

Mary O'Byrne - [REDACTED]  
[REDACTED]

Submission to Local Government Review.

I acknowledge the Traditional Custodians of the land we are working on, the Whadjuk people. I would like to pay my respect to the Elders of the Noongar nation, past, present and future, who have walked and cared for the land and I acknowledge and respect their continuing culture and the contributions made to the life of this City and this region.

City of Joondalup is my reference Local Government and I intend this submission to respectfully be understood as a case-study on how LG operates in the Joondalup District. I also reference other LG practices and I go to other City websites when researching LG issues and I find the City of Vincent website to be a winner - with easy to find meetings and information sources, a permanent online query box that answers residents' questions asap and doesn't reject questions from out of district residents such as myself. City of Vincent website is easy to read, forms are embedded in the appropriate space along with appropriate explanations.

Elections are a fundamental part of local democracy and provide a direct voice for the community on the issues which are most important to them, so why then do community members vote at such low rates? I've run in 4 LG elections without getting elected (three were close, (including almost upsetting the Joondalup's Deputy Mayor, October 21) and have thoroughly enjoyed the process and the engagement with local communities - whether or not elected I've actively engaged with the community at their doors across all the years from 2015 with state and council petitions and have achieved at last 2000 doorknocks per LG election.

#### **LG Election Process:**

**Non-Voters:** There are a number of residents who are intrinsically averse to voting in LG elections and nothing one can do would get that to change. I've spoken to people who like me, who share my concerns, admire that I come to their doors, but won't vote - but they tell me that they have no difficulty in voting in State and Federal Elections - but nothing will shift them on this - compulsory voting won't change this. I'm in favour of non-compulsion but make the process easier to understand and more like the Federal and State systems for the lower house candidates where votes are transferable - easiest if residents tick every box ... and the State Government runs a thorough campaign on the changes well before the next LG election and make a social media briefing that candidates & LG authorities can upload to their respective sites. Not simplistic as Be a Vocal Local - but factual as to how to engage in and understand the actual process. Candidates may need extra time in the run in to the LG election as there's only a short period when candidates are known and signed to the election before the elector packages go out. How are candidates going to have time to influence preferences as well as progress their campaigns in an orderly way to meet tight WAEC candidate schedules?

**Move the election date to September:** Have the 2023 Local Government Ordinary Elections a few weeks earlier to avoid public and school holidays. Currently the elections are held on the third Saturday in October every two years. The next state-wide ordinary election is scheduled for **Saturday 21 October 2023**. The Spring School Holidays 2023 are from September 23 - 08 October '23; the Queens' Birthday - 25 September. It's impossible to have effective voter contact

during the school, state holidays and in the busy period when parents are getting their children ready for return to school.

**Use of Candidate Photographs:** The WAEC conducts postal elections for the respective councils and officially the Returning Officers are responsible for the conduct of an election, including the nominations process. The use of photographs by candidates is optional – and it’s suggested that photographs be no more than six months old, if submitted ... but it’s at the discretion of the Returning Officer to accept an older photograph so long as he / she can determine the candidate is the candidate – To the best of my knowledge and sourced through public face-book sites at least one candidate up for re-election in Joondalup re-submitted to the Returning Officer the same photograph originally submitted from 2009 onwards when first elected to the Joondalup Council. That same photo was submitted to the *same* Returning Officer on three (3) occasions – 2013, 2017 & 2021.

Since LG Elections are usually minimal voter contact elections and most electors rely on the official post-out to make a selection, then this practice of candidates submitting old photographs should be stopped now in the new legislation - The discretion to accept old photographs should be removed from Returning Officers. The PR effect of using a younger looking photo is enormous and is an unfair vote influencer. Candidates usually talk up transparency when seeking election – let their candidate photograph be step one I where authenticity and transparency matters.

**Problems arising** during the election period: The WAEC and LG Officers should not be dependent on candidates to update electors when problems arise – such as when postal packages are delayed. There should be a dedicated easy-to-find LG, plain English web site sponsored by the State Government, and the notification of where to find this site should be part of State, LG Councils and Candidate actions going into and during the election. A candidate knocking at doors is unidirectional – one cannot return to update and are reliant on candidate, residents and other social media sites to keep residents informed. Local newspapers are no longer delivered and are no longer really local either. Local Newspapers depend on LG for income generation, so not independent in any real sense of the word.

