conduct, ensure that they have a professional recruitment process for chief executive officers, have a best practice framework, have a registry of gifts—that is already part of the law, to a certain extent—and promote transparency. These are incredibly important issues, because councils, dealing at the local level, must be sure that their decisions are transparent and do not fall foul of conflict of interest problems. Councillors are prone to conflict of interest issues because they often deal with issues where they live, so it is important that we have a code of conduct and transparency, and that councillors who make important decisions are appropriately trained.

I will make a couple of minor points about the City of Armadale. Henry Zelones will be retiring at the October election. I have already placed on record in this place my gratitude for the service provided by Linton Reynolds, the previous mayor, and I would like to now place on record my admiration of and gratitude to Henry Zelones. I am sure the member for Darling Range would concur with me in that respect. In the past year the work that the council has done has been exemplary. The member for Darling Range joined me at the recent opening of the Armadale Fitness and Aquatic Centre, which, without doubt, is the best aquatic and fitness centre in Western Australia—maybe bar the one in Cockburn, but they must share that with a football club, so I think we are in front there. The renovated town hall in Armadale is looking absolutely fantastic. We have also seen the renovation of the Kelmscott Hall, which was very tired and needed renovation. I used to not look forward to going to the Kelmscott Hall for citizenship ceremonies on a winter's night, but now that it has been renovated—it should be open soon—I will not resist as much. The Armadale District Hall looks absolutely beautiful, and has managed to marry heritage with more modern facilities. I urge anyone who wants to come out to Armadale to do so; I can give them a tour, and they can come to the aquatic centre. The member for Darling Range was there, and it is a fantastic centre. Come to Armadale, and I will take you to a local coffee shop.

Mrs A.K. Hayden: We will give a bipartisan tour, and show that we can work together.

Dr A.D. BUTI: That is exactly right. The member for Cottesloe always talks about Struggle Street. I will be able to show him certain areas of Armadale, which I believe he has come to, but he did not let me know as the sitting member. It is a bit of protocol, or code of conduct. We have an unofficial code of conduct in this place that when a member is on official or semi-official matters in another member's electorate, they should let that member know that they are coming, just as a matter of courtesy. On that note, I commend this bill to the house. I think it is much overdue.

MR M. HUGHES (Kalamunda) [4.44 pm]: I was getting very interested in the contribution of the member for Armadale and was hoping he would go on a bit longer, but evidently he is not going to. I do not know whether I am regarded as the nightwatchman—probably; I do not know how I would describe this position. I am very pleased to make a contribution to the debate on the Local Government Legislation Amendment Bill 2019, because, as we know, communities have long called for effective, transparent and responsive local governments, and this bill contributes to the realisation of those expectations. The legislation emanating from phase 2 of the consultation process will herald significant reform, but that is not to undercut the importance of the legislation currently before us. It is clear from the discussions we have had and the contributions members have made to the debate that it is agreed, across both sides of the house, that the culture and practices of local government need significant reform to make local government more sensitive, responsive and answerable to local communities. We have some local governments of significant size and significant resources, with the capacity to have very sophisticated administrations, and we also have, particularly in rural and remote areas of the state, smaller local authorities that struggle both in a financial sense and in terms of the expertise that they can bring to the administration of those local areas. That is perhaps a debate for another time.

There have been references to various reports from the Corruption and Crime Commission. I note that the member for Carine careened quite quickly through a number of those reports, but I would like to refer to them as well. Members will be aware that since the inception of the commission, it has invested substantial resources into addressing serious misconduct issues arising out of poor practice in the government sector. I believe that the reform of the legislation may assist in the process of closing some of those gaps and dealing with some of the corruption risks that arise from poor administration and, in some instances, maladministration in local government. It is noted that the commission has undertaken a number of investigations into local governments. I bring to mind, as the member for Carine mentioned, the investigations into the Shire of Dowerin in 2016 and the Shire of Exmouth in 2017. Those reports, in the opinion of the CCC, reflected some structural weaknesses in the sector and pointed to a broader need for a review of the Local Government Act. I am well aware, though, that those observations caused a bit of consternation in the Western Australian Local Government Association. I would not say that it became apoplectic in its defence of its members, but I recall that it regarded some of the CCC's comments as being unfair and inaccurate.

