

Ms Alannah MacTiernan; Deputy Speaker; Mr John Day; Mr Gary Snook; Mr Dan Barron-Sullivan; Mr John Castrilli; Dr Elizabeth Constable; Mr Colin Barnett; Dr Janet Woollard; Acting Speaker; Mr Trevor Sprigg; Mr Bob Kucera; Mr Grant Woodhams; Mr John Bowler; Mr Paul Omodei; Mr Troy Buswell; Mr Max Trenorden; Dr Kim Hames

PERRY LAKES REDEVELOPMENT BILL 2005

Declaration as Urgent

MS A.J.G. MacTIERNAN (Armadale - Minister for Planning and Infrastructure) [7.40 pm]: In accordance with standing order 168(2), I move -

That the Perry Lakes Redevelopment Bill 2005 be considered an urgent bill.

It has been a matter of some public examination and notoriety that the proposals started back in 1998 under the previous government for a redevelopment of the Perry Lakes Stadium have unfortunately and regrettably stalled with the Town of Cambridge. As we have acknowledged, it is a very complex project, which involves the development and the construction of new facilities on the AK Reserve or adjacent lands and the development of residential land on the existing Perry Lakes site to fund the development of those facilities. Working parties were established under Hon Norman Moore as early as 1998 with the common vision that this was the way forward. For three years prior to that, the focus had been on refurbishing the existing facilities. In 1995 discussion started about refurbishment, by 1998 it was clear that refurbishment was a substandard option, and from 1998 onwards both the state and local government were working down the track of rebuilding facilities elsewhere. More latterly, from around 2000-01, the decision was jointly made by the state and local government that the AK Reserve and adjoining lands would be the appropriate site for those facilities. That was agreed. The rezoning process started in 2001 and was completed in 2002. Since that time, the process has stalled and the Town of Cambridge has made a series of U-turns. The Town of Cambridge is unfortunately very divided on this issue. One group of councillors believes that the council has not got the capacity to deal with it itself and another group of councillors does not believe that anything should be redeveloped on the Perry Lakes site. For some 10 years the focus has been on replacing -

Mr T.R. Buswell: Why is the bill urgent?

The DEPUTY SPEAKER: Order, member for Vasse!

Ms A.J.G. MacTIERNAN: He is a very, very impatient man. He has ADD. I have up to 20 minutes. I will take only around five minutes, so if he can just stop interjecting, I will get through the five minutes.

Withdrawal of Remark

Mr J.H.D. DAY: I just heard the minister make some reference to a member having ADD. I do not know whether it is true or not but it is a very disparaging comment, totally unparliamentary and, above all, an insult to those in the community who do genuinely have such a condition.

Ms A.J.G. MacTIERNAN: I think that to suggest that comparing someone with the member for Vasse is of itself an unflattering and uncomplimentary move is a gross insult to the member for Vasse. The member was saying that to compare the member for Vasse with someone with ADD is uncomplimentary to people with ADD. I do not accept that. I think that on this side of the house we have some respect for the member for Vasse. He has at least got a little bit of vigour.

Mr G. SNOOK: There was a call for a withdrawal of a remark. I ask that you rule on that, Madam Deputy Speaker.

The DEPUTY SPEAKER: The minister was responding to the point of order and I was hearing that argument. Are there any further comments to that?

Ms A.J.G. MacTIERNAN: I am just a bit unclear about who has actually been insulted. Is it persons with ADD or the member for Vasse?

Mr D.F. BARRON-SULLIVAN: It is quite clear to whom the minister was referring at the time. Her remarks were certainly not intended to be complimentary - far from it. If we are to set standards in this house, surely this is the sort of thing we should be dealing with.

The DEPUTY SPEAKER: We have a code of conduct in this place for how we address each other. There is a certain amount of latitude on how we address each other in debate in this place. I think in the scheme of things the minister was referring to the fact that the member was interjecting unnecessarily and not listening to the argument. I do not know that the minister was impugning the member's character; therefore, I will allow the minister to continue, but I warn the minister that I urge her to err on the side of caution.

Debate Resumed

Ms Alannah MacTiernan; Deputy Speaker; Mr John Day; Mr Gary Snook; Mr Dan Barron-Sullivan; Mr John Castrilli; Dr Elizabeth Constable; Mr Colin Barnett; Dr Janet Woollard; Acting Speaker; Mr Trevor Sprigg; Mr Bob Kucera; Mr Grant Woodhams; Mr John Bowler; Mr Paul Omodei; Mr Troy Buswell; Mr Max Trenorden; Dr Kim Hames

Ms A.J.G. MacTIERNAN: I will now be much more conscious of the sensitive, flower-like personality of the member for Vasse and address my remarks accordingly.

Mr T.R. Buswell: Why is it urgent?

Ms A.J.G. MacTIERNAN: I am trying to get to it. I am trying to explain to the member for Vasse. Focus! I know it is hard. I have been trying to talk for two minutes about a very brief history -

Mr T.R. Buswell: I do not want to know the history. I want to know why it is urgent.

The DEPUTY SPEAKER: The member should not push his luck. He is on a call of three. I suggest he allow the minister to continue and we might move on.

Ms A.J.G. MacTIERNAN: I will just recap for those who would have lost their concentration span in the meantime. In 1995 there was across-the-board recognition that these facilities needed major work. In 1998 there was a clear decision in state and local government that it was not possible to refurbish these facilities and that a redevelopment was required. In 2001 there was an agreement with the state government about how it was to move forward and who was to fund what. Since 2001, now four years later, we have achieved really nothing and we are very much back at square one.

As I have said, it is a very complex and difficult project. In the meantime the sports of athletics, basketball and rugby in this state are suffering. They are operating out of substandard facilities with very little certainty about the future. After 10 years, we owe it to those sporting codes to provide them with adequate facilities. We also needed to move extremely quickly because the Town of Cambridge was about to embark on another way of delivering this project, a way that we thought would be fraught with danger for the Town of Cambridge and would not be expeditious but would cause the delivery of these projects to drift out another five, six, seven or eight years. We are not prepared to allow that to happen.

MR G. SNOOK (Moore) [7.49 pm]: Nothing in what the minister has said has any urgency about it, except perhaps for her own agenda. This government has had four and a half years, which is plenty of time in which to expedite this matter. I do not believe that reason makes this bill suddenly urgent.

Mr J.J.M. Bowler: Are you saying that we should have taken over the facilities four years ago?

Mr G. SNOOK: The government has had four and a half years in which to sort something out. The government has not met its responsibilities in providing state-standard sporting facilities. It is not the responsibility of the Town of Cambridge - at least not to a degree greater than 50 per cent - to provide state-standard sporting facilities for state and international use. That is the difference; that is the problem. This is not an urgent matter. In the normal course of events, the government has had plenty of time to work through these issues and their complexities. There have been changes within the structure of the Town of Cambridge, which, according to the minister, is one reason for the delay.

The state government has the principal responsibility. This government is now in its second term. It has had plenty of time to deliver and work through these issues. The complexity of this bill and the impact it will have requires us to give it due consideration and scrutiny. That is the role of this house. This bill was brought before the house last week. Two days later, members received a briefing. On the first day of this week's sitting we are asked to consider it as an urgent bill. This bill imposes a total change in the ownership of freehold land owned by a local government. That is a substantial action by this government - or any government. This issue should not be rushed in, debated at short notice and virtually railroaded through. We need time to deliberate properly. None of the minister's explanations is a reason that we should give this bill -

Ms A.J.G. MacTiernan: You should be on the Town of Cambridge, mate!

Mr G. SNOOK: The minister has been a member of the City of Perth council; she has experience in local government. She has been there and understands. I am very interested in how the minister would have viewed this situation as a councillor. I am sure it would be urgent.

I return to the point. There is absolutely nothing that warrants the house dealing with this as an urgent bill.

Ms A.J.G. MacTiernan: Does the member not think that the Town of Cambridge wants to know whether we will pass this legislation?

Mr G. SNOOK: This is all very coincidental in the timing. The bill is all ready to go when the Town of Cambridge is ready to deliver on the standards. That has now all changed because the state is going to resume

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freehold land from a local authority. That is a substantial action. There is no reason to have this legislation declared an urgent bill.

MR G.M. CASTRILLI (Bunbury) [7.53 pm]: I support my colleague, the member for Moore. The minister delivered the second reading speech on this bill last Thursday. Members were then given a briefing at 3.30 pm that afternoon. We asked certain questions. Members of the minister's department were supposed to provide answers to the questions. I have not received any answers to my questions. This house is supposed to have certain rules and regulations that allow for bills to lie on the table for a certain period. However, I realise there is provision for urgent bills. Bills are supposed to lie on the table of the house so that members can investigate them properly by going through them clause by clause to understand the implications of those clauses. Members then have time to seek advice from various bodies - in this case, sporting bodies - that they think appropriate. I would have thought that a little bit of courtesy would go a very long way. Even an additional week would assist members.

Ms A.J.G. MacTiernan: A reply was sent to the member for Moore in answer to a request made at the meeting. He was meant to distribute the reply.

Mr G.M. CASTRILLI: The member for Moore informs me that he did not receive anything. I have not received anything. I do not know whether the member for Cottesloe has received anything.

Mr C.J. Barnett: It is just another hallucination.

Mr G.M. CASTRILLI: When I first became a member of this place, I said that I wanted to work for my constituents and, when necessary, work with the government to achieve better outcomes for the people of Western Australia. I am happy to do that, but there must be some cooperation. We received this bill last Thursday morning and were given a bit of a briefing in the afternoon. We asked for further information, but have received nothing. It is now Tuesday night. We have had five and a half hours of debacle and absolute rubbish today condemning the member for Warren-Blackwood on an issue that is absolute rubbish. Five and a half hours of debate have been wasted in this house when -

Several members interjected.

Mr G.M. CASTRILLI: I agree with the minister when she says this is a complex issue. However, this is such a complex issue that we have jumped from last Thursday to today to debate this bill. I cannot understand the urgency of the bill. We will be in recess for the next two weeks. Why cannot we debate the bill when we come back after the recess? I do not understand this. The minister has problems with the Town of Cambridge because she says it is about to embark on something that she believes it cannot handle. The Town of Cambridge is constitutionally elected by its ratepayers to make decisions. All the decisions it has made so far are lawful. There is no way in the world that this is an urgent bill. It has been around for 10 years. What is another two weeks? For goodness sake! What is so urgent about this bill? There is something going on.

Mr J.J.M. Bowler: When were you last at Perry Lakes stadium? Answer the question!

Several members interjected.

Mr G.M. CASTRILLI: That is not the point. We need to be informed in order to cooperate with the government. We need to obtain more information.

DR E. CONSTABLE (Churchlands) [7.59 pm]: I listened very carefully to the minister when she tried to make the case for this bill to be declared an urgent bill. Although I have quite a lot of sympathy for many of the things that the minister said about this having gone on for a long time, and the machinations in the Town of Cambridge and so on, and I have a great deal of sympathy for the legislation, I do not think the minister made a strong enough case for this to be declared an urgent bill. Standing order 168(1) allows three weeks for any bill to be considered. If a bill is declared an urgent bill, it really should be urgent. There is some truth in the comment that this issue has gone on for nine or 10 years and it would not matter if debate on it did not take place for another couple of weeks to allow members more time to examine the legislation. However, although I have a lot of sympathy for the legislation, I do not have any sympathy for declaring this an urgent bill. Urgent bills should be just that; they should be matters that affect the community and have a great sense of urgency. I do not think this bill falls within that category. It is a very complex matter and members should be given three weeks to examine the legislation before it is debated.

MR C.J. BARNETT (Cottesloe) [8.00 pm]: As previous speakers said, this is a significant bill. It has a number of important points to it, not least of which is the clause in this bill that resumes land without compensation. It is an important point of principle that should be debated properly by this Parliament.

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As the local member - Perry Lakes is in my electorate - I am conscious of the delays and changes and shifts in position that have occurred in the history of this project. However, that does not justify circumventing the parliamentary process. There is much that this minister is intending to do through this bill that is not legitimate. If the minister is seeking to get any sort of legitimacy for what is proposed, at a minimum proper parliamentary process needs to be followed. Ramming through a piece of legislation will not bring about certainty. Indeed, the minister is more likely to find that this legislation will be rejected if it is not subjected to proper parliamentary process. The minister can be all gung-ho in this place now and lose; and that is a probable outcome because of the way in which she is going about the parliamentary process for this issue.

The legislation contains important issues for the constituents in my electorate and in that of the member for Churchlands. The issues for the ratepayers of the Town of Cambridge include the fact the area is endowment land, something that has underpinned the whole development of that coastal area; the way in which the Perry Lakes site will be ultimately redeveloped; and environment and financial considerations. The interests of the sporting associations also need to be considered. AthleticA has expressed its views very forcibly, and good on it, to opposition members. I have not heard directly or formally from rugby, and I am patron of the Cottesloe Rugby Union Club. I am sure it would like a new rugby facility, but the members of the club are sensible people and they can see some of the pros and cons of this legislation. As members of Parliament our job is to scrutinise legislation, talk to constituents, seek advice and present, to the best of our ability, our response. When a minister brings in a far-reaching piece of legislation that breaks precedent and goes into territories that this Parliament has not previously been in - that is, bringing in the legislation on a Thursday and wanting to start debate a few days later - that is not good parliamentary practice.

As the member for Bunbury said, we witnessed a farce this afternoon by this government wasting Parliament's time on a childish stunt, and now it has the gall to come into this place and say this is an urgent bill. Frankly, I do not believe the minister, and I do not think the public will. If the minister treats this Parliament with disdain, she is treating the community of Western Australia with equal disdain.

The DEPUTY SPEAKER: In accordance with standing order 168, the time for this debate has expired. Therefore, I will put the question.

Tabling of Paper

MS A.J.G. MacTIERNAN (Armadale - Minister for Planning and Infrastructure) [8.03 pm]: I seek leave to table this paper for the information of members. It is a copy of the correspondence sent to them on 16 September in response to the questions they raised at the briefing.

Leave granted.

[See paper 803.]

Debate Resumed

The DEPUTY SPEAKER: I will put the question.

Point of Order

Dr J.M. WOOLLARD: Madam Deputy Speaker, there were 42 seconds left on the clock.

The DEPUTY SPEAKER: The time for this debate has expired under standing order 168. The 20 minutes allowed for the debate has absolutely expired, as per my advice from the Clerks. Therefore, I will put the question.

Mr C.J. BARNETT: Madam Deputy Speaker, I do not wish to dispute your ruling, but there were clearly 42 seconds remaining on the clock. I sat down and the member for Alfred Cove wished to speak.

The DEPUTY SPEAKER: The clock did not align with the overall time we were keeping, and that is why I called time.

Mr J.C. Kobelke: It was measuring the individual time, not the total time. There was a total time of 20 minutes.

Debate Resumed

Question put and a division taken with the following result -

Extract from *Hansard*
[ASSEMBLY - Tuesday, 20 September 2005]
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Ms Alannah MacTiernan; Deputy Speaker; Mr John Day; Mr Gary Snook; Mr Dan Barron-Sullivan; Mr John Castrilli; Dr Elizabeth Constable; Mr Colin Barnett; Dr Janet Woollard; Acting Speaker; Mr Trevor Sprigg; Mr Bob Kucera; Mr Grant Woodhams; Mr John Bowler; Mr Paul Omodei; Mr Troy Buswell; Mr Max Trenorden; Dr Kim Hames

Ayes (27)

Mr P.W. Andrews	Mrs J. Hughes	Ms S.M. McHale	Mr E.S. Ripper
Mr J.J.M. Bowler	Mr J.N. Hyde	Mr A.D. McRae	Mrs M.H. Roberts
Mr A.J. Carpenter	Mr J.C. Kobelke	Mr N.R. Marlborough	Mr T.G. Stephens
Mr J.B. D'Orazio	Mr R.C. Kucera	Mr M.P. Murray	Mr P.B. Watson
Dr J.M. Edwards	Ms A.J.G. MacTiernan	Mr A.P. O'Gorman	Mr M.P. Whitely
Mrs D.J. Guise	Mr J.A. McGinty	Ms M.M. Quirk	Mr D.A. Templeman (<i>Teller</i>)
Mr S.R. Hill	Mr M. McGowan	Ms J.A. Radisich	

Noes (22)

Mr C.J. Barnett	Mr M.J. Cowper	Mr P.D. Omodei	Mr M.W. Trenorden
Mr D.F. Barron-Sullivan	Mr J.H.D. Day	Mr D.T. Redman	Mr G.A. Woodhams
Mr M.J. Birney	Mr B.J. Grylls	Mr A.J. Simpson	Dr J.M. Woollard
Mr T.R. Buswell	Ms K. Hodson-Thomas	Mr G. Snook	Dr G.G. Jacobs (<i>Teller</i>)
Mr G.M. Castrilli	Mr R.F. Johnson	Mr T.R. Sprigg	
Dr E. Constable	Mr J.E. McGrath	Dr S.C. Thomas	

Pairs

Dr G.I. Gallop	Mr T.K. Waldron
Mr J.R. Quigley	Ms S.E. Walker

Question thus passed.

Second Reading

Resumed from 15 September.

MR G. SNOOK (Moore) [8.09 pm]: It is with disappointment that I note that we have had such little time to peruse the Perry Lakes Redevelopment Bill 2005 because it contains substantive issues. This bill, if it is successful, will set a precedent that could give rise to this sort of procedure occurring at any time from here on in. The process we have witnessed has set a precedent for any government of the day to follow at any time. The threat to local government is clear and absolute: it is under notice that from here on in, particularly with this government, it will not have the support of the Minister for Local Government and Regional Development. The Minister for Local Government and Regional Development sits and throws a few jibes across the chamber, when he is responsible for the Department of Local Government and Regional Development, which looks after local authorities, and whose role it is to look after the democratic process in our system. What does the Minister for Local Government and Regional Development do? He sits and throws a few jibes across the chamber, but does not do his job. As a minister of the crown, he is quite prepared for this government to go into the Town of Cambridge and asset-strip freehold land.

Mr J.J.M. Bowler: It was given to it.

Mr G. SNOOK: It was not given to it. The land is owned by the ratepayers.

Several members interjected.

The ACTING SPEAKER (Mr A.P. O'Gorman): Order, members! I realise this will be a very emotional debate but I ask that interjections be held back. The member for Moore has the floor.

Mr G. SNOOK: Thank you, Mr Acting Speaker. I was making a point, in answer to the interjection from the Minister for Local Government and Regional Development, that the land was not given to the Town of Cambridge. The land was not given to anybody. In 1917 the land was purchased by the Perth City Council, on behalf of the ratepayers of the City of Perth. It was owned freehold in toto. It belonged to the ratepayers; it did not belong to the government. It did not belong to anybody except the ratepayers of the City of Perth. When the City of Perth was split, its assets - such as Perry Lakes Stadium and Beatty Park Aquatic Centre - were all owned by the ratepayers. On the disaggregation of the Perth City Council, those assets were passed to the Town of Cambridge. They were not given or exchanged. Some residents in the Town of Cambridge were previously ratepayers in the City of Perth. There was no change of ownership; there were ratepayers in both councils.

