

LOCAL GOVERNMENT AMENDMENT BILL 2023

Committee

Resumed from an earlier stage of the sitting. The Deputy Chair of Committees (Hon Stephen Pratt) in the chair; Hon Jackie Jarvis (Minister for Agriculture and Food) in charge of the bill.

Clause 78: Section 5.96B inserted —

Progress was reported after the clause had been partly considered.

Clause put and passed.

Clauses 79 to 86 put and passed.

Clause 87: Section 9.63A inserted —

Hon MARTIN ALDRIDGE: Clause 87 will insert proposed section 9.63A, “Minister may grant exemptions from compliance with the Act”. This provision looks a little familiar because I think we had something similar to this introduced as a temporary measure—I am not sure whether it is still in the act—to deal with the COVID-19 response. At the time, I remarked it was largest Henry VIII clause I had seen and perhaps that Parliament had ever seen. It allowed the minister via regulation to, if I recall correctly, suspend or amend any provision in the Local Government Act 1995, which was quite extraordinary at the time. Does the COVID-19 provision still exist and is this provision intended to replace that earlier temporary version?

Hon JACKIE JARVIS: The COVID provisions were under the Emergency Management Act 2005. I do not have the correct advisers to provide advice on that act. This clause will deal with a number of emergencies. Obviously, COVID provisions relate to human health. This reform can also deal with natural disasters or other extraordinary events.

Hon MARTIN ALDRIDGE: Is the minister saying that it was an amendment to the Emergency Management Act that allowed for amendments to the Local Government Act? That is certainly not my recollection. I know we dealt with a lot of COVID-19 omnibus so-called urgent bills at the time. I remember there being a trigger around a state of emergency declaration under the Emergency Management Act, but I am pretty sure that it empowered the Minister for Local Government, not the Minister for Emergency Services, to suspend or amend provisions of the Local Government Act. Can the minister confirm the advice she has given to the chamber?

Hon JACKIE JARVIS: I do not have the correct advisers here to provide a clear answer on COVID provisions. What I can say is there is not a current COVID-19 declaration, so any COVID provisions that exist in the act are not current at the moment. This clause is not related to COVID or COVID provisions. This clause is to deal with emergencies. An example I have been given is that the Shire of Bruce Rock worked to re-establish the Bruce Rock supermarket, and the shire actually ran a supermarket. Technically, it was in breach of the act. That is an example of a situation in which reform like this could have come into play.

Hon MARTIN ALDRIDGE: Obviously, the trigger here is effectively an emergency declaration under the Emergency Management Act or the Public Health Act, which we can see in the definition of “emergency” in proposed section 9.63A(1). I am looking at the blue bill. There is a section titled “Part 10 — Provisions for COVID-19 pandemic”, which allows for, as I said, the “modification or suspension of provisions of Act or regulations” by effectively decision of the Governor. Is part 10 being replaced, or will part 10 remain part of this act forevermore, or is it subject to perhaps a sunset clause?

Hon JACKIE JARVIS: Part 10 is not linked to this clause or this reform. Part 10 will remain in the act, but it is not currently in play, because there is currently no emergency declaration.

Hon MARTIN ALDRIDGE: I thought there was some sort of clever deletion provision that would see this part 10 deleted at some point, but we did go through quite a few iterations of those COVID-19 amendments, so I might be mistaken. Effectively, we will have two emergency provisions in the Local Government Act with the passage of this bill. One will exist specifically for powers relating to COVID-19 states of emergency. Then we will have this catch-all provision, which will apply to anything that falls within the definition of “emergency”, which is —

the occurrence, or imminent occurrence, of an event, situation or condition that is a hazard under the definition of that term in the Emergency Management Act 2005 section 3; ...

There is then a further reference to the Public Health Act 2016. This provision we are dealing with in the bill at proposed section 9.63A appears to be more nuanced. I think the example the minister gave is that it will allow for the minister to make a more discrete exemption. I think the minister mentioned a single local government facing perhaps a particular situation or circumstance as opposed to perhaps the part 10 provisions, which are broader in their application to the sector as a whole. Would that be a good way of characterising the provision before us?

Hon JACKIE JARVIS: Yes, member; that is correct. In practice, it will provide the minister with a time-limited power to grant exemptions in emergency situations or unusual circumstances.

