

LOCAL GOVERNMENT AMENDMENT BILL 2023

Second Reading

Resumed from an earlier stage of the sitting.

MS C.M. ROWE (Belmont) [2.47 pm]: I just wish to reiterate my comments prior to question time on the Local Government Amendment Bill 2023. Principally, I just want to highlight the importance of the introduction of the principles in the act, including recognition that Aboriginal Western Australians should have greater involvement in local decision-making. I would like to stipulate again, just for the record, that I believe the City of Belmont has been doing a commendable job to date in terms of its engagement with local elders. I have seen that firsthand over six years. It is really remarkable and I really commend it on its efforts in that regard. I think there is a long way to go for other elements within our community, as I mentioned, especially with the local RSL running a campaign for a no vote for the Voice referendum.

I guess, with your indulgence, Madam Speaker, I would like to reiterate the comments I made just prior to question time. Recently, Thomas Mayor was here in Western Australia. He was one of the Indigenous men who was part of the original group that was consulted around the establishment of the Uluru Statement from the Heart. When he was over here in Western Australia speaking at a Labor Party event, he wanted to get everyone in the room to consider the notion of a failed vote at this referendum and how we would all feel if we had not all put our shoulder to the wheel to achieve the outcome of the yes vote. I was not even at that event but hearing about it really made me stop and think. As a member of Parliament with a significant number of Aboriginal people in my community, I thought: what am I doing to help ensure that we do get that outcome for Aboriginal people right across this country?

I would like to read the Uluru Statement from the Heart. We really are lucky here in the state Parliament to have the member for Kimberley, Divina D’Anna, who was part of the group who we consulted in the establishment of the statement. I asked her whether it would be okay if I read it out because obviously I am not an Aboriginal person. She said—I hope she does not mind me quoting her—that she would be delighted because the more people that we have supporting this cause, the better. I would like to read to the chamber today the Uluru Statement from the Heart —

We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this statement from the heart:

Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs. This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from ‘time immemorial’, and according to science more than 60,000 years ago.

This sovereignty is a *spiritual notion: the ancestral tie between the land, or ‘mother nature’, and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty.* It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown.

How could it be otherwise? That peoples possessed a land for sixty millennia and this sacred link disappears from world history in merely the last two hundred years?

With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia’s nationhood.

Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are aliened from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future.

These dimensions of our crisis tell plainly the structural nature of our problem. This is *the torment of our powerlessness.*

We seek constitutional reforms to empower our people and take a *rightful place* in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country.

We call for the establishment of a First Nations Voice enshrined in the Constitution.

Makarrata is the culmination of our agenda: *the coming together after a struggle.* It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination.

We seek a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history.

In 1967 we were counted, in 2017 we seek to be heard. We leave base camp and start our trek across this vast country. We invite you to walk with us in a movement of the Australian people for a better future.

I, for one, want to walk with our First Nations people, and I will be voting yes. I hope that everybody else here in Western Australia will join me.

MS E.L. HAMILTON (Joondalup) [2.54 pm]: I rise today to make a contribution to the Local Government Amendment Bill 2023. Local governments play an important role in our democracy and in our Westminster system in which each of our three levels of government has a specific and important role and function. Our McGowan government continues to deliver the most significant reforms to the system of local government in more than 25 years. I would like to commend the Minister for Local Government for bringing these reforms to this place, and I know that this legislation will be welcomed by my community.

This bill will deliver a range of reforms focused on delivering better outcomes for ratepayers. This legislation illustrates our commitment to ensuring that the local government sector has all the tools it needs to operate and govern in the modern world, with all the opportunities and challenges that this presents. Local governments need to be open, transparent and accountable in representing their ratepayers, whilst being responsive to the needs of our communities. This is what our communities expect and deserve.

The reforms proposed in this bill will, I believe, provide further confidence amongst our community in the local government sector, in the major policy decisions that are made, and in the community's locally elected representatives, and it will strengthen the current framework. This legislative reform is much anticipated, long awaited, and has been a wholly consultative process. It is based on a large body of prior work and was subject to a public consultation process. This reform will provide better efficiencies and cost savings for local governments, with standardised procedures for council meetings across the state, simplified council planning, the introduction of optional preferential voting as well as other changes to make local government more consistent and efficient while providing the best outcomes for local communities.

Many contributions so far from my colleagues in this chamber have been from the perspective of having served as local councillors. That has not been my experience, although I have been working in my electorate for almost 20 years now —

Ms C.M. Rowe: Hear, hear!

Ms E.L. HAMILTON: I have been in touch with residents throughout that time. I know! I reflected on the 20 years and thought: gee, there have been a lot of things that have happened locally during that time. But it has been a great opportunity.

The Joondalup electorate is unique. It is one of the few electorates that has a dense urban city centre, an active business park and a large residential segment that covers the suburbs of Ocean Reef, Heathridge, Edgewater, Connolly, Iluka, Joondalup and half the suburb of Currabine. The entirety of my electorate falls within the boundaries of the City of Joondalup, whose local government serves over 160 000 people across 21 suburbs. Collaboration with local government is essential for me, representing the state government, as well as the over 13 000 small businesses, education providers and other organisations in our connected and engaged community.

I want to begin my contribution today by providing somewhat of a snapshot of the experiences in Joondalup and then talk about how the bill will address current concerns in my community and provide better outcomes. Although rates, roads and rubbish are the core business and most basic of functions of local government, local governments have an important and extensive role at the grassroots level of our community, from delivering services and running local libraries to providing and maintaining local parks and facilities. The City of Joondalup has an operating expenditure of around \$165 million in the current financial year, and has an important role in taking a long-term view of what services and facilities will be required in the future. This is particularly relevant for the City of Joondalup given it is located in the northern corridor and is one of the fastest growing regions in Australia. It has a renewed focus on participating in a global economy. Joondalup is rich in opportunity as it matures and becomes the second CBD of Perth. Having an effectively operating local government is an essential driving force to grow our local economy and to service the northern corridor.

