

LOCAL GOVERNMENT AMENDMENT BILL 2013

Second Reading

Resumed from an earlier stage of the sitting.

HON LYNN MacLAREN (South Metropolitan) [5.10 pm]: I will continue reading from one of the hundreds of letters I have received on this matter because the concerns we have about this bill are so succinctly expressed. The constituent I am quoting has questioned the discrepancy between what Hon Tony Simpson has said and what Hon Troy Buswell has said about the cost of this transition. The constituent is just posing the question about which statement is true. The letter states —

2. No amalgamation process in the world has resulted in lower rates.

We heard a question asked today, just minutes ago, about the cost and whether it would affect rates, but the fact is that no amalgamation process in the world has resulted in lower rates. The letter continues —

Most amalgamation processes result in less services being provided, especially to those who live in the outer reaches of Local Government.

This particular resident lives in Serpentine —

Increased services go to those who live close to the seat of power. You do not need to be a rocket scientist to work that out. The “bigger is better” theory is only applicable to those close to the people who make the decisions and those who stand to gain by those decisions ... at the moment. Perth is NOT the centre of the world!!

3. The amalgamation process has been seriously flawed and overseen by a department that does not have the skills or resources to drive it correctly. Untruths have been brazenly presented on the local government department website amalgamation proposals have been held as “confidential” while the subject of the “boundary change” does not even know the rationale of the proposal.

Finally, the fourth fact that should be kept in mind according to this constituent is —

... The rules are about to change so that all the work done by submitters and electors will go to waste. There is to be NO public consultation over the proposals. Due process, as publicized by the Local government Advisory Board is NOT to be followed. Do you have any knowledge of the cost in man hours that it takes to make a submission or a proposal and that the cost is borne by individuals and the ratepayers?

Parliamentarians need to ask themselves if they have made the appropriate effort to represent their electors in this matter. Sitting back watching the Liberal Party drive a hatchet job of “reform” —

Which is the issue of this bill —

and providing the Labor Party with an almost free entry into the next election may not be so smart. The taste of deceit lingers long in the mouth of the elector and ratepayer. Allow this process to proceed, as it is being driven, at your own peril.

She then goes on to quote Brian Dollery et al. in “Alternatives to Amalgamation in Australian Local Government: Lessons from the New Zealand Experience” —

However, repeated episodes of structural reform centred on amalgamation have served to replace the earlier consensus that ‘bigger is always better’ with trenchant scepticism in the Australian local government community, particularly in non-metropolitan areas of the country. To a significant degree, this scepticism derives from the observed real-world outcomes of actual amalgamation programs ... (Allan 2003, p.75).

My constituent goes on to say —

Those of us who understand that a “sense of belonging” contributes to the health and wellbeing of its community members also understand that communities are born from a common history.

I will depart from this letter just to note that this is exactly the point that my constituents in Cockburn are making. I continue to quote the letter —

Community members understand how their local environment needs to be cared for, the amenity that we desire for our neighbourhood and the actions that we need to take to protect ourselves from danger (emergency services). Communities resent very much the paternalistic, “we know best”, attitude that is

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currently being displayed. We fear very much for the future of our environment, our true sustainability, our food security and the predicament in which we will leave our future generations.

It is seriously time for our current politicians to stand up to the thuggery that is being displayed at the moment and be counted as being among the thoughtful, independent courageous and truly representative of their electors.

In which group will you be counted? Will you forever be associated with supporting the thugs within the Barnett Government —

Hon Michael Mischin: You said this was going to be concise!

Hon LYNN MacLAREN: I am quoting the letter —

or will you be known for showing independence of thought and displaying the courage of your convictions as you stand by the community that you represent? I know for a fact that my community does NOT have that support and it will be remembered.

My constituent met with me and discussed how passionately she wanted to keep her community and her sense of identity. This is happening throughout the South Metropolitan Region —

Hon Michael Mischin: Out of interest, when she travels overseas, and people ask, “Where are you from?” does she say from Western Australia or Perth or does she say she is from Cockburn?

Hon LYNN MacLAREN: People have a close connection to their communities and that constituent does not live in Cockburn, she in fact lives in Serpentine. This is a common experience. As other members have said at length, this is the experience of people throughout the metropolitan region and I am just noting that that constituent was particularly eloquent in her analysis of it. I also received a letter from a resident of Subiaco who is urging us not to support the Local Government Amendment Bill. The letter states —

Please do not support the changes to the Local Government Act which will disenfranchise the population and enable the executive government to manipulate abolition of or changes to local governments.

I do not want to read in letters forever, but I will quote this paragraph of the same letter —

What I find most astounding about the behaviour of the current Liberal government is the contrast between its attitude in respect of our local governments and its attitude towards Canberra. If our State is entitled to self-determination why not our local governments which we the people have paid for and developed over the last century or so?

Whatever the financial arguments are for or against the merger of local governments in the end it is a fundamental part of our society and changes to it should be sanctioned by the people whose local government is proposed to be taken away from them.

Please vote down the proposed changes.

Several members interjected.

Hon LYNN MacLAREN: Members would have received in their inboxes, like I did in mine, hundreds of —

The DEPUTY PRESIDENT (Hon Liz Behjat): Order! Thank you, Hon Lynn MacLaren. There is one person who has the nod from the Chair at the moment and that is Hon Lynn MacLaren, who is on her feet. Some of those members interjecting have already made their contributions and they did that with people listening to them, and others who wish to make a contribution can try to get the attention of the Chair at the appropriate time.

Hon LYNN MacLAREN: Thank you very much, Madam Deputy President.

It is particularly important that members for the South Metropolitan Region contribute to this debate today. I wanted to do so on behalf of my constituents who have been in touch with me over the last five years when proposals for local government reform have been bandied about. It is getting down to the wire and the current proposal for the new local content boundaries will dramatically impact the South Metropolitan Region. This morning I attended the Swan River Trust and the Natural Resource Management group ceremony to award grants to volunteer groups for their land care projects. As I sat between the mayors of Gosnells and Stirling, which members will note are not in the South Metropolitan Region, but in the east and the north of our city, we collectively pondered the reason for these forced amalgamations. Over the last five years the impact has not been positive. Other members have made this clear in their contributions to the debate on the Local Government Amendment Bill. Residents are worried about an increase in rates. Council officers face job insecurity over a long period, and we know from other explorations in this place that job insecurity can affect a person's mental health, whether they take out a mortgage, invest in a new outfit or spend in retail. There is an effect on the

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economy when so many local government employees feel insecure about their jobs. People are also confused why this change is necessary or important. I hear that from people everywhere I go. They do not understand what we are trying to achieve from this reform. The worst thing is the uncertainty, something a member reflected on earlier today.

Many members have already criticised this long drawn-out process to achieve local government reform. This long process has seen neighbouring councils that once approached the dilemma side by side, shoulder by shoulder, putting their creative talents together to try to think about what could be better than this, what could be better than their council, how could they improve it, are now facing off in confrontation and are trying to protect their patches and some are aggressively eyeing off neighbouring council's assets. This is not the reform that any government would choose to pursue. I have witnessed this whole process creating frustration and dissent instead of building communities. If this local government reform was about building stronger communities—I agree with my colleagues to the right of me—then this government has failed.

It is true to say that not every single council in the South Metropolitan Region is upset. The Rockingham and Melville mayors are happy. I took time to consult with all the mayors in my region and the Mayors of Rockingham and Melville have said that they are fine with the changes going ahead. They should be happy because they end up looking pretty good. Rockingham is a growing region and there is no reason to impact on it unless it was to be made smaller into east and west Rockingham. Therefore, Rockingham is fine and Melville is fine. The Town of East Fremantle and the City of Cockburn will disappear altogether. I became a citizen in East Fremantle. East Fremantle has always had a unique character. It is a very small council.

Hon Helen Morton: I ask the question, if you would not mind explaining: precisely what is disappearing? The houses are going to be there, the roads are going to be there, the libraries and sporting grounds—all of those. What is it that you want to do?

Hon LYNN MacLAREN: I hope to make clear to the minister that it is that sense of connectedness. East Fremantle has a lot in common with Fremantle, but it has a lot of uniqueness as well. It will retain that uniqueness because, as the minister says, it will not be shifted. It will still be a riverside suburb. It will still have those nice old trees. It is still going to have its activity centres. Those changes become starker in the City of Cockburn. The people of Cockburn are concerned that the City of Cockburn will be carved up and disappear entirely. I want the minister to listen while I talk about the City of Cockburn. It is proposed that those two city councils will disappear. Cockburn is going to be carved up and the spoils divided among Melville, Fremantle and Kwinana. The City of South Perth, as members have heard already, is going to be swallowed up whole by the Town of Victoria Park, but the Burswood peninsula is going to be spat out across the river to the City of Perth. These are the changes that people are really concerned about.

No doubt the minister is aware of the extensive and well-supported campaigns—because they are being marketed very well—in Cockburn and South Perth to retain their local councils, and I completely understand them. In Cockburn there is the “Hands off Cockburn” campaign. I hope the minister has seen by now the materials circulated by that community-driven group. I have been to its meetings and talked to the people. They are passionate about retaining the Cockburn identity and its history and heritage. Anyone who has gone to Azelia Ley Homestead or Manning Lake, or has spent a bit of time at the museum there or gone to the historic Randwick stables, would understand that close association with the City of Cockburn.

Hon Helen Morton: And those things will still be there. People will still be able to go to them.

Hon LYNN MacLAREN: It is true that those things will still be there. No-one is questioning that, but people identify with the City of Cockburn. The City of Cockburn has a different culture from the City of Fremantle and certainly from the City of Kwinana. They are different cultures, and the people who have worked in those councils and the people who have used those services—the senior citizens centre, for example—are passionate and they like the way that council works. We will abolish that uniqueness with the stroke of a pen by changing the boundaries and losing that sense of connection that those people have with their services, council, library or whatever it is. They have developed that connection.

Hon Helen Morton: The library will still be there and it will still be serviced.

Hon LYNN MacLAREN: I do not believe that message has been communicated to my hundreds of constituents or the people who are campaigning against the carve-up of Cockburn. Minister, I agree with them. I understand their sense of concern. I would like to read to the minister an email, which was sent to Hon Colin Barnett, Hon Tony Simpson and Hon Joe Francis. It was copied to me and other members for the South Metropolitan Region, and I quote —

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I am nearly 80 years old and have always taken a keen interest in politics. There have been many decisions made by Governments, State and Federal that have annoyed me, some have annoyed me greatly, however this is the first time I have written to or emailed a Member of Parliament.

The recent publication of the proposed map outlining the proposed new local government boundaries for the Perth metropolitan area including the illogical “carving up” of our City has made me and every person I have spoken to so annoyed that I feel compelled to express my annoyance.

I have put on the record already, and this constituent knows, that the City of Cockburn is one of Australia’s most sustainable cities. I mentioned that this morning when I sat next to the Mayor of Stirling. That council is also rated a highly sustainable city. The City of Fremantle is also highly sustainable. I return to what my 80-year-old constituent has written to the Premier. When he refers to the City of Cockburn, my constituent states —

It is very profitable, has spent millions on community facilities and has over 70 million dollars in reserve funds, money that belongs to the past City rate payers. My wife and I am a member of the Cockburn Seniors Centre. The facilities provided and programs that are offered would make it I believe one of the best in Western Australia and possibly Australia.

He goes on to state further in the email —

The resolve of seniors and other rate payers was made very evident by the collection, in less than 2 weeks, of about 12,000 signatures on the petition that was presented to Parliament, and the nearly 300 who attended the protest rally at Parliament House last Thursday. —

This letter was written in December —

Those at the rally were not impressed by the fact that you did not have the decency and/or courage to address those present. Some of those would have been your constituents and expected some support from you.

Minister, this is only a snippet of the hundreds of emails that I have received in my electorate office. People know that I listen to them and bring their voice into this Parliament. That is what I am doing today. I am doing my job as a representative of the South Metropolitan Region, bringing to the government’s attention that if it had a goal to reform local government and bring the community along with it, the government has failed. This community is not onside. The community is very distressed about these proposals. I have explained why.

Next Thursday, South Perth will have a community meeting. We have heard of other community meetings in the east and north. South Perth will meet next Thursday night and their local member, a representative of the Liberals, will address that meeting and he is entirely opposed to the changes afoot for the City of South Perth, as am I.

They also had a rally called the “Battle for Burswood” because someone thought it would be a good idea to cut Burswood out from the South Perth local government area. Burswood is a key income stream for the City of South Perth, so why would that be cut out? It will make the City of South Perth unsustainable and that is beyond me. Why would it not be allowed to continue to have an interest in Burswood when it is contiguous with the council’s boundaries? Instead, the City of Perth is whipping across the river and taking this nugget from the other side. To me, it makes no sense and it makes no sense to Mayor Sue Doherty who has spoken to me about her distress on several occasions. The council worked in good faith with the Town of Victoria Park to come up with an alternative arrangement when all councils were told to divide into 12 councils. Both councils put their best efforts into proposing an alternative but, yet again, that effort was not taken into consideration when the Local Government Advisory Board, or whoever it was, published the proposed boundaries that saw South Perth disappear into Victoria Park.