#### **Re-issuing voters Postal Packages:**

For the first time in LG 2021 electors could ask to have their voters’ packages re-issued by email and the Returning Officers organised this. Voters should be emphatically warned immediately the request goes in for replacement package(s) **not**

- (a) to use the original electors’ package should it be delivered prior to the re-issued package.
- (b) That the re-issued package will be in an ordinary City of (X) envelope when it arrives.

*This should never happen:* One family in my electorate informed me that they had requested a re-issue of their voter packages post school holidays – and on the 14<sup>th</sup> October were advised they could either email in for their re-issued polling package to be posted to them, or they could attend the Council administration building in person and vote. Polling Day was on 16 October so Buckley’s of receiving a mail-out in time to vote.

Name and address of electors withheld, but may be supplied with permission. I have full contact details.

## **Voting Venues on Polling Day, October 16, 2021.**

The City of Joondalup had just one venue open on Polling Day - at the Reception Centre across from the Civic Chamber, which most electors had no concept of prior to the election unless they had voted before - even then they might have forgotten where it was. The Joondalup Reception Centre catered both for the reissuing of votes and polling area. There are 4 libraries in the City of Joondalup - these could have been used as voting venues and the Reception Centre used both for voting and the re-issuing of votes. The City of Stirling had every Library open for voters on Polling Day and also the Reception Centre open for re-issuing and for voting. City of Stirling and the City of Joondalup are both large Tier 1 Councils. Stirling had 151, 927 electors and multiple voting venues through their library system and Reception Centre. In comparison the City of Joondalup had just the Reception Centre for Polling Day and 115, 048 electors to cater to. I door knocked right up to Polling Day and had voters ridicule the City once they realised how far they had to travel to cast their vote.

**Request:** Please standardise the number of venues on Polling Day -numbers authorised dependant on the overall number of electors in the District or Shire.

**Polling Venue Disability Access on Polling Day:** There are four ways to approach the City of Joondalup's Reception Centre for Polling and or Re-issue of packages on the day.

1: from Boas Avenue Via the Joondalup Library - side steps and main entrance steps. The steps access only suit those electors who are physically fit.

2: From the disabled parking bay half way around from the City's Administration and the Joondalup Library. Room for a wheel chair etc.,

3: Walking around from the City's Administration Centre.

4: Entrance from the underground car park via lift and stairs. This is one of the Primary means of access for disabled and semi-disabled. However, the lift was only available to disabled users once the Joondalup Library opened - checked this with library staff post-election. Saturday 16 October / Library opening hours 09:30am until 4pm. Lift inaccessible pre and post library closing. An acquaintance & I had to physically assist an elector with sensory disability down the library steps

to her vehicle post voting at 17:45 hrs. She came close to falling because she had blisters on her feet.

Witness: name and contact details withheld, but may be supplied with permission.

My neighbour who is partially disabled had great difficulty accessing the Reception Centre once the lift was closed. The glass door leading to the lift from the carpark was locked. He could park in the underground car park but not use the lift. He managed with difficulty to get up the library steps.

Name and contact details withheld, but may be supplied with permission.

**Signage & Visibility as a WAEC Voting Venue / Minimal:**

There was no signage obviously visible on Polling Day - except for a low WAEC sign close to the ground obscured on one side by a metal artefact as one drove in to the Joondalup Library carpark from Boas. There was no signage obvious from the steps looking upwards toward the Joondalup Library, but there was a small sign pointing toward the under-croft where the Joondalup Reception Centre is found once one was in front of the Joondalup Library door. There was another WAEC low sign in off the disabled car park but not visible until one was in the under-croft area.

**Actions:** I asked another LG candidate to place signage with mine at the Library railings to make venue visible. Another candidate had already placed her signage at the Boas St steps.

I asked one of the two personnel manning the Polling Station to place more WAEC signage up to make the site visible. I was informed that no more could be found but they'd look. However, nothing was added to WAEC signage as the day progressed.

**The Joondalup Reception Centre:** Extracts from a constituent's letter: 'looked for signage on main street - saw none.'

'No directional signage from car park'

'small signage at top of library steps pointing down a long veranda and corridor'. 'Finally, I came to 4 glass doors' ... 'I tried the first two doors which did not open and finally found the third door (which had no sign on it).' (MO'B - this door did open)

Electors name and contact details withheld, but may be supplied with permission.