I attend many local government events and activities, and am regularly communicating with residents—be it by knocking on doors, manning the phones or attending events. The majority of local matters raised with me and my office concern issues with local government. This makes sense as local government is the level of government that is closest to local residents. But I have formed the view that local governments can and should do better. Changes in the Local Government Amendment Bill 2023 will benefit all community ratepayers as regulation and transparency increases.

Some of the day-to-day local government issues that come through my office can include correspondence regarding problems with local roads; access to rubbish bins when locals are out walking their dogs; residents associations being concerned about inadequate streetlighting, which causes safety concerns; sporting groups inquiring about

adequate facilities; requests for more bench seats at local parks so the older members of our community can rest while out walking; access to water fountains at Heathridge Park; and the need for barbecues at facilities and locations like Bonnie Doon Gardens in Connolly, which was a recently raised issue by the Connolly Residents Association. Issues can also include local parking matters, playground upgrades at local parks and I could go on. There are many issues that I can raise with the city on behalf of locals, but it requires action by the local government. My office and I are regularly in touch on major policy setting issues, like planning reform, as we meet the issues of density and infill and the most recent proposed charges for kids to use playing fields. I think the city can do a little better on all these issues. This bill is designed to provide a more consistent framework for ratepayers and stakeholders, and it will work to ensure that important information is always available to the community, holding local governments accountable to their ratepayers. It is what our community wants and deserves.

A major reform in this bill relates to council planning and streamlining local governments as they plan their future service delivery. This is a significant and important function of local government in the oversight and implementation of planning policy, which is particularly relevant for a growing city centre like Joondalup with a wide variety of commercial and residential demands. Good planning policy is at the heart of a connected and cohesive local community, and the pursuit of medium-density infill should adhere to these principles.

But as I mentioned, I want to highlight some of the community challenges and how this bill will assist. In 2016, the City of Joondalup jumped the gun in trying to implement an infill and density strategy. The creation of housing affordability areas by the city in 2016 was an attempt to increase density around what it termed high-frequency transport corridors and train stations. It was plagued with issues from the beginning, and a disappointing lack of community consultation took place prior to the city implementing its plan. It caused significant angst across my electorate, particularly in the Edgewater community. As part of the zoning changes, apartments were built in small residential streets in bushfire-prone areas with limited road transport options.

Poor planning outcomes that resulted from the housing affordability areas policy, which was instigated by the previous Liberal–National government, have had real-world consequences locally. In March 2019, a significant bushfire occurred in the Yellagonga Regional Park near Edgewater Drive in Edgewater. With only three access roads in and out of the suburb, and all those roads being used by and prioritised for emergency service vehicles during this incident, that 2019 fire highlighted the significant risks to community safety that can happen when poor planning decisions are made. Minister Saffioti and I urged the city to reconsider its approach to the housing affordability areas policy. We included suggestions that the city should engage in broad consultation with residents across the entirety of Joondalup about the future of their community, and that the HAA be further reformed to better support infill. The challenge was that the city was pursuing a density agenda ahead of the state government’s planning reform process, which was well underway by this stage and was working to develop a statewide framework on how to achieve medium density.

From the time of my election to this place, I have been strongly advocating for improved planning outcomes for local residents across my electorate. During my extensive correspondence with the Minister for Planning, Rita Saffioti, and the City of Joondalup, I noted that the role of local governments in strategic locations such as Joondalup should be to pursue a thorough and considered planning policy that is informed by the needs of our local community. Local government must orient its delivery of planning policy to deliver long-term economic and community benefits.

We know that we cannot continue to increase Perth’s urban sprawl and we need to look at quality infill. Opportunities for density should be pursued in appropriate locations. For example, we have a multistorey development located within the Joondalup CBD—just across the road from my electorate office. Formerly home to a now-demolished 40-year-old basketball stadium that had reached its end of life, the site is now planned to be a mixed-use, multistorey development to support people at all stages of life. Aged-care facilities will exist alongside family apartments and affordable housing. A mix of commercial, medical and retail facilities are on the ground floor. This will create a vibrant and active site directly opposite a shopping centre and the Joondalup train and bus station in the heart of our CBD. It is a prime example of our state government providing quality infill in a strategic location. Good infill that supports healthy communities is in keeping with community expectations for the area.

This bill’s introduction of community engagement charters will go a long way to supporting improved local government outcomes for our community. As members of Parliament, we are constantly engaging with our community. Whether we are at local sport events, during school drop-offs and pick-ups or trying to make unnecessarily quick trips to the shops, it usually turns into a chat with a local member of our community to understand their needs or concerns. However, this same consideration is often lacking within the processes of local government, and this has been a particular concern. We have a connected and engaged community up in Joondalup, with several active residents’ associations and a large number of people who want to be involved in the decision-making process of local government, with the underlying reason that they want to achieve positive outcomes.

On numerous occasions in this place, I have raised issues that my constituents have experienced in being unable to have meaningful engagement with their local government—both elected officials and the administration. These

issues are mostly about poor consultation with residents, despite this being a core function of local government. One of the major reforms of this bill is with regard to greater accountability of local government to the community. We are adding a requirement that local governments create a community engagement charter that sets out the principles for receiving a diverse range of community views and increasing the participation of a wide range of community members in the council's decision-making processes. By creating greater consistency in how local governments operate across WA, as a state government we can further facilitate resource sharing through common practice. Common standards will also support the prevention and early intervention of dysfunction within local government.