However, there is no doubt that the Corruption and Crime Commission exposed what it described as breathtaking ignorance of the role and responsibility of local government councillors, and challenged all local government authorities to assess and upgrade their resistance to corruption. Being a member of the Joint Standing Committee on the Corruption and Crime Commission, I have partial oversight of the CCC, and I am very cognisant of the reflective nature of that organisation in the way in which it would want to assist, and the way in which we can improve government practices generally. The Corruption and Crime Commission highlighted that serious misconduct and risks arise from a lack of understanding, and in some cases attempts to subvert the separation of powers between elected members of council and administrations in local government. The commission's report into serious misconduct in the Shire of Exmouth identified the risks that arise from lack of adequate oversight of local government CEOs, and particularly—a number of members have made reference to this—the confusion that exists about the extent to which elected members can make inquiries of, or indeed challenge, administrative staff.

The member for Darling Range made reference to a recent difficulty that has arisen at the City of Kalamunda because of an initial decision by the council to terminate the employment of the CEO and the difficulty under the act—the mayor made some representations to my office and I made those representations to the minister—for an elected representative to get strong advice from the Department of Local Government, Sport and Cultural Industries about what they can do in the circumstances they are faced with. As a result of not adequately minuting the reasons for the termination of the CEO's contract, the council was required to call another meeting to put the record straight. In between time, a strange set of circumstances arose—I will not go into too much detail—that involved the CEO making a delegation to the council in a public forum to indicate why that person should not be terminated.

Mrs A.K. Hayden: Will you take an interjection?

Mr M. HUGHES: The member raised the matter.

Mrs A.K. Hayden: No; it's a polite interjection. I was not saying whether it was right or wrong.

Mr M. HUGHES: No, I know the member was not. I am not saying that it is right or wrong. I think it is important that we put on the record that, notwithstanding that the council made a lawful decision at the time and was simply in the process of putting the minutes, or the record, right in between time, there followed a process that I believe had a somewhat doubtful outcome. But that is a matter for another debate.

That instance highlights the need for adequate training for elected members. If we go back through the reports provided by the Corruption and Crime Commission, we can go back as far as 2009—this is a bit of history—and the “Report into the Investigation into Allegations of Misconduct by Councillors or Employees of the City of Bayswater”. It is quite clear that the CCC found that elected representatives within that jurisdiction did not have sufficient understanding of their legislative responsibilities or powers under the act to inquire into officers and elected members.

We all agree that for strong and competent local government, it is important that elected members undertake adequate training and commit to ongoing professional development and professional learning as part of their role to ensure the proper and appropriate exercise of their legislative responsibilities. I do not think we should cloud the issue about whether people need that training. Effectively, members of company boards and members of school councils, for example—I was a school principal—are required to understand their responsibilities, obligations and powers as members of that board or council. There is no question in my mind that this aspect of the legislation is important and underscores the fact that it is not just initial training that needs to be undertaken; the training needs to be ongoing, appropriate and timely. Members of councils who have been there for 20-odd years are amongst those who need a bit of reinforcement to clarify the assumptions that they make about their roles, responsibilities and powers.

There is a strong view in my community that changes to the Local Government Act should address the imbalance in the power of and the relationship between the administration of the local government authority and its elected members, and place greater control of local government in the hands of the elected members. I am probably going into the next phase of the review and the legislation that will come out of it, but we should not seek to increase the power of the administration over the power of the elected members to hold the administration to account.

To underscore some of my concerns about the status and standards of local government, it is a feature of the complaints made to the Ombudsman. The Ombudsman's annual report for 2017–18 notes that 1 715 complaints that were received about public authorities fell within the Ombudsman's jurisdiction. Of these, 361, or 21 per cent, were about local governments. The complaints were about development and planning decisions; enforcement; rating; environmental and public health; complaints management; and the conduct of an officer or the agency. It is a trend. In the period from 2011 to 2018, complaints to the Ombudsman about local government rose from 16.7 per cent to 21 per cent of the total number of complaints received. That is a significant number. More worrying are the statistics reported in the CCC's annual report. The CCC notes that the number of local government-related allegations of serious misconduct has continued to rise, from 550 in 2016–17 to 761 matters in 2017–18, and that the upward trend has seen local government-related allegations of serious misconduct more than double since 2015–16. They represent 15.1 per cent of all allegations assessed by the commission in the period referred to and represent almost one-third—in fact, 31.8 per cent—of public sector allegations. I will

let that statistic stand without further comment. If we look at the misconduct matters that are brought before the commission, we can trace that back to governance issues. Good governance means that competent and properly engaged and insightful members of council make the administration accountable to the elected body, rather than allow the elected body to determine or dictate the terms of engagement between the administration and the council.