Toward **the end of the polling day** whilst candidates and supporters waited outside the polling station doors, they noticed the electoral staff busy getting the seating organised for the count and electors waiting to cast their vote unattended and not knowing what to do, so this group assisted electors to cast their vote.

Witness name and contact details withheld, but may be supplied with permission.

**Electronic Voting:** I would support trialling electronic and online voting, if election security and vote integrity could be guaranteed; if the legislature could organise desktop analysis of active LG electronic voting operations in other jurisdictions and then go on to develop our legislation based on derived objective data and develop methods to counter security threats. That all levels of education and access to electronic devices is catered for. And the implementation of electronic voting is trialled alongside the more traditional methods such as in person and postal voting.

**Community Engagement / Identifying opportunities:** The City of Joondalup has ample means to engage with electors, but is not always kind to electors who turn up to council meetings to ask questions or to make statements. The statement timing is legislatively limited to 15 minutes anyway and those presenting frequently know to place questions online to have any chance of making a statement as the presiding officer has stated publicly that when the room is busy preference for statement makings is given to those who haven't utilised public question time. Electors are seldom allowed to rephrase a question and can be told to sit down very sharply indeed.

When Elector AGM Motions come back to council them electors have only one opportunity - no longer than two minutes to address their own motions on the public record.

**Question:** Is there any room for enlarging the statement time allocation at any council meeting? And please legislatively increase elector participation timescales for questions and for statements when Electors AGM Motions come back to Council.

**Electors AGM:** Please formalise and standardise in the new legislation and don't leave it open to presiding officer determination, but embed in the act exactly how the AGM will be carried out. Presently and in accordance with the Local Government (Administration) Regulations 1996 the presiding member of electors' meeting (being the Mayor) is to determine the procedures to be followed at electors' meetings. However, most LGs have separate AGMs not squeezed in beside other Council meetings. Stirling, for example ... Bassendean, Wanneroo, Fremantle, Melville, Cockburn LGs all have separate AGMs and are not curtailed by any other council processes or meetings. City of Joondalup Electors had their AGM scheduled for an hour's duration though it went on for longer than the presumed allocated time but the Presiding Officer

was able to curtail questions from electors on General Business citing the time requirements of the follow-on Ordinary Council Meeting.

Having contacted online the City of Vincent I found this difference in their practice. Same day reply from them: “Dear Mary, the AGM was held on 2 February 2022, the day after the Briefing and that one took 3 and a half hours. The timings depend on how many electors attend to ask questions or motions. The reports on the motions from the AGM will be included in the OCM agenda for either March or April, depending on how quickly the information is available.” This I consider best practice- AGM are annual events and should offer unlimited opportunity to community involvement with their local council.

The present Regulation 18 of the Local Government (Administration) Regulations 1996 places no restrictions on length of time allocated to Elector AGM proceedings, so why should our Local Government (s) artificially place time constraints on the annual electors’ AGM?

Could the new Legislation specify that Electors AGMs be held separately to any other City process or function; that provision is made that the AGM is held to a standard, but that residents have the right to be heard adequately at the only meeting in the calendar year dedicated to their issues.

**Petitions** are one of the most beneficial means of informing elected members of the issues dividing or uniting their electorates. The WA state as a whole is coping with the Coronavirus State of Emergency. The Omicron variant is active in our community and we are expecting the daily infection rate to hit 1000 cases soon. I’d suggest the Stirling experience of e-petitions to be a guiding format for the state government legislation and maybe the State could provide funding to all LGs to encourage the immediate research and uptake in e-petitions. Stirling also allows the use of both hard copy and e-petitions in conjunction if they use the same wording and are finalised at the same time. Stirling ensures the authenticity of petitions is maintained, and protects the petitioners and the Council. The Stirling experience utilises a dedicated Project page which has been created on the City’s website. Electors can provide feedback on a project or application that is currently being advertised. And the City asks that electors review the Project Page before submitting or signing a petition. This places the City of Stirling firmly in an admirable position when it comes to listening to and informing electors.

#### **Petitions and the City of Joondalup .**

2021 Meetings City of Joondalup  
[https://api.joondalup.wa.gov.au/files/councilmeetings/2021/CJ210316\\_MIN.pdf](https://api.joondalup.wa.gov.au/files/councilmeetings/2021/CJ210316_MIN.pdf)  
In 2021 the following two petitions **were not** received into Council.