I speak on behalf of my constituents who are not, in any sense, happy with this proposal. Some are, but the overwhelming majority of people in the South Metropolitan Region are not happy. Unfortunately, for those opposite, the distressed people are mostly in Liberal seats. Some of the distressed are in Labor seats but I say that those opposite will wear it at the next election if they continue down this road of forced amalgamations. I go back to the interjection by Hon Simon O’Brien when I first rose to my feet: this is completely relevant to the Local Government Amendment Bill 2013 that is before us. This bill will enable the Barnett government to continue on its path of forced amalgamations. People are not fooled into thinking that this is not the intention of this bill. That is why the Greens have an amendment on the notice paper—to represent the community’s will. If the government is going to proceed down this road, it must do it with its eyes open. Hopefully, I have imparted my constituents’ concerns, which I feel duty bound to do and hopefully those opposite have heard that they are extremely distressed by the proposals.

I heard the Minister for Mental Health's occasional interjections during my contribution and I completely understand what she is saying. The physical attributes of the local council remain where they are but the people have an association with their local government personality, something that local governments have successfully created over generations. It is pride in local community. People have that pride and it is a great and much undervalued aspect of the community. Right now, the government is not paying enough attention to the value of that sense of community. This venture to reform local government that the government has embarked upon has completely used up community goodwill. I need to express that because I could not sit in this house representing the people of the South Metropolitan Region if I could not be explicitly clear about the concerns raised with me about this over many years. I remain opposed to the Local Government Amendment Bill 2013 and I dearly hope that something can be done to salvage innovative, creative local government reform that is embraced by the community and not opposed with such distress.

HON SIMON O'BRIEN (South Metropolitan) [5.35 pm]: We are considering the Local Government Amendment Bill 2013. This bill is being progressed at a time when reform of local government is a live issue for that sector. Interested parties will be following this debate, but I fear that the answers being sought will not be found here. Nonetheless, against the background of a government pursuing a program to reform local government in the metropolitan area, it is important when considering this bill that we do so in the context of the proposals that have been put forward by the government and others. The bill itself does not provide for the wholesale reform of local government in the way that is currently on the agenda in our state. The proposal for local governments in the metropolitan area is what I would call a "big bang" reform. It is a wholesale change of the boundaries in the first instance, which then causes a range of other transitional arrangements to be triggered.

A lot of the correspondence that members have received from people with an interest in this matter asks questions that, for any of us, are not really possible to answer at this time. Questions such as: "What is your stance on this?" or "how will you be voting on local government reform?" and other such sentiments. The response to these questions has to be and has been for many months now "what is the question?" because we have not had anything placed before us upon which to vote. The government has managed to find a way to carry out its reform program without referring it to Parliament or seeking the blessing of Parliament. It has not asked members such as me and all members to vote on anything. As members, there is no question before us that is going to affect the outcome of the processes that are currently in train. Nonetheless, we have to view what those processes are.

The bill before us does certain things and I am relying mostly on the explanatory memorandum for an explanation for the record and for those who may wish to read my comments. The main amendments provided for in this bill include —

- Allowing the Minister to advise the Local Government Advisory Board on any Government policy that may be relevant to a particular inquiry;

That is hardly an extraordinary provision. Another is —

- Increasing the discretion of the Advisory Board regarding submission periods;

Again, that is something that a number of us have viewed with some interest because people have asked, "Why on earth do we need that provision?" That will be contemplated and spoken about when we get to the committee stage. It occurred to me and a number of others to question why this is particularly necessary when the Local Government Advisory Board has already embarked on the sort of process that the proposed amendment is going to give them the discretion to avoid. One could ask, "What is the point of having this provision in the bill?" I think I might know the answer to that. I think there might be a reasonable response, but we will listen with interest to see what we will discover when the minister responds.

The bill also provides for expanding the membership of the advisory board to provide for additional sector and community representation. I think that had two parts to it. One was a small expansion generated by the author of the bill. There might have been an amendment moved by the opposition in another place to expand on the provision. Once again, that is hardly earth-shattering stuff. The bill provides for a Local Government Standards Panel with the discretionary power to dismiss frivolous or vexatious complaints. Good and about time! I think it was Hon Ken Travers who earlier spoke about how most of us would not last five minutes if we were required to work under the requirements of the Local Government Act given its many swings and roundabouts, and I heartily agree. The bill's amendments will provide for the withdrawal of complaints made to the standards panel. That is a good reform. It will remove the electoral offence relating to defamatory statements during elections; that is a good and overdue reform. It clarifies aspects of the recent legislative reform relating to elected member fees and allowances; that is an overdue reform and one that is eagerly anticipated. It will also ensure consistency in provisions that limit the termination payments of local government CEOs and officers to one year's remuneration.

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I can tell members from my discussions with people from the local government sector that they are actually looking forward to the passage of this bill because they are looking forward to a lot of those measures coming in. They are the representations I have had from my constituents about this particular bill. I have had plenty of other representations about the other matters, which I will touch on in a moment. However, in relation to this bill, I have not seen anything that is unsupportable. If I did think that there was something that was unsupportable, I would not support it. I do not know whether that is a standard that necessarily applies across all parties in politics.

Again, I look to the context of these amendments. I consider the answers that I might be able to provide to the questions that are being most earnestly and genuinely asked by those who have written to me. Through these remarks and my privilege of being able to record them in the house, I seek to provide a response to the very many hundreds of individual representations that have arrived on my doorstep, and I am sure on other members' doorsteps as well. I make these observations. I looked in this bill for any trace of forced amalgamations, which is a topic that comes up from time to time. A local government minister's lot must not be a happy one. Gilbert and Sullivan possibly could have anticipated that. Certainly from what I have seen, I am glad I have never been a local government minister. I remember my good friend Hon Jon Ford, the former minister, who used to sit over here. At some stage—I forget what the issue was—there were various local governments passing motions of no confidence in the minister. In many cases, they were probably quite juvenile gestures, but we enjoyed them in opposition. I think Hon Robyn McSweeney has already reminded the house about how we asked questions without notice about how many motions of no confidence had been passed against him. No, local government ministers are not a happy lot!

Now we have Hon Tony Simpson, whom I have known for many years, the member for Serpentine–Jarrahdale, which is a seat populated by happy people out in the wild country of the East Metropolitan Region!

Hon Helen Morton: He is the member for Darling Range.

Hon SIMON O'BRIEN: Darling Range; I thank the minister. At least someone here knows where he comes from! Now we all do. It was reported during the course of the state election that he said in response to questions about council amalgamations, "Well, we don't want to, but it might become necessary for the government to proceed down the path of forced amalgamations." Words to that effect were reported. Then he got a flea in his ear from another quarter, and he had to come out to say, "No, hang on, I was wrong. There will be no forced amalgamations." I think I am faithfully reporting the gist of what was part of the public debate. Then, after the election was won and a government had been formed, the Premier appointed Hon Tony Simpson to be the Minister for Local Government to implement a policy of forced amalgamations! No member opposite should ever try to tell me that Colin Barnett does not have a sense of humour. I am not surprised Tony's hair has gone a bit grey because mine would be, too. He has had to thrash around on the barbed drum line of changing policy with this matter, changing posture and pronouncement in what we are told the policy is. It might be possible for a verbal gymnast to say that technically, with a capital "T", a boundary change can never be an amalgamation; therefore, forced boundary changes are not forced amalgamations. That is a misuse of language, which goes beyond the disingenuous. It is to the discredit of this government that it has peddled that line because it is absolute tripe. Everyone knows that. I am not impressed that the government I support and have worked hard for for years should try this sort of verbal gymnastics because it reflects very, very poorly on its members.

It is a rubbish to say that there are no forced amalgamations. Nobody can tell me that in this ludicrous oversized tome called the Local Government Act 1995, it was intended that all of the procedures for a boundary change would extend to places like the City of South Perth being wiped out and taken over wholesale by a neighbour. That is not the intent of the law of this state, yet that is how it is being interpreted and implemented. It will be interesting to see in due course whether anybody does bother to check what the courts might say about that interpretation of the act. I think the government can get away with it looking at the black letter of the law. However, I think it is a pity that it has chosen to do it this way because it detracts from the other merits of the argument that no doubt exist.

The other provision that has attracted a lot of controversy and has been referred to in this second reading debate, although it is not really touched upon by this bill directly, is the so-called poll provisions referred to generically as the Dadour provisions. Some time ago it was put about that a bill would be brought forward—indeed, a bill, or at least a draft bill, was created—that suspended the Dadour provisions, as they are called, which provisions gave ratepayers the capacity to call for a plebiscite or a poll about a proposed local government change.

We in the Parliamentary Liberal Party were told that there had been a lot of talk about this on the radio by a whole lot of people. The only people I heard talking about it on the radio were the Premier and the Minister for Local Government. I did not hear anyone else—not me nor any of my colleagues—talk about what might be considered by the Liberal Party room. Then in due course it was announced that the part of the bill with the

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Dadour provisions would not be proceeded with: “We’re not going there; we’re not going to do that; everything’s all right.” We were not told that someone had found a clever way to get around the issue by calling the massive proposed changes a boundary change. Again, I do not think—nobody would think; surely nobody can argue it—that that is provided for in the Local Government Act, which is what is being done. Those were the issues that excited a lot of people in our community with an interest in local government. I do not know whether it is an election-changing issue; I doubt that it is, but a lot of people are close to the local government sector and they are concerned about these matters. They are the ones who have been writing in saying, “Please don’t let the Dadour provisions be overturned, and please stand up for us”, and all the rest of it, not realising that the game had moved on from what they were focusing on. We do not get a vote on any of this. I would have preferred a government that said, as Tony Simpson said, “If necessary, to achieve reform that we think is for the benefit of the community and worthwhile, we will wear the pain, but we will legislate for it, and let the people decide”, as they could have and I think would have at the last election. Then we could have introduced a bill—this is the irony—to do what I in my opening remarks described as the “big bang reform” whereby we redraw the boundaries of the 30 councils of the whole metropolitan area to bring the number of councils down to 14, 15 or 16 or however many we end up with. We could do that and that bill could recognise that if we are to have such a positive but radical change, we need to suspend for the present the normal poll provisions for minor changes and the like. That would have been reasonable.

I and others might think that the Dadour provisions are a useful check and balance to protect locals. I do not share the view asserted on behalf of this government that they are undemocratic; it is just the reverse. I will argue that on another day if anyone is interested. I do know that if we are to have a big bang rearrangement of all the council boundaries in the metropolitan area, and if we as a Parliament are convinced of the merits of doing that, and I think we could be, it would be a nonsense to have such an arrangement that might be defeated by a small pocket somewhere who objected to it because they did not like what was happening in their neighbourhood, and have that cause a ripple effect that defeats the whole program because the devil is always in the detail.

I think the government could have come to the Liberal Party room and to this Parliament in those terms and we could have had a sensible debate about the Dadour provisions. That would have given each and every one of us an opportunity to stand up at meetings, public or otherwise, and answer the question: where do you stand on this? But we do not have that opportunity with this bill, and I think it is a pity that we do not. But we have a process that is underway and has been underway for a while. As I have already said, I would not want to be in Hon Tony Simpson’s position; he has a tough job doing this, but I believe he will see it through. The question about whether we will have local government reform has been answered by the effluxion of time and all the events that have happened. A lot of energy, time and money have been invested by a lot of councils, whether or not their ratepayers like it, in making arrangements for what is coming. I think it would be a very negative outcome if somehow, not that we have the opportunity, this course were to be aborted. I think we have to see it through, and most councils understand that. They have been engaging with the Local Government Advisory Board. Hon Nick Goiran has already spoken about a submission that I might be a party to. We will see about that in due course. That is the way to proceed now. We need to leave it to the powers that are with the Local Government Advisory Board. On that subject, I want to say that I think some of the comments we have heard about ministers using these changed numbers in future to pick people and stack the Local Government Advisory Board, frankly, sell short the members of this and every other such body if we contemplate too much more debate of that sort. It has been my experience—I have been responsible for appointing a heck of a lot of people to a heck of a lot of advisory boards and what have you over the years—that they all take their responsibilities seriously, as they are required to do by law. I know personally a number of the people on the LGAB. Hon Alanna Clohesy referred last night to Mrs Helen Dullard. I indicated that I have known her through the disability sector and as shire president at Mundaring for quite a few years. I have no doubt that she would be independent. I have known Dr Shayne Silcox, the local government managers representative, for years. I will personally vouch for those people, so let us not have any more discussion along those lines.

