

LOCAL GOVERNMENT — AMALGAMATIONS

Motion

Resumed from 20 November 2013 on the following motion moved by Mr D.A. Templeman —

That this house condemns the Barnett government for creating chaos and confusion amongst local governments with its shambolic and dysfunctional council amalgamation process.

MR C.J. TALLENTIRE (Gosnells) [6.10 pm]: Mr Acting Speaker —

The ACTING SPEAKER: Members, take your conversations outside the chamber, please.

Mr C.J. TALLENTIRE: Thank you, Mr Acting Speaker. I paused before seeking the call because I recall that the member for Perth was midway through her speech so I wanted to ensure that she had the opportunity to continue her speech.

The motion before the house that this house condemns the Barnett government for creating chaos and confusion among local governments with its shambolic and dysfunctional council amalgamation process was moved by the member for Mandurah, our shadow Minister for Local Government. The motion reflects the state of play with local government in Western Australia at this point. It is shambolic; it is chaotic. The way councils have to consider their futures at the moment, the anxiety being caused, ratepayers' frustration and the sense of democracy being denied is most striking. People are deeply upset that this amalgamation process is occurring in a way that prevents peoples' voices from being heard in some areas, whilst in other areas they may be entitled to some kind of vote. It is so shambolic, confused and variable that it defies any semblance of a decent democratic process. It seems unfair.

I will reflect on the local government area that covers my electorate. We have a relatively easy pathway forward because for the City of Gosnells there is a degree of contentment with the notion of merging with the City of Canning. I will leave it to others to talk about the City of Canning's position and its ratepayers. People in the City of Gosnells are prepared to merge with the City of Canning. Nonetheless, the process is shambolic and confused because we do not know post-merger what will be the ward structure and the manner in which the mayor will be elected. It is all highly confused. That, in itself, is a poor reflection of how this process is being conducted. As I have said before in this place, as things stand in the Gosnells area, there is a single ward; we do not have a ward system. That is serving to disenfranchise people from local government. When ratepayers have a local government type of complaint about, say, a pothole in their street, verge collections, rubbish collections or street trees, they do not know who to turn to if they do not get satisfaction from the professional staff at the City of Gosnells. They do not have a ward councillor they can turn to.

Before continuing, I acknowledge that earlier in the day the chief executive officer of the City of Gosnells, Mr Cowie and the mayor of the City of Gosnells, Mr Dave Griffiths, were in the Speaker's gallery. I should say that I think the staff at the City of Gosnells are excellent. Mr Cowie's team does an amazing job and delivers a service of a very high standard. I do not think the level of our rates is unreasonable, but I am concerned about not having designated ward councillors. I am concerned that from what I am hearing so far, the soon-to-be-merged Gosnells and Canning councils will also be a single-ward system. This is the sort of issue we need to have clarified. If we are to proceed any further, it needs to be resolved. Frankly, I do not see how it can be resolved in a way that will leave us with an ongoing single-ward structure. I do not think that would be right.

A merged Gosnells and Canning council will be a huge geographical area that is larger than a federal electorate. We will be talking about a voting population of well over 160 000 people. If someone wants to run a campaign to become a councillor in the merged area, I do not see how they can run a reasonable campaign across a population of around 160 000 people on a campaign budget normally expended by someone running for council. From talking to our federal parliamentary colleagues, we know that when they run their campaigns across a population area of about 90 000 to 100 000 people, they talk about huge amounts. They seldom come in at under \$500 000. I think federal campaign budgets are even in the million dollar mark these days. I notice the member for Carine nodding. I am sure he has insights from various Liberal Party fundraisers he attends, and that figures are thrown around about how much money is required.

Mr A. Krsticevic: I'm glad I'm a state member.

Mr C.J. TALLENTIRE: We know that the figures for campaigning at that level are enormous. So why is the Minister for Local Government contemplating a single-ward system at this local government level when someone who has just decided they want to run for local council is concerned about the way the parks are managed in their area, about the way the street lighting has not been properly dealt with or about some other local government matter?