I have also been concerned in the time that I have been a member of this place —

Dr A.D. Buti: An outstanding member of this place!

Mr M. HUGHES: I do not know about that!

As a former councillor of the then Shire of Swan, some of the observations that I made in my 40s about delegated authority and its misuse are still current today. There is much misuse of local government delegated authority. It is a constant source of disquiet and discontent, particularly in long-established and older communities where infill developments following subdivisions and reduced lot sizes have occurred. The decisions are frequently inconsistent with other decisions made under the delegated authority provisions and with local government planning schemes and the policies associated with them. Such inconsistencies create community conflict, often pitting neighbour against neighbour, and provide no avenue for the community to voice concerns. I think councils need to be able to scrutinise the role of the CEO in delegated authority decisions when they are demonstrably in conflict with the local planning scheme. It is probably a bit of a hobbyhorse for me, but I think in general it is almost uniform practice that if an officer deems it necessary to seek comment from nearby owners on an application and they respond, an application will automatically become a matter for council determination, notwithstanding that an officer may recommend the approval of that application. It appears entirely up to an individual officer whether to refer the application in the first place. If the officer does not, this effectively seals off any right of any affected party to be heard.

We agree that the framework for the operation of local governments provided by the Local Government Act is in much need of reform. As we heard from the minister in his second reading speech, this bill aims to deliver on the principles of good governance, transparency and accountability. We have heard in a range of contributions to the debate how that will occur as we reflect upon the specific provisions of the bill before us. It is probably pointless for me to reiterate those.

Although I understand that the bill aims to improve transparency, accountability and efficiency of the minor breach system, one of the things that I am concerned about—I share this concern with a number of members—is the time period for complaints to be lodged with the standards panel being reduced from two years to six months. I have some concerns about the reduction from 24 months to six months and would welcome the minister, at an appropriate stage during the passage of this bill, outlining why he settled on a limit of six months.

[Member's time extended.]

Mr M. HUGHES: This bill is welcomed insofar as it is one more legislative step towards local government reform. Clearly, I am pleased to support the bill, but more needs to be done. I am concerned that local governments should become more representative of the communities that they serve.

The minister may recollect that I grieved to him following the 2017 local government elections. Prior to my grievance, the minister noted the increase in the number of candidates from diverse backgrounds and the number of women who were elected to local government as a result of those 2017 elections. All of that is very important. The greater representation of women and the greater diversity, which were two visible outcomes of the 2017 election, could lead only to an improvement in the representative nature of local government. Let us hope that this will continue. Despite these improvements, I suggest to the minister that the representative nature of local government is not in a good place. Voluntary voting, combined with the first-past-the-post arrangement, contributes to the unrepresentative nature of local government councils. Although the legislation does not deal with these issues, I believe that a resolution of this matter is at the heart of combatting the lack of faith that communities have in the competence of councils to adequately represent their interests.

In my grievance to the minister on this matter, I pointed out the continuing low voter turnout in my electorate of Kalamunda, despite the observable general improvement mentioned in his statement following those elections. I believe that the low level of voter turnout is compounded by the impact of the current first-past-the-post methodology on the outcomes of elections. I mentioned a number of specific results across each ward in the City of Kalamunda and made reference to a similar situation in the Shire of Mundaring. I did not refer to Gosnells at that time. In Kalamunda, 13 candidates contested two places in the north ward, with a voter turnout of 38.11 per cent. That is reasonable and respectable on a comparative basis with the low turnout rates elsewhere. The winning candidates received 17.5 per cent and 17.2 per cent of the valid votes counted. At that time, the member for Darling Range was a candidate in the election, but did not figure in the —

Mr D.R. Michael: She was unsuccessful in that election.

Mr M. HUGHES: She was unsuccessful. She initially had some difficulties filing an address within the local authority. I digress.

Together, those candidates received 2 316 votes out of a potential 6 710 of the total votes cast; that is, 34.56 per cent of the electorate voted for the two winning candidates, and 65.4 per cent preferred other candidates, including the member for Darling Range. Maybe the outcomes might have been a bit different in a preferential voting system. While all this was compliant with the existing Local Government Act, its provisions, combined with low voter engagement, give people less than what I would argue to be a reasonable representative voice in their council. It is much less than they deserve.