One of the most significant elements of this legislation is the reintroduction of optional preferential voting for local government elections, which will be particularly relevant for the upcoming 2023 local elections in October. Previously, councils were the only body of government in WA to use the first-past-the-post voting method, and this bill will correct that undemocratic anomaly. Preferential voting is one of the most democratic ways to cast a ballot within the Westminster system. It encourages voters to consider a number of candidates and allows voters to ensure that their voice is heard, even if their first-preference candidate does not win a position. Preferential voting also forces candidates to address their campaigns to a broader section of the community, rather than to an often small but highly motivated interest group that can deliver a winning plurality for a candidate. Instead, candidates in local government elections will have to pitch to the wider community to win their trust and will be required to understand the needs of particular ratepayers.

We must continue to encourage more people to participate in local government elections. It is currently a non-compulsory postal vote. It is a privilege to be able to participate in free and fair elections here in Western Australia. In the City of Joondalup at the 2021 local government elections, there were 115 048 eligible electors, yet just 30 296 ballots were cast, with a turnout rate of just 26.44 per cent. The Joondalup community elected half a council and a mayor to a four-year term. Mayor Albert Jacob won a majority of the ballots cast, but I must note that he received the vote of just 10 per cent of the electorate. In his first tilt for mayor in 2017, the numbers were quite similar, although a little lower at just 8.2 per cent of the vote. I am willing to say that the candidates who receive such a vote would also like to see this system amended.

Preferential voting would allow winning candidates to produce stronger vote counts, larger margins, but, most importantly, a more decisive mandate for policy change. No elected official can form a strong mandate when just eight per cent of the community registered as supporting them. I note that, in fact, just two out of the six candidates elected in the 2017 City of Joondalup local government elections received a majority of votes. Two councillors won their seats with a vote count of around 20 to 30 per cent. I commend the minister for reforming this system that has allowed a candidate to be elected with a third of the ballots cast. The use of optional preferential voting is all about choice. Ratepayers will have a much wider array of voting options available to them, with more candidates whom they can choose to support. Providing choice is all about providing access to democratic norms that we take for granted at all other elections. We have used preferential voting for this chamber since 1907, and it is about time we did so for local council elections, too. We must motivate more people to have their voice heard in local government elections, and allowing preference flows, while ironing out the issues of local government, is sure to go a long way to achieve this.

Other significant matters of public trust relating to local government elections have been addressed in this legislation. We need to ensure that there is confidence in elected local government officials. That is why we are strengthening the regulations relating to candidate nominations and candidate information on accessible local government websites. Ensuring we have good candidates, and that our community knows about them, is critical. We will also crack down on offences relating to the misuse of electoral rolls. As candidates and elected officials, we are privy to a huge amount of data through the electoral roll. I take great care in safeguarding this information in the electoral roll data that I have access to, and it should be a basic requirement that all other elected officials operate with integrity and maintain the confidentiality of this privileged information. By introducing new offences for the misuse of electoral rolls and introducing statewide caretaker periods during ordinary council elections, we will take a firm step against tactics that potentially have been used during local government elections.

Significantly for our northern suburbs, the bill includes provisions for vote recounts in the event of a seat vacancy. Last year, the City of Wanneroo undertook a costly and lengthy extraordinary mayoral election following the election of Tracey Roberts to the federal Parliament as the member for Pearce. This was necessary, as no countback mechanism was in place, and a new mayor had to be elected by ballot. Subsequently, a second extraordinary ward election had to be held to replace councillor Linda Aitken, who had successfully contested the special mayoral election, again adding further expense and delay to the process. It took from May 2022 to Christmas of that year for that process to be resolved. Our reforms will greatly reduce the need for extraordinary elections, saving costs for ratepayers and reducing the administrative burden for local governments and the Electoral Commission.

Some of the other reforms in this bill will introduce specific requirements for the videostreaming of council meetings and the standardisation of meeting procedures. In the world we now live, it makes sense that we provide every opportunity for people to participate, view and engage with all levels of government. Just as the proceedings in the

state and federal parliaments can be viewed through electronic means, for the purposes of this bill, Joondalup will be considered a band 1 local government and regulations will be made to require the live streaming and recording of meetings, providing greater transparency into the decision-making process at council meetings.

An area that I am particularly pleased to see included in this bill is providing council members with specific entitlements to take parental leave. It is an important part of supporting families and people with children. In our chambers, we want to ensure there is representation from every part of the community. This means we need to have people from all walks of life, from different backgrounds, fields and at different stages in their lives. This is an important part of gender equity. Just like we are working to achieve gender equality in our Parliaments, it needs to be done at every level of government, at the board table and in every organisation.

The final area of focus for my contribution today is to acknowledge that this reform will recognise the principle that Aboriginal Western Australians should have greater involvement in local decision-making.

[Member's time extended.]

Ms E.L. HAMILTON: I am pleased that the City of Joondalup has established a reconciliation action plan as a framework for the city to realise its vision for reconciliation by creating actions built on relationships, respect and opportunity. The city is currently undertaking a process of recruiting new members to the RAP community reference group and I encourage interested community members and organisations to get involved.

The city annually hosts and facilitates a number of cultural events focused on Indigenous storytelling. This was the case at last month's opening of the Perth Festival held at Yellagonga Regional Park, by Lake Joondalup. There was an amazing light and drone show telling the story of Djoondal, which is the Noongar dreaming story about the birth of the stars and the Milky Way. It prominently featured Djoondal—the woman with the long white hair—Lake Joondalup and their importance to Noongar people and their culture. It was a beautiful event that explored some of the ancient Indigenous stories that gave our home its name in such an innovative way.

Just last week, I attended the opening of the Joondalup Festival at Hillarys Boat Harbour and watched Boola Djarat Wardan. It means "Many lights across the sea" and it was a kaleidoscopic cacophony of lights and sounds, showcasing the story of the land on which we live, with input and storytelling from a local Noongar group South West Kinships.