They are worried about the regulation regarding dogs in the area or the new Cat Act and its implementation. They have one of those typical local government concerns, and they think that the best way for them to get the issue resolved and for them to get involved is to get onto the local council. How will they run a campaign across such a huge area? Of course, a person would need to have a substantial percentage of people right across that huge population knowing who they are and what they stand for to have any chance of getting elected. We have seen this in the past in the City of Gosnells during elections when it had a smaller population, still around the 90 000 to 100 000 mark though, under this single ward system, and it meant that somewhere between 19 and more like 27 candidates at the last election ran for seven ward councillor positions. The only way to gather the requisite number of votes to get successfully elected is to campaign across that huge area. A person cannot do that on a shoestring budget. A person cannot do that without targeting their campaign. The best way to target a campaign is to have a defined geographical area, but the defined geographical area is the whole of the soon-to-be-merged Gosnells and Canning areas, so it makes it an impossible task.

This issue of how ward structures will look once we have the merged councils is something that the minister needs to make clear. He needs to tell us how it will look. When the question is put to him, he says that it will be for individual local governments to make that determination. This means that those people currently elected will decide what the future looks like. They already have that advantage of a degree of public profile, and so it actually suits them to maintain the existing structure. For somebody new, it would be a mammoth task to make themselves known to the population and to have any chance of being elected. When we bear in mind that currently the City of Canning does not have elected representatives, we are talking about a very serious disenfranchisement of people in that Canning area who would perhaps want to vote for a councillor who lives in the current City of Canning. I do not know how those people will have a chance going up against the City of Gosnells councillors who already have a profile and are likely to gather the number of votes required to win one of the council positions. It just seems to be a terribly unfair situation. The Minister for Local Government needs to set out and define where the wards will be as a part of the redefinition of the local government areas. That seems to be a serious but important and essential part of the job of these local government mergers. If the minister just leaves it open, he will be stacking the system in a way that favours the incumbents and totally disadvantages those who might be challengers at elections that are not that far away. The minister will be totally disenfranchising the people who would like to have a say on who represents them, especially those currently in that City of Canning area.

Members should bear in mind that the City of Canning has had commissioners such as Linton Reynolds, who was an excellent commissioner. The minister sacked him or moved him on. There was some discord that led to his leaving, and I am sure the minister will be able to explain that in greater detail when he responds. However, it seems entirely wrong that the people of the City of Canning will not have the benefit of a clear definition of their ward councils.

I want to say why it is so important that we have this issue resolved. People come to my office because they do not know who to turn to. They do not know who their ward councillor is. I have had a strong debate with the administration of the City of Gosnells about this matter. In theory, the current councillors—all 12 of them—are there to serve everyone in the local government area, but it does not seem to work that way. There is no replacement for the idea of a ward councillor being responsible for their patch. The idea that somebody can be responsible for a whole area that is as big as a federal electorate, and has the population numbers of a federal electorate, does not work when people work in a part-time fashion, as is the case naturally for councillors. We need to be clear that a ward councillor's job is specific to a contained and defined geographic area. That way, when people have a problem in the park at the end of their street and ask who their ward councillor is, they can phone that person and that person will know exactly what they are talking about. It is no good if they have to phone someone and find that that person has never heard of the park. That is the current situation, and it will get worse as we move towards these amalgamations. Just imagine that a person who lives near Robinson Park in Gosnells has a concern about antisocial behaviour there and suggests that floodlights be erected and the lawns be better tended—such ideas and concerns. They want to talk to someone about it. They look at the list of councillors and see that none of them lives in the immediate area. They might have to phone people who live over in Southern River, Langford or Beckenham—another part of the local government area altogether. They will not get a sensible response from someone who does not have that degree of intimate knowledge about a park that is, after all, a local neighbourhood park. We are losing that sense of localisation that is part of good local government. It is part of the role of a ward councillor to know their area inside out and not to have to go to great lengths to travel and investigate matters. As state members of Parliament, we do that sort of travelling and investigation, and I know our federal colleagues do it, but we have the advantage of working full-time in our roles. Local government councillors do not have that time; they are essentially doing the job on a part-time basis and I do not think it is reasonable to expect them to travel across huge areas.

Accountability is the real essence here, and that is what the minister has to deal with. If he does not clearly define our ward structures, he will remove the degree of accountability to which one would expect local government to be held.

[Member's time extended.]