Hon Dr BRIAN WALKER: Moving along with that line of questioning, the minister is saying that although we do not have an emergency just now, this is for the future. We currently have a very nasty bird flu strain emerging in Asia. Certainly, that could come out at any time. We have multi-drug resistant tuberculosis strains; there is a whole host of infectious diseases that are imminent, coming with the multi-drug resistance that we have, so this is something that could in fact be applied quite frequently, but not yet. Am I right in that?

Hon JACKIE JARVIS: I am not sure that it would be applied as frequently as the member might think. If there were another pandemic or a major public health outbreak, that would be dealt with under the Public Health Act. This is for individual circumstances at an individual local government level.

Hon Dr BRIAN WALKER: Continuing on, we have here the definition of “excluded provision”. It states —

excluded provision means —

(a) Part 2 or a provision of that Part ...

Which part 2 is this referring to?

Hon JACKIE JARVIS: It is referring to part 2 of the Local Government Act.

Hon Dr BRIAN WALKER: Thank you for that. It is not clear from this. I wonder whether it would be worthwhile considering a change to specify “part 2 of the Local Government Act”. Mentioning the Emergency Management Act and the Public Health Act immediately prior to that definition and leaving “part 2” undefined leaves it open for interpretation, does it not?

Hon JACKIE JARVIS: I am not sure I have given the member the correct information. Which subsection is the member referring to?

Hon Dr BRIAN WALKER: I am referring to 9.63A, “excluded provision”, part (a).

The DEPUTY CHAIR (Hon Dr Sally Talbot): Members, can I remind you: I cannot really have two people on their feet at the same time.

Hon JACKIE JARVIS: Apologies, chair; that is my fault.

The DEPUTY CHAIR: The minister has the call.

Hon JACKIE JARVIS: “Part 2 or a provision of that Part” refers to part 2 of the Local Government Act, which is “Constitution of local government”.

Hon Dr BRIAN WALKER: Moving on to proposed section 9.63A(2), which states, in part —

A local government may apply to the Minister for an exemption under this section —

Et cetera. Are we quite clear that when we say “local government”, we actually mean “council”?

Hon JACKIE JARVIS: Yes, that is the term used throughout the bill—“local government”.

Hon Dr BRIAN WALKER: Does that require an absolute majority of the council?

Hon JACKIE JARVIS: No.

Hon Dr BRIAN WALKER: That would imply, therefore, that the power to seek this can be delegated to the CEO and not to the council members.

Hon JACKIE JARVIS: I am advised that section 5.43(h) of the Local Government Act limits delegations to the CEO with regard to this matter.

Clause put and passed.

Clauses 88 to 90 put and passed.

Clause 91: Schedules 4.1A and 4.1B inserted —

Hon JAMES HAYWARD: Clause 91 deals with the filling of an extraordinary vacancy without the need to hold an extraordinary election. We touched on some of these provisions a little earlier when there was some discussion around how to deal with a shire councillor who may be two years into their term and is promoted to mayor after an election, which creates a vacancy. We have already had a bit of a discussion about that. As I understand it, they run in four-year terms, but this new legislation means that any vacancy that arises within the first 12 months will be filled by the next available person; any vacancy that arises in the second year will be held over by the local government until the next election; any vacancy that arises in the third year will result in a by-election; and any vacancy that arises in the fourth year will be held over until the following election. Is that summary basically what this provision does?

Hon Jackie Jarvis: By interjection, yes.

Hon JAMES HAYWARD: I am interested to know whether, if someone resigns in their second year, there is an option for the local government to have an extraordinary election anyway, or will this mean that that is not available to it?

Hon JACKIE JARVIS: The intention of this reform is to save electors the costs of having a number of extraordinary elections. However, if a councillor resigns in their second year, the local government can choose to hold an extraordinary election as long as it is not within three months of the biennial election. If the local government wishes to, the preference obviously would be for the vacancy to be held over until the second year election.

Hon JAMES HAYWARD: That is quite enlightening. I was not aware that there was that option. Is that option available in the fourth year as well?

Hon JACKIE JARVIS: Yes, as long as it is not within three months of the fourth year election.

Hon JAMES HAYWARD: What happens in the event that in the second year the local government chooses to go to an extraordinary election, a person is elected and then that person leaves within their first 12 months? What happens then? The tricky part is that that could potentially happen within months before or after an ordinary election.

Hon JACKIE JARVIS: The backfilling provisions would apply because there has been an election, albeit an extraordinary election. The backfilling provisions would still apply to the last election. If the council has chosen to have an extraordinary election and the elected candidate resigns within 12 months, the backfilling provisions of the last election apply.