1: City of Joondalup March Ordinary Council Meeting - a 1000 signed petition requesting the engagement of an external independent financial Consultant to undertake a Peer Review of the Ocean Reef Marina Business Plan 27 was rejected. This shows no respect at all for the democratic purpose and no respect for the lead petitioner Mrs Ziggy Murphy and the time consumed in generating a valid petition. And no respect for the electors who signed the petition. No independent Financial Consultant was ever brought in by the City to independently review the ORM Business Plan.

2: At Septembers' Ordinary Council Meeting elected members voted by a majority of one to vote against receipt of a petition to complete the installation of Lane 5, Sorrento through to Clontarf St enabling proper access to residences along Lanes 1 & 5. (C88-09/21 refers)

By doing so elected members seem to have given an electoral advantage to an elected member up for re-election less than 4 weeks later. This elected member at the same Ordinary Council Meeting put up a motion (C101-09/21 refers) covering most points the petition covered, but the motion is possibly geographically incorrect depending how officers interpret it. By not receiving the petition councillors negated the wishes of 48 residents who lived in Lane 1 & 5 HOA 3, City of Joondalup.

The substituted Elector Member motion was collaboration between the elected member and just one resident and did not involve consultation with the Lead Petitioner who though standing for election herself in a different nearby suburb doorknocked outside of her own electorate to ensure adequate community participation in a long-standing Lanes HOA issues.

Petitions **are not** returned to Leading Petitions when petitions are rejected.

**Candidate induction:** The State Government has introduced requirements for candidate induction which assisted LG candidates to understand the role of a councillor and their responsibilities around campaigning at the 2019 local government elections. I increased my derived knowledge last election and gladly support LG candidate induction.

Could the new legislation include a timetable for the immediate induction of new councillors, so newly Elected Members make informed decisions about committee membership once elected? There's little opportunity for new Councillors to understand what they are doing if they are voting to elect committee members before they have had a single induction session. This training could be given online in a Zoom session and have accompanying notes as a follow on.

Elected Member **Salaries:**

Should not be tied to serving on committees. Salaries should be tied to Council Tier level. Annualised and taxable with tax removed and Councillors should be eligible for Superannuation, but does all of this make Councillors employees of the City? How are Councillors to keep the disconnect between LG Officers and themselves when salaries are paid?

**Elected Member Training.** I agree that there should be penalties for Elected Members who do not undergo Professional Training within a specified time following election. I also think that re-elected members should be offered further professional develop to assist them grow in their role.

All Local Government elected members should undergo **Social Media Training** and understand the importance of staying in touch with their electorates, which sometimes don't have community organisations to support access to their local councillors. A minimum requirement for every councillor - to have an automatic acknowledgement of emails received from electors, to have a social media account dedicated to LG issues and to reply to electors in a timely matter when phoned or texted.

**Communication Fail by Councillors:** Kinross / Currambine retail deeply affected because planning for new retail got too far through the council processes before locals noticed. local elected members failed to inform their electorate that a major rezoning process was underway. - Sunlander Coles is opening soon and will severely detrimentally impact Kinross & Candlewood retail. But there were also indications that the elected member were not properly briefed before the decision was made because the **Peer Review Macroplan Document** concerning this Sunlander Coles Rezoning was only sent to elected members by email at 5:19pm just before they went into the 2019 Electors' AGM – starting time for AGM 5:30pm and concluded at 6:52pm. Elected members then went after only a 25-minute break into the Ordinary Council Meeting where elected members voted to allowed the Sunlander Coles Rezoning at Currambine to go ahead. The majority of elected members would not have had time to read the Peer Review. They were not adequately prepared for the decision-making process they undertook.

The Local Government Officers should have sent the Peer Review documents to councillors once the rezoning item was listed for a Briefing Session. But it should definitely be a requirement that elected members be properly informed (and inform themselves) before they make any decision. They should remember that they each represent all electors of the District and not just their own electorates, and the livelihoods of electors depend on their just application of real time knowledge to the issues.

#### **Voting Record:**

Elected members voting record should be publicly available on any issue on a City hosted web site.

Councillor decision making process is properly documented, transparent and accountable to respective electorates.

Petitions should be hosted on a City website and constantly updated as per City of Stirling format. The historical record should be available of previous petitions undertaken in the City and outcomes.

Please standardise Policies, Procedures and Local Laws development across all LGs by having a template that is applicable across the state and is capable of handling differences between LG Districts accurately and fairly. Changes to Local Laws should be well signposted and communities as well as individuals contacted via social media by councillors allowing residents to become actively involved in the process.