This bill is all about improving democratic participation and consultation for all local residents. It would be remiss of me to not mention the ongoing Voice to Parliament discussions that aim to do just that. Later this year, we will have a referendum on enshrining an Aboriginal and Torres Strait Islander Voice in our Australian Constitution. I am proud to support the Voice to Parliament. Local government is all about providing residents with a voice in their community, to give them a say in how they live their lives and manage the shared resources and facilities of their community. An Aboriginal and Torres Strait Islander Voice to the federal Parliament is a great first step to increasing the formal dialogue with Indigenous people about the issues that impact them most, while working with the community to develop the best possible policy with practical outcomes. Today it was announced that a path forward has been found for the legislation through the federal Parliament. This is great news, and I welcome the forthcoming referendum and will be working with my community in Joondalup to deliver a positive outcome.

This is the biggest piece of local government reform for some time and is the first step in the changes that need to take place. Work is continuing on the next tranche of local government reform, which will establish the new local government inspectors and monitors. The inspector will overhaul the oversight of local government across WA and will have strong powers to investigate and respond to dysfunction in local governments. We will continue to work on the practical implementation of these reforms, through the development of guidance, templates, public information and transition plans.

The McGowan government is continuing to deliver the most significant reforms to the system of local government in WA in more than 25 years. It really is a milestone piece of legislation. The reforms are focused on bringing about more transparency and accountability for ratepayers, as well as cost savings and efficiencies for the 139 local governments in Western Australia. Having a government that works for the community makes sense, which is why our government is introducing changes that will ensure that local governments across the state are focused on serving their ratepayers.

With the cost of living as it is today, ensuring that residents see the full value of their money invested into their community is very important. As the local member, it is important for me to hear from our community. Aside from responding to many constituents who email me, I spend a great deal of time out and about, talking to local residents whenever I can. Like I mentioned, that may be on the doors, the phones, at a community forum, at a mobile office in a park, coffee shop or after hours in my office. I want to take this opportunity to thank everyone who has shared their views on this issue with me. What we are doing as a state government through this bill is ensuring that we are providing a solid, modern, transparent and achievable local government framework that ensures the best interests of ratepayers are met. I commend the bill to the house.

DR D.J. HONEY (Cottesloe) [3.15 pm]: Deputy Speaker, how are you?

The DEPUTY SPEAKER: I am great.

Dr D.J. HONEY: It is good to see. I want to make a brief contribution on the Local Government Amendment Bill 2023. The Minister for Local Government indicated that he was looking forward to my contribution. It perhaps might not be as colourful as I otherwise might be. However, I did want to go to a few matters on this bill. I might just initially comment on the member for Joondalup's comments about the City of Joondalup. What a fantastic city! I think it is probably an exemplar, certainly the inner-city part, of good planning, with wide boulevards, tree-lined streets and the like. It is such a contrast to the suburbs that are being built now. I encourage members in this place to drive along Armadale Road from the freeway and have a look at what is happening in those suburbs. I think in nearly all of those developments, certainly those close to the freeway, I could literally walk across an entire block from roof to roof. The houses are so close together. I might remark that the City of Joondalup and those other excellent councils in Stirling and Wanneroo were all developed under the existing arrangements for local governments. It is quite clear that local governments have been able to succeed under the existing laws. I think all those three councils did an excellent job.

I just wanted to touch on a couple of points on this bill. First and foremost, the Western Australian Local Government Association has effectively given its endorsement for the majority of the recommendations, or at least the majority of the parts of this bill. I understand that the only area it was concerned about was the optional preferential election, otherwise they accepted it. In this case, the opposition has not opposed the bill, and is not likely to.

I think there are some aspects about which I will ask the minister to consider unintended consequences. I might say that the first is the abolition of wards in the smaller local governments, particularly in regional areas. The reason I say this is that in many regional communities, the townships absolutely dominate in terms of numbers. I am not sure whether there is some other plan around this. An unintended consequence of this bill's provisions to abolish wards in smaller local governments could well be that, in fact, Aboriginal representation councils will be reduced.

I will give the minister a specific example. In Broome, the Dampier Peninsula is a ward. There are two Aboriginal representatives elected to the council from the ward. I will go on another tangent—well, it is not, but it is related to this—the Broome council has abolished wards and also agreed to the changes to the voting systems. I might say that it did that under duress because it was told that if it did not do it—some councillors had two years remaining and some had the majority of their term remaining—the council would effectively be compelled to recontest all positions at the next election. In any case, at the direction of the Department of Local Government, Sport and Cultural Industries, I assume coming from the minister, it has eliminated the wards system and the two positions held by representatives of the Dampier Peninsula on the Broome council. I am told by local people that that will probably result in those two councillors not being re-elected because the town will completely dominate that election.

The councils in my electorate are geographically small. I have said in this place before that I can literally walk the entire length and breadth of my electorate in part of a day. It is not a particular challenge for me to get around my electorate and to know the matters that affect my constituents. I can see where the minister is coming from when he says that council members need to represent a whole area, and it is reasonable that members of a council in my electorate could. But, of course, in regional areas that is not the case; geographically, it is hard. This is not an issue just for Broome, particularly in relation to Aboriginal people who are elected to councils. In a number of regional communities, wards effectively guarantee representation from smaller Aboriginal communities on the council because the wards are dominated by their numbers. But when the wards are combined, those numbers are diluted substantially. I do not know whether there is a clever fix for that, but I genuinely feel that that is a risk for people in not just Aboriginal communities, but also very large local government areas. In one sense we could say that they are the same, but in reality they are quite diverse, especially in terms of geography.

