

## Standing Committee on Environment and Public Affairs

### Petition 65 SUBMISSION

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Local government in Western Australia is essentially a community based elected territorial system of government operating within predefined districts. It is this combination of community and territory operating over time that gives its inhabitants a sense of both place and identity. This explains why the Minister for Local Government, having failed to achieve by voluntary amalgamation a significant reduction in the number of local governments in the Perth Metropolitan Area now proposes to abolish 14 of the existing 30 local government authorities by redistricting the Perth Metropolitan Area.

So massive are these proposed changes that one would have expected the Minister to put them as a bill for parliamentary approval. Instead, under the provisions of the 1995 Local Government Act, the Minister intends to request the Governor to make an order (Sec. 2.1 (!)) enforcing the redistricting. This alone is sufficient reason for the Legislative Council to institute a Select Committee on the grounds that the Minister's proposals go far beyond what the Act intended in Sec. 2.1. This is especially so since the arbitrariness of the governments "pick a number of districts – half would be OK" approach played scant regard to the real question as to how best to govern the Perth Metropolitan Area as an organic city region. In which case the Metropolitan Review Panel should have been given a wide sweeping brief along the following lines:

In the light of the latest ABS estimates that Perth Metropolitan Region's population would grow from its current 1.876 million to between 2.7 million to 3.1 million by 2026 with a further growth to between 4.4 to 6.6 million by 2061, and with special regard to Metropolitan Perth's existing community based system of local government, how best to govern and manage this expected growth and development as a regional multi-tier system of local and regional government.

This would have demanded not only better thinking with sounder outcomes from research, open public inquiries and posting online all written submissions, but also paying special attention to Western Australia's existing proven community-based metropolitan system of local government and the lessons to be learned from the experiences of other city region systems of government in Australasia and overseas.

One of the planks on which the Minister's proposal rests is sustainability. A select committee should inquire into the impact that the 1995 Local Government Act had in changing the ethos of local government from a prescriptive public service provider to an open-ended business model which assumed that all local governments, regardless of size or ability, were equi-competent.

By accepting the Minister's premise that managing population growth and development is the driving force behind his metropolitan local government reform proposal, the title of Local Government Advisory Board's (LGAB) final report, *Metropolitan Local Government District Inquiries Report*, hallmarks a fundamental shift away from local community governing districts to the regional management of population growth and development: and, as a consequence, a shift away from democracy to technocracy. This will inevitably make local government a subordinate function of the Western Australian Planning Commission (WAPC) leaving the Department of Local Government as merely the regulator of the Act. However, as local councillors already

know, the 15 member commission has only two elected members (the rest being either public servants or government appointments) to speak on behalf of Western Australia's a state-wide population of almost 2.6 million. This must be a world record in underrepresentation.

In the light of the proposed reduction of metropolitan LGAs from 30 to 16, this almost complete absence of locally elected members on Perth's peak metropolitan policy and decision making organisation raises, the question as to whether the underlying objective is to diminish, if not eradicate, public participation in managing metropolitan growth. This process began with the abolition of the Metropolitan Regional Planning Authority (MRPA) half of whose members represented local authorities: and by so doing, easing, with the Minister's evident approval, the implementation WAPC's policy report, *Directions 2031 and Beyond* (2013). This point is underlined by the fact that if the Minister's 16 council proposal was accepted, the number of elected local councillors would be reduced from the current 325 to either 96 or 192 depending on whether there were six or twelve councillors per authority.

The need for a Select Committee is strengthened by the fact that both Metropolitan and Non-Metropolitan members of the House have a common interest in local government reform as statewide, local government is under threat. Non-metropolitan members who are in any doubt as to this should read the Minister's recent Bunbury 12 June "treading softly but carrying a big stick" bullying speech.<sup>1</sup>

It is my strong conviction that a thorough review and hearing of evidence from and cross questioning of witnesses in open hearings by a Select Committee would, through its recommendations, settle a whole range of issues arising out of how best to manage Perth Metropolitan Region's population growth and development for at least the next 25 years as did the current 1995 Local Government Act over the last 24 years. But in a manner that incorporates the best of the old in a multi-tiered Perth City Region system of government designed to accommodate growth and change as a cooperative endeavour between all those involved in the process. Such a solution would also be better able to cope with State and Federal policies affecting devolution, cost sharing, intergovernmental relations, and a more effective use of resources without necessarily completely damning the present system as the Minister proposes.

Such a model must bring together the two aspects of good regional governments; the technical perspectives of managing growth (dealing with means - efficiency) and the rights of democracy (dealing with ends - satisfaction). This can be done within the current legislative and administrative framework. Unfortunately, as a wise and experienced mayor put it to me, "The trouble is that the government has made the situation so complicated it is not easy, even for councillors, to understand what is going on". It would be the task of the proposed Select Committee to help sort this out.

A Legislative Council Select Committee inquiry would also correct what I believe to be a serious breach of parliamentary propriety by the Minister of Local Government and Community in denying either Parliament, with the opportunity to consider his proposal as a parliamentary bill, as was done in the case of the City of Perth Act (1993); or the people a royal commission, as was done in the case of the Shire of Wanneroo..

With my respect and admiration for the work of the Legislative Council and with the support of the Petition's 2,000 signatories.

*I hereby declare that I have not taken my complaint to the Parliamentary Commissioner for Administrative Investigations (Ombudsman)*

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<sup>1</sup> <http://www.abc.net.au/news/2014-08-06/no-plans-to-change-country-council-boundaries-simpson-says/5653702>

Those who download this talk will be able to gauge the extent of the Minister's dislike of the way local councils supposedly "misuse" their planning powers.