The other thing I want to do, because I want to conclude, is address the question of the south metropolitan boundaries and their future. I would say that the councils of the City of South Perth and the Town of Victoria Park have every right to be aggrieved with the way they have been treated. I have represented that view to relevant ministers and I will continue to do so. On day one, when an announcement was made by the honourable minister, I indicated that the arrangements about Burswood were totally unacceptable to me as a member for South Metropolitan Region. I have waited on the minister and, indeed, the Premier to represent that view. They know it and I have said that it is a deal breaker. Unfortunately, I will not get to vote on whether the deal goes through, but I oppose it and I will continue to advocate against it. I am putting my faith in the process of the Local Government Advisory Board because I think a lot of people will get some surprises with what comes out of the LGAB as a result of its consultation period. I have not given up on making sure that those revenues are not taken out of south metropolitan in perpetuity and given to some t’other siders north of the river.

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Hon Lynn MacLaren; Deputy President; Hon Simon O'Brien; Hon Nigel Hallett; Hon Dr Sally Talbot; Hon Adele Farina; Hon Robyn McSweeney; Hon Sue Ellery

Sitting suspended from 6.00 to 7.30 pm

Hon SIMON O'BRIEN: The issue of the Burswood Casino and sports complex is of some considerable moment to the South Metropolitan Region not only to the local government of Victoria Park and its possible successor local government, because—among a number of matters contained in a submission advocating against the proposal of the government in that respect, which will no doubt be made public—of the fact that millions of dollars in rates revenue per annum, in 2014 dollars, will be removed from the South Metropolitan Region every year in perpetuity. It is a pleasure in these uncertain and complex times we inhabit for a member of Parliament to have such a black-and-white issue to grapple with and that is why members for South Metropolitan Region from the Liberal Party are firmly saying to government, and have been since day one, that this is not on. I have discussed this with the ministers involved, as one should, and perhaps we will have to agree to disagree. That is what it boils down to from the point of view of people south of the river—millions of dollars of revenue every year in perpetuity. It has been suggested, I am sure in good faith, that the government will offset this by transferring about 7 000 residential premises in the Bentley area from the City of Canning, which is being carved up as well—I will come to that in minute—to the new Victoria Park–South Perth.

Hon Sue Ellery: That will do it, won't it!

Hon SIMON O'BRIEN: No, it will not. It is not just a matter of saying that the rate revenue from those properties will somehow offset the lost revenue, because the new local government authority would also have to deliver services to that area, and it is slightly problematic. It is problematic in a couple of ways. Firstly, it will cost more than the revenue received, which is problematic in anyone's book. Secondly, the City of Canning has for a long time been working towards a major urban project in the Bentley area that is now on hold. Why should it not be? That city does not know whether it will be part of its municipality, so why should it invest millions in that very worthy project? Sometimes projects like that have to be put on hold, I suppose, when governments are engaged in a big-bang project such as this local government reform; nonetheless, it is still a pity. As a ratepayer of the City of Canning, I am concerned, I guess, that we do not go throwing money into someone else's area that I and my neighbours have to pay for. I say that not through any lack of empathy with the good folk of Bentley, whom I represent in this place, but because I recognise that the City of Canning cannot proceed. That is one thing that is wrong.

The other thing that we must understand is that I represent not only Burswood, Victoria Park, Bentley and Canning, but also the South Metropolitan Region. All the government will do, if it takes a bit off the top of the region and gives it to Perth and then a bit off Canning and gives that to Vic Park and so on, is end up with a ripple effect. The fact of the matter is that several millions of dollars in perpetuity in revenue will be taken out of the South Metropolitan Region and given to the City of Perth—and that is not a fair deal.

I look forward to the comments of the Local Government Advisory Board on this matter. I am aware that the board previously considered the future of Belmont Park Racecourse, which also inhabits the Burswood peninsula, and whether that should be taken out of its current local government and put somewhere else, and found all the reasons for why that should not occur. Indeed, I believe that those same reasons are just as valid today as they were in 2007. The message is therefore clear: with respect, this is not on! I am frustrated that I do not have the forums available to me at this time, whether they be cabinet or the Local Government Advisory Board. I am not a member of the board, and would not want to be, to actually influence the outcome, except by my advocacy. That is why I am publicly —

Hon Sally Talbot: I doubt that they would appoint you after you have finished today!

Hon SIMON O'BRIEN: I would rather it did not, so that is a bit of assurance I am getting, member.

The Local Government Advisory Board knows very well how much attention is being focused upon it at this time. As I have previously said, I am sure that it will show great diligence, integrity and even-handedness in making its recommendations to government, and I sincerely hope that it sees the light in this matter.

There are a number of other issues across the South Metropolitan Region about which I have received voluminous correspondence. It is along the theme of the matters contained in clause 14 of this bill that we are debating, which relate to community consultation. We have already heard that South Perth and Vic Park, against substantial opposition in their own communities, have been working for a few years at the government's behest to amalgamate. Just the other day, in the submission of a government proposal, all of that from their point of view seems to have come to nought. As I said in an opening remark, I do not blame them for being very cross that the proposed elimination of the entire City of South Perth, with all of its land, assets and jurisdiction to be sent to a neighbouring local government, is seen as just a boundary adjustment. Again, I wait with interest to see what the LGAB has to say about that, but I am in the corner with members such as John McGrath and some other colleagues on this issue and I will continue to advocate in the forums that are available to me.

Extract from Hansard

[COUNCIL — Wednesday, 26 February 2014]

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Hon Lynn MacLaren; Deputy President; Hon Simon O'Brien; Hon Nigel Hallett; Hon Dr Sally Talbot; Hon Adele Farina; Hon Robyn McSweeney; Hon Sue Ellery

Looking down the coast, there was an interesting process happening with the new City of Kwinana and the City of Cockburn, which were working on an amalgamation proposal in good faith up to a point last year. Then, at the last minute—it really was the eleventh hour—the City of Cockburn behaved quite inexplicably and unilaterally decided that it wanted to hold any decision to proceed with that. It really pulled the rug out from underneath the City of Kwinana.

Then things moved quite remarkably. The City of Kwinana joined with the City of Melville and the City of Fremantle to lodge a tripartite proposal that would see the elimination of the City of Cockburn. The city fathers—that is not intended to be gender specific—that is, the representatives of Cockburn, found themselves completely wrong-footed and they continued thereafter, and have continued to this day, to handle the matter rather poorly in my view. These people are all friends, but my frank assessment is that they have played it very poorly indeed and they are kidding themselves if they think that the tactics that they have employed—that is, spending lots of money, encouraging people to email members and so on—is going to make much difference. Then they turned around and put in a counterproposal for them to take over the City of Kwinana. That echoing sound that members heard was the report of the door being slammed a very long time after the horse had bolted. To the people of Cockburn I say this: a process is going on at the moment and the comments about the values they place on their municipality and the services they receive from the very good officers of the City of Cockburn have been noted in a number of places, and the process, which I am not a part of, is now in train.

It was proposed initially that the City of Fremantle would be subsumed into some giant Melville that would go all the way over to Shelley Bridge. It is my view—it is the view that the government has come around to now, I am glad to say—that the City of Fremantle is an important part of the heritage and fabric of our state and it would be a very poor thing if there were not to be an enduring City of Fremantle. Indeed, I have an item on the notice paper that concerns a preference to see the greater Fremantle area restored to a place of greater prominence in the affairs of the state. I will speak more about that later.

The government responded to the tripartite Kwinana–Melville–Fremantle submission with a proposal of its own, which actually tweaked the boundaries there and, in my view, improved it, so that tends to give some confidence that the system can work for the better. I sincerely hope so, because we are in the lap of the gods that the process will produce the best outcomes for the community at large.

In all of this I started talking to my councils a long time ago when these matters were first mooted, and they all said the same thing; that is, “We’d rather not change anything. We think we are quite sustainable as it is. That’s our preferred position. We don’t want to change.” That has been repeated, I think, across the metropolitan area. Then they go on to say, “However, if we must change”—and they get the map out at this point—“what we would like to see is this”, and they point to all the bits of low-hanging fruit of their neighbours that they would not mind claiming for themselves. Perhaps that shows a kindred mentality amongst local government operatives in that that is what they all want to do; maybe it something that was expected by the department—that local governments are of a mind to take the opportunity to cannibalise each other and thereby participate in the process. I thought it was a bit rich, though, when the Right Honourable Lord Mayor commented on this unfortunate practice that has grown of councils wanting to cannibalise their neighbours. I thought it was a bit rich because the City of Perth has been the prime mover in trying to pick the best bits out of its neighbours. God help us; if they have ever looked at some of the delights of Albany, they would probably be wanting a bit of that as well! But they have certainly had their eye on a number of places, and I have already mentioned at some length the question of coming over to pick the very choice morsels of the Burswood Casino and stadium and all that goes with it. I will talk on another occasion, if required, about some of the other aspects of that that I think make it less than ideal as an outcome for the people of the South Metropolitan Region.

In summary, the Local Government Amendment Bill 2013 raises a whole lot of questions about another process that is happening now. I think this bill touches incidentally on much of that; nonetheless, it is appropriate, given the times, for us all to comment, as we have at some length, about the overall local government reform processes. They still have a way to go.

But to get back to the bill, I have identified some clauses I would like to have explained a little more, and I think it is important that we do that in due course. But, all in all, I think this bill would be welcomed by the local government lobby. It contains a range of measures that are sensible and should be supported. I do not know what the future passage of this bill will be through the house, but I think we probably need to get on with it. I note that the opposition, in a number of its members’ speeches, has indicated that it is yet to really make up its mind whether it supports this bill. My dispassionate suggestion is that this is the sort of bill that should be supported, and it will not do anybody any good to hold it up. But, then again, that is what oppositions may be of a wont to do if they want to give the government —

Hon Robyn McSweeney: Curry.

Hon Lynn MacLaren; Deputy President; Hon Simon O'Brien; Hon Nigel Hallett; Hon Dr Sally Talbot; Hon Adele Farina; Hon Robyn McSweeney; Hon Sue Ellery

Hon SIMON O'BRIEN: Curry.

I do not oppose this bill, but I am glad that at least in this upper house of the state Parliament we have an opportunity to put on the record some things that concern our constituents. I will be communicating some of this record to some of the many hundreds of people from Cockburn and elsewhere who have contacted me so that they know what constraints we have and where we therefore have to stand. I also do not resile from my earlier remarks in which I indicated my disappointment with the approach of the government I support in the way it has gone about delivering this. I do not like too-clever-by-half tactics. I have criticised the government in the past and I do not like having to do it when it is my own side that appears to be practising it. With that admonition, I conclude my remarks.

HON NIGEL HALLETT (South West) [7.50 pm]: Hon Simon O'Brien actually threw a word of caution to the members in this chamber on the reform process. The member has been here for some time and I think experience is worth a helluva lot. I missed a lot of the debate due to some personal reasons; however, I will move on. I will make some brief remarks tonight about the Local Government Amendment Bill 2013. I am disappointed by the underhanded way that the bill has been dealt with by the government. I agree with Simon; it does not give me any joy to get up to talk about this. There is a process that could have been gone through. I have consistently said, along the way, that I would like to see on the table, the plan. There is a splitting of assets. The appropriation of debt from different shires comes up and a cultural audit has to happen. We cannot put certain areas with other areas. Also, a financial audit has to be done. I believe that these things should have been done before we proceeded down this path.

If I were buying a business, I would go into the business and go through the financial audits and look at the marketing. The government seems to have come from around the other way. We can look at history and at Queensland. In Queensland, amalgamation worked out to in excess of \$2 million a shire. The overall cost was in excess of \$200 million. South Australia had a different approach to its amalgamation of local government. It was going to show a cost saving of \$196 million; that never eventuated. I am not saying amalgamation or working together and putting shires together is a bad thing. We all know that this is driven by a particular person. If we look at Bunbury, we see that amalgamating Bunbury will not fix up the mess that the City of Bunbury is in to start with. Neighbouring shires are in a very strong financial position, but the City of Bunbury is a damn basket case! It should get its house in order instead of saying, "Let's amalgamate."

Let us get the plan on the table so that both people and the shires can look to see whether there can be some real cost savings from it. We all know that CEOs will not just lose their jobs. They will become departmental heads at the same salary. The main CEO of four or five councils brought together will get an increased salary, as he or she should; I am not arguing about that. If we look at Geraldton, we see a 27 per cent rate increase. That is a pretty good example of what we can achieve with amalgamations and that was done in an orderly way, to a fashion, but it has not worked. Surely we will learn by experience. We have seen what happened on the east coast. We are a small population. Victoria—Geelong—is totally different. Victoria has seven million people; we have two million people and one-third of our continent is in Western Australia. I am not against it. I want to see the plan for savings, and let us move on from that. I agree with Hon Simon O'Brien; I think amalgamation is down the path. It is not a Jeff Kennett style, but we are not far behind it.