It is an issue that we are going to have to face in the Parliament with the changes to the upper house voting system. How will upper house members properly represent the whole state? We do not know what those arrangements will be, and it is not going to be a major point of discussion today, but in reality, with the statewide electorate, every upper house member should have a travel allowance that will allow them to travel the whole state; otherwise, they will not be able to do their job properly. It is going to be problematic. Members of Parliament are reasonably well paid and they have a travel allowance that the government can amend, but councillors typically travel by their own means. When a council covers hundreds or even thousands of kilometres, it becomes impossible to get effective representation. I have heard a number of members in this place talking passionately and with a great deal of satisfaction about how they have been able to represent their communities. Having wards in regional areas gives councillors the opportunity to meet their electors and represent them. I know that the numbers are small, but for them it is very important.

In regional communities in particular, local governments pick up a lot of the activities that we in the metropolitan area take for granted because those activities are done by the state government. I never cease to be impressed by the passion and the depth with which councillors in regional and remote areas take on their role to deal with not just roads and rubbish, as the old saying goes, but also the economic development of their community, care for people

and the like. I know that that happens with city councils, but in regional councils there is another level of responsibility and care. That also will be affected by the reduction in the number of councillors. The councils in my electorate do not need to have 20 councillors because they can easily get out and represent their constituents. In remote regional areas in which travel is such a big factor, having a large number of councillors might seem excessive in comparison with a metropolitan council, but the people in those areas say that they need to be represented and to be able to talk to their councillor. These days we have all these modern methods of communication, but, as pointed out, a lot of those areas have only 3G and that complicates the live streaming of council meetings. A lot of places are not able to communicate with other areas. Those are probably the main issues I wanted to cover.

I can see the argument around the move to optional preferential voting taking two directions. A couple of members in this place have said that this will go against ticket voting and the like. I actually disagree with that, in part at least, for the same reason that people have said they agree with it. Because it is now hard to get a group up, it will be only large organisations, such as political parties that have the capacity, the intellectual wherewithal and the ability to work out the split on tickets in terms of who is first and second et cetera, that will be able to get up. As was correctly pointed out, we cannot just put “1” at the top of every ticket. I heard the argument that people’s self-interest will make sure that they always do that, but I think that it risks drawing more political organisations into the councils because of the complexity of organising it. When a group of people want to get up, they will ultimately do that through a political party because the political party has not only the ability and experience, but also the resources to organise that and to organise people to hand out how-to-vote cards and the like. Time will tell. The minister has said that he is going to look at this and see whether there are long-term issues. I take him on good faith in that regard.

A number of people in this place have commented that political parties are already involved in council elections. As someone who has been involved in the Liberal Party at the most senior level, I can tell members that there was never ever discussion at any senior level in the party around council elections or supporting candidates. I was the state president of the party and otherwise involved at a very senior level. There might be a group of friends from the Labor Party or the Liberal Party who are interested in public affairs and governance and the fact that they are involved in a political party or in a council is no surprise, but there is definitely no high-level coordination in that regard. I would hate to see that happen in local government. That would confound local government. When a person gets involved in a mainstream political party, the trouble is that they get bound up in issues at a higher level. The way a council behaves will get bound up in how its party is treating an issue at the state level.

We have seen it happen in this chamber, and I have heard about it today, at a state level. We see the confounding of issues in the state Parliament. For example, the federal Labor Party might have a view on something and at a state level people may feel obligated to support their federal colleagues on that issue. I hope that that does not have a mainstream effect in local councils. We will always have people who are genuinely interested in politics and get involved in local government, and we have seen that happen, particularly on the Labor side. I do not know how many Labor members have come through as local councillors, but it must be a fair whack based on the speeches given about this Local Government Amendment Bill 2023. I do not see that as a conspiracy; I see it as no surprise because the type of person who is interested in local government will be the type of person who is interested in state or federal politics.

I will finish on this point. I will not go through all areas or veer off into a discussion of infill and all those things as we will have plenty of opportunities to talk about them at other stages. However, if I look at all the changes that will be made to local governments, I am concerned that we are trying to make councils too sterile. If we look at this chamber, we see that sometimes we are unruly, sometimes we say things we should not say and sometimes we are quite rowdy. We barely hear from some members of this chamber, whereas we might say that other members are a pain in the neck because they are always causing a problem. Labor probably has members in its own caucus who always cause a bit of a fuss and a ruckus. That is obviously not unique to either side of politics; it happens on both sides. One thing I have found from my considerable involvement in volunteer organisations is that those pains in the neck who irritate everyone are the people to whom we should always listen most keenly because they are the canaries in the cage; they are the ones who are prepared to stand up and raise an issue or concerns when everyone else sits back feeling uneasy about it. It is the so-called pain in the neck who will stand up and cause a fuss. That person can be irritating and frustrating and you can feel like they are wasting time, but I think the people who are prepared to stand up and take another view when everybody else is heading in another direction are the key to our successful democracy.

One future reform will involve the role of the inspector, who will be able to direct and investigate, and will have the ability to sack individual councillors. I understand the logic of that—that is, if someone who is not a well-meaning pain in the neck but a destructive person is causing chaos and making a council dysfunctional, we do not want to have to go through all of the palaver of having to dismiss the whole council to deal with that individual. However, I hope that councils will remain places of really robust debate. I hope those pains in the neck who are actually critical for our democracy will not be singled out, and that these changes will not be used to bully those people out

of local government. I hope that councillors will sometimes get rowdy and passionate and have different views on issues and be allowed to flesh them out, and then ultimately do what is in the best interests of their constituents.

That is the end of my comments. As I said, I understand that the Western Australian Local Government Association broadly supports these recommendations. I reaffirm the position of the opposition that we will not be opposing the bill.

MS L. DALTON (Geraldton) [3.33 pm]: I rise to speak today on the Local Government Amendment Bill 2023, which will provide a range of reforms that will deliver greater transparency and accountability for ratepayers, as well as cost savings and efficiency for local governments.