Mr C.J. TALLENTIRE: I want people in local government to show the highest levels of accountability. We get that by knowing who our local representatives are. If we do not have that connection, we lose accountability. This is another issue the minister has brought upon us because of his confusion, the shambolic nature of things and the ambiguity about whether or not we will have ward councillors. This could change the shape of local government in Western Australia entirely. It is the politicisation of local government councillors. It is an issue that could arise because people will have to conduct campaigns over huge areas. As I said before, if someone wants to campaign to a large population over a big geographic area, they need a lot of money. The only structures that are capable of raising the amount of money to campaign at that level are, in my view, political parties—the Liberal Party, the Labor Party or the National Party.

Mrs G.J. Godfrey: So is Gosnells already a political council?

Mr C.J. TALLENTIRE: I am not saying that, member for Belmont.

Mrs G.J. Godfrey: Yes, you are, because you are saying there are no wards in Gosnells now.

Mr C.J. TALLENTIRE: We have seen signs of politicisation of the council. I can point the member to campaign material for a ticket vote that was used at the last election that was in the colours of the Liberal Party, with its cyan blue and yellow strip highlighting. Some people ran on a ticket that used that template with the dot points that look remarkably like the material that the Liberal Party uses. It is certainly not an overt politicisation at this stage. I have heard informally that the people on that ticket are members of various Liberal Party branches. I do not hold that against them necessarily. I understand that when they are doing their duties as councillors, they are actually working as individual councillors and they are not voting as a Liberal bloc. They are a group of people who support the current mayor and are particularly loyal to him. I would not say we have got to the stage of having an overtly political system, but in the future I think that is where we would be headed, simply because the campaigning required would need the organisational structure and money that we see only when political parties are involved. Maybe that is the government's intention.

Mrs G.J. Godfrey: My point, member, is that Gosnells had already decided to have no wards years ago. Is that correct?

Mr C.J. TALLENTIRE: It was four or five years ago. I am opposed to that; it has been a mistake. The problems that we are seeing with the single-ward structure in Gosnells will be exacerbated many times over with the merger with the City of Canning. It is particularly unfair on the people of Canning. Imagine a person living in the City of Canning wanting to put up their hand to be a councillor in the newly merged Gosnells–Canning council; they will have no hope of campaigning successfully against the incumbents, who are sitting members of the current City of Gosnells. It does not seem right, and that is why the minister has to resolve this issue and point the way. If we stay with the ambiguous situation at the moment—I think I am paraphrasing the minister reasonably accurately here—the minister says that it will be up to the newly formed councils as to how they structure their wards. In the newly formed council of Gosnells it will suit the majority of existing councillors fine to not have a ward system and we will inevitably have a merged Gosnells–Canning council with a single ward. I do not think that is right; it will not work.

The other issue with this is the vote for the mayor. Currently, the City of Gosnells does not have a directly elected mayor; it has a system whereby a new council is formed and councillors vote for the mayor. That situation can be open to manipulation. An incumbent mayor could perhaps run tickets that ensure his friends get on the council so they can then vote for him to remain mayor. The minister should outline how he sees the election of the mayor in the future. It is not good enough for the minister to say that he will leave that to individual local governments to determine. It is true that at the moment individual local governments make the determination on how they will elect a mayor, but we need greater clarity on the way forward.

I began by saying that Gosnells is not like other councils, because when I talk to friends and family who live in the City of Subiaco, the City of Nedlands and the shire of Kalamunda they respond with a sense of outrage at what is going on with the lack of democratic process. In Gosnells, we are relatively happy with the way things are progressing, but we have a problem in the sense that people are a bit disappointed with their connection with local government; they want more. They are desperate for more, but they are being deprived of that because Gosnells does not have ward councillors. Bringing back ward councillors will help people make that connection with their local government. They will know who they have to phone when they have a problem. They will know there will be someone who knows their area, their street corners and their local parks and who can respond to