Mr J.J.M. Bowler: Are you aware that not all ratepayers of Cambridge would benefit from this?

Mr G. SNOOK: From what?

Mr J.J.M. Bowler: From any development in Perry Lakes, in the way that the City of Perth intended to do it.

Mr G. SNOOK: The way that this bill will do it?

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Mr J.J.M. Bowler: No, the way that the Town of Cambridge intended to do it. Are you aware that not all ratepayers would benefit, even in the Town of Cambridge, let alone the original City of Perth?

Mr G. SNOOK: The land would have been sold in the same way that the government is proposing to sell the land, by a sale of lots.

Mr J.J.M. Bowler: Do you know where the proceeds will go?

Mr G. SNOOK: The money from the sale of those lots belongs to the town proper.

Mr J.J.M. Bowler: No. Do you believe that all the ratepayers of the Town of Cambridge will benefit? The money will go to only the coastal ward.

Mr G. SNOOK: The minister is talking about the endowment land act.

Mr J.J.M. Bowler: Yes.

Mr G. SNOOK: If this government and this minister were serious about this issue, it would have been resolved a number of years ago. The minister would have sat down with the Town of Cambridge and resolved the issue.

Mr J.J.M. Bowler: What was the year? It was 1998!

Mr G. SNOOK: There is no question that the time has been extended, but the minister's job is to make things work. He must get in there and make them work, and not come the heavy hand.

It is a sad reflection on this government that, as the Minister for Planning and Infrastructure concedes, she reluctantly brought to this Parliament a bill to strip the Town of Cambridge of its freehold and endowment lands. The reluctance on the minister's behalf is a hollow reluctance; it is not genuine. The Minister for Planning and Infrastructure wants to get into the Town of Cambridge, just as she adequately gets into other local authorities. I do not believe that she has not taken this decision lightly, as she stated in her second reading speech. I would be interested to know when the minister gave instructions for the bill to be drafted.

Ms A.J.G. MacTiernan: All these matters have been very public. We got agreement from cabinet in mid-July to draft a bill and then we made the decision on that draft last week.

Mr G. SNOOK: The minister was still negotiating with the council at that time.

Ms A.J.G. MacTiernan: I explained to the council and made a public statement that the government had resolved in mid-July to draft legislation, with the final decision to be made when the shape of that legislation was seen. Therefore, everything that we have done has been very much out in the open and made public. All our punches on this matter have been telegraphed to both the Town of Cambridge and the public.

Mr G. SNOOK: The minister might well say that; I do not challenge her on it at all. The fact remains that the government of the day has the capacity, not in this way but in a facilitating way, to work in partnership with local government to install these facilities for the state to use. Sadly, politics has come into play in such a way that it has clouded the waters beyond -

Mr J.J.M. Bowler: Have you seen the basketball stadium at Perry Lakes Stadium?

Mr G. SNOOK: I have not been there recently.

Mr J.J.M. Bowler: Bad luck!

Mr G. SNOOK: However, I know what it is like. That is not the issue. There is no question at all on this side of the house that the redevelopment must happen. We are discussing the way in which the government is debating this issue, the principles it is applying and the precedent it is setting. As the member for Cottesloe clearly said, this bill will have significant impacts on the community. It is legislation that has not been enacted before, and that is why I flagged it as a precedent. This bill will set the benchmark; it will be a measure for further action down the track. I thought that the Minister for Local Government and Regional Development would have had some concerns about it. I have no doubt that he would have had contact on this matter with the Western Australian Local Government Association. It contacted the opposition and expressed its view on the issue very clearly.

Mr J.J.M. Bowler: Which view did WALGA express; the public one or the private one?

Mr G. SNOOK: I will be interested later in the debate to hear the minister's comments on this matter, just to see how he goes. It will be interesting for the minister to let us know that. This bill sounds a warning bell that

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must be heard, and will be heard, not only by local government, on the impact on private property rights that will be under threat by various policies and regulations.

Ms A.J.G. MacTiernan: This is unbelievable! Every single thing that you complain of - the greater Bunbury region scheme and the Peel region scheme - was started by your government. We gave the conservatives bipartisan support and they come into this place and change their tune. This is another example of us doing something that you started.

Mr G. SNOOK: The minister likes functioning in the past. We are here today. She is a member of the government. We are the opposition. That was then; this is now. What the minister has said has nothing to do with it. The minister could have and should have made a better effort on this issue, but she is more interested in bashing local government and not caring about the interests of local ratepayers. If this were a federal government issue, the minister's favourites would be doing something similar to what this state government is doing. I wonder what the minister's reaction would be. She would sit in this place, as I have seen all government members sit since I became a member of this place, and go blue and red in the face, get upset about what the federal government is doing to the state government and question its right to interfere with the state government process.

Mr P.B. Watson interjected.

The ACTING SPEAKER (Mr A.P. O'Gorman): Order, member for Albany!

Mr G. SNOOK: That is not the point.

Mr P.B. Watson interjected.

Mr G. SNOOK: It is a bit of a battle, Mr Acting Speaker, but I will keep going.

The ACTING SPEAKER: Please keep going.

Mr G. SNOOK: Thank you, Mr Acting Speaker. I can see that you are eyeing off the member for Albany. Being the sportsman he is, I thought he would give me a fair go, but he is too busy counting how much money he has in Albany.

Mr P.B. Watson interjected.

The ACTING SPEAKER: Order! I have tolerated a fair few interjections. I call the member for Albany to order and warn him that interjections are unparliamentary. With the number of conversations going on around the chamber, it is very difficult for Hansard to hear the member for Moore. If members want to have a conversation, they should take it outside.

Mr G. SNOOK: The Town of Cambridge was openly and publicly planning to call for tenders for management of the project. The minister will be aware of that. The ratepayers of Cambridge are aware of that. The Town of Cambridge is still preparing to proceed with all of the requirements that the state had in relation to the project. They were going to be achieved. The three facilities were going to be provided, which is what the government wanted.

Ms A.J.G. MacTiernan: What were they about to call a contract for?

Mr G. SNOOK: The minister will be aware that the council was proceeding with its plans. That information is publicly available. A flyer was put out. I believe the minister will have seen that flyer.

Ms A.J.G. MacTiernan: Can you tell us where you understand the council to be with those arrangements?

Mr G. SNOOK: The council has put out a public flyer. I have heard the minister comment about it. I have heard the minister say that it was spending money on it, explaining exactly what was going to occur and how it was planning to go ahead with the project on the basis that the minister required. That is there for the public to see.

No compensation will be paid for this freehold land.

Ms A.J.G. MacTiernan: That is not true.

Mr G. SNOOK: The papers say that there will be no compensation for the freehold land. Compensation will be paid for AK Reserve.

Ms A.J.G. MacTiernan: They will get all the proceeds. We anticipate they will get \$50 million.

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Mr G. SNOOK: The government is resuming the land and is not giving the council any compensation. That is a delayed action. There is the possibility of a certain amount of money.

Ms A.J.G. MacTiernan: Like \$50 million!

Mr R.F. Johnson: Are you going to guarantee that?

Ms A.J.G. MacTiernan: All the profit will go to the council.

Mr G. SNOOK: Will the minister guarantee that? Will she guarantee the equivalent value? What normally happens, as the minister knows, is that the value of the land is the amount that is paid in compensation. That is the normal practice. The government has done that on lots of occasions, with all of the resumptions for the railway line. The minister has said in this house that fair and just compensation was being paid.

Ms A.J.G. MacTiernan: All the money is going into a trust fund. We are not taking the money ourselves.

Mr G. SNOOK: After the government has expended the net. What is left?

Ms A.J.G. MacTiernan interjected.

Mr G. SNOOK: But they have control.

The ACTING SPEAKER: Order, members!

Mr G. SNOOK: Can the minister not understand?

Mr J.J.M. Bowler interjected.

Mr G. SNOOK: The government will have control of the council's freehold land. If it were the minister's freehold land, he would get compensated.

Ms A.J.G. MacTiernan: But we offered to buy the land.

Mr G. SNOOK: At what value?

Ms A.J.G. MacTiernan: At the proper commercial in globo rate.

Mr G. SNOOK: The whole of the Perry Lakes land?

Ms A.J.G. MacTiernan: Yes.

Mr G. SNOOK: What was the value? How much was it?

Ms A.J.G. MacTiernan: They would not even consider it. We put forward a number of proposals. We said, "Sell us all of the land." No. We said, "Sell us part of the land." No.

Mr G. SNOOK: What was the government offering it?

Ms A.J.G. MacTiernan: We offered to purchase it at proper market value.

Mr G. SNOOK: But what was the value?

Ms A.J.G. MacTiernan: They did not want to negotiate. The government is not going to spend money on valuations before it knows that they are the slightest bit interested.

Mr G. SNOOK: Mr Acting Speaker, you can see what the issue is. It is all well and good for the government to say that it will take the land, it will remove the council's right, it will strip that asset and will use that money to develop the land in a way that it sees fit, to a standard that the government desires -

Mr J.J.M. Bowler: For the people of Perth; for the people of your electorate.

Mr G. SNOOK: There is no question about that. If the government takes the land for a public purpose, it should write out a cheque for it. That is the problem. The government cannot have it both ways. If the federal government did that -

Mr J.J.M. Bowler: They know they have bumbled and fumbled for too long.

Mr G. SNOOK: That is absolute nonsense.

Mr J.J.M. Bowler: We have been telling them for weeks and months that we will take over the issue.

Mr G. SNOOK: Does the minister have written information? That is an easy throw-away line. I would be very careful, because there will be divisions within local government over this issue.

Ms Alannah MacTiernan; Deputy Speaker; Mr John Day; Mr Gary Snook; Mr Dan Barron-Sullivan; Mr John Castrilli; Dr Elizabeth Constable; Mr Colin Barnett; Dr Janet Woollard; Acting Speaker; Mr Trevor Sprigg; Mr Bob Kucera; Mr Grant Woodhams; Mr John Bowler; Mr Paul Omodei; Mr Troy Buswell; Mr Max Trenorden; Dr Kim Hames

Several members interjected.

The ACTING SPEAKER: Order, members! There is only one member on his feet. I will not tolerate a number of conversations across the chamber. Each member will have an opportunity to speak, including ministers. I ask members to allow the member for Moore to have his opportunity to speak.

Mr G. SNOOK: Can the Minister for Local Government tell us the names of those councils?

Mr J.J.M. Bowler: There are too many to remember.

Mr P.D. Omodei: Can you remember one?

Mr J.J.M. Bowler: That is the truth. I do not want to embarrass those councils, because being part of local government -

Mr G. SNOOK: Mr Acting Speaker, I will try to get back on track. The Minister for Planning and Infrastructure stated in her second reading speech -

Mr J.J.M. Bowler interjected.

The ACTING SPEAKER: Order!

Mr G. SNOOK: I will do a Leader of the House trick here and shout a bit! The Minister for Planning and Infrastructure stated in her second reading speech that the Town of Cambridge stood to clear a profit of approximately \$50 million. The minister repeated that a while ago. There are really three points: first, a person makes a profit only when he does business or trades or sells something that he has produced or made, with input costs being deducted. That is called a profit. Under this bill the Town of Cambridge will have its land taken away and it will have no right to say what will happen to that land. The town's freehold land has been stripped. It will not have a capacity to influence the profit or loss. The Town of Cambridge is not in partnership; this is a one-way deal. The Town of Cambridge has no say, no input, and must take what the government gives back, if anything. That is the deal; that is what it is all about. Where is the \$50 million profit? If that is right, the minister should guarantee it. Secondly, what calculation process did the minister use to arrive at the figure of \$50 million profit that will go to the Town of Cambridge? Thirdly, if the minister is so confident that the state government can deliver a better outcome than the Town of Cambridge, why does the minister not give a guarantee that the amount of \$50 million will be paid to the Town of Cambridge? It is not difficult. If the profit is there, put that in writing. That is the deal. It is an abomination that this state government will strip freehold land from a local authority, pay no compensation, spend ratepayers' money on building a state sporting facility and then, if there is any money left, along with any remnants of land, hand that back to the Town of Cambridge. No guarantees have been given. It could have nothing to hand back. Will the minister give us a guarantee?

This government has commenced many major undertakings - and many have not yet begun - and some that have been started are not on time and budgets have been blown. There is the Mandurah railway. The minister has said that the government will do it better. There are guarantees and it has the capacity to do it. There is no question that the state government is a far bigger authority than the Town of Cambridge, so I do not question the capacity of the state government to have the economic grunt to achieve what it sets out to achieve. However, I will make comparisons. The other projects that the government has undertaken beg the question of whether it will deliver them on budget and on time. Some of those projects are well documented.

I will expand on the issue of what I call the land grab proposed by this bill. We are talking about freehold land - the Perry Lakes Stadium site - that is owned by the ratepayers of the Town of Cambridge. Normally, if the state requires land and wants to acquire it for a public purpose, the state should provide compensation up front. That is what happened with the land required for the railway line. There was no question that land was required for a rail line. Private land needed to be acquired, and the minister compensated those private landowners. That is the issue that we are faced with in this situation. The Town of Cambridge and its ratepayers run the risk of a delayed time frame that will see them wait for their compensation and unsure of whether that compensation will be appropriate. We can say that \$50 million or \$30 million is a lot of money, and the only thing that will happen is that land will be taken from the council and in return it will get great facilities. As the Minister for Local Government and Regional Development said, that money can be used for the whole of the Town of Cambridge. However, the land legally belongs to the Town of Cambridge. The minister tries to give us the impression that the land and what is on it is a state asset. It might be used by people within the state and from interstate and by international visitors, but the largest proportion of the facility was paid for by ratepayers, not by the state government. The state government contributed to the original building of the Perry Lakes facility, but the

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principal cost was borne by the ratepayers of the City of Perth at that time - ordinary mums and dads. Why are they not entitled to the full benefit of the value they contributed?

Ms A.J.G. MacTiernan: What was the land zoned when it was given to the council? It was zoned as recreation.

Mr G. SNOOK: Is the minister talking about when it was given to the City of Perth? It was freehold land.

Ms A.J.G. MacTiernan: No, to the Town of Cambridge.

Mr G. SNOOK: I believe it was zoned recreation.

Ms A.J.G. MacTiernan: What would be the value of recreational land?

Mr G. SNOOK: Hang on; the minister is twisting it around. That land was freehold land and it was zoned recreation so that recreational facilities could be built on it. Is that correct?

Ms A.J.G. MacTiernan: Yes.

Mr G. SNOOK: The minister cannot use one valuation to soothe a state need and then not pay that benefit back to the people.

Ms A.J.G. MacTiernan: They were given that land for recreational purposes.

Mr P.D. Omodei: It was freehold land.

Ms A.J.G. MacTiernan: It was freehold land, but it was for recreational purposes. If it was resumed as recreational land, its value would be far less than \$50 million.

Mr G. SNOOK: That is the very problem that people have with the analysis the minister has made of the land. The land was originally freehold land.

Ms A.J.G. MacTiernan: Yes, but freehold refers to the nature of a tenure; it does not refer to the zoning. The zoning affects the value of the land, and the land was given to the council. It was freehold, but it was recreational freehold. The council said to the state government, "You turn this around and you change the zoning so that we don't have to have it for recreation, and out of the money we make we will build these facilities elsewhere." We went ahead and honoured our part of the bargain; we rezoned the land.

Mr G. SNOOK: The minister zoned it urban deferred.

Ms A.J.G. MacTiernan: That is right, pursuant to the agreement.

Mr G. SNOOK: Can the minister tell me what the freehold land was originally zoned for prior to the City of Perth building the Perry Lakes Athletics Stadium?

Ms A.J.G. MacTiernan: I am not sure that it would even have been subject to a town planning scheme at that stage. It was purchased in 1917 as part of the Lime Kilns estate.

Mr G. SNOOK: I understand that. However, it would be interesting to know -

Ms A.J.G. MacTiernan: That is irrelevant. It was given to the Town of Cambridge as a recreational facility. It wanted that land rezoned. The council came to me and asked me whether I would rezone it.

Mr G. SNOOK: However, that suited the state's purpose.

Ms A.J.G. MacTiernan: Exactly. We fulfilled our part of the bargain and now you say that we should pay the council this value for residential land.

Mr G. SNOOK: Because that is what the state will do with it; the state will subdivide it. Is that not right?

Ms A.J.G. MacTiernan: And give the council the profit as was agreed.

Mr G. SNOOK: Give the council the value. The minister cannot have it both ways. That is the issue. There is no recognition of that right of the ratepayers. The state wants a facility that has been principally paid for with other people's money.

Ms A.J.G. MacTiernan: That is what was agreed. The council calculated quite wisely that it could make a motser out of this. It could get rid of the recreational zoning on the land, make a contribution to build some alternative facilities and make a huge amount of money. We said that that was okay and that we would go along with it because everyone would win. All we are doing is exactly what was agreed in 2001.

Mr G. SNOOK: And the council is ready to do that now.

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Ms A.J.G. MacTiernan: No, it is not ready to do it. It would take it far too long and it is far too divided to ever be able to do it.

Mr G. SNOOK: It has made a clear indication to its ratepayers. I am sure that the minister has seen its information brochures.

Ms A.J.G. MacTiernan: It went to the ratepayers in 2003 with another plan that it was clearly committed to. In two years, when there is a new council, it will have another plan.

Mr G. SNOOK: The minister pointed out in May 2005 in her second reading speech that it backed off and changed its mind. Surely the minister will acknowledge that any council facing a possible change of members would put it off. This Parliament does it. That is reasonable.

Ms A.J.G. MacTiernan: I understand that. That is part of the difficulty with the council taking forward a project of this complexity, particularly when it is a very divided council.

Mr G. SNOOK: Every council is divided. Is the minister trying to tell me that the Town of Cambridge is the only council that is divided?

Ms A.J.G. MacTiernan: There can be no assurance whatsoever - not even a likelihood - that in 18 months or 20 months when there is an election, it will have reached a point -

Mr G. SNOOK: The minister is saying that the council will be in no position between now and the next election, which is 18 months away, to achieve what the state wants it to have achieved.

Ms A.J.G. MacTiernan: I would not have thought so.

Mr G. SNOOK: That is a judgment that the minister is making. The minister should have got the council to sign a deed of agreement with performance criteria to make it perform. If it was dinkum, the minister could stand in this place and say that it would not sign because it knew it could not perform. The minister should make the council perform.

Ms A.J.G. MacTiernan: The time scale that it would take the council to get this up and running would have been too long.

Mr P.D. Omodei: It is no different from you.

Ms A.J.G. MacTiernan: It is very different.

Mr G. SNOOK: Time will tell whether the state will be able to deliver this facility in a more economical and time efficient manner than perhaps the Town of Cambridge has proposed in its documentation, which it has sent to ratepayers.

It is of grave concern to me that the consequences of this bill, particularly as it relates to the private property aspect of this project, will have ramifications further down the track. However, I have similar concerns with legislation that is underpinned by regulations and policies. I want to draw some comparisons to the attention of the house. Private property rights is an issue that concerns me greatly and has done so for some time. The commonwealth Constitution provides that fair and just compensation must be paid. However, as we all know, there is no provision in our state Constitution that compensation must be paid. That provision is sadly lacking in our state Constitution.