I am the member for Geraldton and there is just one local government in my electorate. I would like to take this moment to congratulate the City of Greater Geraldton for its response to the reforms, its proactive stance in abolishing wards over two years ago and its considered approach to implementing these new reforms by advising the Minister for Local Government, Minister Carey, of its intention to take a voluntary pathway. In January this year, the current elected councillors agreed to reduce the number of councillors from 12 to eight, not including the directly elected mayor, over two elections. In 2023, voters will elect 10 councillors plus a directly elected mayor, and in 2025, voters will elect an eight-person council and a directly elected mayor, meaning that in 2025, the City of Greater Geraldton will have nine representatives at the local government level, which will be the maximum number of councillors for a band 1 local government. As a band 1 local government with a population between 5 000 and 75 000, the City of Greater Geraldton has chosen a voluntary pathway. It undertook consultation, which then guided the current elected councillors in making this decision. I applaud them for genuinely engaging with the community and allowing it to guide them in the adoption of these reforms.

The reduction from 12 to eight councillors, plus the directly elected mayor, will deliver reductions in council member expenses, reduce the length of time and debate needed for reasonable decision-making and mean that a quorum is more likely to be met. However, these reforms will not reduce regional representation. That is a complete myth. Local governments are governed by the council, and the mayor or president is the main spokesperson for the local government. Councils make decisions that become policies of the local government. Councils are probably more like boards than they are like Parliaments. They work best when everyone on council works to find consensus on decisions to benefit their local community. It is widely recognised that once councils adopt a policy or make a decision, that decision is owned by the whole council. Aligning the size of each council with the population of the district will not change the fact that councils will continue to make decisions. Local governments advocate for local interests. In doing so, local governments sometimes take a different view from state and federal governments. That is part of democracy. The reform will provide a cost saving to ratepayers who have been over-governed by local governments. Local governments will still be a voice for their communities. Unlike the previous Liberal–National government’s reforms, these reforms do not involve trying to forcefully amalgamate local governments.

Circling back to my comment about community engagement, I am pleased to see that the Local Government Amendment Bill 2023 will introduce community engagement charters. This standardised approach will set a clear standard for how local governments engage with the diverse range of people within their district, ensuring that everyone has an opportunity to be informed about and engaged with local government processes, decision-making and investment. I understand that many local governments have in place their own robust engagement practices and processes, including undertaking regular resident satisfaction surveys. Those surveys are great, but that data lives only locally or with the private consultant or company engaged to carry out the survey. To assist all local government councils going forward, the state government is working to introduce a requirement that all local governments in bands 1 and 2 must hold a ratepayer satisfaction survey at least every four years. To make the data collectable and more valuable, specific questions will be asked so that results can be compared between local governments across Western Australia. I think this is an absolutely brilliant addition to the reform.

I talk a lot about engagement and meaningful discourse, and about ensuring that diverse voices are heard and lived experiences considered. The same can be said for the bill itself. This bill is based on a large body of prior work and consultation. The reforms were subject to a public consultation process that indicated broad support for the reforms and enabled some of them to be refined to ensure that we deliver the best possible outcomes for ratepayers and local governments.

The McGowan government is continuing to deliver the most significant reforms to the system of local government in Western Australia in more than 25 years. At the heart of these reforms is the intent to facilitate good culture in local government. Critically, these reforms are designed to strengthen how local governments deliver services to their local communities across WA. Council members are elected to serve on the council. It is the council and not any individual council member that makes decisions. It is also important to recognise that council members do not do the work of delivering the day-to-day operations of the local government; it is the role of the CEO and staff to deliver services for the community. To say that reducing the number of council members will somehow reduce service delivery just does not make sense.

People regularly contact my electoral office with queries about how to raise issues with their local government. It seems that many local governments have different options or pathways for people who want to raise an issue, from anonymous apps to formal meeting presentations. As many members on this side will know, we regularly have mobile offices. When I have held a mobile office, many of the issues that have been presented to me, as the local member, have been local government issues. We have discussed putting out the call to our councillors to see whether they would also like to attend the mobile office alongside me so that they can hear from the electors themselves. It is pleasing to see in the reforms the implementation of standardised meeting procedures that will provide ratepayers and stakeholders with greater clarity on how meetings are to be conducted, establishing one set of rules for raising questions and making deputations at meetings. This means that when a resident moves from one local government to another, the process of engaging with local council and attending meetings will be the same across the state, which I think will make it a lot easier for people.

Staying on the topic of meetings and accessibility, it is great to see that these reforms acknowledge that not everyone can attend a council meeting in person and that, with the adoption of video meetings in daily life during the height of COVID restrictions, this bill will also provide regulations to be made to require the live streaming and recording of meetings, providing greater transparency into the decision-making process at council meetings. The government intends to establish a tiered requirement for band 1 and 2 local governments to live stream video, while band 3 and 4 local governments will be required to publish audio recordings of meetings at a minimum. This is a fabulous move forward to ensuring that local councillors have the same amount of scrutiny that we as elected members of Parliament do. Just as people can watch Parliament sitting via the web, so too could ratepayers. Establishing video and audio recordings of all council meetings will also enable complaints and disputes about conduct at meetings to be investigated and resolved more quickly.

I have talked about the reforms' benefits to ratepayers and community and I will also talk about changes that will affect councillors themselves. Local government councillors are often driven to represent their council as their public service. It is their way of giving back to their community. They are voted in by neighbours, peers and associates who entrust them to act in the community's best interest and be the best at it. Councillors need to be supported as individuals. It is pleasing to see included in the bill a support measure to grant parental leave to council members. When we implement parental leave for elected councillors, we will further cement our support for gender equality. Quorums could be altered in the councillor's absence to allow councillors the time to spend with their family. These allowances will create greater diversity on local councils and reflect a fairer representation of society.