their needs. That is what people really want. Until we have that, people will feel that local government is just as removed from them as we often hear state government and federal government is removed from them. Given the nature of local government work, it is absolutely essential that people are able to know who their local councillor is and how they can get in touch with him or her and that if they have a complaint they can make their views known. It is all about accountability and the nature of local government in the future. Are we prepared to risk what we have developed in Western Australia, which I think is pretty unique in the nation now—an apolitical local government? Are we prepared to jeopardise that by creating a situation in which we need well-funded and well-structured political campaigns to win office that only the major political parties can drive, which means that once a council is formed, people will be required to reveal what their political backing has been? They will inevitably vote as their political grouping determines and they will have caucuses before a council meeting to determine what the Labor members are thinking or what the Liberal members are going to do. It will not be the current situation, which, from all the councillors to whom I talk I think is quite a genuine attempt to go through their often very massive meeting agendas, wade through vast amounts of material and come to an individual decision. We will lose that. I am certainly a great believer in the party system in this state Parliament. It is essential with the nature of our work. I have no confidence in the capacity of independent members to deliver on the job that we are tasked with. The party structure works well in this place, but at the local government level, we have built up a tradition and belief in the way of doing things that is relatively apolitical. If we are prepared to say goodbye to that, the minister needs to tell us.

I support this motion moved by the member for Mandurah. Speaking as someone who lives in one of the local government areas where there is probably less angst and concern, the Minister for Local Government is still developing a fairly shambolic process because he has not been clear about this. The minister could resolve it clearly for Gosnells by simply saying, “I’m going to require that wards be developed as part of this merger process.” The minister could resolve it very easily by doing that. I think it is probably a requirement that many other areas across the metropolitan area would like to be informed of as well. The minister proposes mergers throughout the whole metropolitan area, but he also needs to look at the wards; otherwise, people will feel totally disenfranchised if they have to deal with a local government that has a single ward structure. I have seen that operating in Gosnells over the last four or five years. It has not been a satisfactory outcome. People have come to my office about this. I have spoken to the member for Southern River about this. Our experience is that we get an exceptional number of local government inquiries, complaints and/or issues to deal with. I do not think either of us rejects those complaints—we take them on—but we are taking on work that should be delivered by a local ward councillor. However, people do not know who their local ward councillor is. That is what happens when we do not have wards properly defined and instead have a vague, single ward system.

I support the motion. I call on the Minister for Local Government to go some way to resolve things by really laying down the law and saying, “This is what the ward structure will look like for the merged City of Gosnells–City of Canning.”

MR D.J. KELLY (Bassendean) [6.41 pm]: I rise now to make a contribution in support of this motion. I do so to raise a number of concerns that have been raised in my electorate. I have spoken before about the general mistreatment of the Town of Bassendean in this process. If I have time, I will go back to some of the issues particularly affecting the Town of Bassendean. I want to raise tonight the absolute anger in the community around the proposal that would have some sections of Morley that are now in the City of Bayswater moved into the City of Swan.

Mr A.J. Simpson: Is that up Reid Highway way?

Mr D.J. KELLY: It is not actually Reid Highway.

Mr A.J. Simpson: That is what the boundary will be—is that right?

Mr D.J. KELLY: No. The boundary will be Tonkin Highway on the west, Altone Road on the east and Benara Road on the south. It is actually a combination of Blackboy Way, Wandoo Road and Darwin Crescent across the north. That section is currently in the City of Bayswater and, under these changes, will go to the City of Swan. That change came as a complete surprise to the residents involved. There are 900 dwellings, so about 1 500 people live in that area. It came as a complete surprise to them.

The City of Bayswater, as the minister will know, has been very supportive of the government’s reform process. It has spent quite a lot of money putting ads in the *Eastern Reporter* that say that under the government’s proposal, the City of Bayswater would increase in size. Nowhere in any of that information, as I remember those ads, was there any suggestion that the City of Bayswater would lose any of its residents. The rationale behind that was that the City of Bayswater, which currently has about 80 000 residents, was not viable and needed to increase. Everybody in the City of Bayswater assumed that all the existing people in Bayswater would stay as part of the City of Bayswater and the city would “benefit” by taking on people from the City of Swan, the City of Stirling and the City of Bassendean. When the boundaries came out, it was not mentioned to the

1 500 residents in that area that they would go to the City of Swan. It was not until a couple of weeks ago that the residents themselves, when they looked at the maps, thought, “Hell! What has happened here?” They then got on to their ward councillors who confirmed that that was the case. They are very angry about it. They did not know about it, so they feel as though they were not consulted. They do not understand why they do not get a say in this process, because this is a boundary change and not an amalgamation. They have been told that they are not going to get a say in it. They really do not have a full appreciation of how it will impact upon the services they receive. Some people were concerned that the suburb of Morley might change its name. People have been told that will not happen as a result of these changes, but they have other concerns about the basic services that they have enjoyed from the City of Bayswater—will they now lose those when they go to the City of Swan?