Ms A.J.G. MacTiernan: If you ever want to get beyond hypocrisy, tell us what happened under the Court government, when Bold Park, the rest of the Perry Lakes land and Alderbury Reserve, plus land in Mt Claremont, which - according to the correspondence that I have was worth between \$250 million and \$535 million - was taken by the Court government from the Town of Cambridge for \$1! We will be giving back in excess of \$50 million!

Mr G. SNOOK: So the minister says.

Ms A.J.G. MacTiernan: What are you talking about? That government gave back \$1! What are you talking about? What utter hypocrisy!

Mr G. SNOOK: What I am talking about is that that was then and this is now. I was not part of the Court government, nor was the minister part of the Court government. I was not here at the time. The minister can draw analogies -

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The ACTING SPEAKER (Mr A.P. O’Gorman): Order! The member for Moore has been inviting the interjections from the minister, and he is then seeking me to call the minister to order as well. If the member wants to continue to deliver his speech and does not want the interjections, he should not invite them, and then, hopefully, he will get to the end of his speech and the minister will have her opportunity at a later stage.

Mr G. SNOOK: Thank you, Mr Acting Speaker. I was being reasonably generous and having a normal discussion, but the minister then raised the tempo of her voice and took over and held the floor. I did not invite the minister to do that. I am happy to take interjections, as I know at times the minister is, but I will take your good advice and not go down that track.

To get back to the point I was making about compensation, if the federal government were pursuing an issue against the state along similar lines, I can just imagine how the volume of the minister’s voice would rise as she told us how appalled she was at what the federal government was doing and how it was seeking to override the constitutional right of this state to function in a proper way. That would be an interesting scenario. That is not dissimilar from what is happening with the minister’s attempt to steamroll this bill through this house and thereby override the constitutional rights and the role of local government in our democracy.

I will give members some examples of how legislation that has come out of this place has impacted on private property rights. The state creates policies, regulations and regional schemes. In certain circumstances those policies, regulations and regional schemes have placed a blight on the right of people to use their land and obtain the best improved value for their land that they can. An example of that is the Swan coastal plains wetlands policy. That is a beauty. That policy has really set the cat among the pigeons, because it outlines clearly that if a person’s property is declared a wetlands - people need to give due and just reason for why their property should not be declared a wetlands - then there are certain things that they cannot do on their land. Once a policy, regulation or scheme, such as the greater Bunbury region scheme, is placed on a person’s property, it immediately acts as a blight on the value of that property. Even though it may not affect the person’s immediate use of that land, it nonetheless puts a prospective purchaser on notice that there is an imposition on that land that deflates the value of that property. Water source protection areas are another example. These things are declared without any debate or proper process in this place. That affects people’s lives and their future. All these examples impact on private property rights. That is exactly what is happening to the Town of Cambridge.

The minister has claimed that she has exhausted all avenues in trying to facilitate this development. This government has had control of this matter for four and a half years. However, here we are tonight, debating this bill as an urgent bill. This bill will have significant ramifications for, and a great impact on, local government. It will set a benchmark. It will draw a line in the sand and say to local government that this is what will happen if the government thinks it is not performing as it should. I oppose the bill. There is no necessity to railroad this bill through the Parliament. The minister’s adversarial approach does not help. The minister wants to do it her way or no way. If we do not like it, stiff bickies; she has the power, and she will get in there and do it. There has been no approach by the minister to be conciliatory on this issue. The minister believes she is right; so, that is it; this is what is going to happen. If members do not believe that, they need only ask the Shire of Gingin or the Shire of Chittering. They are two shires in my electorate that would be able to verify that the minister has been taking an adversarial approach rather than a conciliatory approach.

Ms A.J.G. MacTiernan: I asked you to chair the group! That is really adversarial!

Mr G. SNOOK: Yes, of course! Why would the minister want me to chair that group? That would really complicate things! That would well and truly mix up the custard and the jelly!

Ms A.J.G. MacTiernan: Your predecessor asked me whether he could do it, and I said yes!

Mr G. SNOOK: That is a very shrewd move the minister has made! It is not necessary for this bill to be brought into this place. There is no doubt the minister is confident that she has the numbers to carry this bill. It will be interesting to see how the government performs on the outcome of this legislation.

MR G.M. CASTRILLI (Bunbury) [8.49 pm]: I support my colleague the member for Moore in opposing the Perry Lakes Redevelopment Bill.

Mr R.C. Kucera: After your record in Bunbury, that’s not surprising!

Mr G.M. CASTRILLI: The minister’s record is fantastic too, so let us not start that rubbish tonight.

Mr R.C. Kucera: We will start it, because you need to be brought to account as well.

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Mr G.M. CASTRILLI: I want to say, firstly, how disappointed I am that this bill is before this house, not only because it has been declared an urgent bill, but also because a bit of courtesy would have gone a long way. I genuinely want to sort this out. An additional week would have been fantastic. Why did the minister move that the bill be an urgent bill? I do not know. There will not be the public scrutiny that there would have been had the bill been laid on the table for three weeks. That is the only reason I can put it down to.

What really disappoints me from a local government perspective is that this government will take an asset from the people of Cambridge with an in globo value in excess of \$100 million and use it for the construction of a state facility. I know it is required and I know the benefits it will provide. However, the worst aspect is that there will be no representation from the Town of Cambridge on any body that will look at any redevelopment option. LandCorp will be responsible for preparing the redevelopment plan for the Perry Lakes area. The Minister for Sport and Recreation will be responsible for preparing the redevelopment plan for the AK Reserve. Both pieces of land belong to the Town of Cambridge, but there will be no representation from the Town of Cambridge. I believe that is totally unjust. Even redevelopment authorities have some token representation on them. The local government that has the land should at least have some token representation. The government and the minister complain about the Town of Cambridge. They say that the council is not trustworthy or up to standard, and it is divided. That is rubbish. A few members present were mayors in local government. How many times does a council make a decision with a majority of five, six, seven or whatever? It happens just about all the time. Is that a divided council? Of course it is not. I was in local government for 14 years. I have presided over meetings at which resolutions have been passed with a majority of five or six members. I am sure that the member opposite has done the same thing, as indeed has the member for Moore.

Mr G. Snook: It is called democracy.

Mr G.M. CASTRILLI: Of course it is. The last time I looked at Cambridge council, it had been properly elected by the people of Cambridge. Candidates went to the election with their platforms, put them to the people and said that they were what they stood for. They were then democratically elected as councillors.

Ms A.J.G. MacTiernan: So was the council of the City of Cockburn. The Court government sacked it.

Mr G.M. CASTRILLI: The decisions made by the council of the Town of Cambridge are legal decisions. Nothing that the Town of Cambridge has done has been illegal, as far as I am aware, unless somebody can point it out to me. I might not agree with some of the decisions that the council has made, as indeed might not the member for Moore and other members in the house, but those councillors are democratically elected people making lawful decisions. Just because this government does not like the decisions that the Town of Cambridge makes, it wants to go in and take over. This is not justified in my book.

The sad thing is that the Town of Cambridge agreed to do all the things that the government wanted it to do. The council wanted to do everything and was on the way to doing it. As I understand it, the time frames in which the Town of Cambridge would have done those things was no different from those of the government. All the sporting facilities would be completed. About 70 lots of land would be sold to complete the redevelopment, lock, stock and barrel, and the whole thing would be paid for. The Town of Cambridge understands the requirements and the importance of the redevelopment. It wants to build it and it is ready to go with the \$6 million which the government says is necessary to bring it up to a state standard.

In recent times we have heard that the government needs to take over the project because it cannot trust the Town of Cambridge to deliver. The government believes that the council does not have the financial capacity to deliver the project; it is too slow and is dragging its feet. Nobody mentions that fact that when the rezoning proposal for urban deferred went through the system, it took the Western Australian Planning Commission two-and-a-half years or thereabouts to make the decision. There were no worries about that.

The government has stated that this is a really good deal for the Town of Cambridge. A figure of \$50 million profit has been bandied around, but who knows? No plans have been approved for which areas will be developed, so how could that statement be made? There is no guarantee that \$50 million will go to the Town of Cambridge. No provision in the bill guarantees the Town of Cambridge \$50 million. We all know about the cost blowouts of current projects. I dare say that the Town of Cambridge would be lucky to get \$10 million. I want to refer to the base proposal from the previous preferred development partner, Multiplex, which was bandied around some time ago. As I understand it, Multiplex proposed that approximately 261 lots of various sizes would come from the Perry Lakes land. The gross proceeds from the sale of that land would be \$189 million. From that would be taken the cost of the goods and services tax that goes to the state, and the cost of the sporting facilities, less the cost of land development and financial costs. According to the preferred

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developer, the estimated return to the Town of Cambridge would have been between \$111 million and \$113 million. There was a proposed project distribution to the preferred development partner of approximately \$18 million. Therefore, there would be a \$60 million-odd difference in the value to the Town of Cambridge if it were developed to that level. That is based on the assumption that all the land would be developed and sold as per the original proposal. I would like an explanation later of why, under the government's scenario, the Town of Cambridge would be expecting \$50 million with no guarantees, whereas, under the preferred tenderers' proposal, the return would be \$111 million. The people of the Town of Cambridge have a right to know the value of the land, the proposals that are being put forward and where the other \$60 million is, if the redevelopment is carried out to the same level.

The Town of Cambridge has agreed with all that the government wants to do. It can achieve it by selling only 70 lots of land, which would pay for the whole shooting match. The Town of Cambridge could then keep control of the project itself. It could retain the balance of the Perry Lakes land as a future asset. It could then carry out the infrastructure and other projects that it wanted to do. It could also retain some of the bushland in the area, which is very important. The aim of the bill is to develop sporting facilities. As far as I am concerned, the Town of Cambridge is ready, willing and able to deliver those facilities. There is no need for this bill whatsoever.

When LandCorp prepares the redevelopment plans, I presume there will be some public consultation with the residents of the Town of Cambridge. What happens when the proposals are put forward and the people of the Town of Cambridge reject them? Will they be listened to or will they be ignored? I am interested in the outcome, because I think they will be ignored.

This is a tragedy. I do not know whether it is a clash of personalities or whether the last local government election really upset the apple cart in some way. This is a crying shame because the Town of Cambridge is willing and able to do everything the government wants but the government is intent on snatching this project from the people of the Town of Cambridge for its own ends. I do not understand why. I am sure that an agreement between the council and the government could be struck, with the government allowing the council to work on it until, and if, it slips up in any way - through time frames or whatever. If that happened and if the Town of Cambridge were serious, the government could take over. That would be a much better outcome for the residents of the Town of Cambridge and this government.

This government is sending local government a terrible message through this bill. It is telling local governments to watch out because this government can get them any time it wants; it can take land any time it wants. The Minister for Local Government and Regional Development has just entered the chamber. He should be standing up for all local governments in this state. Local governments have the right to be involved in the planning process. They have a responsibility to look after the interests of their ratepayers and residents. That is being denied to the residents of the Town of Cambridge in this project. If the minister does not want to deal with the Town of Cambridge for whatever reason, she should leave it alone and build facilities on land owned by the state government. The state government has plenty of money; it has a \$1.2 billion surplus.

The minister said that this bill was prepared in mid-July. Bills do not take five minutes to prepare. When did work on it begin? While the government was pretending to negotiate with the Town of Cambridge it was preparing a bill to take the land.

I agree with my colleague the member for Moore about property rights. It is a significant principle. The land is owned by the people of the Town of Cambridge. They have every right to have a major say in what the hell goes on in their own community.

MR C.J. BARNETT (Cottesloe) [9.04 pm]: As members may have realised, Perry Lakes Stadium and the AK Reserve are both in the electorate of Cottesloe. Following the last election, the surrounding residential areas also form part of the electorate of Cottesloe. They were formerly in the electorate of Churchlands. I have a responsibility as a member of Parliament to look at all legislation and, as best I am able, to represent the views of residents in my electorate.

This is a far-reaching piece of legislation. Central to it is the fact that it will allow the state government to resume the property of a local government authority. In the case of AK Reserve, it will pay compensation. In the case of the Perry Lakes Stadium site, it will not pay compensation. We are being asked as a Parliament to approve a compulsory resumption of property, owned by the Town of Cambridge, without providing due compensation. That is what this bill does.

Mr R.C. Kucera interjected.

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Mr C.J. BARNETT: I will get back to that later.

That is why I have a major difficulty with this legislation. The mere fact that this bill is before the Parliament is testimony to failure. It is a failure on the part of this government and, if members want to say so, the previous government, to satisfactorily bring this project to completion. It is also a testimony to failure on the part of the Town of Cambridge. I do not want to offend or upset anybody in the Town of Cambridge but, as the local member, I am not overly impressed with what has happened. There is blame on all sides. There have been delays by this minister. The Western Australian Planning Commission approved a rezoning. The rezoning went to the minister in September 2000 but it was not approved until December 2002. The minister might want to talk about delays by the Town of Cambridge but there have also been delays in the approvals process under her ministry.

Ms A.J.G. MacTiernan: I was not the minister at that time.

Mr C.J. BARNETT: Okay, the government. When the applications were submitted and referred to the minister, it was at the time of the previous government. However, the period to December 2002 was when it was in the jurisdiction of the current minister. My point is that there have been delays on the government side and changes and delays by the Town of Cambridge. The Town of Cambridge sought an approved developer. It appointed Multiplex. It dropped Multiplex and then came up with a proposal to revamp the existing stadium. That idea was rejected by the government, so it was dropped. There have been changes in position by the Town of Cambridge. There is clearly antagonism between this government and the Town of Cambridge and between the minister and the Mayor of the Town of Cambridge. That is not a good result. It is a sorry tale in every respect.

One thing I will say about this bill is that it does at least force the issue. I agree that the issue needs to be forced. However, it does not necessarily bring certainty. I am sure that the Minister for Sport and Recreation is telling sporting groups that this will provide certainty. I tell members that this will not provide certainty. Indeed, members may well be creating further delay and more uncertainty. For a start, the legislation may not pass through both houses of this Parliament. Secondly, it may well be subject to legal challenge either by the Town of Cambridge or individual groups of ratepayers. The point is that there is no goodwill. That is the failure. I hope that, from this debate, we can bring a resolution and that we can move this issue forward. At the end of the day, the Town of Cambridge - the local council - needs the assistance of the government if it is to do anything. In a practical sense, the government, if it wants to succeed, needs the support and cooperation of the Town of Cambridge and its constituent ratepayers. If the government does not have that, it will not succeed.

For the government and most members of this house, the main issue is getting the sporting facilities built. There is no argument about that from anyone. For the Town of Cambridge, and individual residents and ratepayers, the main issue is what ultimately happens on the Perry Lakes site. There is not much contention at all about the AK Reserve. In fact, what I find incredible and why this bill reflects such a failure is that there is a remarkable degree of agreement. As far as I can see, everyone agrees with the idea of building new facilities on AK Reserve and everyone agrees that there should be some redevelopment of Perry Lakes. Everyone broadly agrees on how it will be funded and the allocation of that funding. There is a remarkable degree of agreement; yet here we are in a hostile environment of disagreement. That does not reflect well on either this government or the Town of Cambridge.

I will not go through the legislation, because we can do that in the consideration in detail stage, but it covers the resumption, trust fund and the history.

I would like to concentrate on the key issues for this Parliament and anyone who is interested in the overall development of sporting facilities. First is the issue of land resumption and the question of compensation. Under this bill, the AK Reserve will be resumed with compensation. The Perry Lakes Stadium area will be resumed without compensation, as compensation would normally apply under the lands legislation. I do not think there is any doubt at all about the ownership of both these pieces of property. As the member for Moore clearly said, this property belongs to the Town of Cambridge. To suggest it was gifted or handed to the Town of Cambridge is not valid.

Again I reiterate that the City of Perth bought the Lime Kilns estate in 1917. It was recognised by this land being incorporated, along with the coastal strip, into the Perth endowment lands legislation in 1922. In 1962, when the City of Perth won the right to host the British Empire and Commonwealth Games, around 85 per cent of the funding for it was provided by the City of Perth. Neither the state government nor the commonwealth government of the day funded the Commonwealth Games; the City of Perth did. It did so by developing the

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games village for the athletes and subsequently selling the dwellings within the village. The prime mover of the Commonwealth Games was the City of Perth, on its property which it had purchased for £18 000 in 1917. It owned the land. The government recognises that because it agreed to normal compensation for land in an AK Reserve. On its current zoning - parks and recreation - that compensation will not amount to a great deal; it may be \$500 000. That is not in dispute because it is proper compensation. If it is wanted for sporting facilities, that is the law and that is the compensation. The government follows the law for AK Reserves, but it chooses to change the law in one particular case; that is, the Perry Lakes Stadium site. That is the reason I have such a problem with this legislation.

Reference is made to the local government receiving a residual of \$50 million. There is no guarantee it will get that and there is no reference to \$50 million, \$100 million or \$20 million in the legislation. All it will get is what is left over; that is, if anything is left over. There is no guarantee at all and that is the reason this is a resumption without compensation.

A fundamental principle of a liberal democracy is that when private property is resumed it must be done with full and fair compensation. The Constitution and our law recognise the basic principles of private property ownership. That is the reason I will not support this legislation, even though I would like much of its intent to come to fruition.

The second major issue is planning. I said earlier that to the best I can judge it, the major issue of the local residents is what ultimately happens to the Perry Lakes land. They support the new facilities for the sporting groups. Basketball and rugby union are very strong in the western suburbs. That is not a point of contention; they are happy to see it go into AK Reserve. However, there is a difference of opinion about whether Perry Lakes should be redeveloped. Many people want it to remain as parkland. I do not agree with that. Most people recognise that some form of development will be required. I suggest that is broadly accepted in the community, but I recognise that many people still oppose any redevelopment of the Perry Lakes site.

There is certainly a lot of contention about the number of lots and the style of development. People do not want to see what they generally describe as a Subi Centro-type development on Perry Lakes. They do not want it to be medium-density development. They want the development that does take place to be of the character and nature of the surrounding area. Indeed, that was the whole spirit of the original endowment lands area.

Also, there is the issue of social housing. Some people, me included, do not believe that it is a good site for social housing. It is poorly served by public transport. It is an isolated site. Many sites in my electorate have social housing, or Homeswest. Through the current minister there was some redevelopment and refurbishment of some areas. There are areas in my electorate that could well be suited to social housing, but this site is not well suited to that type of development.

I recognise that the scale and development is the legitimate issue for the ratepayers, residents and their local government, the Town of Cambridge. Issues concerning sporting facilities transcend the whole of Western Australia, but the zoning, planning process and type of redevelopment at Perry Lakes are very much a local issue. The local council should not have its planning powers taken from it. This bill takes away those planning powers and gives them to the Western Australian Planning Commission. It effectively suspends democracy for that council, its ratepayers and my constituents. It is the suspension of democracy - the rights of residents and their duly elected governments at a local level.