Another benefit to these reforms will be the introduction of educational allowances for council members. It will be up to individual councils whether to establish this policy, but the option will be there to create a policy to pay fees and expenses relating to training for continuing professional development that relates to the role of a council member. Again, like the parental leave policy, this option supports diversity on council, particularly for younger people who may be working towards a qualification related to local government. For all elected members, this measure will support them to continue to advance their knowledge and learning, even in later life. This is an important part of public service.

There are 139 local governments in Western Australia, which operate under the Local Government Act, with differences of geographical size and population across them. The changes that the state government proposes mean that regulations could set different requirements for larger and smaller local governments. This is most evident in financial reporting requirements for large metropolitan councils that employ over 1 000 staff, compared with our smaller rural shires that may only employ 30 or so staff. The proposed tiering of local governments across Western Australia is important so that regulations can be matched to the size and complexity of local governments.

Something that will not change is that all decisions made by a local council are to be based on the interests of all people within the district. This is why the bill proposes to abolish wards. Since 2016, 13 local governments, including the City of Greater Geraldton, have abolished wards and a further two have reduced the number of wards. This is an important reform, as at the 2021 elections we saw individuals being voted in with less than five per cent of the vote. Ward elections are also a costly exercise, as each ward requires separate elections, with separate ballot papers, rolls et cetera. To improve efficiency and ensure equal representation, it will benefit smaller local governments and their communities to remove wards.

Sometimes, as with state and federal elected positions, the person elected is no longer able to fulfil a role. This creates a vacancy that previously may have required a whole new election—an unexpected and imposing expense outside the local government election cycle. When a local government election can cost as much as \$4.50 per voter to undertake, having to run an election outside the four-year cycle diverts operating money away from delivering services in our community.

That brings me to the topic of optional preferential voting and backfilling. Voters understand how preferential voting works. Preferential voting has been used in state elections since 1907, and in federal elections since 1918. By introducing preferential voting at local government level, voters can choose to preference as many or as few

candidates as they wish. The outcome of this means that a local government can turn to the next eligible highest polling candidate from the last election to fill a vacancy, making significant cost savings whilst still meeting the wants of its community. Another positive reform related to voting for councillors is proposed regulations for the larger band 1 and band 2 local governments to hold a public election to directly elect the mayor or president. For some larger metropolitan councils, local government operations are far removed from daily life. There is a strong possibility that ratepayers are not familiar with individuals running for council or leadership. I cannot say the same for regional areas, particularly mine. Sometimes it feels like our mayor is the most infamously known person in the region. Like preferential voting, this practice is not unknown to voters and at state and federal elections, having a distinction of who is running for mayor gives people a better understanding of the values and policies of the people who are running to lead governments.

Also mirroring state and federal election processes is the introduction of caretaker periods to increase public confidence and trust in the integrity of government. This statewide standard will mean that elected representatives will be given the time to directly engage with the people in their district, whilst operational staff carry on the functions of government. This distinction between the elected representatives and members of the public service will be maintained. It makes sense that local governments with a similar population have around the same number of council members. There are more than 1 000 council members across Western Australia. There are numerous examples, especially out in the regions where councils operate with a vacancy unfilled because there are no candidates. At the 2021 ordinary elections, the Western Australian Electoral Commission observed eight unfilled vacancies, all in non-metropolitan councils, because there were more vacancies than candidates. In this situation, local governments have to hold extraordinary vacancies, at a further cost to ratepayers.

To conclude, the Western Australian Local Government Amendment Bill 2023 will bring several benefits, particularly to my electorate of Geraldton. It will empower the community, provide more autonomy to local government authorities, streamline bureaucratic processes and strengthen financial management. All these are fundamental aspects of good governance, and they play a crucial role in creating a prosperous and thriving community. I commend the bill to the house.

MS J.J. SHAW (Swan Hills — Parliamentary Secretary) [3.47 pm]: I am sorry for startling the member for Kingsley! I did not mean to seek the call quite so vigorously, but I have good reason to because today we are debating the Local Government Amendment Bill 2023. This is a particularly interesting topic for me. Local government is a hot topic in the seat of Swan Hills, which has two local governments: the City of Swan and the Shire of Mundaring. Let me just say that it is night and day between the volume of complaints I receive about one as compared with the other, and that is reflected in the statistics produced by the authorities monitoring local government; I will come to that in some time. I know how important this is to the people of Swan Hills. It is very, very important. A whole heap of people are sick to their back teeth of the dysfunction we see in the City of Swan. It is my sincere hope that the reforms that I will discuss today will make improvements to the City of Swan, but I say to voters that their most powerful way of affecting change in the City of Swan comes to them in October this year, during local government elections. New brooms sweep clean, and if nothing changes, nothing changes. If you keep electing the same people and expect them to behave differently, in some quarters that is considered the definition of madness.

With that opening statement, I am now going to talk about some interesting and moderate parts of the bill, then I am going to wrap it up and bring it home. I want to commend the Minister for Local Government. He is particularly passionate about local government reform, as was Minister Templeman. This has been a years' long process in the making. Extensive consultation was undertaken for the formulation of the reforms. There are tranches of reforms. The reforms I will discuss today go some way and then there are a whole heap of reforms in the pipeline that again, I want to assure the people of Swan Hills, will go some way towards addressing some of the appalling behaviours we have seen at the City of Swan.