HON SALLY TALBOT (South West) [7.54 pm]: It has been a very long debate and I will attempt not to re-traverse some of the territories that have been covered already in the debate. However, there are a couple of things that I very much want to say.

Hon Peter Katsambanis interjected.

Hon SALLY TALBOT: Hon Peter Katsambanis might be surprised!

Hon Peter Katsambanis: I am looking forward to hearing what you have to say!

Hon SALLY TALBOT: I am very pleased to hear that. All I have said is that I will try not to re-cover the ground that has already been covered very ably by my colleagues. I do have a point of view on the Local Government Amendment Bill 2013 that I will make very clear. We are entering very murky waters with this bill. It is not clear to me that what we are talking about here is a simple broken promise. Since the election last March we have had lots of debate in this place about broken promises, for the simple reason that the government has provided us with plenty of grounds on which to mount that argument about the fact that some five minutes after the election in March, the government started walking away from some of its most significant promises. If we were dealing with something like Verve-Synergy and the promise not to merge the entities before the election and then the move five minutes after the election to merge them, or if we were dealing with anything that the government said was fully funded and fully costed, we would know that that is a straight-out 180-degree turn since the election.

Extract from Hansard

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In the case of this bill, it is a bit more complicated than that, because it never really was clear what the government was going to do before the election. I have to say that we are now in the extraordinary situation that it is not entirely clear what the government is going to do now. Even though we are sitting here with a bill in front of us and even though this bill has had what must be approaching hundreds of hours of debate in the Parliament, it is still not entirely clear what the government wants to do because there is this yawning gap between the words that come out of the mouths of the Premier and the minister in the Parliament, in the media, in statements that they put out and in the comments they make to local governments themselves and to other stakeholders who try to get some clarity about what is going on.

People who have gone back and looked at the debate in the other place will know that we had the extraordinary situation that we got to a stage at one point, I think, after many, many hours of debate, when it looked as though the government was amending the amending bill. Then we got changes to the government's intentions even after that bill had gone through the other place. I just make the point that we are not dealing with any propositions that have any real degree of clarity. I have made the point several times before in debates in this place that when we are lacking clarity and information, we have to make a best guess about what is going on. I have to say that I agree with all the members on this side of the house and many of the members, it appears, on the other side of the house that when we make that best guess on the basis of this strange mixture of information and non-information that is coming from the government, we are left feeling very alarmed about the government's real intentions.

Like many members who have already spoken in this debate, I have been inundated with emails and letters from people about this issue. Some of those emails have come from people in Subiaco and Cockburn, so they are not my constituents. But I must say—I am sure that this bears out the experience of other members for South West Region such as Hon Nigel Hallett and Hon Robyn McSweeney—that I also have had a lot of correspondence from people in Harvey, Dardanup, Capel and the Shire of Augusta–Margaret River who are very, very worried about the signals that the government is putting out.

I know that the National Party will turn around and say that it got a deal from the Premier that none of this was going to be carried out in the regional areas, but I have found many, many examples of things that the Premier has said that show that that deal is not worth a cracker. To be frank, the National Party should be well used to dealing with this. What do we have now? The government is going against the promise that the National Party was originally given that 25 per cent of royalties would be spent in the regions. More than \$200 million a year now goes straight to the running of the Department of Regional Development and the funding of the regional development commissions. I do not know that the National Party should be at all confident that any deal it thinks it has with the Premier—with the Liberal Party—that regional councils are not next will be adhered to. It is not at all clear what the government wants from this Local Government Amendment Bill, so we have to read the signs and the signs are telling us that there will be wholesale amalgamation of councils in the metropolitan area and that that will be followed by wholesale amalgamations of councils in the regions. Anyone who has evidence to the contrary should stand and present it to this house because, as I say, in the absence of information to the contrary, we can only draw our own conclusions. The conclusions I have drawn on the basis of all the research I have done tell me that will happen.

On going through the process so far, what do we find? We find extraordinary statements from the Premier and the Minister for Local Government such as, "We're not reforming local government; we are just amending the act." What on earth does that mean when we are dealing with an act that might be scant in detail but is certainly being fleshed out by the Minister for Local Government in terms of radically redrawing boundaries in the metropolitan area? That sounds like reforming local government to me. To pretend we are just amending the act is trying to effect exactly that sleight of hand we have just heard two government members stand up and accuse their own colleagues of being party to.

In the second reading speech, which is what we would normally refer to in order to find out the government's intentions, I found the following statement —

The Liberal–National government has decided not to legislate for new local government boundaries.

That is an extraordinary statement to find in a second reading speech. The second reading speech is telling me as a member of Parliament what the government will not do. That is not what second reading speeches are for. We must ask ourselves whether it is true. It might be true in the black-letter sense that there is nothing in this bill about legislating for new local government boundaries, but by golly, what is missing is what actually matters in this case. A second reading speech is telling us what the government is not doing. Ministers have stood and said that the government is not reforming local government; it is just amending the act. We have heard tonight government members stand in this place and say that they do not oppose the bill. "I do not oppose the bill" is an extraordinary thing for a government member to say; it is the sort of language we might use on this side of the

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house when we have serious reservations about a bill but there is some basic part of the policy intent we are happy to endorse. Hon Nigel Hallett expressed his very, very strong concerns, but said to the house, "I'm not against it." I am quoting it because I wrote it down as he said it. I think that is a very clear indication that what this bill is seeking to achieve is not at all clear. That is my basic point. I am asking: what does the government want? I am saying that we do not know because either the government does not have an answer to that question or it does know but is too frightened to tell the electorate. My colleague Hon David Templeman, the member for Mandurah and shadow Minister for Local Government, who has a great deal of experience as a cabinet minister, made the point very clearly in the debate in the other place. I want to refer to this, although I know it is not customary to refer to debates in the other place. He made what I think is a general point about what the government's practice has been. By my calculations, we are into the fifth year of this debate about what the Liberal-National government intends to do about reforming local government. The member for Mandurah said —

The Labor Party and the opposition would have no argument with the minister if he and the Premier did one thing before the state election. ... I could have written the policy for the Liberal Party.

That is exactly how we on this side of the house feel. To continue —

All it needed to do before the last election was to say, "We do not intend to forcefully amalgamate councils in the metropolitan area. However, if after—insert certain date—reform has not been achieved, we will use legislative and other means to achieve reform."

If the government had said that before the election, it may very well have got community support for that; it may even have got local government support for that. That is certainly not the Labor Party's policy; the Labor Party has never talked about using legislative and other means to achieve reform. What we have always talked about is an absolute, categorical commitment not to force amalgamations. What we have done in practice—we have talked about it in a policy sense—is facilitate amalgamations and boundary changes when that is clearly in the interests of local residents and when it has been worked out with the mutual agreement of neighbouring councils. However, that is what the government failed to say. The government failed to say, "We want you to do this and if you have not done it by a certain date, we will use other means at our disposal." That is why I think the government keeps finding itself in an untenable position.

If we plotted the track of the last five years, we would find all this zigzagging backwards and forwards. If I were being uncharitable, I might call it flip-flopping, but I think "zigzagging" is the better term, because the government embarks firmly on a course that it calls local government reform and then it hits a brick wall. I will describe one of those brick walls. It hit one of those brick walls on 9 March 2013. What did the government do in October 2012, five months before the state election, when the eminent person it commissioned to do the review and to make recommendations told it that the report was going to be ready five months before the election? The government knew what the report was going to say; it was going to propose something that the government knew would not be electorally palatable. I am not making this up; members know that this is exactly what happened in October 2012. The Robson report was released and the stakeholders were briefed, and then the Premier said, "It's okay because we're not going to do anything about it." We then went to the election, and this is where the zigzag happened. The government embarked on this brave course of reform, it commissioned the report, the report came out but it did not like it, and so it had to do a 90-degree turn and go off to the side. After the election, there was another 90-degree turn, because all of a sudden the government got another four years and it was back on the brave path of reform. This has changed so many times over the last five years that I honestly do not think most government members know where they are going. I think the way has been lost. The government members who have stood in this place and said, "Hang on; let's look at this more closely" can see where we are heading and can see that it is not just electorally unpalatable; it will be absolutely repugnant to communities all over this state.

When I asked myself the question about what the government wants, and I have been through a few of the possible answers, I noticed that there was an article in *The West Australian* of 25 October 2012—this is going back more than 18 months—in which the Premier is reported to have said —

While denying the Government would force councils to merge, he said it would "reserve the right to use powers to fix up anomalies".

So I ask, in particular, members of the government: Is that what the government wants to do in this bill? Is this bill about fixing up anomalies? I am sorry, but that is not what it looks like. That is not what government members are saying now. That is not what the minister is saying. So we are left, again, with an unanswered question about what the government wants to do in this bill. This bill is not about fixing up anomalies. This bill is a sleight of hand to effect what the government had wanted originally—I cannot even say "originally", because it has never been clear, but what the government at various points during this zigzagging has said it

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wants, which is wholesale reform of local government. The Premier is on record as saying exactly which councils he wants to get rid of—namely, those with fewer than 1 000 ratepayers. I have a list of those councils, and I will come to that in a moment.

One of the problems the government has is that this is beginning to look like one of those issues that chews up ministers. It is interesting that the government seemed to get off to a flying start in 2009, when the previous Minister for Local Government, the member for Bunbury, announced on 12 March —

To assist in the reform process, I have set up a steering committee and some working groups. I am very confident that local governments will report back to me with their intentions by the end of August.

That was August 2009 —

I will wait until I get that report before considering any further action. There is a lot of support from the local government sector and the community at large.

As we read through the comments made by the previous minister in the ensuing months, we can see that he really thought that he had the wind in his sails. He could feel the power. He thought he had cracked it.

A week later, on 19 March 2009, the previous minister, the member for Bunbury, said —

Access Economics has suggested that about 60 local governments in WA are unsustainable. WALGA and the Local Government Advisory Board have said that the sector is in need of urgent reform.

The same day, in a different speech, the previous minister said —

On 5 February I set the wheels in motion for change. I have asked all local governments to come back to me by the end of April —

That was April 2009 —

to give me a checklist of their current and future capabilities. I have also asked them to sit down with their neighbours to look at what benefits, savings and efficiencies can occur in this process of voluntary amalgamation. In essence, I have put the responsibility back on the 139 local governments. However, this reform goes beyond merely amalgamations, because among other things it is designed to assist local government to adopt enhanced financial and asset management capabilities.

Four and a half years later, we have gone backwards from that. I will keep going through this little chronology from the previous minister. He thought that he had the wind in his sails. On 31 March 2009—March was a good month for the minister; about the only good month he had, I think—the minister talked about the 139 local governments in Western Australia and said that an initial amount of \$10 000 would be made available to assist each local government to prepare its reform submission. I think the minister got to about \$2 million over that couple of months—\$2 million four and a half years ago—only to go backwards now, it appears, in February 2014.

On 31 March 2009, the previous minister said —

May I say again that I am totally committed to the voluntary amalgamation and voluntary processes for local councils. The Premier made it very clear that it is a voluntary process.

We then skip forward six months to 24 September 2009, when the previous minister said —

For the first time in the history of Western Australia this Liberal–National government has embarked on significant reform in the local government sector. I am very encouraged by the feedback that I have had from local government. I am very confident that by 30 September this year —

That is 2009 —

all 139 councils will have submitted their reform submissions to me. We have seen the reports from councils that have agreed to amalgamate. I am very confident there are many more submissions from councils to come. A reform agenda has been embarked on in this state.

The sad thing is that in the Liberal Party, that appears to be a minister's way of signalling his intention not to continue as a minister. The minister felt as though he had the wind in his sails. But clearly something went seriously wrong.

We now fast-forward to February 2013, when the current Minister for Local Government, Tony Simpson, MLA, member for Darling Range, did what I suppose, if we were cynical, we might call a job interview, and said at a forum on 20 February 2013 that the Liberal Party was committed to involuntary, or forced, amalgamations. Then on 21 February, the minister said the following —

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I recently made some remarks at a local forum that the Liberal Party supported forced council amalgamations. The Liberal Party does not support forced amalgamations, I got it wrong, it was my mistake. I apologise for the confusion this has created.

It has created so much confusion that we can still feel it reverberating around this place months and months after the current minister said that and nearly five years after this process was initiated by this government.

I have already referred to the second reading speech, which is where we usually go to get clarification about what the government is trying to do. I have already referred to the fact that the second reading speech tells us more about what it is not going to do than what it is going to do. In the context of the government saying that it is not attempting to reform local government, it is just amending the act, I noticed that the second reading speech starts off by saying that this is an important step in the historic reform of the local government sector. There is a bit of a contradiction there. We have all those wonderful phrases that I think have been a little overdone, such as “pressing forward”. We are definitely pressing forward. If we go through the second reading speech, we see how curious some of this language is. It states —

We feel strongly about the need to ensure that this state has an efficient and well-regulated system of local governments that is responsive to the needs of the community.