#### **Complaints:**

Presently it is very difficult to get any traction with complaints in the City of Joondalup. I would like the complaints system to be altered so that no former LG elected member, no current elected member, no former CEO or Directs of Governance have anything to do with complaint determination other than ensure that due process is carried out according to the legislation and regulations. ... I'd like judiciary officers to be involved in a fair, accountable process that prevented 'mateship' from having an influence on complaint outcomes particularly at the state level. I've personally found the officers assisting the State Minor Breach Panel to be very helpful, but I do not know their orientation – LG or Legal. At present elected members are given the elector complaint to ensure they are fairly treated in the complaint process at Minor Breach level and they have time to respond to the actual complaint as presented to the panel, but the elector making the complaint has no right of reply to the councillor response, even when a thorough

debunk of a councillor statement may be made if the opportunity is given. This has to change. Electors should be treated to the same level of respect Councillors receive. And they should be allowed one response to the Councillor or Officer statement before the panel makes a final determination. Secrecy should be banished and an active register made of complaints made against a LG Councillor or Officer ... so patterns may emerge that warrant further investigation and action by either the complaints body or the police further on into the future, even if the matter is resolved in the councillor's favour at the present time. It's the overall patterns that sometimes indicate the deficits in the systems.

There should be an independent advisory mechanism to assist electors in making a complaint at either the local or the state panel level.

**Social Media and Councillor abuse of the same:** If an elected member makes a public statement ridiculing an elector in public or to a private group, and encourages attendees at the event to record the elected members words and share to social media to humiliate the elector, then I request the time limit allowed for making a complaint against the elected member's actions be extended from whatever time is allocated for a Minor Breach violation. It may be years before the victim of such an action becomes aware of the elected member action. The timing for making the complaint should be taken from the time the elector is made aware of the elected member's actions, rather than the time the elected member carried out that action. There is no other way for one to be assured of natural justice.

#### **New Act may generate positives**

A new Local Government Act hopefully will lead to a strong foundation in community engagement and participation, which will support local government to understand, and respond to their communities' needs. Communities don't expect that level of engagement in the City of Joondalup today. Many do not know their councillors, even when those councillors have been elected many years ago. Being a councillor seems to be a minimal contact occupation, which is a lost opportunity when one looks at the aspirational candidate - nearly all wish to being open, transparent and active before they are elected. Could the training course help councillors to go out into their communities and speak to electors. They would learn a lot from that process.

There may be a requirement for the introduction of community engagement charters which could assist local governments to identify the ways the diverse groups in the community want to engage with their council. However, if Council is listening to community questions, statements and Briefing Statements and being reflective on those as well as facilitating them, then it should already know how and why the community wishes for engagement. A specific charter may not change anything in outcomes and may only be seen as another mission statement that a few years ago were mainstay to all organisations but achieved little in overall outcomes, or change.

#### **Record Management**

The responsibility for records and information management is delegated across the Council using position descriptions, contracts, agreements and work plans. There should be a clear line of oversight as to who accesses what in records and information management. Only those officers who have the necessary work permissions should have access to this information and they should leave a signature for each access. No unauthorised access should go unpunished. Elector Freedom of Information Requests should be handled justly with recognition that Electors have to pay for documents to be released. And that they deserve respect for the interest they show.

## **Regional Issues:**

1: No council should be able to use a voting block to push through a highly expensive facility onto ratepayer, especially when the facility cost rightly should be underpinned by Private, State or Federal funding and have at least two other major urban councils in the mix. The City of Joondalup elected members rejected **the Joondalup Performing Arts Centre** in June 2017 by a narrow majority, but the City still sees the Performing Arts Centre as a major capital project for the future. There is money set aside in reserve accounts for the project, over 16million dollars to date but no funds are available for the project to proceed in the foreseeable future according to Mayor Jacob's recent reply to a question. The City still owns the central Joondalup site and the Mayor Jacob advised electors that the Performing Arts Centre was (would be) a decision of council and he was happy that relevant reserve funds have accumulated over many years towards this project, until being deferred by Council recently. The Performance Art Centre Project may be coming back to council sometime in the near future.

Mayor Jacob stated the Performing Arts Centre has always formed part of the long-term aspiration for the City of Joondalup. But how are the citizens of Joondalup to bear the huge cost for the facility which back in in 2017 was estimated at a hundred million dollars and expected at that time to add at least 5% to the normal rate burden. How much cost would the City have incurred for ratepayers when COVID lockdowns happened and prevented any performances from taking place?