The McGowan government continues to deliver the most significant reforms to the system of local government in Western Australia in more than 25 years. As I say, this bill will deliver a number of reforms. Other members have spoken about those reforms so I will keep my comments to about half a dozen that are very material to my electorate. The first one is the introduction of principles in the act for local governments to frame their activities and priorities. The second one is new requirements for all local governments to publish information online through public registers, such as leases, grants and significant contracts. The third is to reintroduce preferential voting to better align local governments with state and federal elections. The fourth one is the direct election of mayors for local councils. The fifth reform is standardising meeting procedures for all local council meetings across Western Australia and then introducing specific requirements for the videostreaming of council meetings. As I said, this program of reform is the subject of a large body of prior work and consultation, and extensive processes with all sorts of stakeholders. At the heart of these reforms is the intent to facilitate good culture in local government and God knows we are crying out for that in the City of Swan. Critically, these reforms are designed to strengthen how local governments work to deliver services to local communities; that is what they are there for. They are not about the prosecution of individual grudge matches around particular projects. They are not there to zombie-like revisit

arguments that are long gone. They are not there for people to pursue bitter personal vendettas. There are actually about delivering for ratepayers. I think that some City of Swan councillors have lost their way in that regard. Not only have they forgotten how to function as adults in the confines of the council, they and previous councillors have and those who aspire to a second coming in local government have also demonstrated a manifest inability to work with the other adults in the room at state and federal levels. We have to improve that culture and I very much look forward to the implementation of these reforms to try to help us because the City of Swan is one of the largest metropolitan councils. Tens of thousands of people rely on us at a state, federal and local level to deliver for them, and the City of Swan has proven itself over and over again incapable of functioning properly. That absolutely has to end.

On the key items in the bill, I would firstly like to discuss the principles and objects. Several are very relevant to us in Swan Hills. The first is the recognition of Aboriginal Western Australians. The second is the importance of considering sustainability, climate change and intergenerational issues. The third is about promoting collaboration between local governments. These principles have been drafted in recognition that every local government must consider these important principles in the unique, specific conditions within their districts. Elevating the voice of Aboriginal people in the seat of Swan Hills is very important. It is great to see local governments develop and implement their reconciliation action plans and engage in native title and land custodianship matters. In the most recent census data, Swan Hills has the second-highest proportion of Aboriginal constituents in the metropolitan area after the seat of Midland. We have a high proportion of First Nations Western Australians, so this is important for us. I want to congratulate the current mayor, David Lucas, on the release of the City of Swan's *Reconciliation action plan (Innovate RAP): Mar 2022–Mar 2024* in May 2022. I note the considerable change of tone in the language and approach of the City of Swan under his leadership. It is fantastic to see. I congratulate the City of Swan—the staff who put the time into developing that reconciliation action plan and the City of Swan for now implementing it. The Shire of Mundaring's council endorsed its reconciliation action plan at the November 2022 meeting.

In the hills, we live the effects of sustainability and climate change every single day. We are very bushfire prone. I am sure this Parliament is very well aware of the Wooroloo fires that tore through our homes in February 2021. It destroyed 86 homes. The fire was so bad that we had to evacuate Ellenbrook. It is not an issue that is only confined to the hills. It extends down into the flats of my electorate and it is incredibly important. Intergenerational issues are also very important to us. Swan Hills has a particularly young population. No matter what measure of youth—whether we are looking at proportion of babies and toddlers, proportion of primary schoolers, or proportion of secondary schoolers—Swan Hills is much higher than the state average. We have a very young population, so the decisions we make now on the ways that local governments choose to prioritise things like youth centres, community facilities and swimming pools and is getting on and delivering projects affects children. It will affect them for years to come because our kids do not necessarily move away. They stay because it is a great place to live. We need to think about intergenerational issues and it is great to see these principles enshrined in legislation.

Collaboration between local government authorities is pretty interesting because the Shire of Mundaring part of my electorate is next door to the Shire of Kalamunda and the seats of Kalamunda and Darling Range. Our local government authorities all share the beautiful Perth hills region, which is an aspiring critical tourism destination for the Perth region—for Destination Perth. If we are to make the most of that, our local governments need to collaborate.

They were the nice things I had to say about local government! I can see Hansard bracing herself!

Several members interjected.

Ms J.J. SHAW: Yes, exactly!

Now for the aspects relating to councils. In my comments, I want to draw a very distinct difference between councils and city administrations. In the course of my six years as a local member, I have had the great privilege to work with some incredibly committed, very dedicated officers of both the City of Swan and the Shire of Mundaring. Gee—do they go above and beyond? They are great. They often face great adversity when trying to deliver projects for their communities because of the dysfunction that we see, particularly in the council of the City of Swan. My comments are also not about all councillors. There are some absolutely brilliant councillors on the City of Swan. There are some genuinely community-minded, well-motivated people and they do not necessarily share my political views at all. I have worked well with people who have run for the Liberal Party and have sat on council. The key point being I am really pleased to work with people on council who are genuinely motivated to deliver for their communities. People who cannot leave their politics at the front door, as I said, either for personal vendetta or petty partisan politics are not able to get on and deliver for their community. Frankly, they will get no truck with me and they should not get any truck with the people of Swan Hills. I would encourage people to think very carefully in October 2023 about which councillors and which people lurking in the outer realms of council, perhaps with relevance deprivation syndrome —

Mr D.A. Templeman: Tell us what you really think!

Ms J.J. SHAW: I will say what I think because this is important stuff, minister! This affects delivered outcomes for my people. I work hard for my people. I have lived in my seat for 16 years and I care about outcomes. While any of these councils cannot get their act together, it affects all of us. There are seriously dysfunctional behaviours. They are harmful and they need to be addressed so I want to speak to them. Firstly, new public registers will come in under this legislation. The bill will provide for a new requirement for local governments to disclose key information on public online registers, which the Minister for Local Government trialled when he was the Mayor of Vincent. The sorts of things on these registers will be leases of local government property, the awarding of grants, high-value goods and services contracts, disclosures of interests related to items considered at council meetings, and cash-in-lieu contributions to the local government for things like car parking and public open space. Ratepayers will be given a very clear line of sight into how local governments are allocating resources and finances. They will have a very clear line of sight for all sorts of conflicts of interests. There are open questions in the City of Swan.

Debate adjourned, pursuant to standing orders.