I know that it is not entirely politically correct to refer to motherhood statements but that is one if ever I heard one. Who does not want the state to have an efficient and well-regulated system of local government? That is just a ludicrous way of expressing it. This is my problem: it does not tell us anything. It does not tell us that the government wants something as opposed to something else. The next paragraph states —

We are the only state that has not achieved a strategic reform of local governments to ensure that they meet the modern needs of our population.

That is kind of interesting. If we read the subtext, it says that when we look around Australia and see all the other states that have implemented reform, governments suffer when they do this. Guess what? We are going to try to be very cute in Western Australia. We are going to try to bring about this reform without suffering, without the government copping anything! That is the ultimate explanation for why we are looking at this strange kind of bill that appears to do something other than what it sets out to do. We have to dig so deep to find it that we end up with no oxygen. Further, it states —

As structural reform is unlikely to originate from inside the sector, there is now a compelling basis for the government to drive and support the reform process at a political and legislative level.

Where has the conversation happened about that? If I was involved with WALGA, I would be looking at what the government is doing now and saying, “Why am I bothering? What is all this about?” Who says that structural reform is unlikely to originate from inside the sector? Troy Pickard and I do not see eye to eye politically but I do have a working relationship with him. I had a working relationship with him when I was shadow Minister for the Environment and I found that we agreed on lots of things, as is often the case when we get together with somebody from the opposite side of the political fence. It is a point that Hon Robyn McSweeney made last night in her speech; when we start talking to people on the other side of politics, we can agree on substantial elements of the agenda that will benefit our local community. That is what I have always found from Troy Pickard. I find even more resonance with a number of other local government authorities throughout the south west because they have been very supportive of the things that Labor did when in government. Now we have the government saying that it cannot leave this kind of reform to the sector so it has to drive it.

The second reading speech contains quite a serious misrepresentation of WALGA’s position. It goes on to state that the government is using mechanisms available in the Local Government Act. It states —

This is consistent with the Western Australian Local Government Association’s resolutions in 2012 that the number of metropolitan local government districts be reduced to between 15 and 20.

I went to the WALGA website some weeks ago and looked at its section on local government reform. I found a very clear statement on a page headed “Voluntary Reform”, which states —

Local Government in Western Australia is currently pursuing structural reform to better serve the economic, social and environmental needs of communities. The reform process was initiated by the Local Government sector itself and has already resulted in greater resources sharing and amalgamations of some Councils.

A central part of Local Government’s approach to reform has been unprecedented research and analysis as part of the WALGA Systemic Sustainability Study.

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The State Government announced its own reform plan in February 2010 requiring all Local Governments to submit amalgamation proposals by the end of September. In June 2011 they announced a review of metropolitan Councils with an independent panel to report to the Government in June 2012.

WALGA and the overwhelming majority of the Local Government sector in WA support the need for reform but are adamant that participation needs to be voluntary to ensure community support and help enhance the prospect of any changes being sustainable in the long term.

As I said before, if I were actively involved in WALGA, I would be very, very upset with the way that the government is representing the sector's views.

I find a lot more in the second reading speech quite extraordinary, but I do not have time to go into all of it. It states, "This bill makes no amendment to the Dadour provisions." It then provides an explanation of why the Dadour provisions are, in the view of the government, not democratic. That is an extraordinary argument. I would like to hear someone on the other side of the house explain publicly why it is not democratic to have a 50–50 decision-making process.

Hon Adele Farina: What are they suggesting in the alternative?

Hon SALLY TALBOT: It states —

Under the current act, the Dadour provisions allow a poll to be held on amalgamation proposals. If at least 50 per cent of electors in a district participate in the poll and at least 50 per cent of those participants vote "no", the proposal will be defeated. This means it is currently possible for 25 per cent of voters in a single district to defeat an amalgamation proposal, even when it is supported by the majority of voters in the other districts involved in the proposal. The Minister for Local Government believes these poll provisions are contrary to the principles of a democratic local government system ...

That is an outrageous proposition given what the Dadour provisions do to empower local communities to have a say in decisions.

Hon Michael Mischin interjected.

Hon SALLY TALBOT: Hon Michael Mischin is trying to interject, but I am not taking the interjection. However, I would like to hear an argument mounted by Hon Michael Mischin about the kind of democratic principle that is enshrined in the Dadour provisions and our constitution when it comes to constitutional change. This is not about adding up raw numbers; it is about allowing communities of interest, in local shires or on a state basis, to have a real say in important changes that are made to their lives. As I said, plenty more in the second reading speech I think does a very poor job of explaining the government's intentions and indeed increases our alarm about what its intentions might be.

Hon Simon O'Brien says that oppositions have a role to play in these debates and sometimes that is simply opposing everything the government puts up, but to the extent that we have been able to tease out some of the possibilities and we are asking for reassurances that it is not the case—we are looking for those reassurances because we clearly support some aspects of the bill—and to the extent that we are expressing opposition to what the government is proposing in practice, this is not opposition for opposition's sake. We have real concerns, which my colleagues on this side of the house who have already spoken have articulated very clearly, with great passion and great insight into local communities, about the likely effect of effective forced amalgamations. I want to make a point that I do not think has been overemphasised in this debate. It is about the effect of these five years of zigzagging all over the place on local government planning and the uncertainty that it has caused. Local governments all over this state have to make very, very significant decisions almost on a daily basis. Let us look at the big picture and the issues currently confronting local authorities, such as the issue of climate change. We have read the report in *The West Australian* the other day about huge sections of freeways disappearing in the foreseeable future and the enormous impact on local roads. Whatever your "belief" about climate change—I do not go in for believing in climate change; I have read the science and there is no doubt that climate change is happening—there will be huge cost imposts on local governments that have roads that will disappear, properties that will become unviable and planning processes that they need to very quickly amend to take into account modern science on sea level rises and all that sort of thing. We have now had five years of uncertainty in the local government sector. How on earth are we supposed to keep those important people like planners and engineers working for local government? They already choose to take much lower salaries than they are being offered by the private sector. We try to keep them in the public sector because they are public-spirited people and they have a commitment to serve their local communities. In my electorate there are any number of planners and engineers who are there because they love their local communities and they want to serve them. What have we done for them over the last five years to give them any degree of certainty? I am not

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talking just about individual people's careers. I am not suggesting we should make government policy on the basis of whether we can go to the shire engineer in Denmark and say, "We can give you a good career path." That is not my main concern. My main concern is what we have done to the planning process. It is not just me saying this. I have found comments from a number of very prominent local government people, including Alannah MacTiernan while she was Mayor of the City of Vincent. Her article states, in part —

Over the past four years, an enormous amount of time and money has been expended by elected officials and senior officers of local government preparing submission after submission to various bodies and panels.

I should point out that this was October 2012 when she referred to "four years". Her article goes on —

This represents an enormous cost for councils. Management resources and leadership energy has been diverted from projects that actually deliver a return for the community.

It has also created great uncertainty for local government, particularly in the metropolitan area, in terms of recruiting staff and attracting skilled personnel.

The same kinds of comments have been made by not only Troy Pickard, but also Don McKechnie, the Shire of Kalamunda president, and Brad Pettitt in Fremantle. They all talked about the negative effect on planning because of all this uncertainty that has been created.

Listening to the debate in this place over the last week or so, I am sure that other members have experienced what I have; that is, young people in the community coming to them to say, "I'm thinking about getting involved in local government—what do you think?" I have to ask myself seriously, given what the last five years have been like for local government, why would anyone want to be a local councillor? What are we supposed to say to young potential leaders in our community who come to us and ask, "Do you think local government is an option for me?" I have a serious problem with that. Rhys Williams has played a major role in local government in Mandurah for the last four years or so. Unfortunately he did not become the mayor this time but I am sure he will at some stage in the future. Rhys is a tremendously talented young man, and I am sure that he will find a way to serve his community in Mandurah, but my goodness me, what an amount of resilience a person like Rhys has to demonstrate at the moment to stay actively involved when government is effectively digging a trench right around local government and looking as if it is about to sink the whole jolly lot of them. That is a very sad thing because if we look at the people who have been involved in local government as the starting point of their political careers, people such as Geoff Gallop—I have already mentioned Alannah MacTiernan who was in local government before she came into Parliament as well as before she went into federal politics—Michelle Roberts, David Templeman and Josie Farrer, it has been a fantastic breeding ground.

Hon Michael Mischin interjected.

Hon SALLY TALBOT: I am sure there are a few on the Liberal side as well, Hon Michael Mischin. How are we going to put our hands on our hearts and tell these people to keep going in local government when this Liberal–National government is prepared to do this to them?

I ask members of the government what policy they actually want. What policy are they pursuing? Is Bunbury part of their policy? Hon Nigel Hallett has already referred to this matter tonight. Does the government want Bunbury? The former Leader of the National Party went around the whole of regional Western Australia telling everybody he had a deal and the government was not going to move on amalgamations in the regions. Yet in August 2013 a newspaper report states —

Mr Barnett said the Government would look to regional cities and then country authorities after the metropolitan mergers were finished.

This is years after the so-called agreement was struck between the former Leader of the National Party and the Premier for the country and the regions to be left alone. Again, in August 2013, a report in the *South Western Times* states —

Mr Barnett has said the Government would look to regional areas after the metropolitan mergers were finished.

Members of the National Party should be very nervous about this. The former Leader of the National Party was asked by the media on 29 July 2013: "Does this mean that country and regional areas of WA will be the next targets?" He said, "No, we have done a deal with the Premier." There is no doubt he thinks he has a deal. He said, "We will support the reform process in the metropolitan region, as long as you leave the country alone." That is a quote from *Hansard* on 3 December 2013. In August 2009 the Premier went a lot further than this.

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After the so-called deal had been done, the Premier went as far as to name the shires he wanted to abolish. A report that appeared in *Farm Weekly* on 14 August 2009 states —

Barnett last week addressed the WA Local Government Association annual general meeting and said he believed the number of councils in the State needed to be cut from 139 to fewer than 100.

He wanted the number of councils cut from 139 to fewer than 100. The article continues —

“Perhaps significantly less,” he said.

He also warned that councils with populations less than 1,000 would not remain viable.

Shires in the Central Wheatbelt with populations of less than 1,000 include Bruce Rock, Koorda, Kuhn, Mount Marshall, Mukinbudin, Narembeen, Nungarin, Tammin, Trayning, Westonia and Wyalkatchem.

WAtoday on 5 October 2009 published details of a report it obtained. It was a report released by the Local Government Reform Steering Committee that was handpicked by the former Minister for Local Government. The article states —

The Department of Local Government has already told at least 45 shires on the secret list that amalgamation is “required”.

WAtoday published the list of 45 councils. They are: Boddington, Boyup Brook, Bruce Rock, Carnamah, Chapman Valley, Chittering, Coolgardie, Coorow, Corrigin, Cuballing, Cue, Cunderdin—these are in alphabetical order, so start getting nervous; start getting sweaty palms—Dalwallinu, East Pilbara. East Pilbara is a beauty! It is the largest shire in the southern hemisphere, or at least it holds some sort of record because it is a massive shire. The plan the government has been talking about is to merge the Shire of East Pilbara with another shire to make it even bigger. I continue with the list of councils: Katanning, Kellerberrin, Kent, Kondinin, Koorda, Lake Grace, Laverton, Leonora, Meekatharra, Menzies, Merredin, Mingenew, Morawa, Mukinbudin, Mt Magnet, Mt Marshall, Nannup, Narembeen, Narrogin, Nungarin, Perenjori, Ravensthorpe, Sandstone, Three Springs, Toodyay, Upper Gascoyne, Victoria Plains, Wyalkatchem, Yalgoo, Yilgarn and Wiluna. Let us be absolutely clear about this: if members of the National Party think they have a deal with the government not to move in the regions, that deal is not worth a pinch. As recently as 11 February 2014 the *Bunbury Herald* reported —

At a South West Local Government Zone Meeting local government leaders were told by Mr Simpson the amalgamations of their respective councils would not happen until metropolitan Perth was sorted out, a project which had no time frame.

Are we, as representatives of regional Western Australia, areas outside the metropolitan region, supposed to take comfort from the fact that the project has no time frame? Does the government seriously expect us to go back to our local shires and say about a project that has no time frame, “It’s okay guys, because the minister has said that the amalgamations of regional councils will not happen until metropolitan Perth is sorted out”? I tell members that that is just not going to happen. I am not going to go to the shires in my electorate and say that.