There are also complications in planning. For example, the areas are covered by the endowment lands legislation. People jealously cling to that 1920s piece of legislation because it dictates the style of development in that coastal strip. People purchased land knowing it is endowment land and their title is stamped as such. One of the major aspects of endowment land is that any profits or proceeds realised from the sale of land must be reinvested in the endowment area. Special provisions relate to the rating of those properties as distinct from other properties in the Town of Cambridge. The 1920s legislation has its complications, but it is there and people purchased property on that basis. They see their property rights impinged upon by this legislation.

In addition there is the issue of the boundary between the Town of Cambridge and City of Nedlands. The facilities will not fit onto the AK Reserve. The stadium will hang over into the City of Nedlands. Therefore, the boundaries will need to be realigned to make this a practical, feasible project. I am sure there are other planning issues. The point is that the state government needs the local authority and the local authority needs the state government. There are complications in the legislation and there are the interests of the people who live and own property in the area to be considered.

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The development proposed for the Perry Lakes site, the Multiplex proposal, was 261 lots for which the gross sales revenue was valued at \$189 million. Under that proposal, the Town of Cambridge would have received between \$111 million and \$113 million. That was the Multiplex plan.

Mr P.D. Omodei: It is above and beyond that.

Mr C.J. BARNETT: It is very high. Members can understand the fiduciary duty of those councillors. They had a proposal that would produce, on face value, a net return of \$110 million. Now they have a proposal by this government with a sort of "Trust me, there will be \$50 million for you." I would have a real problem if I were a councillor on the Town of Cambridge telling ratepayers that I am doing the proper thing in a fiduciary sense.

Mr J.J.M. Bowler: Which ward councillors?

Mr C.J. BARNETT: I said if I were a councillor I would have a huge problem.

Mr J.J.M. Bowler: From which ward?

Mr C.J. BARNETT: I am talking about me if I were a councillor. I am not a councillor. I do not live in the Town of Cambridge. I am talking about the responsibility the individual, as a sworn councillor, has. It is something the minister should appreciate as Minister for Local Government and Regional Development.

The Town of Cambridge's latest proposal is that it will do it itself - I will come back to that - and it wants to initially develop 70 lots to fund the facilities. I do not know exactly what the government proposes for the site. Is it the Multiplex proposal rehatched? There is a wide difference between the Multiplex proposal and the Town of Cambridge's latest proposal. There is great uncertainty, yet we are being asked to agree to this legislation. It is being rushed, and that is exactly the point being made.

[Leave granted for the member's time to be extended.]

Mr C.J. BARNETT: The next broad issue is the sporting facilities themselves. This is a job for the Minister for Sport and Recreation. I do not doubt his sincerity in wanting to get this bill through the Parliament. I am the patron of the Cottesloe Rugby Union Club. When the club lost the grand final, I had to buy a few rounds of drinks for the boys. They are looking forward very keenly to having new facilities. The emergence of Western Force will have a big impact for rugby. Everyone would like to see that. I agree with members opposite - and everyone knows - that the athletic facilities in my electorate are long past their use-by date, as are the facilities for basketball. There is no disagreement about the urgency for building new facilities, and there is agreement that AK Reserve is probably the best site for them. There was speculation for some time about whether athletics would be better at Curtin University of Technology. At the time of that speculation, I thought that was a good proposal. However, I now accept that the sporting groups are saying that the facilities should be put on AK Reserve together with the synergy of the whole Challenge Stadium complex. I accept that. I think there is a lot of sense in it in terms of sharing parking facilities, joint management and whatever else. So that seems to be agreed. There is even broad agreement on the sharing of funds.

However, there is one error that goes back to the previous government and the view I have held from that time. It was always, in my view, an error for government, whether it be Liberal or Labor, to insist that the Town of Cambridge fund the state athletics facility. I think that has been a fundamental flaw in the whole process and it is a reason for much of the antagonism and delay. To me, the Town of Cambridge responsibly, and perhaps even generously, had no qualms about funding a new high-quality basketball facility and a high-quality rugby facility. To me, an athletics stadium is clearly a facility for the whole state, and I think the state must bear responsibility for it. The arguing about that has been probably the major source of delay and disharmony. As the discussions have gone on, the Town of Cambridge has agreed to put some money towards the athletic facility. So even that issue seems to be settled. However, I have to say that I do not think that the Town of Cambridge should be expected to fund the maintenance of the state athletics facility. I still on principle think that is a state responsibility. If the government wants to be generous in this matter, it should be generous on the side of taking over full responsibility for athletics. If it does that, maybe we will progress a bit quicker, as that has been a stumbling block.

There are issues of environment; I am not going to go through those. There are issues of the tuart trees at the AK Reserve. Although the stadium itself does not have trees, there are large old trees surrounding the Perry Lakes Stadium. There is the wetland water area.

Dr K.D. Hames interjected.

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Mr C.J. BARNETT: There are Aboriginal heritage issues, my friend in front tells me. There are a lot of normal, environmental issues. Again, the public and the local community will have a view and will want to have an effective say on those issues.

I will summarise where I, as the local member, am coming from. I think this has been a very sad and sorry tale. I do not give credit to anyone in this issue. I will join in and say that a lot of blame is to be shared over successive governments and successive local councils. The arguing, antagonism, lack of trust and lack of goodwill have not been a good example. I can find very few points of salvation out of this. There has been a loss of credibility to the Town of Cambridge because of its frequent change in position. There has been a loss of credibility to the state government because of the antagonistic approach that has often been taken. The delays that have occurred in the planning process and the insistence about Cambridge sponsoring or funding the athletics facility, which goes back to the previous government, have been a problem. We cannot ignore the fact - I will not dwell on it - that a former councillor, Graham Burkett, was a former Labor member of Parliament who is now facing corruption charges. That is a serious issue. The people who live in that area are conservative people. There are a lot of retired people and a lot of retired public servants there. They are honest, hardworking, decent people. They are conservative in nature. They are worried when they see that a former councillor, who was involved heavily in this whole process, is facing corruption charges. They feel nervous about that, and so they should. That has been a factor in council elections and it is a reality of how people in the local area now view this whole project. There is a cloud over it. There is a big question mark. Rightly or wrongly it is there. It is there in their minds and it is there in my mind.

Mr Acting Speaker (Mr P.W. Andrews), can I suggest maybe a way forward? I do not believe that this legislation is the way forward. I think this bill will bring more uncertainty, more delay and potential litigation. I do not think the government will get much cooperation out of the Town of Cambridge and I do not know whether the government will get a lot of cooperation from residents in the vicinity of Perry Lakes. If anyone wanted to frustrate the process, even with this legislation, they would probably succeed. I do not believe this legislation is the panacea, the silver bullet or the rapid solution.

I will go back to where I started. To me - and I think this is correct - the prime interest of the state government is building the sporting facilities. Equally, the prime interest of the Town of Cambridge and its residents is the redevelopment and the planning of the Perry Lakes site. I make that dichotomy, as they are the two prime interests. So why not build on that and build on what is basically a high level of agreement? If I were in government, rather than pursue this legislation, I would put it on hold. I would pursue - maybe one last roll of the dice - the state government taking over AK Reserve by agreement and taking responsibility for the construction of the sporting facilities with contributions broadly as has been agreed, and I would have the Town of Cambridge take responsibility for the redevelopment of the Perry Lakes site, which it is capable of doing. I believe the Town of Cambridge would agree to that. The government would need to have some sort of deed of agreement. There would have to be some rules of the game and there would have to be some sort of coordinating mechanism, because the Town of Cambridge needs to support the state government in its prime role of developing the sporting facilities and the state government needs to support the Town of Cambridge in its prime role of handling the redevelopment on the Perry Lakes site. If the government were to do that, it would have a resolution. Peace would break out and the government would have certainties. The Minister for Sport and Recreation could then legitimately go to the sporting groups and give them a guarantee about the timely development of those sporting facilities. The minister could start on that tomorrow. The local council could then commence consultation with the community, of which a lot has taken place, and make a decision on the style, extent and nature of the development of the Perry Lakes site.

The endowment land and the acquisition of the lime kiln area was about the long-term viability of that area. The Town of Cambridge does not necessarily want to develop the entire Perry Lakes site in one go. It would like to get approval for that and then progressively bring on additional lots, as it is entitled to do. That is the Town of Cambridge's concern; it is not the government's concern. I do not believe that this Parliament should buy into that. If the government were to do that, it would have a resolution very quickly, it would be able to go ahead with certainty on developing the long overdue sporting facilities, and peace in the Town of Cambridge would break out. I would not be forgiving if the Town of Cambridge then delayed or changed the redevelopment plan again. The government would always have a heavy weapon in its hand. If any more dodging and weaving occurred on the redevelopment and the government proceeded with the legislation, it would be difficult for members on this side of the house, including me, to argue against it. I would not pull out the legislation; I would just let it sit on the table.

Ms A.J.G. MacTiernan: That's action man for you!

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Mr C.J. BARNETT: We will see, minister. If the minister had bothered to listen to me, as the local member, she would have heard me effectively offer her a deal that can be delivered.

Ms A.J.G. MacTiernan: It is one that I already offered to the councillors days ago and they weren't interested.

Mr C.J. BARNETT: The difference is that I am offering the minister a deal that can be delivered. With goodwill, the Minister for Sport and Recreation and the Department of Housing and Works could proceed immediately on the design and construction of the sporting facility. The Town of Cambridge would then have time, because the facilities at Perry Lakes would continue to be used while construction of the new facilities was taking place, to go about developing the facilities in the style and nature that it wants in an orderly way. The government would then have a resolution. It could let the legislation just sit in this place. If the resolution falls apart and cannot be done, then the government would be entitled to proceed with the legislation, and we would find it very difficult to oppose it in that circumstance. If the government proceeds, as it obviously seems intent on doing, I cannot guarantee that there will not be litigation, delays and disruption. That will not be coming from me, but I cannot guarantee that that will not happen. If the minister is genuine about doing this, there is an opportunity - albeit the last opportunity - but it is worth doing and it is sensible.

I will conclude by saying that the interests of all people in this chamber are about seeing the new sporting facilities being built. The interests of the Town of Cambridge and the residents are about what happens on the Perry Lakes site. Why not split the role and get on with it?

DR E. CONSTABLE (Churchlands) [9.30 pm]: I begin my comments tonight by stating categorically that Perry Lakes Stadium has never been in the electorate that I represent. For the past 14 years I have had to tell people that, because they have always assumed that it was, because it is, in a sense, part of the community of interest around Floreat Forum and that area of Floreat. The boundary of the current Churchlands electorate and the electorate of Cottesloe is along Cambridge Street and looks across the playing fields in the Perry Lakes area. Perry Lakes is of great importance to me as a neighbouring local member, and it is of great interest to many residents in my electorate. Approximately half the residents in my electorate are ratepayers in the Town of Cambridge. Given that scenario, I have had an opportunity over nearly 10 years to follow the events which have unfolded and which have culminated in this bill before us tonight. The redevelopment of the Perry Lakes Stadium area has been a matter of discussion for a long time - about nine or 10 years. I will give a brief chronology of events, because not all of this has been said tonight; some of it has, but it needs to be restated.

In the second half of the 1990s, under a Liberal government, discussion first arose about this sort of development. The Minister for Sport and Recreation at the time, Hon Norman Moore, actively supported an arrangement with the Town of Cambridge, with the Town of Cambridge being responsible for redevelopment of those sporting facilities. Various discussions were held in the late 1990s with the Town of Cambridge administration, sporting groups and government departments to try to address the unavoidable problems that were created by the ageing sports facilities at the stadium, particularly for basketball. I understand that many hundreds of thousands of dollars had been set aside for some years to deal with the asbestos issue at the basketball stadium. It was an absolute wreck and the Town of Cambridge should have done something about those facilities many years ago.

After those discussions had been going on for some years, the first decision was made by the Town of Cambridge council in November 2001 to commit to, firstly, relocating the facilities onto the adjacent AK Reserve. This is almost four years ago. Secondly, the council committed to seeking a rezoning of the stadium site from parks and recreation to urban. I understand that the current zoning is urban deferred. Is that correct, minister?

Ms A.J.G. MacTiernan: Yes.

Dr E. CONSTABLE: Thirdly, the council committed to redeveloping the stadium site for housing. One would have thought that, with the commitment having been made by council four years ago, there would have been some action on that commitment. The commitment to relocate facilities to AK Reserve was unanimously reaffirmed by the council in September 2002 in a vote of 8-0. The only person not there on that night was Mayor Wilcock, who was away on recreation leave. That 8-0 vote included a number of the current councillors, but certainly the current mayor, Marlene Anderton. In May 2003, after the local government elections, with a new mayor - Mayor Anderton - council voted to pursue a joint venture partner for development. Everyone thought matters were starting to move along. The council agreed in September 2003 to seek expressions of interest and that a public information pamphlet should be prepared to explain the decisions to the community. Again, there was a sense of the project moving forward. Consultants Clifton Coney Group were appointed in April 2004 to manage the procurement process, and AOT Consulting Pty Ltd was appointed to manage the probity scrutiny.

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Again there was movement; it was fairly slow, but it was happening. Council agreed in July 2004 to advertise for expressions of interest for a joint venture partner. Five groups were short-listed and asked to tender. This was real movement along the lines that had been agreed in 2001 and then reaffirmed in September 2002. In February 2005, four companies had tendered by the required date and workshops were held when those tenders were presented. What eventuated out of the workshops was that Multiplex was recommended as the preferred development partner. There was a real sense that this was going to happen. A special council meeting was held on 3 March 2005 at which Multiplex was selected. It should be remembered and emphasised that this was three years and four months after the initial decision was made. It took a long time to get to that point. No-one can say that it was a rushed decision, but it was certainly a carefully considered decision, and Multiplex was chosen as the preferred tenderer.

On 26 April 2005, the decision to adopt the business plan and appoint Multiplex was deferred. The member for Cottesloe mentioned the fact that Graham Burkett was a councillor and that that was tied up with the decision to defer. The local government elections were looming in May and it was felt best to defer and take the matter up again after the election. There were changes on the council -

Mr R.C. Kucera: I highlight that, up to that stage, the government was totally supportive of that process and was quite happy to be involved.

Dr E. CONSTABLE: There was no conflict that I remember.

Mr R.C. Kucera: Exactly. We were a willing partner in the process at that stage.

Dr E. CONSTABLE: Bearing in mind that there had been three years and five or six months during which there was no conflict between the government and the council - this agreement went back to 2001 - eleven days after the council elections on 18 May 2005, a special council meeting was called by the mayor to discuss Perry Lakes - just 11 days after the election! There were three new councillors. Sporting groups made representations and there were various discussions. At that meeting one of the new councillors, Councillor Gow, put up a new proposal. After all that time, a new proposal was put up by someone who had been on council for 11 days! That was absolutely unbelievable. First, the proposal was to refurbish the existing stadium. That had been put to bed years before. Everyone knew that that was never going to happen, that it was too expensive and that it was a stupid idea to refurbish the stadium. Time had passed to make that a possibility. Secondly, the stadium would stay there and the site would be redeveloped for housing. The only thing that I heard around the Floreat Forum after that and in various other conversations with people was who would buy, for the amount of money the government was expecting to get, a housing lot next to an athletics stadium, where rock concerts and all sorts of things might be held. Rock concerts had been held there in the past, no doubt to help it pay its way, and that sort of activity could be expected again. Who on earth would buy a block of land next to such a stadium? The third part of Councillor Gow's proposal was to build new rugby and basketball facilities at AK Reserve. This was totally turning upside down three and a half years of very careful and considered work that was done mostly on the part of the council but certainly with the support of the government.

Thirteen days later, on 31 May 2005, the council met with the minister. A council meeting was also held on that day. The minister rejected the refurbishment option, and I can understand why she did that. The council meeting was held later that day. The council resolved, just 13 days after the previous meeting, to dump the refurbishment plan. That should have rung alarm bells for anyone who had been following what had been going on in the Town of Cambridge. After three and a half years, it had a considered plan, 11 days after the election it had a new plan, and 13 days later it rejected the new plan. The council decided to work with the state government on some problems and then go back to the Multiplex plan and look at a staged land release option with Multiplex. This was a complete turnaround. It did not give me confidence in the ability of the Town of Cambridge to deal with the issue at that point. There was another council meeting on 28 June. Councillor Gow came up with a surprise motion, which I understand was known to some councillors but not to others. He had a one-page notice of motion for a do-it-yourself project. There was another change on 28 June. What did the council do? It resolved to undertake the project itself and take on all the risk. Despite the money that had been spent on consultancy fees, and despite the fact that four tenderers had gone to enormous expense to present their tenders - one of them briefly went through its tender with me, and I know that that particular tenderer spent something like \$700 000 putting together the tender - and despite the fact that Multiplex had already been selected as the preferred partner, a do-it-yourself proposal was put up and agreed to. On 29 June, not surprisingly, the minister rejected the new council position and stated that the government would take control of the project and make the Town of Cambridge an offer.

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At first glance I would never call this minister patient, but I must say that she has shown enormous patience in dealing with the Town of Cambridge. I congratulate her for that because I would have lost patience long before the minister did and taken some action. We learn after a while in politics that patience is really important. This matter could have gone on and on if some resolution had not been found. I do not think this is the perfect resolution; I agree with the member for Cottesloe. However, at this stage I will support the legislation. If other information that causes me concern comes out during discussion, I will say so. The time has come to say, "Enough; let's get on with it." This community requires these sporting facilities and if this is the way it is going to happen, let us get on with it and let it happen.

Despite the fact that the minister rejected the council's new position of the do-it-yourself project, the Town of Cambridge authorised an advertisement in newspapers to announce the council's new position. That was pretty naive of the Town of Cambridge. It has had a blind spot on this issue for most of this year. This project will never happen as a do-it-yourself project because the trump card is held by the government; that is, rezoning from urban deferred to urban. That will not happen unless the government is satisfied with the proposal that is put forward. That is the big stumbling block for the Town of Cambridge, but it is also a safeguard for the community that zoning is held in the hands of the government.

The council met with the minister on 6 July. The minister was still seeking a solution. Various suggestions arose, and I do not think it is necessary to go through those. On 12 July the minister's patience had run out and the resumption proposal went to cabinet on that day. At that time, it had been three years and eight months since November 2001. Of course the minister's patience had run out. That is the situation we are in now.

The West Australian reported on 16 July that the Director General of the Department of Local Government and Regional Development, Cheryl Gwilliam, said that she had sent a letter to the council because she was concerned about the council's decision making. On 20 July the minister advised the council in writing that cabinet had approved the commencement of a resumption process. The council continued to advertise for someone to manage the project while this was happening. It is quite a bizarre situation. Around that time Multiplex indicated that it would take legal action. What was a really good project until February this year became an absolute shambles and a mess in the months after that.