The City of Bayswater offers what is called an Early Settlers Luncheon. Every person in the City of Bayswater who has been a resident of the city for 35 years or more gets invited annually to that lunch. It is a great event. At the last lunch I attended, there was a couple who have lived in the City of Bayswater for 92 years. They all get together to celebrate the fact that they have been residents of the city for so long. The minister might say it is just a small thing, but the residents in that pocket of Morley are now asking whether they will be able to attend this event. One resident, who works as a volunteer and takes some of the residents in his area to that lunch, asked whether they will be able to attend anymore. There are worries about whether the security patrols that the City of Bayswater offers will no longer be available. There are questions about whether residents will have to pay higher rates under the City of Swan. All those concerns are compounded by the fact that as a community they have been completely blindsided in this process. They had no idea. They had no inkling anywhere in the process that that pocket of residents would be at risk of being moved into the City of Swan. I do not blame the City of Bayswater for the outcome because, ultimately, it was not its decision. My one criticism of the city, and I suppose the mayor has to take responsibility for that, is that when the boundaries were announced, it did not go to those residents and tell them how that would affect them. Whilst the problem is not the making of the City of Bayswater—it is actually the Minister for Local Government’s responsibility—the one criticism I have of the City of Bayswater, and the mayor in particular, is that it did not inform those residents.

Those residents organised a public meeting in the local park on Saturday morning. They invited the ward councillors, the mayor and me as their state representative. Over 300 people showed up at the park. The response was quite phenomenal. All the issues that I have just outlined were raised, including the lack of consultation, the potential loss of services and the changes in rates. I give credit to that group. My understanding is that at least three individuals who live in that pocket of Morley collected signatures and one of them came up with the idea to have a public meeting. Over 300 people showed up at that meeting and those people have now decided to form what they call the Morley Action Group. I give them a lot of credit for the work they have done to date. I understand that they want to organise another public meeting and that they want someone from the government to attend. I understand they are going to invite the Premier, because they do not want to just roll over and let this happen to them. They attended in quite large numbers a council meeting of the City of Bayswater that took place last night. They filled the public gallery, and the City of Bayswater passed a resolution expressing its disappointment that under the government’s proposal the city was going to lose this group of residents in the northern part of Morley. At that meeting last night the city also resolved to seek legal advice on its options to prevent that from happening.

I do not understand how the Minister for Local Government could have allowed this process to produce such a result. People also do not understand, which makes it even more peculiar, that as part of this proposal a pocket of Bayswater will go to the City of Swan and then next to it a bit of the City of Swan will go to Bayswater. People who were living in the City of Swan will now be taken over, completely unbeknownst to them, into the City of Bayswater. People look at that and ask why the government is doing that when no-one asked for that to be done. Clearly, the government has not made the case for this change. Mr Mel Congerton, who led this process, is also a councillor with the City of Swan, and people are asking why this happened. They are asking is it because he is a councillor with the City of Swan and the City of Swan is getting a bit of the City of Bayswater without anyone having asked for it, and people wonder whether it involved a conflict of interest. I have told them that I have no evidence of that, but the lack of clear explanation from the government about why this has happened leads people to ask whether there is some ulterior motive or improper practice. My principal reason for rising tonight to be part of this debate is to convey to the minister the depth of the anger in that section of the community. As I say, with no clear explanation nearly a thousand dwellings are being moved from the City of Bayswater to the City of Swan. Those people are really angry about it and they intend to take it up to the government until they get the decision reversed.

Mr A.J. Simpson: Can I clarify: did the advisory board’s recommendation in that report say that it used a major road as a boundary? Is that what they have done?

Mr D.J. KELLY: Interestingly, no.

Mr A.J. Simpson: I am a bit confused.

Mr D.J. KELLY: The northern boundary is not Reid Highway. The northern boundary is Blackboy Way, Wandoo Road and Darwin Crescent.