I have to agree with the conclusions of the meeting held last Friday when the Shire of Augusta–Margaret River backed a resolution to go to the Western Australian Local Government Association stating that forced amalgamations are just not on anywhere in regional Western Australia. It is about time that members of the National Party stood in this place and started talking about the bill. We absolutely need to hear from them. There is a very simple answer to this issue. If they are not happy with the bill, they should stand in this place and say so and tell the government what it should be doing. This is a very, very important issue and one that I hope we can get to at some later stage in this debate. The fact is that the government has only ever attempted to go down a very narrow path here. There are lots of different options for solving the problems faced by local government in Western Australia. There are lots of problems. Our problems in Western Australia are not like the problems anywhere else in Australia. I agree on the substantive point with Hon Nigel Hallett, who said a similar thing when he addressed the house earlier tonight. I agree with him but I have very different reasons for saying that. There are lots of different options. One option that has not been explored at all in the past five years is the shared services model. One of the things that the shared services model suffers from is a lack of research to indicate exactly what the benefits and disbenefits might be. We have not even started to look at some of those possibilities, yet all the researchers out there are saying that in 2014 nobody should be looking just at amalgamations and boundary changes, because those measures alone will not solve the problems—the problems of sharing scarce resources and avoiding duplication and the problems that are presented and are escalating almost on a daily basis by the recurrent costs of running local governments.

I will finish my remarks by talking a little about those costs. One issue I ask all government members, and particularly members of the National Party, to consider is the cost that Western Australian taxpayers—otherwise

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known as Western Australian ratepayers—will pay if these forced amalgamations take place. Whichever name the amalgamations go by, whether it be boundary changes or use of the Dadour system, what will the cost be? Members on my side have already said that the figure floating around of about \$100 million per council is probably exaggerated. We know that more than \$2 million has already been spent on the process and we have got absolutely nowhere. We have to have some realistic assessment about what the cost of these amalgamations might be. If we started that conversation, we might be able to get into a space where we could talk about other models such as the shared services model. Unfortunately, because of the path the government has taken, all those options and all those doors are gradually being closed off to us.

HON ADELE FARINA (South West) [8.38 pm]: I intend saying just a few words on this Local Government Amendment Bill 2013 and I do not expect to be speaking for very long at all. One of the fundamental principles of our democracy, our democratic system of government that we hold dear, is government of the people, by the people, for the people; the people being very critical in determining the shape and form of the government that will represent them. In my view the bill, in particular the amendments to schedule 2.1, undermines that fundamental principle of democracy and the democratic system of government that we hold dear. I find it shocking that as legislators we are prepared to come to this place and so easily ride roughshod over the rights of the people who have elected us and who have made it very clear that they want to live in a democracy in which they have a say about the sort of government, and the form and shape that government takes, that represents them. It is the core of our system of government and I am concerned that we are moving down this path. The fundamental core of the system of government that we hold dear applies to all three levels of government, but under this bill that will not apply for much longer to local government, at least for a time.

The intent of schedule 2.1 as it currently stands is to ensure that proposed local government changes are subject to open and transparent processes that enable all interested parties to have their views considered within that process. The effect of the bill on that schedule will be to undermine that primary intent. It will enable decisions regarding boundary changes to be taken in a non-transparent manner without the benefit of community input. It is also striking that the amendments to schedule 2.1 will apply only to the metropolitan area. This bill creates two classes of citizens: those who live in the metropolitan area who are going to have their rights denied to have a say about the shape and form of the local government that represents them and those who live in regional WA who, at least for the time being, will not have those rights impacted on. We are setting up two classes of residents in our state with two very different sets of rights. That should be a matter of concern to everyone in this place.

The clear intention is to undermine the intent of the Parliament when it first passed this legislation. When legislators first turned their minds to this legislation, they considered the matter very carefully. They understood the importance of sovereignty and that local government was actually formed before state government was formed. They understood that we need to protect that sovereignty of local government; that we need to allow local communities to determine the shape and form of the local government that represents them. We are undermining that fundamental right.

The amendments appear to ensure that no community debate regarding boundary changes can occur during the period of the government's forced amalgamations. This is not about a philosophical change, a view that the right to have a say about the shape of the local government that represents a person or which local government represents a person is something that we have considered and decided that should not apply anymore for whatever reasons. It is very cynical because it is not going to apply only for the period that the government wants to push through its forced amalgamations in the metropolitan area. It is a very cynical piece of legislation.

On the face of it, the changes to clause 3 and the addition of clause 4A in schedule 2.1 may not remove the right of local governments and residents to make proposals regarding boundary changes but ensure that the advisory board is able to defer such proposals and roll them into inquiries into the government's proposed boundary changes. This change essentially renders redundant community-initiated proposals intended to challenge boundary changes in the metropolitan area. It denies them the right to be independently considered and decided based on their merits. That is the effect of these provisions.

The inclusion of clause 5A reveals the cynical nature of these amendments, which I have touched on previously, because it places a sunset clause on the removal of citizens' rights to participate in boundary change processes; those rights will be restored once the period of amalgamation proposed by this government is completed. It removes those rights for the very period during which citizens would be most likely wanting to exercise them. Prior legislators saw the necessity to have this right; and this government, with its determination to proceed with forced amalgamations in the metropolitan area, has cynically decided to remove those rights for that period. At the very time when boundary changes are being looked at, citizens should have the right to have a say about what shape and form they will take, and whether they will occur at all, but the Local Government Amendment

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Bill 2013 denies them the right of input at the very time when they will want it most. Those rights will be restored after the government processes have been completed.

Clause 5 sits at the heart of the intent of schedule 2.1 to provide citizens with a voice in processes that will affect the very nature of the place in which they live, and as a consequence their day-to-day lives. The inclusion of clause 5(3) denies metropolitan residents the rights conferred by clause 5. Although the maintenance of clause 8 ensures that motivated citizens have the right to cause a poll to be taken, this right applies solely to the issue of amalgamations, not boundary changes. Should a recommendation of amalgamation be supported by residents but the proposed new boundaries be disputed or vice versa, there is no capacity for affected electors to be heard on their specific issue of concern. The result of any poll conducted may not be reflective of the concerns of the residents as the separate issues of amalgamation and boundary changes will become confused and conjoined in the poll.

There may well be occasions on which the greater good should prevail when the issue of a boundary change is considered. Clause 5(2) sets out those issues to be the subject of submissions. It is true that sometimes legitimate concerns regarding community issues or the preservation of the history of an area may be superseded by some greater benefit to be delivered by boundary changes. This fact should not, however, override the right of residents and local governments to make a case based on the various issues currently laid out in the act in clause 5(2) of schedule 2.1. It should simply mean that it should be incumbent upon the proponent of change to make a solid case that clearly details why the concerns outlined in any submissions received are secondary to the benefits available as a consequence of the proposed change and how those concerns will be addressed. We are actually removing any obligation on the government to justify the benefit of its proposed boundary changes or forced amalgamations. The government will be able to ride roughshod over the wishes of the people of Western Australia and redo the local government boundaries in the metropolitan area, without having to make a case to justify it or the benefit it will deliver. The ability to test that case and make sure that the benefits articulated—or really not articulated at all—will be removed. By denying people the right to make submissions, they are denied the opportunity to test that position, and the obligation on the government to prove that what it is doing is in the best interests of the residents is removed. I think that is a fundamental problem with what is being proposed, and we should all be very concerned about it. One of the greatest aspects of our system of democratic government is that if the government wants to make changes, it has to put forward the argument and convince the people that its argument has merit and should be supported. This bill removes that. There is no requirement for the government to make a case about what it is proposing or prove that its case has merit. That is a disgraceful thing. I never would have thought it would be something that would ever be contemplated in a democracy, certainly not in Western Australia. The bill is of great concern.

One other fundamental thing that we have seen throughout this whole process is not only the government's position shift quite markedly between whether it is forcing amalgamations or whether it is not, depending on whether an election has been called or it is post the election, but also the way the government has been very deceitful in carrying out its position. However, to date, I am yet to hear anyone articulate the benefits of larger local governments and the benefits that are delivered through amalgamations. The fact that the government has not been able to articulate what benefits will be derived from the process it is taking raises some very real concerns, in my mind at least, as to the merit of what we are doing and the reason for why we are doing it.

I have looked at the amalgamations in the eastern states. All of the benefits that were espoused at the time that those states considered amalgamations did not eventuate. Not one of them eventuated. The eastern states ended up with higher rates, fewer services, greater difficulty in getting access to an elected member and greater difficulty in actually getting the elected member to respond to the issues that were important to the local community. I really do not see the benefit. If the government wants to continue down this path, it really does need to start stepping up to the mark by explaining why it is doing what it is doing and what benefits will be delivered to the community, because as yet that argument is severely lacking.

A number of members have talked about the views in the South West Region. While the City of Bunbury is very keen on amalgamations and wanting to grow its boundaries, the reality is that those local authorities surrounding Bunbury that are actually more efficient, more effective and better respected by their local communities do not want local government amalgamation. I think that is something that the government needs to hear loud and clear. Not one single argument has been presented to the communities in the south west as to how their lives will be improved should amalgamations in the south west proceed. In fact, there is a very real concern that things will take a big step backwards because most people who have dealt with the City of Bunbury have very serious concerns about the way the City of Bunbury is, and has been, functioning for a while now.

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While I have made repeated representations to the Minister for Local Government on this issue, he is not listening. That is a real shame. He seems to be far more focused on pushing forward amalgamations in the metropolitan area than dealing with some very real concerns with the City of Bunbury. Sorry, what was that?

Hon Robyn McSweeney interjected.

Hon ADELE FARINA: Hon Robyn McSweeney does make a point, but I suggest that she actually attend some council meetings. There is not even standing room in the public gallery at council meetings, with the exception of the last meeting, because there was nothing on the agenda, so no-one turned up—except me and a handful of other people. However, other than that, there is not even standing room in the public gallery. I have been an elected member at local government level. I can assure members that when the public gallery is full at a local government meeting, it is because the community is not happy with the decisions being made by local government. The people are there to express their dissatisfaction with the local government. If the sheer numbers in the public gallery were not enough to persuade councillors, then I suggest that councillors listen to the comments that are made by residents when leaving the gallery, particularly at the City of Bunbury council meetings where they are yelling out, “Shame! You should be ashamed of yourselves! You’re a disgrace!” and a whole lot of other things that I cannot actually mention in this place. It gives an indication of the level of dissatisfaction that is happening. I can assure members opposite that the residents in the local authorities surrounding Bunbury do not want the City of Bunbury as its local authority, and for very good reason. Until the issues are addressed there, it would be criminal to extend the boundaries at the City of Bunbury.

Hon Helen Morton: Who elected the councillors?

Hon ADELE FARINA: It is a very good point the minister made; I am glad she made it because it enables me to speak for a bit longer. The City of Bunbury abolished the ward system. As result of that, 70 per cent of the councillors of the City of Bunbury live in two suburbs in Bunbury. Of those 11 suburbs in Bunbury, only five are represented at local government level. Who elected them? As the minister knows, councils have postal voting, so there is not a 100 per cent turnout of electors. I think the vote was less than 30 per cent at the last election, but do not quote me on that figure. We are seeing organised interest groups dictating the form and shape of the local government rather than the local residents. We also have a situation in which a lot of people feel constrained to run for local government because they have to run city-wide campaigns, and that is too costly for most people. So, it is a prohibition on ensuring that a wide selection of the community is represented on local government. I was on radio this morning, arguing that it was time that the City of Bunbury undertook a review to reintroduce the ward system in Bunbury, because I believe a ward system delivers greater representation of the community on a local authority.

Hon Robyn McSweeney: Did you do that when David Smith was mayor?

Hon ADELE FARINA: Yes, I did put that view to David Smith when he was mayor.

Hon Robyn McSweeney: Did you? I haven’t heard you complain about Bunbury before.

Hon ADELE FARINA: I do not know what rock Hon Robyn McSweeney has been sleeping under, but it must have been a very comfortable one because I have been having this argument very publicly for at least the last 12 months.

Withdrawal of Remark

Hon ROBYN McSWEENEY: Excuse me, Mr Deputy President. I find that very offensive. I know what hides under rocks, and it is certainly not me. I would like the member to withdraw her comment that I hide under rocks. I am very open and accountable, and I am certainly not a snake, a spider or a rock spider, in fact, so I want it withdrawn.

Several members interjected.

The DEPUTY PRESIDENT (Hon Simon O’Brien): Order! I am ruling on a point of order. I will not rule that the words used were unparliamentary because I do not believe that they fitted under that —

Hon Robyn McSweeney: — rock that she was talking about.

The DEPUTY PRESIDENT: Order! I do not believe that they fulfil the requirements of unparliamentary language. Nonetheless, I note that the member has objected to words and I defer to Hon Adele Farina to take the appropriate action.

Hon ADELE FARINA: Thank you, Mr Deputy President. I am more than happy to withdraw the words that offended Hon Robyn McSweeney. I make my point, though, that if Hon Robyn McSweeney chooses to have a scroll through the local papers from the last 12 months, she will see numerous stories in the local papers in which I take issue with various decisions and various processes, or lack of processes, at the City of Bunbury. I think my

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record and my view pre and post the last local government election are very clear. I do not have anything to be concerned about from that point of view, but if Hon Robyn McSweeney took offence at the word “rock”, I am more than happy to apologise to the honourable member for that. That is not a problem.