This legislation raises a number of important questions. The member for Cottesloe has very competently raised those issues, and I will touch on just a couple. First, there is an urgent need to replace the rugby, athletics and basketball facilities. I will return to one point in the chronology of events. About the middle of last year, a public meeting was held at the Town of Cambridge library. It was attended by between 200 and 300 people. I think it was a ratepayers meeting that was called because a number of people did not want that development to go ahead. I sat through the meeting and there was almost unanimous agreement by the ratepayers of Cambridge that someone should get on with it and provide new facilities. There was a very firm and positive feeling in that room at the time. I am not sure whether the Minister for Sport and Recreation was there.

Mr R.C. Kucera: No; my director general was there.

Dr E. CONSTABLE: It was quite a revelation. An overwhelming number of good, decent residents of the Town of Cambridge said, "Let's get on with it; we've been talking about this for too long."

I return to the need to replace the facilities. There is an urgent need to replace those facilities. It is becoming a bit of a joke, especially the state of the stadium, which, I understand, is not particularly safe for athletes. Something needs to be done about replacing it.

[Leave granted for the member's time to be extended.]

Dr E. CONSTABLE: Secondly, the legislation raises issues about the relationship between local government and state government. It is a great pity that it has come to this after the first three or so years went so smoothly. There is some concern that this legislation will create a worrying precedent of the state resuming land and interfering in the proper deliberations and jurisdiction of local government. There have often been arrangements between the state government and local authorities for the disposal and resumption of land. The member for Cottesloe raised the issue that AK Reserve will not be compensated for fairly and that compensation will not be paid for the Perry Lakes area at the time of resumption. However, it could be argued that the Town of Cambridge will be compensated, but not until after a delay. Is that correct, minister?

Ms A.J.G. MacTiernan: That is right. All the proceeds will go into a trust fund. The only things on which that trust money can be spent are the same things that the Town of Cambridge would have to deduct money for its own development.

Dr E. CONSTABLE: The issue that then arises is the actual amount.

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Ms A.J.G. MacTiernan: Effectively, in one sense the land will not be taken from it because we are not dealing with that land as though it were our own in terms of deriving any financial benefit from it over and above what was agreed; nor will LandCorp take the development profit that it would normally take. It will simply act as the project manager.

Dr E. CONSTABLE: There are also some examples of arrangements between local authorities and state government. The Subiaco Redevelopment Authority is one example. Freehold land belonging to the City of Subiaco became part of the Subiaco Redevelopment Authority. I know that it is not exactly the same, but there are examples of relationships between the two levels of government and arrangements entered into for freehold land.

I find this is a really interesting issue. In my office we went back through all the files and letters that we had received on the redevelopment of Perry Lakes, and we could find only eight letters going back over the past nine or 10 years. I have spoken to a lot of people about this issue. However, if this issue was so crucial and had been causing so much concern to the people of the Town of Cambridge, I would have thought I would have received, because even though it is not in my electorate, it is close to it, a lot more written comments from people and had a lot more people come to see me than has been the case. I think the sentiment expressed in the public meeting last year is the general sentiment of the town; namely, let us get on with it. The people of the Town of Cambridge are tired of the machinations that have gone on. They want it to happen.

There is some feeling that this may have some financial impost on ratepayers. It is important that the minister reassure the house tonight, and the ratepayers of the Town of Cambridge, that there will not be an impost. It would also be very nice to have some guarantee about the \$50 million. However, there is another angle that has been brought to my attention. This matter was also raised by the member for Cottesloe. It is often difficult for ratepayers in the Town of Cambridge to stay in the area when they reach retirement age, because even though their block of land may be too large for them, they are not allowed to subdivide their block. That means that they often have to move out of the area in which they have lived for a long time and away from their family and friends, their doctor and their shopping centre. Many people are hoping that the redevelopment of Perry Lakes will provide the alternative of smaller blocks of land so that people will be able to move to those blocks and stay in the area. Although some people are cautious about what the redevelopment may look like, there is also a real need in the community to provide some alternatives for people who want to stay in the area.

There is some concern about the environmental issues at AK Reserve. I would like the minister to comment on whether Bush Forever land will be part of the redevelopment of AK Reserve. During consideration in detail, there will be an opportunity to discuss the financial details. I want to be sure of those details, because the residents of the Town of Cambridge should be able to benefit handsomely if this is managed properly.

Ms A.J.G. MacTiernan: It is really important to appreciate that we are really just taking over the project management role that the Town of Cambridge -

Several members interjected.

Dr E. CONSTABLE: While there are interjections from people whom I am not particularly interested in responding to, a more detailed breakdown of the financial management and the result for the Town of Cambridge is very important. There is not yet enough detail of what will be the value of the land when it is zoned urban, how much the development of the sporting facilities is likely to cost and how many blocks of land may be developed etc. For example, how did the minister get to \$50 million? Why was it not \$60 million or \$40 million?

Ms A.J.G. MacTiernan: The \$50 million is very rough, as it would have been had the Town of Cambridge gone down the process of doing it itself.

Dr E. CONSTABLE: Another example in my electorate is the redevelopment of Edith Cowan University. The sum of \$40 million has been quoted as the amount that the university expects to net. It has now gone up to \$58 million. That was a few months ago. I suspect it will keep creeping up. Greater detail in the minister's comments would be very useful and very important. Given the chopping and changing of the Town of Cambridge on this issue over a long period of time, as I have outlined tonight, one could argue that the Town of Cambridge does not have the staff or the expertise to handle a project of this size. I must say I am heading towards that conclusion. I have a lot of confidence in the ability of LandCorp to take on this redevelopment and do it well. I have seen LandCorp in operation. I am sure it will consult widely and properly with the local community on this development.

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The other issue that I want to raise is the Cambridge Endowment Lands Act. I understand that this parcel of land was purchased in 1917 - I call on the minister to clarify that in her summing up - and that although it became part of the Cambridge Endowment Lands Act, in a sense it was not endowment lands, because it was purchased freehold; it was paid for. Therefore, that land does not belong to the endowment lands, and nor should any funds that may be realised from the sale of that land be spent only in the endowment lands area. I therefore agree with the minister and with the provision in this bill that the interest from the proceeds of sale of that land can be spent across the entire Town of Cambridge if the town so desires. It seems to me that, in the beginning, it was moneys from the ratepayers of the Towns of Victoria Park, Vincent, what is now Cambridge and what is now the City of Perth that was used to pay for this land. Therefore, no one group or area should benefit from the sale of this land. Therefore, I would like the minister to explain the proposed changes to the Cambridge Endowment Lands Act so that will be absolutely clear for members to understand.

MR T.R. SPRIGG (Murdoch) [9.58 pm]: I address the Perry Lakes Redevelopment Bill in my role as the shadow spokesman for sport and recreation. Some terrific statements have been made by all the speakers in this debate. Most speakers expressed a common theme: let us get on with it. I think most speakers have said that at some stage. I take the member for Cottesloe's point that this is probably a good time to draw a line in the sand, forget about the history, and look forward to the future. I am pleased the Minister for Sport and Recreation is in the chamber for this debate. I thought the sport and recreation portfolio was pretty well bipartisan. I know the minister wants exactly the same things as I do for the sports that are involved. I am speaking particularly about rugby, athletics and basketball. The history has been spoken about, so I will not go into it in too much detail. It is interesting to note that these three sports are strange bedfellows in some ways, because I do not know of any other precinct, probably in the western world, in which these three sports are played in the same area. It is worth noting that the basketball stadium was formerly the boxing arena for the Empire Games in 1962; it was converted to a basketball stadium later.

The important thing is that these sports very much need these facilities, and they need them as soon as possible. However, there is no need for the minister to use a sledgehammer to get this to happen. I have been following this matter for a while. I liken the comings and goings as the immovable object versus the irresistible force. Some vindictive stuff has come from the minister at different stages. However, I ask all members to put aside their differences for one moment and try to take a bipartisan approach to this matter, because, as I have said, the sports need these facilities right now. The sports themselves cannot, and have not, taken sides in this argument. Members on the opposite side of the house may say they are supporting what is happening now. They are supporting it out of frustration. They want something to happen. They want these facilities so that people can keep developing their sport. It has been pointed out to me that athletics, both track and field, has only one synthetic track in the whole of the state. I think that is at Coker Park in Cannington. The state of Tasmania, with a population of 450 000, has six of those synthetic fields.

Mr R.C. Kucera: Do you know how many of those are paid for by the commonwealth government? You should get a briefing on it.

Mr T.R. SPRIGG: That might be a different argument. There is something bipartisan about that, too.

Mr R.C. Kucera: I agree.

Mr T.R. SPRIGG: I have taken the minister's point and I am making some inquiries. There are six of those synthetic fields in Tasmania, but there is not one in Western Australia. We all know that the Perry Lakes Stadium structure has concrete cancer and must be replaced as quickly as possible. We need to attract the best athletes to the Telstra A-series. In the past couple of years athletes have found good excuses not to come. Of course, one of the excuses is that the facilities are not up to standard. It has been a big disappointment to the sport of athletics and to the Western Australian sporting public. The athletics track will be a state and national facility. It would be great to see events like those of the old days, when national championships were rotated between the states. There could be selection trials for the Commonwealth Games, although it is a bit too late for the games that are taking place next year. It would certainly be terrific if that could happen. The basketball stadium is probably the lowest of the priorities of the three sports, because various recreation centres in the state and metropolitan suburbs pretty well cater for the sport of basketball. The basketball stadium at the Perry Lakes facility has been of state league standard and the home of the Perry Lakes Hawks, but it is in a dilapidated condition. A new stadium is needed somewhere in the western suburbs. Perhaps it could be considered as an alternative proposal for a local authority, in conjunction with a private developer.

People have mentioned the development of the sport of rugby. We all know about Emirates Western Force taking part in the competition next year. A new facility is needed for rugby training. Games will be played at

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Subiaco Oval, and later at the Members Equity Stadium. A new centre is certainly needed for rugby, which is very much a developing sport. The minister has some budgeted funds for a proposed netball centre. There is some suggestion that it could be incorporated with the basketball centre on the AK Reserve.

The maintenance and management of facilities has been mentioned. This state has a fantastic organisation called the Western Australian Sports Centre Trust, headed by Graham Moss. I would like the new facility to be under the management control of that organisation. It has done a very good job with Challenge Stadium, Arena Joondalup and Quit Motorplex at Kwinana. The Western Australian Sports Centre Trust is crying out for new challenges and could do a good job of managing the new stadium. One of my worries is that although the government has said that it will build this facility, there is no proof at this stage that it could manage it successfully. Conventional wisdom says that the multipurpose stadium project that the government has been handling for some time has been bungled and there will now be a fairly long wait, putting in jeopardy an event such as the Hyundai Hopman Cup, which this state may lose. I sincerely hope that it does not. There is no proof that the government could pull this off and make sure it happens, but, and I reiterate the comments of the member for Cottesloe, as the government has the numbers, this vote will be lost by members on this side of the house. If the government is to build this sports facility, it should get on with it so that it can be used for sports. On behalf of all members on this side of the house, I assure government members that we will keep them accountable every step of the way.

MR R.C. KUCERA (Yokine - Minister for Sport and Recreation) [10.04 pm]: I will speak briefly because I understand that other members wish to speak. I will first take members back in the chronology of events, which is a little longer than the member for Churchlands indicated. I thank the member for Churchlands for a very clear and concise outline of the issues. When I first became Minister for Sport and Recreation almost two years ago, the events in the chronology to which the member for Churchlands referred had been reached at that stage. We were absolutely delighted because we thought that the project would proceed. It was a great disappointment when it all came to naught early this year, particularly after the change of council that occurred in the Town of Cambridge.

I will go back to 1999. I have with me a letter from Hon Norman Moore that was sent to the then honourable Minister for Local Government and for Disability Services in the then Court government. At that stage Hon Norman Moore had established a working party consisting of the Town of Cambridge and the state government to develop a position on Perry Lakes Stadium. I will read the pertinent sections of the letter, because this goes back to the talk about the government taking the land away without compensation etc. I do not agree with that. The letter states -

The negotiations with the Town will seek to achieve some sharing of profits between the State and Cambridge from land sales of re-zoned land.

That was the original intention. I will not go into the chronology of how the Town of Cambridge obtained the land and so on. It was always the intention that the development of these three facilities would be part of a shared process from the sale of land. Hon Norman Moore went on to say -

In particular, the number one priority requesting \$350 000 to be put to use at the Perry Lakes Basketball Stadium is of interest to me. I believe this money should be provided for Cambridge conditional on the Basketball facility specifications gaining my approval.

It is my understanding that that money was supplied, and nothing has ever been spent by the Town of Cambridge. Obviously, Hon Norman Moore was showing a degree of concern even back then by starting to impose conditions on that council.

I was delighted when the 8-0 decision that was talked about was made. There was no doubt that we were to move ahead. The government was totally supportive, and always has been totally supportive, of the Cambridge council's involvement in this process. However, we are also talking about something that is just a little bigger than three local facilities. For once, this state has the capacity to create a centre of sporting excellence. As the member for Murdoch quite rightly pointed out, it is unusual to see a number of sporting bodies come together like this as partners - I think he said bed partners - in a major facility. However, we are not talking about only these three sporting bodies. Western Australia already has one of the best institutes of sport in Australia situated on this reserve. There is already the capacity to locate a cricket academy on McGillivray Oval. The University of Western Australia is desperate to move some of its human movement programs to AK Reserve, so that they will all be part of this complementary process. For once, there is the capacity to create something very special for not only Western Australia but also the whole of the Indian Ocean rim. For once, this state had an

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opportunity to create something very special. However, all of a sudden it came to naught because of the small-minded attitudes of some of the people who became involved in the process. I was deeply disappointed about that.

Mention has also been made tonight of the benefit that will flow to the Town of Cambridge. As was quite rightly pointed out by the member for Churchlands, the latest proposal of the current council transfers all the risk in this development to the ratepayers of the Town of Cambridge. In addition, under its current proposal, the Town of Cambridge will be required to go into debt to the tune of \$40 million to bridge-finance this process. That is the stage that has been reached in just over 18 months from a phase in which we had agreed partners, agreed support by the government and a number of major partners, such as the University of Western Australia and the Town of Nedlands - I spoke as late as Sunday morning with representatives of the Town of Nedlands, not about this issue, but it came up during discussion - plus all the other moneys. All these things had come together, and the council has now moved to a position in which it is putting all the council's ratepayers at risk and asking them to finance the project to the tune of \$40 million as a bridging arrangement as it progresses. That is unacceptable.

Mention has been made of the endowment land. The rub is that, if nothing is done, under the current process any profits will flow to one very small group of ratepayers in one coastal ward in the Town of Cambridge. The rest of the Town of Cambridge will get nothing. The rest of the Town of Cambridge will sit back and twiddle its thumbs while one very privileged group of people will accept the profits from this. That is unfair and inequitable not just for the whole state, because the whole state will benefit from this, but also for the other ratepayers of the Town of Cambridge. We have talked about fairness and equity today.

Much has been said about this being a land grab. If the government were to take all the land and all the profit, I would agree. However, that is not the case. Much has been said about the Town of Cambridge not being expected to build something that becomes a state facility. The Town of Cambridge has never been asked to build a state facility. The Town of Cambridge has been asked to reproduce a local regional athletics track, the same as the City of Canning has been asked to do. In fact, that facility - a brand new synthetic track - will be opened next week. The City of Canning has played its part, and the state government has contributed additional funds to make it a regional centre. The agreement was the same as that reached by Hon Norman Moore under the previous government, with the assistance of the member for Cottesloe. I have been dealing with the member for Cottesloe over this issue and we have not had any problems in our discussions. I agree with what he said about the impasse that has been reached. It is of no benefit to anybody, and nobody can be proud of what has occurred. The director general of my department attended the public meeting referred to earlier. As was said at that meeting, people are sick and tired of this. All the talk about the people of the Town of Cambridge being firmly opposed to this is nonsense. Only a very small group of self-interested people are opposed to this. There will be issues about the environment and the size of the redevelopment. There will also be issues about the size of the block. Tell me of any development in Western Australia in which those matters would not be issues. For once, we have an opportunity, collectively, to create something very special and unique, in partnership with all the key stakeholders. Had the Town of Cambridge agreed to that in the first instance, the facilities would have been half built by now. As a result of the letter from Hon Norman Moore to the Town of Cambridge, I also have a copy of the minutes of the inaugural meeting of the Perry Lakes Stadium Working Group, of which, incidentally, Councillor Marlene Anderton was a member. I also have a copy of the original terms of reference that they were going to agree to. It is interesting to read the terms of reference that the then councillor, now mayor, agreed to. I will talk about the report in a moment. The terms of reference include -

5. Examine the potential of other State Government funding for sporting facilities as part of the future plans for Perry Lakes Stadium site;

That is great. It is exactly what I am talking about. Term 6 states -

Recommend arrangements between the State Government and the Town of Cambridge for sharing in the revenue generated from the realisation of this land asset;

From day one it has always been the intention of the state government and the council that this would be a shared arrangement. Hon Norman Moore signed up to that as well. There are a number of other references should members want to look at them; they are all there. It is all on record.

I will move to 10 August 1999 when the group reported. I refer to the consultation report on the Perry Lakes precinct. Again, in attendance, was Marlene Anderton. She was then a councillor but is now the mayor. The report states, in part -

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All Members expressed their view that the Consultant's report was excellent and the recommendations contained therein sound.

Those recommendations formed the basis for the agreement that was reached by the state government and the council. It was not for either of them to build anything on their own, but for there to be a shared arrangement that would come from the proceeds and sale of the redeveloped Perry Lakes. Even then, when we first came to government, there were rumblings of concern about the council. Much was made of the current Minister for Planning and Infrastructure rezoning that land to urban deferred. Is it any wonder that there was a degree of mistrust at that stage? Is it any wonder that the government has been forced to bring forward this legislation? I do not disagree with the member for Cottesloe that we could reach some kind of agreement with the Town of Cambridge. However, what government of any persuasion - including a government comprising members opposite - would, in its right mind, enter into an arrangement with the Town of Cambridge without legislation guaranteeing a degree of certainty to not only the state, but also the Town of Cambridge ratepayers? At the end of the day, this legislation is about giving the ratepayers of the Town of Cambridge the certainty that this project will not be mucked up yet again. At this stage we do not know whether Town of Cambridge ratepayers will be required to cover the money that Multiplex contributed to the developmental process. I do not know how much money Multiplex spent. I am not sure whether it is entitled to sue the Town of Cambridge. I will not enter into that debate. The young people of this state have been exposed, because they do not have the facilities they need. Further, the ratepayers of the Town of Cambridge will be exposed if we follow the Town of Cambridge's plan and adopt all the associated risks and borrow \$40 million for bridging finance. During the first conversation I had with Mayor Anderton, we talked about ways of getting around the bridging finance. I told her that I did not want the council to be responsible for the bridging finance and that the opportunity existed for us to work in partnership. However, the Town of Cambridge charged off on its own. Why? It is because of the self-interest of a small group of ratepayers. Anybody who wants to know the public's view should read the editorial of *The West Australian* on 20 May 2005, which is fully devoted to this topic. It is unusual for the Minister for Planning and Infrastructure to receive a totally positive editorial in *The West Australian*. I do not know why she does not receive a positive editorial every week or, for that matter, every day. She is an incredibly hardworking and efficient minister. The heading of *The West Australian* editorial, which says it all, reads -

Cambridge's about-face on Perry Lakes defies logic

It certainly does. The sad part about this issue is that had the process that was put in place two years ago been followed through, this matter would have been under way by now and work on the facility would have begun. The article reads -

The Cambridge council's handling of the Perry Lakes redevelopment has shown yet again that leaving projects which have an impact on the broader community in the hands of local councils may be fraught with danger.