The accumulated monies in the reserve funds could have helped COVID afflicted artists who were without income during lockdowns and could have been used without burdening ratepayers at all to fund a purpose built performance Centre to benefit the whole community and equip other Community centres with more storage which is badly needed at community centres at all locations..

Can the New Legislation please have proper safeguards to assist communities fight off LG Councils wishing to go it alone on vanity projects such as the Joondalup Performing Arts Centre?

Please note that any facility in the City of Joondalup is visited regularly by Wanneroo Shire residents. I gave up canvassing for LG at sporting venues when I realised, I'd be more likely to speak to a Wanneroo resident than a local local! There is certainly room for three councils / Wanneroo, Stirling and Joondalup to set up a bigger entertainment venue but a location other than the Centre of Joondalup would probably be required. Financially this could be more prudent and an independent consultant could be engaged to assess risks in depth if this project is to progress at a significant cost outlay to electors.

## **2: Percy Doyle Regional Reserve**

Percy Doyle Reserve is bounded by Warwick Road, Marmion Avenue and Chessell Drive, Duncraig (The site is Crown Land vested in the City of Joondalup for the purpose of parks and recreation and is the largest active sporting park in the City of Joondalup with a size of 17.08 hectares. It is the only City managed facility that is currently classified as a Regional Park, meaning that it services not only the local area but also the surrounding suburbs in the northern corridor. (City of Joondalup – stake-holder consultation)

It is one of the most valuable people-spaces anywhere in the City. The facilities within it should be enhanced, not buried under tarmac and traffic, but the City of Joondalup was

chasing commercial investors for the Northern Boundary of the Reserve wherein lies the Duncraig Library, Leisure Centre, Duncraig Library, Natural Bush Areas and our incredible Duncraig Edible Garden. The City had quietly obtained desk-top analysis of the problem areas should retail go ahead - traffic and roads & a Retail Needs Assessment (RNA) with an up to date RNA due before a Business Plan could be progressed progress to the Department of Planning, Lands, Heritage (DPLH) to acquire land in the Northern boundary for retail under Acquisitions

The primary information source open to electors if they knew where to look was the Major Projects and Finance Committee Minutes from March 2020, and then the further Major Projects Minutes from the remainder of 2020. March 2020 minutes categorically stated that one of the busiest and best loved libraries in Western Australia & ranked in the top 10 was described it as an 'aged' community facility' which might 'generate a high level of commercial interest' (if knocked). 'which could be the catalyst to include its examination with a view to achieving **best overall value** from any land disposal'.

There were separate consultant investigations by 'RPS' / Retail Needs Analysis & Specialist planners experienced in the integration of land users to enable commercial developments. Dave Langfear Consulting assessed the site to amalgamate all the older buildings into one community buildings on the site - freeing up the site for two commercial enterprises - Coles being one as the Deputy Mayor informed the retailers at Glengarry Shopping Centre..

A State Petition was initiate by me to the Legislative Council to ask that the Percy Doyle Reserve be kept to its present community, cultural open space and sport designation. So many residents became involved and rung for further information that the City of Joondalup put out a City-wide proclamation declaring my actions in generating the petition scaremongering; that there was no substance to it - The Mayor put it on Public record "and make it very clear the city has not agreed to sell or re-develop part of the Percy Doyle for commercial purposes." Technically this was correct simply because the City did not yet own the land and was operating under various memoranda of agreement from the State Government who had ultimate control over the Percy Doyle Reserve. In effect, the business case was not fully prepared to present to the DPLH for the acquisition of the Northern Portion of the Reserve.

AS Lead Petitioner I was left looking like I'd mis-informed the public - the City had recourse to all the City Social Media Sites, the 20 October Ordinary Meeting of Council where that unjust announcement is now part of the public record - audio and written. Each City Library hosted the public notices - The Duncraig Library had its notice placed on the front entrance door. The petition stalled at around 2000 sign-ons but I persisted and it went into parliament on Nov 26<sup>th</sup> with 2,929 valid signatures. The Mayor next started a series of small meetings with the clubs on an individual basis and invitees only could attend and members of the clubs- they all received personal reassurances from the mayor that their organisations were safe - there was no way for me to counteract any of this without direct contact with the clubs myself ... an I didn't have an in with most of them, so the public record was only partially addressed by me through my Preserve Percy Doyle Reserve Face Book Page and with personal contact with residents at the reserve.