Debate Resumed

Hon ADELE FARINA: In the City of Busselton, Dunsborough feels like the second cousin of Busselton. In the Shire of Augusta–Margaret River, Augusta feels like the ignored second cousin of Margaret River. If those local authorities are enlarged, there will be a lot more very unhappy second cousins who do not feel that they are getting their fair share of services and representation on local authorities. I do not believe that big is best, and there is no evidence that big is best. No evidence has been put forward by the government and no evidence has come through from amalgamations in the eastern states. Therefore, until someone is able to show that big is best, that it works better and that people are more satisfied and get better services and more of them and more frequently, the question is: why is the government doing what it is doing? When we look at how much time and effort has been expended on this forced amalgamation process across the state in terms of not only time, but also money, and that time and money could have been spent in delivering projects by those local governments, it is appalling. It is absolutely disgraceful. That process was implemented by the former Minister for Local Government, who made a real hash of the whole process. I think members on both sides of the house are 100 per cent in agreement with that statement. The bottom line here is that an amendment bill is seeking to undermine the fundamental rights the legislators who first put together the Local Government Act felt were absolutely necessary—that is, give people the right to determine the shape and form of their local government and which local government they would reside in and to ensure that anyone who put forward a proposal to amend boundaries would have to put a very strong case to persuade people of its merit. This bill undermines and undoes that whole process; it causes it to unravel. No justification has been given other than this government’s determination to force amalgamations of metropolitan local authorities. Members can be sure that the same process will follow in rural areas across Western Australia. The people who lose at the end of the day, and who have lost out over the past few years, are the ratepayers, who are not getting the attention and services they need because money is being funnelled into this whole exercise to either oppose the amalgamation process or to make some arguments about different boundaries that make more sense than those being proposed. I think that is a disgrace. I find it very, very difficult to support a bill that proposes an erosion of fundamental rights that have been recognised in this state for a very, very long time and that have served this state and the ratepayers of Western Australia very well.

HON SUE ELLERY (South Metropolitan — Leader of the Opposition) [9.01 pm]: We find ourselves, I think, in an extraordinary position. We have a live process of implementation of significant change in local government. It is live now. We have an act that includes specific provisions that go to citizens’ rights when certain steps are taken concerning the structure of local government. That policy is part of the parent act. We have a bill that seeks to amend that act and is completely silent on a proposition that is part of this live debate on how the structure of local government should be achieved. We have a second reading speech to an amendment bill that, up-front, on page 1, asserts that the government of the day does not support the policy of the parent act. It is extraordinary. The second reading speech tells us that the government does not support the policy of the act, but the bill to which the second reaching speech refers is completely silent. Meanwhile, in the community, particularly in the South Metropolitan Region, councils are seething about what they see as the roughshod way this government is stepping all over them. The Premier likes to say that announcement X or initiative Y is the best in the world; or the best that Australia has ever seen. It is fair to say when it comes to his handling of local government reform, it is certainly the worst that Australia has ever seen. It is the messiest that Western Australia has ever seen. I reckon the Premier and the government have changed their position on the process, on the principles and the outcomes they want about eleventy million times.

Hon Helen Morton: Eleventy?

Hon SUE ELLERY: Yes; about eleventy; it is a nonsensical word to match the nonsensical way this government has gone about its business of trying to achieve reform to this important area of public policy.

It is an extraordinary situation that we find ourselves in. The bill before us goes in part to the process of achieving serious structural change, but it is completely silent on the issues that are raging in the community as people deal with the way the government has chosen to implement this change. It is absolutely extraordinary. The fact that the bill is silent on that issue puts us, as a group of 36 legislators, in a really interesting position. We have the opportunity, if we choose to exercise it, to say that we need to take account of what is going on when the second reading speech states that the government of the day does not support one of the provisions of the policy in the parent act, but the bill is silent on it. Meanwhile, people are raging about what they see as a complete circumvention of the policy in the act about how their rights should be preserved in achieving the

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outcomes of structural change. We have the opportunity to look at this bill and ask what we need to do to it to make sure that we assert the policy of, and the rights enshrined in, the act and say that we ought not accept the proposition that it is reasonable to give us a second reading speech that states that the government does not support the policy of the act but the bill is completely silent on it. There are options that we want to put to the house for how we achieve that.

Right up-front in the second reading speech, we are told that this bill is part of the Liberal–National government's local government reform process. The second reading speech states that the government will use the mechanisms already available in the Local Government Act 1995, except that the government has publicly announced the way it intends to circumvent the mechanisms in the Local Government Act 1995. The second reading speech also states that the changes proposed in this bill are aimed at facilitating that reform process largely by giving the Local Government Advisory Board further powers. The very first line of the explanatory memorandum states —

The *Local Government Amendment Bill 2013* makes several legislative changes to the *Local Government Act 1995* in line with the Government's Metropolitan Reform Agenda.

It puts the reforms and the reform process absolutely front and centre. However, while we debate the particular amendments to this bill, the stakeholders outside are saying to us that this government is circumventing the longstanding policy of the parent act to achieve those reforms. It is extraordinary because the implementation of the reform of metropolitan councils is fluid. It is happening now. It happened tonight. On the ABC news that I watched tonight, the Premier gave yet another version of his views about Subiaco, the City of Perth and the G5 group in the western suburbs. I have not heard the details of it and I have not heard it since, although I suspect it might have been in response to some comments made by another member from the South Metropolitan Region who I thought made a fabulous speech tonight, but, apparently, he has flagged yet another shift in the government's position. While that is happening, we are legislating. If we were to shut our eyes and close our ears to what is happening out there and to the way that the government is circumventing the policy of the act, we would fail in our duty as legislators by pretending that it is okay, that we do not have to pay any attention to the fact that the government is changing its position on an hourly basis, and that we can just ignore it and not take up the opportunity to fix this piece of legislation to take account of what is happening right now.

Provisions to allay the community's fears that the Local Government Advisory Board would be—some people have used this expression in the debate—a rubber stamp are in this bill but are not in place right now. The Local Government Advisory Board, as it is currently constituted, is receiving submissions right now. Therefore, we are being asked to consider making changes to the advisory board part way through the process that it is undergoing, in order to give effect to the government's local government reform agenda.

The second reading speech tells us that the Local Government Advisory Board will soon be required to deal with a large number of proposals. In fact, when I wrote this speech, it was three weeks, but it is now two weeks. The period for public submissions in response to the proposals is now open. It will close on 1 March, or in a couple of weeks. That is happening right now, as I speak. We are talking about changing the structure of a Local Government Advisory Board when it is already part way through the process. That is an extraordinary sequence of events.

The second reading speech tells us also that this bill makes no amendment to the Dadour provisions. Those are the provisions that are referred to in schedule 2.1 of the Local Government Act 1995. Schedule 2.1 deals with the provisions about creating, changing the boundaries of, and abolishing districts. It sets out that a proposal can be made to the Local Government Advisory Board by the minister; or by an affected local government; or by two or more affected local governments, jointly; or by affected electors. The Local Government Advisory Board is required to deal with that proposal in a range of ways, depending on whether the proposal is substantially similar to a proposal on which the board has made a recommendation to the minister in the recent past; or the proposal was made by a group of affected electors, the majority of whom no longer support that proposal; or the proposal is frivolous. Unless the advisory board makes a recommendation that it should not deal with those matters, the board is then required to conduct what is referred to as a formal inquiry.

When the advisory board makes the decision that it needs to conduct a formal inquiry, it is required to do certain things. It needs to give notice to the local government and electors who will be affected by the matter that it is inquiring into, and it needs to give a report to the minister. The notice and report need to set out the details of the inquiry, its proposed scope, and the time lines. The board is also required to call for submissions. If, after the board considers the submissions, the board decides that the scope of the inquiry needs to be different, it can change the scope of the inquiry.

In the conduct of its inquiry, the Local Government Advisory Board is required to consider and have regard to, where applicable, community of interests; and physical and topographic features; and demographic trends; and

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economic factors; and history of the area; and transport and communication; and matters affecting the viability of local governments; and the effective delivery of local government services. The reason there is an “and” between each of those points is to demonstrate that the board must take each of those things into account. However, that does not limit the matters that the board may take into consideration; the board may take into account other matters.

After the advisory board has conducted its formal inquiry and received and considered submissions, the board is required to prepare a report to the minister. In that report, the board is to recommend either that the minister reject the proposal; or that the minister make an order in accordance with the board’s proposal; or that the minister, having considered all the things the board has put before him or her, make some other order. The advisory board cannot recommend to the minister the making of an order that is significantly different from the proposal into which the board had looked originally unless the board has again given notice to the people who will be affected by that proposal and afforded them the opportunity to make further submissions. The Local Government Advisory Board has to go through a fairly detailed set of steps. The minister may then require a poll of the electors in order to assist the minister to make the decision about whether to accept the recommendation of the advisory board. This notion that is floating about that all decisions are made by the advisory board ignores what the letter “A” stands for in LGAB; it is an advisory board and it is providing advice to the minister. The minister may take that advice on board but the minister is not mandated to follow that advice; in fact, the act specifically states that the minister can hear all those things and then do something completely different.

Hon Helen Morton: No, it doesn’t say “completely different”. It’s not allowed to do something completely different.

Hon SUE ELLERY: Let us go back and see exactly what the minister can do.

Hon Helen Morton: I think you even outlined that he can’t do anything that’s very different from the proposal.

Hon SUE ELLERY: There was a specific set of words. The issue is that the minister does not have to accept its advice.

Then we get to clause 8 of schedule 2.1, “Electors may demand poll on a recommended amalgamation”. Language is very important here. That clause states —

- (1) Where the Advisory Board recommends to the Minister the making of an order to abolish 2 or more districts ... and amalgamate them into one or more districts, the Board is to give notice to affected local governments, affected electors and the other electors of districts directly affected by the recommendation about the recommendation.
- (2) The notice to affected electors has to notify them of their right to request a poll about the recommendation ...
- (3) If, within one month after the notice is given, the Minister receives a request made in accordance with regulations and signed by at least 250, or at least 10%, of the electors of one of the districts asking for the recommendation to be put to a poll of electors of that district, the Minister is to require that the Board’s recommendation be put to a poll accordingly.
- (4) This clause does not limit the Minister’s power ... to require a recommendation to be put to a poll in any case.

The schedule then sets out the procedure for holding the poll.

If the recommendation to the minister is not about that minister making an order to abolish two or more districts and amalgamate them into one or more districts but, for example, is about making boundary changes that have the effect of either abolishing a local government authority or amalgamating a couple of local government authorities, those provisions are not triggered. That is why in early February this year local government was outraged to hear a form of words being used that had not been used before by the minister with respect to his preference for how structural change to local government is to occur. Before that, it was of the view that the minister’s language had clearly been about amalgamations, not about boundary changes, which would have the same effect. The government says it does not support those provisions in schedule 2.1 to allow a poll of electors to be held when the Local Government Advisory Board has before it a proposal to create and change the boundaries and abolish districts. The government tells us that in the second reading speech. The bill before us amends that schedule, but it does not delete or get rid of those provisions that trigger a poll. How, then, does the government get around the fact that it has done a deal with not only Liberal Party backbenchers but also National Party backbenchers? Despite the fact that the National Party members would have us all believe they are the saviours of the day, I believe that some Liberal backbenchers also took objection to proposals to get rid of the Dadour provisions. The government says it has entered into this agreement that it will not get rid of the Dadour

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provisions, so it has had to come up with another way of getting around them, because make no mistake: the government does not want to proceed down a path whereby it uses the Dadour provisions. That was its position all long along and nothing has changed. The government has agreed not to pursue legislatively getting rid of the Dadour provisions and it is of the view that it does not need to because it has a way of circumventing them. Those government backbenchers in metropolitan seats who think we should let this legislation go through without making some effort to ensure that this bill reinforces the policy of the Dadour provisions should reflect on that position.

For those members of the National Party who think they are protected by a deal they have done with government that the Dadour provisions will not be taken out of the act, wake up and smell the roses. The government is circumventing that deal right now in metropolitan Perth. The government is saying that it is not touching the Dadour provisions and it has nothing to do with it; we do not need to worry as the Dadour provisions are not going anywhere. We are not talking about amalgamations anymore; we are talking about boundary changes. Does that not trigger the Dadour provisions? If it does, so be it. “Innocent us”, says the government. “Does it have that effect? We didn’t know it was going to have that effect, but guess what: that achieves our aim.” All of us should have picked up when we read the second reading speech that the government does not support the policy of the act.