How many times has that happened in recent years? I will not have a go at the member for Bunbury. He knows very well my views on what occurred in his electorate when I was the Minister for Peel and the South West. The article concludes -

It is impossible to understand what is driving this new direction on Cambridge Council, though it is clear that an arrangement had been made before this week's council meeting to throw out the previous plan.

There is no doubt that the government had to step in and introduce this legislation in the spirit in which it is intended. The legislation is not a grab for land or a takeover of the council. It is simply an attempt to complete what was started by the previous government in 1999. In 1999 - again in 2001 when we first came to government, and again when I became the Minister for Sport and Recreation - the council asked the government to do this. The government did not say it wanted or needed to do this; the council was asking it to do it. The member for Churchlands quite rightly outlined the chronology of events.

I want to touch on a couple of issues. I will not touch on anything the member for Moore said because it was absolute nonsense. With all due respect, the member for Moore brings a sense of sparkle to some debates in this place, but on this occasion he really got it wrong. This is a process that, as members have said, is designed to deliver a sporting centre of excellence and, at the same time, deliver to the Town of Cambridge and, more importantly, to every single ratepayer in that local authority a reasonable return for a piece of land that was deeded to them in the break-up.

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The member for Cottesloe or one of the opposition speakers referred to building the complex somewhere else and suggested that the government should pay for it.

[Leave granted for the member's time to be extended.]

Mr R.C. KUCERA: The member for Warren-Blackwood said that the government has a big surplus and should build the complex elsewhere. The reality is that there has always been an agreement that this will be a shared facility. There is furious agreement that it should be on the AK Reserve site and no-one argues about that. This is a sensible way of dealing with an issue that has festered since 1999, not at the behest of the government but at the behest of the Town of Cambridge. As the member for Churchlands and the minister pointed out, this is a sensible way through.

I commend the legislation to the house. At long last we will end up with a centre of excellence. Members opposite need to think long and hard about the impact any barriers to the legislation will have on the sporting organisations of this state. They have waited a long time for this. They are totally frustrated. The member for Cottesloe referred to rugby union. I was at the grand final on Sunday and the people involved in that sport are absolutely delighted that they will have a centre of excellence that they can be proud of. The member for Warren-Blackwood asked who would pay for McGillivray Oval, which is University of Western Australia land. I was at the university on Saturday morning and it is delighted to be involved. All the proceeds will be used for the three facilities we have talked about - rugby, basketball and athletics. The rest does not come from the Town of Cambridge. As the minister quite rightly pointed out, she has framed the legislation for two reasons. First, to build a decent sporting facility and, secondly, so that all the ratepayers of the Town of Cambridge will benefit from a piece of land called Perry Lakes - end of story.

MR G.A. WOODHAMS (Greenough) [10.23 pm]: We have heard members on both sides of the house describe the very dilapidated state of the Perry Lakes Stadium. I suggest to the house that it has one more day of glory left. I also suggest that the proper way to resolve this problem before us is to hold a 4 x 400 relay over high hurdles starring on one side the state government and on the other side the Town of Cambridge. The government side could be anchored by the Minister for Planning and Infrastructure and the Town of Cambridge could be anchored by the mayor.

Ms A.J.G. MacTiernan: Ooby-dooby, come on Subi!

Mr G.A. WOODHAMS: I thank the minister; she has the spirit exactly.

Mr G.A. WOODHAMS: In that case the result would be adequately compered by me, if members will pardon me for saying so. The member for Murdoch would make an adequate referee for this event and the member for South Perth might write up the results. It would be a delightful outcome.

Several members interjected.

Mr G.A. WOODHAMS: I am glad members are at last awake to this debate. The Nationals always support local government and the authority vested in those bodies to lead the development, planning, management and maintenance of the various local planning schemes. However, in the case of the Perry Lakes development, there appears to be sound justification for intervention by the state government for the following reasons. The Town of Cambridge has demonstrated an inability to progress the Perry Lakes development. As it was well delineated earlier by members we must, as a matter of state importance, ensure the timely provision of the athletics, basketball and rugby sporting facilities. Members should be well and truly aware of the minister's second reading speech, which clearly outlined the history of the current facilities and their state of disrepair. We very clearly heard again that history in this house tonight.

To her credit, the minister has also outlined the long and, unfortunately, futile process that the Town of Cambridge adopted in an attempt to resolve this matter. However, I do not believe it has attempted to do so. The overriding consideration, which I believe is agreed by all members of this house, must now be the provision of facilities to ensure athletics, basketball and rugby are housed in modern facilities of international standard. We must strive for an international standard. The future of these sports, which are significant in Western Australia - the Western Force rugby team, the development of basketball and the provision of suitable athletics training facilities and international venues in Western Australia - are paramount to the future of this state's athletes and the children who deserve facilities that are not available and will not be available if we continue to indulge in this impasse.

The Nationals are disappointed that the Town of Cambridge has been unable to resolve this matter. We understand the town was originally vested with the powers to undertake the work but it has not followed through

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with them, although it has had ample opportunity to do so. We believe that the time it has had available since the late 1990s has been enough time and the Nationals feel that enough is enough.

The Nationals support this bill because it is in the best interests of the future development of athletics, rugby and basketball in this state. However, we seek some commitments from the minister, many of which revolve around the facilities of the three sports mentioned. We are concerned about their development on the AK Reserve and seek clarification on several points. In her second reading speech, the minister stated that at least one, and up to three, of the proposed facilities will be built either wholly or partially on the AK Reserve land. Will all three facilities be developed on or near the AK Reserve or is it possible that one or more of the facilities will be relocated to another site within the metropolitan area?

Ms A.J.G. MacTiernan: We are saying that we want to confine it to either the AK Reserve or adjacent land. It was always going to be difficult to cram all of those three sports into the AK Reserve, particularly given the Bush Forever issues. It was always considered that the athletics facility might have to bleed over into adjoining land, some of which is crown land and some of which is University of Western Australia land. Some thought has also been given to the fact that an area in the adjacent McGillivray Oval and Challenge Stadium area might be suitable for basketball, but that has not been finally determined. However, it is most likely that basketball and rugby facilities will be there. The stadium will not be confined to the AK Reserve. However, bear in mind that complex issues such as Bush Forever, land swaps and Aboriginal heritage must be taken into account. We do not want to confine ourselves purely to the AK Reserve, but we are talking only about land within that broader complex, not a big park or something similar.

Mr G.A. WOODHAMS: I am just seeking a commitment from the minister.

Mr R.C. Kucera: Now that we are proposing this legislation, a number of other sports have indicated that they want to be partners with those three sports. Therefore, there is capacity for us to get synergies from those sports using the money that is already invested in those other sports. For instance, basketball and netball players could use the same toilets and gymnasiums. This bill is an opportunity from which all sports can benefit; as I said, from a precinct of excellence. We may be able to jiggle it around a bit. However, another aspect is that the University of Western Australia owns the rest of the land, and now that the government has stepped in and a degree of certainty is proposed, UWA is likely to partner with us and those other sports. Therefore, there is an opportunity to create something very special.

Mr G.A. WOODHAMS: I thank the minister for that interjection.

Mr G.M. Castrilli: There goes the \$50 million.

Mr R.C. Kucera: In answer to that comment from the member for Bunbury, the money is involved with the other partners, not from the Town of Cambridge. End of story. So don't start a scare campaign like that.

Mr G.A. WOODHAMS: I also ask the Minister for Planning and Infrastructure for confirmation that all three facilities, as described, will be completed by the target dates outlined in her second reading speech.

Ms A.J.G. MacTiernan: Precisely why we wanted to get on with this redevelopment now is that we are very focused on those dates. We have given two dates for each facility.

Mr G.A. WOODHAMS: Yes.

Ms A.J.G. MacTiernan: We think that the first date is achievable, but we are putting in that buffer in case there are contractual overruns. However, we are very focused and we have driven the Departments of Sport and Recreation and Housing and Works very hard on those time lines to ensure that the date can be delivered.

Mr G.A. WOODHAMS: I also seek clarification from the minister on the preliminary costs for the new basketball and rugby facilities; the new athletics facility; project management costs; importantly, the cost of demolition and subdivision on the Perry Lakes site, if that is the eventual site; and the cost of borrowings for funding advances.

Ms A.J.G. MacTiernan: I am proposing to table two sets of costings. One is based on the Valuer General's estimates and the other on a private valuer's estimates. We have sent out most of the detail, which has an in globo cost for the sporting facilities themselves, but I can get some additional figures for the member later. The costings indicate the amount we expect to get from land sales, the development costs, the project management costs, the demolition costs and the net proceeds for the Town of Cambridge.

Mr G.A. WOODHAMS: When will the minister either table those details or provide them?

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Ms A.J.G. MacTiernan: I will table them tonight.

Mr G.A. WOODHAMS: I thank the minister for that. With clarification having been received on those matters, the National Party will support this bill.

DR J.M. WOOLLARD (Alfred Cove) [10.33 pm]: I think we could probably call this Perry Lakes Redevelopment Bill the “Gallop Government Land Grab and Blackmail Bill”.

Mr R.C. Kucera: No, Duncraig House is not in it!

Dr J.M. WOOLLARD: No, but that is only because she who must be obeyed does not have her eye on it yet!

When members examine issues that occur outside their electorates, they do not often get phone calls from people in other electorates. I have received many phone calls in my office on this issue from people who live in the local community. These people are very concerned that the government is using blackmail when it says that the only way the community will get state or international sporting facilities is if the government intervenes and sells the land at Perry Lakes. It is straight blackmail. People want a rugby stadium and athletics and basketball facilities, but everyone is concerned about what the government will consider selling once it has sold Perry Lakes.

Mr P.B. Watson interjected.

Dr J.M. WOOLLARD: It is too late for Duncraig House; it has already been sold.

We all would like these sporting facilities to be developed, but why does the government have to override the local council’s planning and development guidelines? Once it does that in this instance, it will move around the state and do it in other areas. We know that the government is looking to sell land at the Sunset Hospital site. It has already destroyed a regionally significant site in my area by allowing the Raffles development to go ahead. What kind of development will occur on this land? I think it was last year that the minister said that it would be a good idea to have zones of development around Perth. That is what residents are concerned about. They have absolutely no idea what they will end up with in their back garden under this government and this minister.

Ms A.J.G. MacTiernan interjected.

Dr J.M. WOOLLARD: I beg the minister’s pardon? No; the minister should sit there and hang her head in shame.

People would like these sporting facilities to be developed, but no council wants the government to ride roughshod over it. The government talks about consultation. I am not referring to all ministers, but this minister certainly does not give a fig about consultation. To her, consultation means talking to someone. It does not matter what a person says; if she has spoken to him, there has been consultation.

Another issue in my area was the bypass. How many thousands of people said that they did not want the bypass reservation to be deleted, but wanted the bypass to go ahead in an environmentally friendly manner?

Mr T.R. Sprigg: It was 8 500.

Dr J.M. WOOLLARD: The member for Murdoch says that it was 8 500. Did the government listen? No, it did not. In my area, 20 000 people wanted Duncraig House and the Heathcote lowlands to be kept. The minister is not doing anything about the lowlands. The debt has been paid to the City of Melville but it is not one of the minister’s priorities, so she has not got around to it. However, she put this bill on the table and gave members five days in which to consider it. It was absolutely ridiculous to declare this bill as urgent after giving members only five days to consider it. Have we been given any briefings? No. Have there been any discussions with the community? No. The question that must be asked is: why? Why has this bill suddenly been declared as urgent? What does the minister not want to get out to the community until it is too late?

A few weeks ago the government moved a motion along the lines that the federal government should not sell Telstra because it is a community asset. All the residents in the area around Perry Lakes consider Perry Lakes to be a community asset.

Ms A.J.G. MacTiernan: Can I just clarify that? Were you opposed to what the Town of Cambridge was proposing to do, which was to sell the Perry Lakes land?

Dr J.M. WOOLLARD: I am opposed to the government riding roughshod over the local council.

Ms A.J.G. MacTiernan: But you are not opposed to the council doing it. Do you think that is okay?

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Dr J.M. WOOLLARD: No, I am opposed to the fact that the government is now selling off the land. The only reason the government is getting support for this bill is that it is promising people that there will be an international sports stadium at the end of it. The minister is not listening to the community. If the minister were kosher about this stadium, she would put her money where her mouth is and find the money. How much did the Treasurer find in his coffers the other week - \$160 million? Yet money cannot be found for this project. The only money that will be found for these sporting facilities -

Mr R.C. Kucera: So are you saying that the benefit of the land should go to one small group of ratepayers?

Dr J.M. WOOLLARD: Whose land will the government sell off next? Be honest. The member was one of the few who were honest tonight when he said that it was not about a land grab, but by saying it was not a land grab he has put the truth on the table. It is all about a land grab and money that this government should be providing for sporting facilities. Different people in this house -

Mr M.P. Whitely interjected.

Dr J.M. WOOLLARD: Why does the member on the backbench not keep quite? He never contributes anything; he just interjects occasionally. I do not think he even knows what half the issues are about.

Several members interjected.

The SPEAKER: Order!

Mr P.B. Watson interjected.

Dr J.M. WOOLLARD: I am embarrassing! What hypocrites! The government says it will not sell off community assets. What about Duncraig House, Raffles, Sunset and now the land at Perry Lakes. Will it be the South Perth foreshore next?

The other thing that is interesting is the money that has been put on the table. I think the member for Cottesloe said that there was a slight difference in the amount that would be returned from this land development. The difference was between \$50 million and \$110 million. That is just a slight difference! Where will that \$60 million go?

Mr J.E. McGrath: It has disappeared.

Dr J.M. WOOLLARD: That is right. The only person on the government side to address that issue was the member for Yokine when he read out a letter from Hon Norman Moore dated 1999. In that letter he said the profits would be shared.

Mr R.C. Kucera: That is right, but the costs would be shared. Forty-eight per cent of the cost of the athletics stadium would come from the state government.

Dr J.M. WOOLLARD: Again, we can probably look at what the member for Yokine was saying and see the government's real intent.

Mr R.C. Kucera: That arrangement has not changed since Hon Norman Moore agreed to it back then - that is, 48 per cent of the cost of the stadium will be put up by the state government, and 52 per cent will be paid by the Town of Cambridge out of the proceeds of the sale of land. Both governments have agreed to that arrangement.

Dr J.M. WOOLLARD: What has changed, Minister for Sport and Recreation, is that the community has weighed up the position it wants to take on this issue. Yes, people want a sporting stadium, but they do not want high-rise development in their back gardens. They are concerned about that prospect with this government. What kind of development will go ahead?

The minister's second reading speech is a joke. It reads -

The stages in preparing a redevelopment plan include -

consultation with affected public authorities and the community;

We all know what kind of consultation that is -

submission of the draft development plan to local government for comment;

It might be a tick here, but the government does not really need a tick, as it will do what it wants anyway. The second reading speech continued -

submission of the draft development plan to the Environmental Protection Authority;

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Members need only look at what is happening with pollution to see how effective the EPA is at the moment. The second reading speech refers to other steps. Although it looks good on paper, members all know what will happen.

I will not support this bill. It is inappropriate to put this bill on the table and to declare it an urgent bill. Basically, the government's intent with this bill, as I said before, is a land grab, and the government is blackmailing the community. It states that the only way the community will get the needed international sporting facility is if the government is given the tick of approval to ride roughshod over a local council.

MR J.J.M. BOWLER (Murchison-Eyre - Minister for Local Government and Regional Development)
[10.48 pm]: Mr Speaker -

Mr R.F. Johnson: We're not going to have every minister speak on this, are we?

Mr J.J.M. BOWLER: It will be just the three of us.

Mr R.F. Johnson: You will not speak as long as the previous one, will you?

Mr J.J.M. BOWLER: No.

I came to the local government ministry with a high regard for local government. Not being involved directly with local government, I was a journalist for 29 years in the goldfields, and covered councils from Leonora to Esperance and across to Southern Cross, which is the Yilgarn Shire Council. Therefore, I had a high regard for local government; I retain that high regard. Before I became minister, and importantly, since, I have noticed that whenever a problem arises in a local council, there are those in the media and some members opposite - it was not previously the case - who cast aspersions on the image of local government. My response has always been that maybe one council is in trouble, and maybe one council has done the wrong thing here and there, but what about the other 143 councils that are doing a good job? If 144 councils were on the Australian Stock Exchange, no doubt one or two would be bad and lose profits and half a dozen would reduce their profits as the year progressed. When one council out of 144 has problems, the sad fact is that it casts aspersions and reflects on the other 143 councils. The same applies with individual councillors: one or two councillors go off the rails and are caught doing something they should not be doing, and, again, it reflects badly on all local government. Again, what about the 1 400 councillors doing a great job throughout Western Australia in looking after the interests of the local community? As I look opposite, several opposition members have a local government background. I praise them for their past work in local government. Generally, people in local government work for hardly any recompense. As I often say, if they were working for money, they would do it for less than \$1 an hour. Whether a mayor, a president or a councillor, they do it for the love of their community, shire or suburb. I applaud people for that work.

That is why I am disappointed that the opposition has not taken the chance to join the government on this proposal, rather than being a traditional opposition - "opposition" coming from "oppose" - and opposing the government's proposal for the simple fact of opposing. It would have been a great opportunity for the opposition to support the government's legislation, which I believe will benefit the image of local government. It will benefit all ratepayers of the Town of Cambridge. There is no doubt - I am sure that members opposite agree - that it will benefit the participants in the three sports that we have talked about and possibly other sports that will come on board because the government is involved and they can see some certainty in this redevelopment, which has taken far too long to resolve.

The member for Moore has described this as a land grab. In my heart I do not believe it is a land grab. He is a man of honour. I know he comes from a local government background. When all is said and done, at the end of this project when the money or the unused land has gone to the Town of Cambridge, he will find that it was not a land grab. Only time will tell whether his fears are unfounded and are proved wrong.

I do not believe this legislation will set a precedent. We are not passing legislation that will enable successive governments, whether they be Liberal or Labor, to do this again at the drop of a hat. This is specific legislation for a specific area of land for a specific project. To say that it will set a precedent is scaremongering. When one council or one councillor goes bad, it is always easy - we know those people in the media who do it - to be negative and to be scaremongers. It is easier to be negative than it is to be positive. I ask the member for Vasse, who has a local government background, to come on board. I know that he has his doubts.

Mr T.R. Buswell: Who has gone bad?

Mr J.J.M. BOWLER: In the past?

Mr T.R. Buswell: No, now. Are you insinuating that the Town of Cambridge has gone bad?

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Mr J.J.M. BOWLER: I am talking about over many years. It happens. The Town of Port Hedland is one example of a council in my patch and during my jurisdiction that has recently had troubles. The Town of Port Hedland has sorted itself out.