Hon JAMES HAYWARD: That is a very interesting idea. Basically, after an extraordinary election the numbers are recalculated, as such, so if the elected candidate resigns, will their first 12 months from that extraordinary election still be available for someone else to fill, even though it may be close to a normal election? Would the provisions of the extraordinary election still apply?

Hon JACKIE JARVIS: It is important to remember that this reform is about reducing the number of extraordinary elections. The bill is designed to make the scenario presented by the member a very rare occurrence. We would expect most local governments to either use backfilling in the first 12 months or hold over until the second year election. The member is asking whether, in the unlikely circumstance that a local government held an extraordinary election for one position on council, backfilling would apply. If a newly elected councillor who is elected in an extraordinary election chooses to resign within 12 months, the answer is yes, just for that one position. The backfilling provisions would apply, just as they appear in the reform.

Hon JAMES HAYWARD: Would there be good reasons why a council may need to have an extraordinary election even though the backfilling provisions exist?

Hon JACKIE JARVIS: I cannot answer that. As I said, we have created a bill that hopefully will remove the need for extraordinary elections in most circumstances. I could not say why a local government would choose to have an extraordinary election in that circumstance.

Hon JAMES HAYWARD: For instance, the people who were identified as the next available people may not be available. If somebody resigned within the first year after an election and the next available people who ran in that election had moved interstate or were no longer available, would that cause the local government to have to have an extraordinary election?

Hon JACKIE JARVIS: We are going down a rabbit hole of scenarios that I really cannot comment on. We are talking about a number of different time lines. The member has suggested a scenario in which a candidate resigns and the local government does not use the provisions of either holding over or backfilling, depending on the exact date that the person resigned. Then he suggested a scenario in which the new person elected at an extraordinary election that the local government did not need to have also resigns. I would need a whiteboard to go through all the possible date scenarios. The provisions of the bill will reduce the need for extraordinary elections. We could go through a number of different scenarios. Essentially, the idea is that backfilling will apply within the first 12 months. If a local government decides to go down the path of having an extraordinary election, the backfilling provisions will also apply to that election.

Hon JAMES HAYWARD: It is the case, though, that in a backfilling situation, if the people who were next in line were not available, the local government would have to hold an extraordinary election. I think that is just common sense, is it not?

Hon JACKIE JARVIS: It would depend on the timing. The member said that if the person elected resigned within the first two years, the local government would call an extraordinary election. We have the time line for the extraordinary election and when the new person would be elected, but then that person may resign. If all of that happens and it is still not within 12 months of the next election, it could be held over. As I said, there are numerous

scenarios. There would have to be a lot of ducks in a row for those dates to match up. Yes, in theory, but it is not the intent of the legislation.

Hon JAMES HAYWARD: It is confusing. I do not think there is any question about that. It is a complicated thing to understand. Why is there not a backfilling provision in the third year for the election that has just occurred? If somebody resigns in the third year and there has just been an ordinary election, why would the next person available not fill that spot?

Hon JACKIE JARVIS: In the third year of a member's term, the results of the original election would be more than two years old. This is for an election that occurred in the third term. The original results would be less current than the results from the more recent ordinary election. I understand that elections are held every two years. Candidates from the original election may also be less likely to wish to fill a vacancy as they ran for election more than two years ago.

Hon JAMES HAYWARD: I think that is exactly right, so why would it not be filled by people who just ran at the election?

Hon JACKIE JARVIS: That scenario adds significant complexity. It is critical that there is no ambiguity about who is eligible to be elected to a local government council through the backfilling provisions. The member is proposing that new results from the last election would need to supersede the original results. However, the voters' choice at the most recent ordinary election would not necessarily be reflective of the voters' choice at the time of the previous election, which is why we have the 12-month provision. Also, the most recent ordinary election may not have included a poll that is suitable to identify the relevant next-in-line candidate. We are trying to reduce the number of extraordinary elections but also reduce any ambiguity around that.

Hon JAMES HAYWARD: I do not mean to harp on the point and I will bring it to a conclusion. The minister mentioned that the current election may not be able to identify the next available person. Surely if there were six vacancies at an ordinary election and those six were filled, whoever came seventh, eighth et cetera could be clearly worked out. How could there be a scenario in which it was unknown?