At the beginning of February, the minister revealed that he had submitted to the currently constructed Local Government Advisory Board that his preferred outcome for a number of councils—he talked about Canning, Vincent and others—is for changes to be made to the boundaries for the same purpose, which is to abolish them. That is the same purpose set out in the provisions of schedule 2.1, particularly at clause 8. However, because it is not to be achieved by way of an order to amalgamate, no offence is caused to the provisions in clause 8 of schedule 2.1 of the act. The minister tried to tackle that conversation when he made a speech to launch the local government reform toolkit. Some local government representatives made some unkind comments about what they thought should be in the minister’s toolkit and what he could do with his toolkit, and I discouraged that kind of commentary! However, this is what he said to reveal in great detail his position. First of all, he said a few things about the toolkit. Then he said —

The main thing is that you get on with it. **Don’t be foolhardy.**

He then went on to say —

There is **no reason** to wait for the LGAB findings—that’s just putting your head in the sand.

He said not to wait for the Local Government Advisory Board findings; councils should go ahead and just do it. Those councils that have tried to go ahead and “just do it” have found that the rules have changed, because the Town of Victoria Park and the City of South Perth took the government at its word last June and July and set about “just doing it” and have been told that the rules have fundamentally changed. They spent an awful lot of time and an awful lot of ratepayers’ money—I need to declare my interest; including some of mine as a ratepayer in the Town of Victoria Park—to be told, “No, you’re going down the wrong path because we’re going to take 20 per cent of your revenue away from you by cutting the Burswood peninsula from your rate base.” Anyway, once he got beyond his bits in bold, the minister said —

- Some people have asked why I prefer boundary adjustments.

Here is the detailed explanation of why the government’s position has changed. It is this —

For both outcomes—an amalgamation or a boundary adjustment—Mayors, Shire Presidents and Councillors of all councils can stay in the job until 1 July next year.

Why is that a reason to prefer boundary adjustments? The minister goes on —

- But a boundary adjustment allows for a smoother transition.

How is that? Where is the evidence of that? He went on to say —

At least one of the councils will continue. So there is no need for new bank accounts, ABN numbers or GST registration.

Thank God, because that is the only cost, of course, associated with abolishing one council and getting another council to completely take over its responsibilities! His explanation continues —

- So how was the continuing council chosen? We took account of the local government least affected by boundary changes, the location of activity centres and how best to ensure the ongoing provision of good government to the community.

If that is the test applied, it fails in every example that exists in the South Metropolitan Region. He went on to say —

- We want stability, continuity of leadership and the retention of expertise—so we can achieve that smoother transition on changeover day.
 - However, one council can not say it is taking over another. No local government has any more authority than any other local government.

Except there will be this four-month period, from 1 July until local government elections are held in October, between one council being effectively abolished and another council assuming control, when the elected officers of the other council will assume decision-making control. I think that was the minister's opportunity. He teased the people listening to his launch of the toolkit. That was his opportunity to do what that sentence said —

- Some people have asked why I prefer boundary adjustments.

The minister really did not give a reason that stands up to any assessment. We need to say to the minister, "Face it; you have not set out the reasons why you prefer boundary adjustments. What that leaves is a vacuum. When there is a vacuum, it will be filled by cynical people assuming that your real reason for preferring boundary adjustments is that it is a way to circumvent the policy you have already said you do not like, which is the Dadour provisions." No matrix or analysis of those reasons set out in that speech matches the proposals that the minister has put to the Local Government Advisory Board about what those boundary adjustments should look like. It does not meet the tests he says he has applied as to why he now prefers boundary adjustments as opposed to amalgamations and the language in schedule 2.18.

In September 2013, the minister released a whole pile of information about the value of the toolkit. It is available on the Department of Local Government and Communities' website and is entitled "Metropolitan Local Government Reform Website". There is information from the minister about boundary realignment. Councils can apply to the Local Government Advisory Board for changes to their boundaries at any time. However, what the minister did not say was that he had found a way to get around the Dadour provisions in the act. In January this year he released an information paper about how the process would continue and I want to quote a bit from that. It states —

The Board has received 21 proposals from local governments, 12 proposals from the Minister for Local Government ... and one proposal from electors of the City of Cockburn. These proposals are to amalgamate local governments or amend their district boundaries or a combination of both. After considering the proposals, the Board resolved to conduct a formal inquiry into all the proposals concurrently.

That is what is happening now. As we are legislating to make changes to the powers of the board, the board is conducting an inquiry into 21 proposals. The information paper provides a useful time line. It states —

In July 2013, the State Government announced its proposals for new local government boundaries for metropolitan Perth.

The Minister asked local governments to submit proposals in response to the Government's model to the Board for consideration by 4 October 2013.

And the 21 proposals I just talked about were received. The information paper continues —

In November 2013 the Minister formally submitted 12 proposals to the Board.

The proposals submitted to the Board by the Minister in November 2013 ...

The Local Government Amendment Bill was definitely in the other place in December. I am not sure when the debate was started; I might have to check that before tomorrow. It would be interesting if the bill was being debated before November, because the minister was submitting his proposals to the board and they had a number of variations from what he had made public in July 2013. The information paper states that in November the minister put the following to the board —

- almost the entire City of Vincent amalgamating with the City of Perth;
- the City of Fremantle remaining a separate entity;
- the majority of the suburb of Mount Lawley remaining within the City of Stirling;
- the northern section of the City of Cockburn to be transferred to the Cities of Fremantle and Melville;

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- the northern section of the Shire of Serpentine Jarrahdale to be transferred to the City of Armadale and the southern section to be transferred to the Shire of Murray.

The paper continues —

The Board resolved on 3 December 2013 to conduct a formal inquiry into each of the proposals in accordance with the provisions of Schedule 2.1 of the Local Government Act 1995 ...

In relation to the assessment of those proposals, the information paper sets out that same list of factors it needs to take into account, which is the community of interests stuff and the rest of the whole list I went through earlier. The information paper then sets out the things looked for when things on the list are measured. It is useful to examine those things because when we look at the detail of what is happening, particularly from my point of view in the South Metropolitan Region, it does not meet any of the tests. If we look at what is happening to the City of South Perth and the Town of Victoria Park, and we look at Canning and Cockburn, what is happening does not meet those tests. For example, the information paper defines a community of interests as follows —

Community of interests includes parts of a district that share common interests, values, characteristics and issues giving rise to a separate sense of identity or community.

Some examples that are given are the use of shopping areas and the location of schools.

I have just received advice that the Local Government Amendment Bill was second-read in the other place on 30 October 2013 and the minister submitted his proposals to the board in November. It will be interesting to go back and see the announcement the minister made in November, because I cannot find any in which he said, “By the way, while this debate is happening, guess what? I have changed my position. I am now talking about boundary changes; I am not talking about amalgamations”.

I was talking about community of interests. The paper includes aspects such as how people are drawn together—whether it be shopping centres, the location of schools or the direction people travel to access facilities—and it makes the following point —

The external boundaries of a local government need to reflect distinct communities of interest wherever possible.

How the minister reaches the conclusion that there is a distinct community of interest drawn between that part of Vic Park and Burswood that is now part of the Town of Victoria Park—if we cut out the Burswood peninsula—and how it logically fits within the distinct communities of interest of the City of Perth is completely beyond me. That decision has nothing to do with any of the tests in this paper. That decision is one that says that somebody—I do not know who—wanted all of those bits around Crown Perth et cetera to go over to the City of Perth, and that is what the Premier has delivered, despite the fact that it is in complete defiance of all the criteria that the process is meant to follow.

The second guiding principle that the Department of Local Government and Communities sets out is physical and topographic features. Let us talk about the river—for heaven’s sake! It states —

Physical and topographic features may be natural or man-made and will vary from area to area. They may include:

- Water features (such as rivers)

I have never heard a river described as a water feature before. I thought a water feature was something people had in their backyard and maybe it had goldfish in it or a fountain, but it turns out that a river is a water feature. It continues —

- Catchment boundaries
- Coastal plains and foothills
- Parks and reserves, and
- Man-made —

This is the language in the paper; I would not use that language —

features (such as railway lines or freeways).

These features can form identifiable boundaries —

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That is exactly the case with the river in respect of the Town of Victoria Park, the Burswood peninsula and the City of South Perth —

and can also act as barriers to movement between adjoining areas. In many cases physical and topographical features are appropriate district and ward boundaries.

The paper then refers to demographic trends. These are the normal things we would expect to see, such as population size, who is growing where, and what the age is et cetera, and economic factors such as whether there are light industrial or heavy industrial areas, the distribution of community assets and what infrastructure exists. I have to say in that sense that one of the most sensible decisions made was to put the University of Western Australia into one local government area. Any member who has had a conversation with people from UWA on their view of local government reform would know that the middle of the Reflection Pool at the front of Winthrop Hall is where at least three and maybe four—someone might be able to correct me—local government boundaries cross. It must therefore be the Cities of Nedlands, Subiaco and Perth. Perhaps it is just those three. It makes perfect sense to me for the university, which is one corporate entity, not to be divided in three about 200 metres from its campus boundary. However, the bit that does not make perfect sense to me or makes no sense to me is the notion that Burswood peninsula should jump across the river.

The history of the area is one of the factors that needs to be taken into account. The paper states —

A community within a local government may have a strong historical identity; ...

Another member for South Metropolitan Region, who is not present in the chamber, might be able to assist me but I think it was the councillors at the City of Canning who told me that their history is such that the City of Canning was one of the first road boards in the metropolitan area. It has a very long history. The paper continues —

The transport and communications linkages between ... areas may be a significant barrier to movement and therefore an appropriate boundary between local governments.

Things that ought to be taken into account when thinking about that are port access, neighbouring towns, railways and major roads—matters affecting the viability of local governments. Local governments need to have a resource base, and examples of the criteria that they give include those things that they need to efficiently and effectively exercise their proper functions. To do that, they need to be able to demonstrate the revenue to match the requirements of their residents and businesses in respect of the services and facilities that they would expect. They need to be able to be flexible and responsive in the exercise of their functions. I will talk about this in more detail later, but if the Burswood peninsula is taken from the Town of Victoria Park and put into the City of Perth, 20 per cent of the revenue will be taken out. Another member for South Metropolitan Region made the point that as a sop to that, the proposition is that some 7 000 residents in Bentley be added to the proposed new boundaries and that will make up the revenue that comes from Crown. It will not happen, not just because the revenue base will not be the same, but because the cost of the services required by those residents in Bentley will be significantly higher than the money that will be coming in. The viability means that a set of boundaries cannot be created that effectively leaves a council with huge demand and an expectation of services but no revenue base to be able to meet it.

The final test that needs to be applied is the effective delivery of local government services. It is not always going to be the same, but that goes to things such as size, geographical spread, the availability of staff, appropriate infrastructure and equipment. Those things will be different according to the location. I suspect it would be a lot easier to get staff, for example, who want to work in the north west in Broome than it is perhaps in some other areas that are not as beautiful as Broome in the Kimberley.

Hon Stephen Dawson: Beautiful in a different way.

Hon SUE ELLERY: Yes.

Hon Robin Chapple interjected.

Hon SUE ELLERY: Yes, I like Derby, but I holiday in Broome.

Hon Stephen Dawson: At Cable Beach.

Hon SUE ELLERY: Yes. The board is now in the process of conducting that inquiry and looking at each of the proposals before it against that list. It is anticipating that it will report to the minister by 30 June, but the way the deadlines have blown out on the implementation of this policy to date, that could be at any time.

Hon Helen Morton: You are certainly helping it, so keep going.

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Hon SUE ELLERY: Look, if the government does not bring this bill—

Hon Helen Morton interjected.

Hon SUE ELLERY: I have unlimited time, so bring it on. If the government brings in this bill part way through a process and two weeks before submissions close on a process says, “What are you doing holding up this legislation?” it seriously needs to look at itself. Do not bring it in here two weeks before submissions close and say that the opposition is holding it up, for heaven’s sake! The government started this five years ago.

Hon Helen Morton: Keep going.

Hon SUE ELLERY: I will. Now I have to remember where I was at, because the minister distracted me.

Should the board recommend that the minister make an order—here it is from the department itself—the minister may accept or reject that recommendation. Those people are kidding themselves if they think that they have a commitment that changing the make-up of the Local Government Advisory Board means that they will get an independent decision at the end of the day. It is not a commitment. It is not a guarantee of anything independent, because ultimately, as is always the case, the decision rests with the government of the day. Ultimately, that is where the decision rests. We need to look at the conduct of the government of the day in these proposals to date. It is circumventing the policy at the heart of the issue of concern. Regional members from the National Party in particular say that this is at the heart of their concerns, yet the government is circumventing that. What makes National Party members think the government is going to give them anything different from what it intends through this process? The government has not created, despite its claims to the contrary, an independent process. It has changed the make-up of the board that makes recommendations to the government of the day that the government of the day may accept or reject. That is what the government has done. If National Party members think they have protected themselves from the circumvention happening in the metropolitan area ever happening in the country area, they are kidding themselves.

Debate adjourned, pursuant to standing orders.