Mr T.R. Buswell: Are you insinuating that the Town of Cambridge has gone bad?

Mr J.J.M. BOWLER: No, I am saying that with the Perry Lakes redevelopment hanging over its head, the Town of Cambridge was out of its depth and that, without the Perry Lakes redevelopment dragging it down, the Town of Cambridge will become a good municipality. Without the Perry Lakes redevelopment hanging over its head, the Town of Cambridge has generally been going a good job. One of the actions open to me was to dismiss the council and put in commissioners. I did not want to do that. I will not do that.

Mr P.D. Omodei: Because you would have to reinstate them.

Mr J.J.M. BOWLER: I have not done that.

Mr P.D. Omodei: They have not done anything wrong and that is why you did not dismiss them. You should know that. You can suspend them only pending an inquiry.

Mr J.J.M. BOWLER: I can suspend them. That is right; exactly.

Mr P.D. Omodei: Why didn't you say that? You said that you were going to dismiss them.

Mr J.J.M. BOWLER: I meant suspend, and then put in commissioners. I have not done that, because once the government takes this course of action, the Town of Cambridge will continue to be a good council for its ratepayers, just as it always has been.

Mr G. Snook: One of the core values of local government is to look after its assets. Isn't that right?

Mr J.J.M. BOWLER: That is certainly right.

Mr G. Snook: Isn't that what this council is trying to do - look after its core asset?

Mr J.J.M. BOWLER: If it were a juvenile, it would be three strikes and it is out. It has had more than three strikes. It has had many strikes over seven years. If it were in a juvenile court, its chances would have run out. The member for Churchlands said that the Minister for Planning and Infrastructure has shown enormous patience, but enough is enough; it is time to move on and the Town of Cambridge has been given more than enough time and more than enough opportunity to get on with this much-needed development. As I have said, I believe that, in general, the Town of Cambridge is a good council. My worry is that the image of the Town of Cambridge has been dragged down by this one development, which I believe is beyond its capacity to resolve. Therefore, this act of Parliament will take that out of its jurisdiction. Members will find that the Town of Cambridge will continue to be a very good council. I believe that the benefits to ratepayers will be twofold. First of all, they will get this much-needed development in their area and, secondly, they will have a council concentrating on all the issues that councils should concentrate on. The member for Cottesloe always raises some very good points in debate. He admitted that the image of the Town of Cambridge is being damaged by this project. It is a fact that no-one can dispute. Taking it out of the hands of Cambridge will improve the image of the town. Not only will the rights of the ratepayers be protected, but also all ratepayers will benefit from this development, not just one ward, which is what would have happened. Originally, this land was located in what was the City of Perth, for statewide facilities, and now it has been transferred into one-quarter of the original City of Perth, and the benefits were to go into half of that area. It is exactly as the member for Cottesloe said. The image of local government will be enhanced by what the government is doing today. We will build this facility, after many years of indecision. The profits will go to all the ratepayers of the Town of Cambridge. The image of local government will be enhanced, and long-awaited sporting facilities will be in place for all Western Australians. I remind members of the National Party representing country people that country people use all these facilities at their annual country week or state championship events, and they will greatly appreciate them also.

MR P.D. OMODEI (Warren-Blackwood - Deputy Leader of the Opposition) [10.56 pm]: This is a very important piece of legislation, given that its intention is to take land away from local government. The real crux of this issue, however, is that the Labor government in Western Australia has failed to provide a track and field facility in this state in the time it has held office. The previous government undertook some discussions with the Town of Cambridge. Another member talked about the use of blackmail against the council. Without the land being rezoned, the council did not have the wherewithal to get involved. I understand that the application to rezone this land from recreation to urban deferred has been on the minister's desk for more than two years. The

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government is accusing the council of many things, without the council being able to defend itself. The mayor has been in the gallery listening to these accusations. I find the government to be quite cowardly. I ask each member who supports this legislation how many of them attended council meetings or sought briefings from the Town of Cambridge. I would say that not many did so. This is an important issue.

The original proposal involving Multiplex provided for 261 lots, which would have yielded \$189 million from total land sales. At the same time, there were two offers. One would have returned \$111 million to the Town of Cambridge, and the other one would have returned \$113 million. That was after the development was paid for and after the proponent received its profit, which was to have been about \$18 million. Under this legislation, the government is saying that it will return \$50 million to the Town of Cambridge. The Minister for Sport and Recreation admitted that there would be some other developments on the adjacent land. We do not need much imagination to see where the money will come from to assist the government to do that. This is a land grab. It is absolute blackmail. The government is protesting a little bit too much. Tomorrow's newspaper, which has just been made available to members, shows that the government has a surplus that is \$1.2 billion more than the surplus it estimated in this year's budget. The issue is the speed with which the sports facilities should be made available. The public of Western Australia is crying out for these facilities. This government has had the ability to build these facilities. They could have been built more than two years ago if the government really wanted them built. The state government did not need to rezone its freehold land if it did not want the Town of Cambridge to benefit from it. We have seen the government continually denigrate the council.

The Minister for Local Government said that Western Australia has 143 local governments. There are only 142. That begs the question: how much does he know about local government?

Mr J.J.M. Bowler: What about the two island councils?

Mr P.D. OMODEI: Are they in Western Australia?

Mr J.J.M. Bowler: They are under the state's jurisdiction.

Mr P.D. OMODEI: No, they are not. They are under the jurisdiction of the territories. Local government is under the Western Australian jurisdiction, but the islands are not. It is a very technical point. Western Australia has 142 local governments.

The important point is that under the original government proposal, in which Multiplex was the developer, there would have been a return to the government of \$111 million or \$113 million after the project was built. The Town of Cambridge had sought to develop the project; it had got to the stage of advertising for a project manager. This bill is considered urgent because it would have been well and truly within the capacity of the council to undertake this project. Members need only look at the other sporting facilities that have been built in Western Australia. The \$16 million or \$18 million facility in Kalgoorlie was not built by the council; it was built by project managers. Who paid for the Beatty Park Leisure Centre, Joondalup Arena and Subiaco Oval? I admit that in the old days the City of Perth paid for the development of Beatty Park. We all know that the City of Perth, which is the core of the city, used to produce more than 50 per cent of the rates of the then city. It had the capacity to build those types of facilities in those days. However, since then all these types of facilities have been paid for by the state.

This grubby government has sought through legislation to take off a local government land that belongs to the people of the Town of Cambridge. The residents of the Town of Cambridge have already forgone many of their assets. During the term of the previous coalition government a lot of land was provided for Bold Park under the restructure act. It was agreed to by the Friends of Bold Park, who sought to have that land become part of Bold Park. The government paid some compensation to the Town of Cambridge for the land; I think it was about \$6.5 million. That was a heap of freehold land that the Town of Cambridge agreed should become part of Bold Park because the town wanted to have a big park contained within it. That park is now managed by the Kings Park Board.

Ms A.J.G. MacTiernan: This is fantasy.

Mr P.D. OMODEI: I can hear the minister saying that this is fantasy. This is the same minister who said that the previous government had torn up the City of Perth. The minister was then a City of Perth councillor. To this day the minister is envious or angry that the council was involved in the restructure. I remember my good friend Jack Marks organising the marches on Parliament House and I remember the eggs that were thrown at the minister, because I was the minister. In the end, each of those councils invited me to open its facilities. Whether it was the Town of Cambridge, Vincent or Victoria Park, each asked me back to open those facilities. I still have a very good relationship with each of those councils. They were set up in their own right and were debt free.

Extract from Hansard
[ASSEMBLY - Tuesday, 20 September 2005]
p5645b-5681a

Ms Alannah MacTiernan; Deputy Speaker; Mr John Day; Mr Gary Snook; Mr Dan Barron-Sullivan; Mr John Castrilli; Dr Elizabeth Constable; Mr Colin Barnett; Dr Janet Woollard; Acting Speaker; Mr Trevor Sprigg; Mr Bob Kucera; Mr Grant Woodhams; Mr John Bowler; Mr Paul Omodei; Mr Troy Buswell; Mr Max Trenorden; Dr Kim Hames

They had their own facilities, council and communities of interest. The restructure has been good for those areas. If there were a valid argument about why the Town of Cambridge is wrong, I would raise it in this speech. However, I think it has been hard done by. The government is being cowardly. I have been pilloried today for seven hours because of comments I made about how the Royal Society for the Prevention of Cruelty to Animals works. For the past three hours the government has been attacking the councillors and the mayor of the Town of Cambridge without giving her a right of reply. I am prepared to tell the RSPCA exactly what I think of it. I am prepared to tell any other government department that I think is not doing its job properly what I think of it. I do that without fear or favour. I will always stand up for my constituents. However, this bill is a land grab by the government. It sends a signal to all local governments in Western Australia that this state government is willing to ride roughshod over local government and take valuable land that in its rezoned state as urban deferred is worth \$189 million. The Minister for Sport and Recreation should not tell me about his aim for a centre of excellence. The minister has the money. It is in the budget now - \$1.2 billion. We are talking about a project that will cost \$33 million. The government is trying to blame the Liberal Party for holding up these projects. This government has had the capacity, ever since it has been in power, to build these facilities. Given that agreement had not been reached by the previous government, the government could have gone in there and built these facilities. At one stage there was talk about building these facilities at Curtin University. Members opposite have no excuses. They will win this argument. We can count. The government has the numbers. However, I am sure this issue will be thoroughly scrutinised in the Legislative Council. Members opposite, and the Minister for Sport and Recreation, should hang their heads in shame at the way they have treated the ratepayers of the Town of Cambridge.

Adjournment of Debate

MR T.R. BUSWELL (Vasse) [11.04 pm]: I move -

That the debate be adjourned.

Question put and a division taken with the following result -

Ayes (20)

Mr C.J. Barnett
Mr D.F. Barron-Sullivan
Mr T.R. Buswell
Mr G.M. Castrilli
Mr M.J. Cowper

Mr J.H.D. Day
Mr B.J. Grylls
Dr K.D. Hames
Ms K. Hodson-Thomas
Mr R.F. Johnson

Mr J.E. McGrath
Mr P.D. Omodei
Mr D.T. Redman
Mr A.J. Simpson
Mr G. Snook

Mr T.R. Sprigg
Dr S.C. Thomas
Mr G.A. Woodhams
Dr J.M. Woollard
Dr G.G. Jacobs (*Teller*)

Noes (29)

Mr P.W. Andrews
Mr J.J.M. Bowler
Mr A.J. Carpenter
Dr E. Constable
Mr J.B. D'Orazio
(*Teller*)
Dr J.M. Edwards
Mrs D.J. Guise
Mr S.R. Hill

Mrs J. Hughes
Mr J.N. Hyde
Mr J.C. Kobelke
Mr R.C. Kucera
Ms A.J.G. MacTiernan

Mr J.A. McGinty
Mr M. McGowan
Ms S.M. McHale

Mr A.D. McRae
Mr N.R. Marlborough
Mr M.P. Murray
Mr A.P. O'Gorman
Ms M.M. Quirk

Ms J.A. Radisich
Mr E.S. Ripper
Mrs M.H. Roberts

Mr T.G. Stephens
Mr M.W. Trenorden
Mr P.B. Watson
Mr M.P. Whitely
Mr D.A. Templeman

Pairs

Mr T.K. Waldron
Mr M.J. Birney

Dr G.I. Gallop
Mr J.R. Quigley

Question thus negatived.

Second Reading Resumed

MR M.W. TRENORDEN (Avon) [11.11 pm]: I thought I would be denied the opportunity of saying a few words tonight, which is why I was on this side of the house. This bill is fundamentally pretty important. The Minister for Local Government pointed to me a little earlier and said that country people have a great need for these facilities. That is true, and I have a great interest in not only the proposed facilities, but also future sporting facilities for netball, the question of which has not yet been resolved. I cannot say that I have no interest in this process, because I own a property very close to Perry Lakes. However, I would also argue that whatever

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happens to the Perry Lakes development will not make any difference to the property value of the duplex that I own.

Ms A.J.G. MacTiernan: Where is it?

Mr M.W. TRENORDEN: Selby Street. I want to put a point to the two ministers who have spoken. I hope that the Minister for Planning and Infrastructure will in part agree with what I have to say, because I have heard her make similar comments. I believe that this is a crisis in planning. I have watched it develop over a long period. It is very sad when it is necessary to declare a bill in this house an urgent bill, but I do not disagree with the need to move on and get the sporting facilities in place. The trouble is that to get there the government has had to trample on local government. No matter how the balls are thrown in the air, this is a land grab. We would like to be able to say that it is for the benefit of all Western Australians, but if any member were a councillor for the Town of Cambridge, he or she would have to be concerned about the process. The reality is that the Town of Cambridge will not have a great deal of land of its own that it will be able to hold as an asset and barter with over time. I was once a local government councillor for the Town of Northam, which had no land of its own. We councillors looked with a great deal of envy at communities that owned land that they could develop and get revenue from. If I were a councillor for the Town of Cambridge, I would be concerned that this land would sell at the Valuer General's valuation. The fact is that if members in this chamber were required to sell their properties at the Valuer General's valuations, they would all be screaming blue murder. They would not like it because it is a very nasty process.

Mr A.D. McRae: The land is not a private holding.

Mr M.W. TRENORDEN: It is still an asset of the Town of Cambridge. If the member lets me finish my argument, he may or may not agree with me. I do not really care. The point I am making is that there is a crisis in planning in the metropolitan area, and there is only one way to resolve it; that is, by having one council in the metropolitan area - one local government body. That is because we argue not only about the sporting facilities in Cambridge, but also, member for Riverton, about a 12 000-seat stadium in the City of Perth, roads that lead into ports and a range of other issues. The vested interests in those issues are significant, and nobody wants to take those interests away from individuals. However, when we divide up the city into a lot of little serfdoms and demand that people take that interest, we must put conflict into the process. I say to the minister that conflict will always be a part of planning.

Ms A.J.G. MacTiernan: You are repeating my comments to *The West Australian*.

Mr M.W. TRENORDEN: That is what I said to the minister earlier. I think she has virtually been heading in the direction about which I am talking. I put on the record that I am a very strong supporter of a single council in the metropolitan area. There are significant reasons for that. We have heard them in this place today. Frankly, I have a long-term friend, for whom I have a great deal of respect, who is a councillor for the Town of Cambridge. I feel for her and the rest of the councillors. However, I must say that if I were a councillor for the Town of Northam and we were doing something significant, I would doubt the capacity of the Town of Northam to do it. I cannot comment on the capacity of the Town of Cambridge, because I do not know what it is. I suspect that those who are arguing the council's case have a reasonable case, but we do not have a reasonable case for steamrolling those people. We tell them to get elected and to be champions of the community, and then we do these sorts of things to them. It is not logical.

The only thing to do is to have a single council in the metropolitan area. The issues regarding the servicing of facilities, public transport and so on are very important. However, they are not issues for only the Town of Cambridge; they are issues for all of the metropolitan area. Although the minister and I have the occasional argument about this, hopefully people in my constituency will be able to jump on the train in Northam and travel along the metro line into the metro area, so that my constituents will have the same sort of delivery to central Perth and other places as do people in, say, Armadale. Nevertheless, if we want these things to work, there must be something common about them, because the planning process is not just about the facilities that will go into this area; it is about making the process work for the greater metropolitan area, and then for the state. The only way in which that can be done is to have a single council in the metropolitan area.

None of us in this chamber would accept the outcome if the situation were reversed. Let us be fair about the argument. If the federal government said to the state, "You own some land. We're going to take it away, and we'll give you the valuation of the Valuer General", we would scream blue murder, and so we should, and so should the people on the Town of Cambridge council. This is not their responsibility. We have given them a charter. We asked them to be elected. They are doing their job. The problem is that it does not gel with what the state needs, so we should be working to get a different outcome.

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It is getting late. I suggested that I might speak until about 11.30 pm. I do not want to go a great deal further. However, I will go over the issues again. I have a great deal of compassion for the Town of Cambridge. I believe it is in a very difficult position. I would hate to be a councillor on that council right now. I have a lot of sympathy for the minister in her attempt to get something done for the state when it must be done. There is no question that it must be done. We cannot allow these arguments to drag on for years. I give the minister a tick for her process. This has to happen and I believe the minister has been very even in the process. However, if I were a councillor with the Town of Cambridge I would not be happy with the minister because the government is sending a mixed message to the council. That is not fair to it or to local government in general. The only way to resolve that and the million other issues that come before this house is to have a common planning process for the metropolitan area. That is what is required. It needs to be democratically pursued and it needs a common outcome. To do that, there has to be one process. I know that in the past the minister has argued that she would put some form of metropolitan commission in place. As much as I acknowledge that that would be going some of the way - I have not seen the advertisements in *The West Australian* recently - the only real way to resolve this is to appoint a single council. That single council would have the resources. It would have revenue of millions of dollars, just as Brisbane has. It would have a capacity equal to that of the state to handle matters such as sinking the rail between the CBD and Northbridge. The rail line is a project that I strongly support, even though it is costing hundreds of millions of dollars and I live in the country. However, it is a blight on the city to have the rail line between the CBD and Northbridge. The National Party strongly supported the southern corridor in Geraldton for much the same reason. The railway line along the beach at Geraldton is a blight on Geraldton and is unacceptable.

Ms A.J.G. MacTiernan interjected.

Mr M.W. TRENORDEN: That is a fantastic thing. I am looking forward to the day when I can go to Geraldton and visit the front beach without there being a fence or a rail line between the main street and the beach. People should have access straight onto the beach. What a wonderful thing that will be for Geraldton. The same argument must prevail in this case. The CBD has to be fixed. There is a raft of issues that should not be tackled in isolation. They should not be done for the vested interests of the CBD and the City of Perth or the Town of Cambridge and the like. We must agree that there should be a single entity and a single democratic process that has the power and money to do these things for the good of all metropolitan people and, therefore, the state.

MR T.R. BUSWELL (Vasse) [11.22 pm]: Before I make my brief contribution to this debate, which will have a local government perspective on this legislation, I repudiate comments by the Minister for Planning and Infrastructure earlier when she accused me of suffering from attention deficit disorder. As members may remember, I took great offence at her claim that I suffer from ADD. I assure her and the house that I do not. In fact, not only do I not suffer from ADD, but also I do not suffer from DD! I am happy to take her criticism on board and move forward.

Let us consider the arguments presented in this debate tonight. It is interesting to reflect on the comments of the member for Cottesloe, who addressed the issue in the most lucid way. He said that this is not about apportioning blame. He indicated that this is a complicated issue and that, at the end of the day, it was the responsibility of the state government and the Town of Cambridge to move ahead and attempt to resolve this issue.

The member for Cottesloe presented a lucid set of arguments. I was interested to note the minister's comment at the conclusion of his contribution to this debate when she turned to him and said words to the effect, "Well, there goes Action Man." His was probably one of the most considered contributions to this very complex issue, yet it was met with that sort of simplistic response from the minister. It was very disappointing.