Mr A.J. Simpson: Is that above or below Reid Highway?

Mr D.J. KELLY: It is below Reid Highway.

Mr A.J. Simpson: And currently the boundary for Bayswater used to go above Reid; is that correct?

Mr D.J. KELLY: No, not in that area.

Mr A.J. Simpson: So a bit over there and not a bit over here?

Mr D.J. KELLY: Yes.

Mr A.J. Simpson: I need to get a map and look at it.

Mr D.J. KELLY: The minister should look at it on a map.

Mr A.J. Simpson: In the first proposal advertised in this process for me ticking off in February this year, what came out in the original maps that were advertised in a proposal around Bayswater and Swan? Did you look at those ones online?

Mr D.J. KELLY: No, I have not looked at that. People have looked at Bayswater's proposal, and there was nothing in Bayswater's proposal that would lose any residents. The communication from day one from the City of Bayswater is that this was a good process and that as part of this process the City of Bayswater would be expanding. I suppose good on the City of Bayswater if it thought that this process was going to be advantageous to it. That is up to the City of Bayswater. As I say, my only criticism—I think the mayor has to take responsibility for this—is that when the boundaries came out and Bayswater was going to lose those thousand dwellings, the City of Bayswater continued to put out material that led people to believe —

Mr A.J. Simpson: That it was all good.

Mr D.J. KELLY: Yes, that it was all good and Bayswater would be getting bigger, when it took the residents to realise that was not right. They feel very strongly about it. Some of those people have lived in the City of Bayswater all of their lives and others bought houses in the City of Bayswater and moved there from other parts of the metropolitan area, and one of the reasons they bought there was that they believed that the City of Bayswater was a good city that had a good reputation. People make decisions about where they buy the biggest investment in their lives, which for most people is their house, around a lot of factors. For example, some people at the meeting on Saturday morning said that they had bought their house two years' ago and that one of the reasons they bought where they did was that they believed the City of Bayswater had a good reputation and provided a high level of service. Now, at the stroke of a pen, the Barnett government is taking that away from them without any consultation and without any purported explanation.

The minister has a bit of work to do if that group goes ahead and organises a public meeting. I do not know whether it has set a date. I would encourage a representative from the government to come along and talk to them.

Mr A.J. Simpson: Yes. Under the current Local Government Act, a community group of 250 people can put a submission into the Local Government Advisory Board. That is quite clearly stated in the act. A local government, a minister or a community group of 250 people can put a proposal into the Local Government Advisory Board.

Mr D.J. KELLY: Is the minister saying that if that group does that, it can be considered and actioned before 1 July next year?

Mr A.J. Simpson: Yes. The advisory board has to deal with all proposals put in front of it. As you saw in this process, there were 38 proposals, and they were all advertised. They received 30 000 submissions to those proposals. The advisory board reviewed each one of those proposals, and then it was a matter of writing to me and saying, "We think this one", or, "We have worked this one out as the best model; that actually works", and giving that back to me to accept. They have to look at all proposals, so it goes on the agenda of the Local Government Advisory Board. The best thing that community can do, 250 people, is form a community residents group and they go from there and put their proposal in.

Mr D.J. KELLY: I do not want to mislead the residents.

[Member's time extended.]

Mr D.J. KELLY: Is the minister saying that if those residents want to put in a submission to the Local Government Advisory Board, that can be dealt with within a certain time frame, and that if the

Local Government Advisory Board accepts their submission, that could happen in time to enable the residents to remain in the City of Bayswater rather than move to the City of Swan?

Mr A.J. Simpson: Correct.

Mr D.J. KELLY: All right. I think the minister should let the Local Government Advisory Board know that there is a strong likelihood that it will get such a submission, and I will pass on that information to that group expeditiously.

I thank the minister for those interjections, unruly as they were. That just shows that interjections are not always unhelpful. Of course, the residents will certainly be looking for the minister again if they put that submission in and it is rejected.

Mr A.J. Simpson: It is an independent advisory board, member. I have no input into the advisory board.

Mr D.J. KELLY: I am sure any councillors from the City of Swan who may be involved in dealing with that application will deal with it impartially and objectively.

Debate adjourned, pursuant to standing orders.

House adjourned at 7.00 pm