Hon JACKIE JARVIS: The amendment is to reduce ambiguity. In the scenario that the member put forward in which someone resigns in the third year, there may well be a candidate from the election three years ago who thinks that they should backfill, but because there had been more a recent election at the two-year period, there may be candidates who think that they are newer candidates and should therefore be elected. It is also worth noting that if there were two different elections at which candidates did not win but they thought it was their right to take up that position, we would be talking about two different elections. There could be different boundaries, a different number of vacancies, different voters and different candidates. The bill is designed to make the system less complex, not more complex. In the event that someone resigns in the third year and it is not within 12 months of the fourth year election, an extraordinary election would be the cleanest and simplest way to deal with that matter.

Hon JAMES HAYWARD: When we had the discussion about the vacancy that was created by the mayor, I raised the point that the vacancy was being filled from a different election cycle and that that vacancy was not advertised; it would become known only after the mayoral count was known on the night of the election and that vacancy would be filled by the next available person at the current election. Again, if there were six four-year terms and those vacancies were filled, the person in the seventh position would be offered a two-year term. That is a process that we have already voted on and have accepted already happens. It would be, in fact, exactly the same, would it not, in that the position would be filled out of cycle, if you like, not from the current election, but the current election would be used to fill a vacancy that occurred from the other cycle?

Hon JACKIE JARVIS: Member, that is not correct. Any backfilling of the mayor's position would be a concurrently elected councillor. In the scenario in which the new mayor comes from the council, the backfilling provisions would apply to the council vacancy. The same backfilling provisions apply for the concurrent election.

Hon JAMES HAYWARD: With respect, minister, I do not think that is quite right. I do not think there is an understanding there. If a person was elected, let us say, in 2023 and then becomes mayor in 2025, they will have served two years of their term. Then they vacate that term on the night because they become the mayor, and then that person's position is filled at the 2025 election by the next available person. I ask the minister to check that if she can.

Hon JACKIE JARVIS: When a councillor who has been in for two years nominates to be mayor, there is a mayoral election. The mayoral election count will be conducted first and the councillor will then become the elected mayor. The councillor is then excluded from the count for the council. None of these provisions would apply because the councillor would be excluded at that point. It is a separate schedule. The count would proceed with that councillor excluded.

Hon JAMES HAYWARD: Again, I think there is a bit of confusion about what we are talking about. I think the minister advised me earlier that—I will use the years 2022 and 2025 as a reference point—a 2023 vacancy could not be filled on the election result in 2025 because it would be a different election, maybe with different borders,

people and a few more aspects. I am saying that it is already being done and we have passed those points in this bill that already will allow that to occur in the event that a sitting councillor is elected mayor on that night. I am asking why it is different because in my view it is not, and I wonder what the minister's advisers might have to say about that.

Hon JACKIE JARVIS: We are not clear on the scenario the member is put forward to be honest. There are two scenarios. In one a mayor vacates the position and a councillor is elected mayor. Then there is the scenario of backfilling for a councillor who leaves in the third year of their term. I am not sure that I understand the scenario the member has put forward.

Hon JAMES HAYWARD: Dealing with the issue of the mayor only, I point out that there is a bit of an inconsistency in approach. The minister said that when a councillor who has done two years' service and becomes mayor creating a vacancy, it is appropriate for that vacancy to be filled on the spot from the latest election result, but when I asked the minister about the other, she said it was not appropriate. Does that help at all?

Hon JACKIE JARVIS: Proposed schedule 4.1B, "Filling office of councillor who is elected elector mayor or president", lists two pages of scenarios with this issue and lays out the rationale. If a vacancy is caused by a councillor becoming elector mayor or president, and there is an election to fill the office of mayor or president and the candidate—the former member—is elected to mayor or president at an elector meeting, the position will become vacant. The proposed schedule goes through all the different scenarios and explains why that position would be filled at that election. The overriding theme of the legislation is that we are trying to reduce the number of extraordinary elections bearing in mind that voters will know that that particular councillor has also nominated to be mayor and that excludes them from the council election. As I said, there is a two-page schedule that explains all the different scenarios that I refer the member to.

Hon JAMES HAYWARD: I certainly support what the government is trying to do here because it makes sense to save local governments as much money as we can in running these extraordinary elections, and they are expensive. In terms of a comment, when vacancies fell within 12 months at the City of Bunbury, we would write to the minister and ask for permission to leave the position vacant. I suspect that some of the impetus for these changes came from local governments looking to save some money by not having to do these extraordinary elections and instead perhaps hold on a little bit longer until the ordinary election to take care of what needed to be done.