As the government gallops about to initiate projects and get things done in this state, I wonder how many times its election slogan "Decisions, not delays" has come back to bite it since its re-election to government. It appears that currently there is a lot on the government books that is not always supported by proper analysis. This piece of legislation is a prime example of that.

I take issue with some of the points raised by the Minister for Local Government and Regional Development. He said that local government in Western Australia wants this legislation passed. He said he had been contacted by a number of local government authorities and that some had suggested to him that the government should consider taking over the Town of Cambridge. When he was pressed to list those local governments, he could not. It is a disgraceful statement for a Western Australian Minister for Local Government to make. Local government is an institution that members in this chamber, for better or for worse, have had dealings with. It has shaped many aspects of community life in Western Australia. I put it to the minister that local government has a

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critically important role to play in Western Australia. Of most importance is its role in nurturing and developing a sense of community. For the minister to insult local government like that in this chamber is absolutely unacceptable. He went on to say that what we have is a local government that is in trouble. Why is the Town of Cambridge in trouble? The answer is that it is not. Yes, it is having difficulty dealing with this issue and, yes, it has taken a long time. As the member for Cottesloe pointed out, a variety of factors have led to this position. If members asked any local government in Western Australia about its projects, they would find that many projects of varying complexity have taken a long time to bring to fruition. It is an important by-product of local government. There is nothing anyone can do about it. If we use the minister's example of a local government being in trouble simply because it has difficulty dealing with significant issues, by default every local government in Western Australia is in trouble. The role of the state government as it relates to local government is to ensure that the probity of the process of local government is maintained and that it operates in a lawful manner. No-one has indicated that the Town of Cambridge has at any time operated without due probity or acted in an improper or unlawful manner.

I come to the point highlighted by the member for Cottesloe: the issue is not one of outcome, but one of process. Members on this side of the house suggest that the Town of Cambridge does have a process in place that will deliver this outcome to the state. I understand that the minister has an alternate view, but the opposition suggests that the process the government is about to embark upon is improper. The member for Warren-Blackwood rightly said that it is a land grab by the state government and, more importantly, it is disfranchising the people of the Town of Cambridge of the planning process.

I draw members' attention to clause 52 of the bill, which implies that in this instance there will be planning by regulation. It also refers to the imposition of charges and fees, which will be determined by regulation. I feel very concerned when I read something like that that gives the Minister for Planning and Infrastructure the capacity to determine planning outcomes and to impose fees and charges set by regulation. It does indeed disfranchise the residents and ratepayers of the Town of Cambridge of the planning process. Whether or not the minister likes it, community-based land-use planning is a fundamental tenet of local government in Western Australia. The government has no right to take that away from those people.

A significant concern was raised by the member for Moore in his introductory comment; namely, the establishment of a precedent.

Mr R.C. Kucera: Is that your view about your electorate?

Mr T.R. BUSWELL: Of course it is.

Mr R.C. Kucera: Do you agree with the August-Margaret River situation?

Mr T.R. BUSWELL: Augusta-Margaret River is not in my electorate and that is not being discussed here tonight. Why would I be concerned about a town that is not in my electorate?

Mr A.D. McRae: You're concerned about Cambridge.

Mr T.R. BUSWELL: Augusta-Margaret River is not being discussed here tonight. The issue of the Town of Cambridge is pressing because it has the potential to be an issue in my electorate. Funnily enough, there are significant parcels of land on the foreshore of Busselton and Dunsborough, two towns in my electorate, that are either owned by the local government body in fee simple or are state-reserve lands controlled by the local government body. I am concerned that in the future someone will be elected to the Shire of Busselton who has access to a government minister that others will not have, similar to the access that was afforded former Councillor Burkett of the Town of Cambridge. At a certain time that minister might choose to launch a campaign to discredit that local government body. Eventually the minister might choose to resume the land and impose on the people of my community a development outcome that they do not support, have no ownership of and have no interest in. I am concerned about that scenario more than anything. Very few members in this house will not look at their own electorates and draw a similar conclusion.

I will highlight the points made by the members for Bunbury and Moore. This bill is a manifestation of the government's grubby campaign to erode property rights in Western Australia. I was very interested this morning to read the member for Warren-Blackwood's comments in *Hansard* about the Royal Society for the Prevention of Cruelty to Animals. One of the reasons people in rural regions react the way they do to encroachments on their rights by organisations such as the RSPCA is that it happens all the time. For example, the Department of Conservation and Land Management's regulations control what can be done on land. People are fed up with the way this government's legislation impacts on the rights of private citizens to lawfully use their private property for purposes of their choosing. It is wrong. That is why people become frustrated and ring their local members

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of Parliament when the RSPCA turns up with a couple of veterinarians to a paddock full of hungry cows and starts to shoot them. It is the straw that breaks the camel's back. The cows they shot were not dead on the truck! They did not drag out the dead cows and shoot them! We are not talking about a Labor Party preselection process.

Several members interjected.

Mr T.R. BUSWELL: We are dealing with sick and injured animals. Perhaps it does reflect a Labor Party preselection meeting: they should be put on a truck and driven around and then a few of the ones that are alive could be popped off! The member for Warren-Blackwood could shoot a few and the ones left standing could be endorsed! People at Trades Hall could be telephoned with the news that we did a few laps around the metropolitan area and a few "cows" survived the journey, so they could have a seat. We would set them up in Collie where they could secure the town's future. The government is behind the town of Collie. The situation in Collie is an absolute beauty. It is unhealthy to excite the member for Collie so late at night!

At the end of the day, the proper process would have been not to punish the Town of Cambridge and its citizens but to provide them with incentives. The member for Cottesloe outlined a perfectly plausible solution to a very complex problem. I was interested to hear tonight a number of comparisons. A member asked how the Minister for Planning and Infrastructure responded to the whiff of a rumour that the federal Minister for the Environment and Heritage, Senator Ian Campbell, might argue that there was a need for federally controlled coastal planning. Oh my goodness me! We got stuck on that for about two weeks, and there was a lot of ranting and raving. It was terrible. It was to be the end of the universe; yet exactly the same approach is being foisted on the poor folk of the Town of Cambridge. As the member for Cottesloe said, this issue can best be resolved through a strategy based on cooperation and not by waving a big stick. This legislative initiative, if it can be called that, will not guarantee to deliver the outcomes that the government seeks.

DR K.D. HAMES (Dawesville) [11.36 pm]: Since I have been kept up this late at night, I will have my five minutes worth of speaking after all. I swear to members on my side of the house who are looking at me that I will be only five minutes. I will once again put to the minister the proposal that was put to her by the member for Cottesloe, because it was something that I was going to put to her myself. I know that the minister assumes that the legislation will be passed through this house, as it obviously will, but there is no guarantee that it will get through the other place. If it is opposed in the other place by members on our side and by the Greens (WA), it will not get through, and the minister will be back to square one. I would like the minister to seriously consider the proposal that was put to her by the member for Cottesloe; that is, that the state government take control of AK Reserve and the land on that side and build the sports facilities straightaway, and that it leave the land on the other side to the management of the Town of Cambridge, which is its responsibility and duty and which it was elected to do. That way, we could get the best of both worlds.

Ms A.J.G. MacTiernan: Are you suggesting that the council would not financially contribute to it?

Dr K.D. HAMES: Not at all.

Ms A.J.G. MacTiernan: How do we secure that financial contribution?

Dr K.D. HAMES: It could be done through agreement. The council has made it quite clear that it is prepared to put up money towards the cost of building the sporting facilities.

Ms A.J.G. MacTiernan: There are a couple of factors. We tried to pursue that line with the council back in May. This has been very much the last resort for us. It is not what we wanted to do.

Dr K.D. HAMES: Minister, I understand.

Ms A.J.G. MacTiernan: Hang on, you said that you wanted to put a proposal -

Dr K.D. HAMES: No, I wanted the minister to reconsider; I did not say that I wanted her to talk.

Ms A.J.G. MacTiernan: Okay. However, there is no point in reconsidering when we have already considered it.

Dr K.D. HAMES: The minister says that, but if it turns out, as I have suggested, that the bill is not passed, the minister will be left with nowhere to go and no fall-back position. If the minister cannot do it, she should let us do it. I think a negotiated agreement could be reached. It is my view that it is not the job of a local council to look after what are, in effect, state sporting facilities.

Ms A.J.G. MacTiernan: We agree.

Ms Alannah MacTiernan; Deputy Speaker; Mr John Day; Mr Gary Snook; Mr Dan Barron-Sullivan; Mr John Castrilli; Dr Elizabeth Constable; Mr Colin Barnett; Dr Janet Woollard; Acting Speaker; Mr Trevor Sprigg; Mr Bob Kucera; Mr Grant Woodhams; Mr John Bowler; Mr Paul Omodei; Mr Troy Buswell; Mr Max Trenorden;
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Dr K.D. HAMES: They are rightly and properly the business of state government.

Ms A.J.G. MacTiernan: That is why the government of which you were a minister -

Dr K.D. HAMES: Why is the minister yelling at me when I am talking to her quietly and sensibly?

Ms A.J.G. MacTiernan: - completely messed up because you gave state facilities to a local council. That is where you made a fundamental error.

Dr K.D. HAMES: The minister will recall that the facilities that are called state facilities were paid for by the council. The council owned the freehold of the property and paid for 85 per cent of the facilities; it was, in effect, council property. I know that it was regarded, treated and used as a state facility, but the reality is that it was not. We now need a state-run facility, but the council wants to be able to develop that land when the facility is gone. It is quite rightly offering to provide funds, and it would obviously be ridiculous to knock that back. There is an opportunity for us to take the funds from the council, to look after the land, to run those sporting facilities as state sporting facilities and to leave the remainder to the council to manage in its own time and with its own plans.

MS A.J.G. MacTIERNAN (Armadale - Minister for Planning and Infrastructure) [11.39 pm]: I thank members for their contributions. I thank the Independent member for Churchlands and the National Party for supporting this legislation. Unfortunately, I am not able to determine where all the other members stand. I gather that some of them oppose the bill; however, others have been a little more equivocal about their positions, so I cannot quite determine where they are coming from.

This was not an easy decision for the government to make and I stress that it was a last resort for us after we had tried many, many times to negotiate a range of possible outcomes with the Town of Cambridge. Much has been made of the fact that this is a precedent. This is a very unusual situation and, in my view, it is one that has been made necessary because a very small local authority has been asked to run a very large development project that is outside its capacity. A number of members made the point that this was a radical situation, but from time to time radical legislation is brought into this chamber. The member for Warren-Blackwood would recall bringing in legislation to carve up the City of Perth into four. He said that at the end of the day he believed that was a good decision. That is something that he believed and we had our disagreement about it, but from time to time there is the necessity to take some radical action about some of the problems that beset local government. The splitting of the City of Perth was, of course, a far more radical decision than what we are asking members to consider tonight. I continue to make the point, and I really believe it, that the difficulty with this situation arises from a fundamental error that was made in putting the Perry Lakes site into the hands of the Town of Cambridge. There is a very big difference between a capital city and a small local authority, and a capital city is the sort of entity that sponsors Commonwealth and Olympic Games. The City of Sydney was the sponsor for the Olympic Games. There is a fundamental difference between a capital city and a small local authority, and there was a complete failure to understand that by the previous government. Hence, we have this problem that emerged when these facilities were still operating as a state facility.

Dr K.D. Hames: Would you take Beatty Park back?

Ms A.J.G. MacTIERNAN: The role of Beatty Park has been taken over by the pool at Challenge Stadium. Further, there is not a problem with Beatty Park, because it continued to be restored by the Town of Vincent and still fulfils the role it did before the split. In this situation there was a great deal of uncertainty about who was going to maintain the facility. The Town of Vincent does not say to the state government that it wants the government to maintain Beatty Park; the Town of Vincent maintains it. The Town of Cambridge was not maintaining the sporting facilities at Perry Lakes, particularly the athletics stadium. The issue about who was responsible for the maintenance of that facility continued to be unresolved. The reality was that it was old and run down. Under Hon Norman Moore, a task force was set up and a very sensible solution arrived at. All we seek now is to put in place that resolution.

I find the claim about asset stripping to be absolutely unbelievable. Asset stripping could be referred to in relation to Bold Park. The member for Cottesloe today contrasted his attitudes to the differing developments. It is interesting to consider what people at the time were saying about the Bold Park proposal. One letter at the time was headed "Is this a lesson in ethics?" It read -

Education Minister Colin Barnett's plea for morality and ethics to be taught in our schools must have been done with tongue in cheek . . .

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Readers need only recall the story on Bold Park . . . to see the double standard Mr Barnett displays. The State Government appropriated \$535 million worth of our land to form Bold Park Regional Park, plus all of Perry Lakes and Alderbury Reserve to add to it, plus more than \$12 million worth of land in Mt Claremont to give to the Kings Park Board, thus excluding our town from any control in how our money should be spent.

Dr E. Constable: Who wrote that?

Ms A.J.G. MacTIERNAN: This is written by David A. Johnston, then Town of Cambridge councillor. The government is accused of a land grab at Perry Lakes. The then local member and minister, Colin Barnett, presided over the transfer, according to this letter, of \$535 million worth of assets for the total sum of \$1. That is a land grab! We do not do it as well as members opposite - that is a land grab! The government is proposing to give effect to the agreement that was in place. We really wanted to work in a partnership with the council, but we were unable to get the council across the line.

A difficulty we face is the length of time involved with the processes of local government. Much has been made of the fact that the council is now ready to go out and start the project. It must start by advertising for a project manager. It must then select the project manager, who must prepare a business case, which must be advertised to the public for a couple of months seeking public comment. That comment must then come back to the council processes and be considered month after month. The town's last business case, although it went through the council, was never acted upon. If we went down that path, we would have delays, not decisions, and I do not think we can tolerate that any further.

I explained to members that the government was negotiating the details of the agreement and how it would secure this project, and it was always concerned about a possible change of heart by the Town of Cambridge. Frankly, we were glad we negotiated in that way and included an urban deferred provision; therefore, at least some control was involved. Otherwise, we would have had the quite unconscionable result that the land could have been subdivided and developed, with none of the proceeds directed as a contribution to the replacement facilities.

The point was made by one member that nothing unlawful has been done. It is true that nothing unlawful was done, just as nothing unlawful was done by the 27 councillors who compromised the former City of Perth. However, the government of the day, rightly or wrongly - I believe wrongly - decided to divide the city into four councils. This government made a decision that after four years of delay, it is important that this process be executed in a timely way. The government is very much of the view that the local government processes would have involved much more delay, so that even with the best will in the world on the part of the Town of Cambridge, and even if it were a very united council, the institutional steps meant it would have had enormous difficulties delivering this project on time. We know that the council is not united. There are divisions in a number of different directions. Some councillors do not believe that the council should be taking on this do-it-yourself project, although they support the redevelopment of Perry Lakes. Another group of councillors totally opposes any development on Perry Lakes at all. The council is divided into three blocks, which makes the decision-making process very unstable. With a complex line of decision making required, and the council divided into three camps, the chances of this getting through in an optimistic time frame are very slim. The essence of local government processes, combined with the great diversity and conflict in the council about the best way forward, make progress most unlikely. It is a tough decision and, like the Minister for Local Government and Regional Development, I think it is ultimately in the best interests of local government. I have noted some comments that the Western Australian Local Government Association is opposed to what the government is doing, but I have also noted some earlier comments from WALGA pointing out that the council was struggling with this matter. Difficulties in the council have been noted by WALGA, and even a united council would have trouble doing this. We cannot allow delays; we need decisions.

A number of members have asked about the profit that will be made. The idea that we are not providing compensation for the Perry Lakes site is a complete nonsense. The legislation clearly sets out that the state government is not entitled to use any of the money gained from the redevelopment. Effectively, it is to be held in trust for the Town of Cambridge. There is a very specific set of items for which we can deduct funds from the trust fund. The rest of it goes to the council. I was asked by the members for Greenough and Churchlands to provide some figures. I have two separate valuations of the gross income from sales, based on a 215-lot scenario. That is a smaller development scenario than that proposed by Multiplex. According to the Valuer General, the gross income from sales after goods and services tax is \$204 million. After all the costs are taken out of that, the Valuer General estimates a profit in the order of \$99 million. We are saying \$50 million, to be very conservative, but the Valuer General's valuation suggests \$99 million. Egan National Valuers have been a

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little more conservative. They give the gross income as \$170 million, and the net profit to the Town of Cambridge as \$67 million. The member for Avon said that he would be concerned about using the in globo value from the Valuer General, but the way the government is doing this, in giving all the profit to the Town of Cambridge, will guard against undervaluation. The total profit projections range from \$67 million to \$99 million. I find it very hard to understand how anyone could describe that as a land grab. The government has entered into an agreement with the Town of Cambridge and we took what it said at face value. We rezoned the land and we do not think it is fair for the council to renege on the plan. I recognise it is not easy; it is not a step that we want to take. However, it is in the best interests of sport for Western Australia and it is in the best interests of the Town of Cambridge for the state government to get on with and deliver this project.

Dr K.D. Hames interjected.

Ms A.J.G. MacTIERNAN: So many comments were made that I do not want the member for Dawesville to think -

Dr K.D. Hames interjected.

Ms A.J.G. MacTIERNAN: I have had to sit here all night listening to a great deal of repetition; the member can be prepared to listen to the responses that I want to give. I make the point that this is about decisions, not delays. We will get on with this job because that is in everyone's interest. I thoroughly commend the bill to the house.

Question put and a division taken with the following result -

Ayes (32)

Mr P.W. Andrews	Mr S.R. Hill	Ms S.M. McHale	Mr E.S. Ripper
Mr J.J.M. Bowler	Mrs J. Hughes	Mr A.D. McRae	Mrs M.H. Roberts
Mr A.J. Carpenter	Mr J.N. Hyde	Mr N.R. Marlborough	Mr T.G. Stephens
Dr E. Constable	Mr J.C. Kobelke	Mr M.P. Murray	Mr M.W. Trenorden
Mr J.B. D'Orazio	Mr R.C. Kucera	Mr A.P. O'Gorman	Mr P.B. Watson
Dr J.M. Edwards	Ms A.J.G. MacTiernan	Ms M.M. Quirk	Mr M.P. Whitely
Mr B.J. Grylls	Mr J.A. McGinty	Ms J.A. Radisich	Mr G.A. Woodhams
Mrs D.J. Guise	Mr M. McGowan	Mr D.T. Redman	Mr D.A. Templeman (<i>Teller</i>)

Noes (16)

Mr C.J. Barnett	Mr M.J. Cowper	Mr R.F. Johnson	Mr G. Snook
Mr D.F. Barron-Sullivan	Mr J.H.D. Day	Mr J.E. McGrath	Mr T.R. Sprigg
Mr T.R. Buswell	Dr K.D. Hames	Mr P.D. Omodei	Dr J.M. Woollard
Mr G.M. Castrilli	Ms K. Hodson-Thomas	Mr A.J. Simpson	Dr G.G. Jacobs (<i>Teller</i>)

Pairs

Dr G.I. Gallop	Mr T.K. Waldron
Mr J.R. Quigley	Mr M.J. Birney

Question thus passed.

Bill read a second time.