I have mentioned two of the local government councils in my electorate that have ward systems. The third local authority, Gosnells, has no wards. Interestingly, 31 candidates were vying for seven places. We do not need to do the arithmetic to know how limiting that is for the representative nature of that local authority. If anything, when we come around to the more fundamental and rigorous hallmark approach to the change of legislation, we need to get rid of single wards and return to a ward system. We are talking about government being close to people. What can be closer than a ward system? I believe that the present system tarnishes the legitimacy of local governments as being truly representative of the communities they seek to serve. As I said, it is somewhat ironic, given that many of the issues that constituents present to me involve actions or a lack of action by local government and complaints about the level and quality of consultation and engagement by local government with the electors on major issues of importance, both individually and collectively.

The measures contained in the bill before us, while welcome, obviously do not address this issue. I have a strong belief that at the very least we should return to a preferential voting system and end first-past-the-post methods of election as a way of improving the status of local government elections in the eyes of voters. Dare I go so far as to suggest the introduction of compulsory voting? Probably not. Even the introduction of electronic voting might help us in some way but maybe that is a bit pie in the sky; I have no idea. It is ironic that what is vaunted as the closest level of government to the people is almost universally regarded as being distant from the people it is elected to serve.

My constituents await, with anticipation, the delivery of fundamental changes to the Local Government Act in addition to the welcome provisions contained in this bill. We commend the minister for the work that his staff and the advisers have provided in the compilation of this bill. It goes some way towards improving the representative nature of local government. Unless we do the rest, it will not have much traction. The second phase of the review is of particular interest to my constituents. It looks at the participation of local government, the ward system and issues around a candidate's eligibility. In my view, this phase of the review process goes to the very heart of the credibility of local government, and it is important that the Western Australian Labor government gets this right.

Debate adjourned, on motion by **Mr D.R. Michael**.

House adjourned at 5.10 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

MINISTER FOR POLICE — PORTFOLIOS — VIDEOGRAPHY SERVICES

4437. Mr Z.R.F. Kirkup to the Minister for Police; Road Safety:

Have any of your departments, agencies, boards, public owned corporations or Ministerial offices (since 17 March 2017) spent money on video editing services:

- (a) If so:
- (i) What company has been engaged to undertake the editing;
 - (ii) What was the purpose of each engagement of service;
 - (iii) What was the production title of each item being edited; and
 - (iv) How much money has been spent?

Mrs M.H. Roberts replied:

Ministerial Office

No.

Not applicable.

Road Safety Commission

The Road Safety Commission advise:

Yes.

- (a) (i) The Road Safety Commission has engaged SB Media and Lomax Media.
- (ii) SB Media were engaged for the Australasian Road Safety Conference Gala Dinner and Awards and National Road Safety Week Launch 2018.
- Lomax Media were engaged for the Bunbury Road Safety Research Forum.
- (iii) The production titles were Australasian Road Safety Conference Gala Dinner and Awards Highlights; National Road Safety Week 2018 Highlights; and Regional Research Forum Highlights.
- (iv) \$2,300 (exc GST).

Western Australia Police Force

The WA Police Force advise:

Yes.

- (a) (i)–(iv) Please see below:

(i)	Ian Rogers	North Metropolitan TAFE	Karl Meithe Productions	The Brand Agency
(ii)	Production of a single series of crime prevention awareness videos for social media purposes.	Neighbourhood Watch Western Australia social media promotional videos. Five short videos promoting Neighbourhood Watch were produced.	Tough on Graffiti Strategy 2011–2017 videos. Social media style videos to communicate harm minimisation messages to School Leavers. Crime prevention program awareness video for frontline government staff. Filming for WA Police Force 100 year celebration of women in WA Police Force in 2017. Filming of the Commissioner’s speech during National Aborigines and Islanders Day Observance Committee (NAIDOC) Week 2018.	Police Recruiting Branch resources.

(iii)	Breaking Baddies	Knock Knock Neighbourhood Episode 1 Dad Date. Knock Knock Neighbourhood Episode 2 Crazy Cooking. Knock Knock Neighbourhood Episode 3 Footy Fumble. Knock Knock Neighbourhood Episode 4 Awkward Aerobics. Knock Knock Neighbourhood Episode 5 Spaghetti Seduction.	Rewards/Girl Consequence /Boy Consequence/ Amazing City. School Leavers. Kata Path – program awareness for frontline workers. 100 years of Women in WA Police Force. NAIDOC Week 2018.	Realistic Job Preview. Information Sessions.
(iv)	\$2 000	\$10 000	\$52,039 including Commonwealth funding	\$55, 089

Note: Billing associated with this service covers both videography and video editing services. Consequently, individual costs cannot be identified.