I have a number of amendments standing in my name on the supplementary notice paper. This might be a good time to move amendment 1/91. I move —

Page 81, lines 20 and 21—To delete "beginning on the day on which the former member's term began; and" and insert —

"of an ordinary election; and"

I would like to take the liberty of explaining how the series of amendments that I have proposed will improve the current bill and help local governments. We all agree that extraordinary elections are expensive. The Minister for Agriculture and Food quoted a cost of over \$300 000 for an extraordinary election in the City of Wanneroo, and I believe about \$70 000 for a council such as the City of Bunbury, with around 30 000 electors, with the cost potentially diminishing in regional areas, or maybe being even more expensive depending on the technologies that are used to reach the electors.

This series of amendments seeks to reduce the four-year cycle to a two-year cycle. Councillors currently have a four-year term. As I outlined earlier, that means that if a vacancy occurs in the first year, it is automatically filled by the next person who was voted in at the previous election. That makes sense. It is a good idea. The electors have voted only recently and have already put in line the individuals whom they wish to fill the vacancies on their local council. In the second year, councils would put off filling a vacant position until the time of the next election. As I have said, many local governments already do this. The reset button would then not be hit until the next ordinary election. That would mean that if a vacancy were to occur in the third year of a person's term, which would be 12 months after the ordinary election had been held, there would be no travelling back to recalculate who would be the next person in line. Under this bill, were a position on council to become vacant, that position could be filled only if it had become vacant in the first 12 months. That would mean that a person who had been elected in the original election three years earlier could not make the argument that they have the right to backfill that position—they would be entitled to that opportunity only in the first 12 months. If we were to hit the reset button, it would mean that if a vacancy did occur in the second year, it would simply be filled by the next available person who had been elected at the most recent election. That is how vacancies are dealt with already. We have talked a bit about a mayoral vacancy. That is an example of a vacancy that is filled out of sync, if you like. It is not part of the ordinary election. It is an extraordinary vacancy that has occurred, and it is filled at that election. There are not two separate ballot papers. There is only one ballot paper. People vote in line, and the next available person fills that position.

My proposed amendments would provide a very simple solution. I accept that it is one that the drafters have not considered. It has probably turned up late in the day and they have not had the opportunity to reflect that this would be a simple solution to a fairly complicated situation.

The same process would be followed in the second year. There might be some argument about what would happen if there was a single office term, such as a four-year term for a mayor or for a single office in a ward. Under my proposal, nothing would happen at all. A move to what I am proposing would not in any way hinder the operation of the bill. It would still be the case that in a four-year single office term, in the first 12 months the backfilling provisions would apply; in the second and third years they would not apply and the council would need to hold an extraordinary election; and in the fourth year the council would need to hold over the vacancy until the end of the term.

I am prepared to say that what I have proposed will save local governments millions of dollars moving forward. We know that local government elections are very expensive. We now have an opportunity to improve this legislation and do what the minister is seeking to do; that is, instead of the legislation being 75 per cent effective over three of the four-year terms, we can make it 100 per cent effective over all of the term for any councillor. This will be a simpler way to deal with this issue. It will improve the legislation and give local governments more options. I do not accept that there are any risks. Certainly, none of the advisers have identified any scenarios or issues that might result from moving forward in this way.

I encourage the chamber to support the proposed amendments so that our local councils will benefit from a more thorough approach to dealing with vacancies. Thank you.

Hon JACKIE JARVIS: I thank the member for the consideration that he has put into this. I think the member is aware that the Minister for Local Government did consider these amendments and take advice. I understand that the advisers have also met with the member and gone through the amendments with him.

It is our view that these amendments will make the bill more complex. We can see from the examples that we have been given and the different scenarios that have been put forward that it would add complexity to the idea of backfilling. These amendments could also result in greater ambiguity about who would be the most legitimate candidate to backfill a vacancy. The backfilling provisions in the bill are designed to be straightforward rules for local government CEOs to apply. The backfilling arrangements will extend for only one year, and the next candidate is always clearly identified on the declaration of results for the election at which the original member was elected.