I hope the new legislation has a system for dealing with such inequality, that such unjust actions by elected members and Officers will not be countenanced but intercepted and just process will be offered to all sides of an argument, or debate, before the possibility of reputational harm is done to anyone. Percy Doyle Reserve is now as it was prior to all of the City's actions with control vested still with the State Government (Crown Lands) and managed by the City of

Joondalup. The City has withdrawn from the process it was engaged in to change the designation of the Cultural part of the Reserve to Commercial.

A particular problem that is regularly repeated in the City of Joondalup when questions are submitted online. According to the CEO in a written reply to my objecting to this practice I was informed the following:

“In relation to editing of your submitted written questions, it is the longstanding practice of the City to edit or remove preambles to questions.

The purpose of minutes and their contents is determined by the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996* which does not include or prescribe the standards local governments need to use regarding summarising statements and public questions. The current approach ensures there is consistency in how written questions are managed.

Unfortunately, the City will not allow even a short preamble and sometimes removes the context from questions without a preamble even being present in the question thereby rendering the question and responses meaningless.

If the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996* do **not include or prescribe the standards local governments need to use regarding summarising statements and public questions** - then surely a LG body has no excuse for continuing this unfair practice.

Could the new legislation tackle this problem, please? Suggest suitable Local Laws that for example could allow for a short preamble to a single question and a slightly longer preamble to a number of questions on any one issue, that no substitution or removal of facts from elector submitted material be done without the agreement of the elector.

Also, that questions submitted in writing to Council by residents and ratepayers be printed in the Agenda in full and not be edited, amended or summarised by the City's Administration without prior reference to and discussion with the questioner or presenter.

**WALGA:**

W A Local Government Association (WALGA) contracts are categorised into key activity areas, and currently deliver an annual spend of \$380 million worth of goods, services and works to WALGA Members across WA.

WALGA's program prequalifies suppliers to supply certain goods and services and categorically states that it offers Value Multipliers in the services supplied to participating Local Governments. This construct has never been independently tested by the Auditor General.

LGs in WA employ around 15,000 people and manage more than \$40 billion in community WA-state wide assets, yet ratepayers do not have meaningful access to WALGA and no community group can do an independent assessment of their services.

From questions asked at council recently there seems to be no mechanism for WALGA Delegates to act on behalf of their electors - how can LG Delegates influence WALGA

Agendas? But WALGA can be assisted to forge an Advocacy position and advocate to the Office of the Auditor General.

The City of Joondalup uses WALGA services for procurement but is itself still required to meet their own policy and probity requirements and comply with the Regulations.

The Auditor General has reviewed Local Governments use of WALGA's Preferred Suppliers as a procurement route but has never reviewed the arrangements in place at WALGA. Why should any of the 139 member LGs member City of Joondalup take WALGA's own assessment of performance at face value?

I wish WALGA to be dealt with as stipulated that it is removed from the Local Government Act, that moves the office of the Auditor General should audit WALGA's performance in Key Areas and reviews the arrangements and compliance with all legislation facets and open the organisation to thorough public scrutiny whether or not it is removed from the Act.

Live Streaming:

Since live-streaming is inevitable I'd like the following to be considered

That the Safety of Participants, (Elected Members & Electors) be to the fore in setting up the Participating council guidelines.

That participants who cannot be filmed because of sensitive occupation, or who are on the run from partners are given the option of having their statement read for them, or their questions asked for them by a council employee, or a community volunteer. **Please note that a presenting elector may be recognised by face, form as well as voice.**

That Violence against Women is more endemic in our society than previously realised has been made clear by the upsurge of all incidences during the present Pandemic ... and no action that council takes should increase risk to victims of any crime or lessen participation in democratic processes.

That there be clear guidelines to Council officers on how the live stream is edited post council meeting. That original Live stream is always the reference point in disputes.

That the LG Body holds a register so participating residents seeking privacy may pre-authenticate their District Residency. Then the participant simply states 'name' and 'pre-registered' at commencement, rather than name and address as at present if they so wish.

That elector participants are fully advised that they are going into a live streaming situation when presenting. **Parental consent if children presenting. Schools allow children in difficult family situations to publicly partake with a number allocation** rather having to divulge name and address.

End of submission Thank you.