Under the bill as it stands currently, without these proposed amendments, any subsequent elections would not impact on backfilling if an incumbent council member were to leave office. The proposed amendments are likely to add complexity for candidates and local government CEOs. They also have the potential to lead to disputes in some cases, especially when there are multiple election results. We need to remember that these provisions will need to be applied to 139 local governments across Western Australia. Adding complexity to these provisions may increase the risk of confusion and disputes. It may also present the potential for unintended outcomes. Ultimately, the backfilling provisions in the bill are expected to deal with the majority of vacancies. The additional complexity in the legislation that would result from these proposed amendments is likely to outweigh the limited benefit of capturing a small set of potential vacancies. For this reason, the government does not support this proposed amendment.

Hon MARTIN ALDRIDGE: I tried not to spend too much time on clauses 91 and 92, because it made my head hurt! We probably would have been assisted by a couple of whiteboards in the chamber, minister. For those who are keen on modernising the Parliament, maybe we could get some whiteboards in the corner. That would certainly help us to try to understand some of these provisions. I have been trying to get any head around the backfilling provisions. We had quite an extensive discussion about this on Tuesday night when we dealt with some of the earlier references to backfilling. What has probably caused some confusion today is the scenario that I had put forward about a mayor who had stood down from that position within the two-year term and the backfilling arrangement and potentially double backfilling arrangement that might apply in that circumstance, which as we now know might occur if the next mayor had been elected as a council member at the first election. I have listened to the exchange between Hon James Hayward and the minister. I think that what Hon James Hayward is trying to achieve is that if a vacancy were to occur in the third year, or the year for which there is not an arrangement, which is effectively when an extraordinary election would be required, these amendments would allow the result from the election at the end of the second year—or the mid-term election as I call it; that is probably not a good term to use—to effectively be used to fill a vacancy that had arisen from an election that had been held two years prior. Is that correct?

Hon Jackie Jarvis: By interjection, yes.

Hon MARTIN ALDRIDGE: I ask the mover of the motion whether he has had the opportunity to consult the sector on this and whether it has a view on its application. I heard the minister talk about added complexity and concern from local government, but is there an appetite within the sector and have any concerns been expressed?

Hon James Hayward: No, I have not had specific discussions about this particular element.

Hon MARTIN ALDRIDGE: I have got my head around the argument to the extent that I can about the way the government's proposal will work with the backfilling within 12 months of the election. I can understand the arguments around what longer periods will mean. Obviously, the uniqueness we have here is that we have split elections every two years. If we were to contemplate this amendment, the real criticism would be to put that if we were going to accept that we should backfill in year three, why should we not then contemplate using the original election in, say, year zero as the source of that candidate? Without adequate consultation with the sector around this, some other options are available to us. At this point the opposition is not in a position to support the amendment.

Amendment put and negatived.

Clause put and passed.

Clauses 92 to 110 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

HON JACKIE JARVIS (South West — Minister for Agriculture and Food) [3.45 pm]: I move —

That the bill be now read a third time.

HON MARTIN ALDRIDGE (Agricultural) [3.45 pm]: I rise briefly to recognise the committee stage of the bill. In doing so, I thank the advisers once again, as I did in the second reading debate. In particular, I thank Claire Comrie and Sam McLeod from the Minister for Local Government's office, and they were joined by Ethan Redshaw and Cameron Taylor; I believe they were the departmental advisers at the table. I have met them only via videoconference, so I hope that was the case. The support and advice provided to the opposition from the minister's office throughout the consideration of this complex and significant bill was very much appreciated. They were genuinely helpful and made themselves available to address issues as they arose. Those who know me know that I do not give praise easily. I thank them, as well as Minister Jarvis for the way she conducted herself throughout the course of the bill. Perhaps Minister Jarvis will become the advocate in her caucus for the afternoon tea break. I know she spent extended periods at the table without a break this week and I recognise her contribution to the passage of the bill.

There are many things to mention, but I know we have other business to deal with today. One of the matters I had a concern with during Committee of the Whole was the lack of assessment by the better regulation unit. The government's position was that, as a package, the bill would not add to the regulatory burden and/or cost to local government. It is something that I am not entirely convinced of, particularly when we consider the varying scale of local government in Western Australia. I touched on some of that in my second reading contribution.

Having said that, one person's red tape is another person's safety net or protective measure; one person's red tape is another person's transparency. There will obviously be different views around regulation—good, bad or otherwise. That was an area in which we probably could have had more critical assessment of the bill. With those few short words, I reiterate the opposition's position, which is that we do not oppose the bill. I thank those who have contributed.

Question put and passed.

Bill read a third time and passed.