

PERRY LAKES REDEVELOPMENT BILL 2005

Second Reading

Resumed from an earlier stage of the sitting.

HON BARRY HOUSE (South West) [9.00 pm]: I will not take very long, but I want to say a few words because this legislation concerns me greatly, which is why I will not be supporting it. This is the wrong way to go about trying to solve a couple of issues. It seems to me that no-one will come out of this episode with very much credit, which is a shame. The purpose of the legislation seems to be to create sporting facilities, which I, as a person who is keen on all sports, will certainly not deny is a good thing, but the legislation is extremely heavy-handed. It directly targets one local authority, the Town of Cambridge. I am always wary of legislation that isolates and targets one individual or one body. This is exactly what we are faced with here.

Other members have alluded to this, but I want to raise the property rights argument. It seems to me that the Labor government goes out of its way to find different ways in which to assault private property rights in this state. It is targeting them in a whole range of different ways, and this is yet another method. The Labor government has demonstrated through this piece of legislation, combined with a host of other actions, that it has contempt for private property rights in Western Australia. We have seen the Labor government use a host of different vehicles that demonstrate that, particularly through planning policies. We have discussed at other times, and we are seeing again in the areas of the state that I represent, regional planning schemes under which effectively rezoning is being imposed on people's property, rendering land valueless under the guise of providing for such things as public open space, landscape amenity or recreation. This whole process is disfranchising private property owners, because not only does the government do that but also it will not adequately compensate property owners, and certainly will not compensate them on fair and just terms. That argument will be raised again and again. This has occurred through a whole range of policies. Bush Forever was one of them. Yes, it was promulgated under the previous Liberal government, much to our shame, but it is the way in which it was put into effect that disfranchised many very good people. Wetlands policies are used for the same purpose. In the past couple of weeks we have seen the staggering example of the Minister for Planning and Infrastructure coming out with the concept of the retrograde rezoning of a large parcel of land at Moore River and stripping away millions of dollars in value from that privately owned land. That is quite a staggering step. I know that particular issue has a bit of a way to go and I certainly hope that the minister does not get away with it, because it is a direct and very unfair assault on private property owners. Through a whole range of environmental regulations on clearing vegetation and so on, the state is taking away individual owners' right of enjoyment and use of their private property by restricting their rights to pursue activities on their land, all without adequate and fair compensation.

This piece of legislation strips away the rights of an entire community to pursue their rights and enjoyment of the land that they own in freehold through the Town of Cambridge. The ratepayers of the Town of Cambridge are feeling the full brunt of the government's assault on private property rights. It has been reported in the media, and we have heard some commentators argue, that it serves the council right because it could not get its act together, was dysfunctional and could not make a decision on the future of the land. Maybe there is an element of truth in that claim. We have heard a lot about other councils in which there is political division. The Mayor of the Town of Cambridge seems to have been lined up by the Minister for Planning and Infrastructure. Her major sin appears to be that she was a candidate for the Liberal Party in the past. We have not heard very much about the fact that there were, and continue to be, some very prominent Labor luminaries on the Town of Cambridge Council, such as Graham Burkett and David Berry. Therefore, that argument does not wash. We all saw the problems of the Joondalup council.

The legislation is all in the name of providing sporting facilities that are desperately needed for athletics, basketball and rugby in particular. That argument is not new; it has been around for a long time. The facilities at Perry Lakes have not deteriorated in the past 12 months. For the past 20 years, it has been plain that something must be done about the state facilities for athletics, basketball and rugby that were provided by the Perry Lakes facilities. Regrettably, Western Australia has become a laughing stock nationally because of its athletics facilities in particular. We cannot attract any decent athletics meets, and we certainly are not in the hunt to attract a major sporting event such as the Commonwealth Games. The writing has been on the wall for 20 years. Therefore, the sport and recreation authorities of this state must take a good look at themselves. Frankly, their performance over the past couple of decades has been inept. It should certainly have been their brief to work out where the major sporting facilities should be provided for athletics, basketball and rugby, and to start at the other end rather than with the existing facilities. They should have looked at the whole picture and worked out where the best locality would be and what form those sporting facilities should take. We have not seen very much of that approach. We have seen some bungled attempts at negotiations that have produced this end result, which is very sad to see.

The provision of athletics facilities has always been a problem in the western suburbs because of the wind factor. I am told that the best locality for an athletics stadium would probably be around Curtin University. The cost of the management of that facility would add up. The management of a state facility is not the responsibility of a local authority; it would probably sit more appropriately with a university. If Western Australia is to attract a major sporting meet such as the Commonwealth Games, those types of facilities would be provided at a major venue such as Subiaco Oval. While I am on the subject of Subiaco Oval, I wonder how much money the City of Subiaco has contributed to Subiaco Oval over the years. I wonder how much the ratepayers of Subiaco have put into Subiaco Oval. Members will find that the vast majority of the funding for Subiaco Oval has come from the state government and the sports involved. The City of Subiaco seems to make it very difficult for football to operate, as much as it can, at the headquarters of football in Western Australia.

The argument that affordability must come from the sale of the land containing these facilities does not wash either, because the state is currently basking in the glory of an economic boom. The government has never had so much money. Just the other day it allocated \$500 million extra for contingencies on some of the major infrastructure projects around the state. In this case we are seeking between \$35 million and \$45 million to provide superb facilities. The track record is extremely poor, as is the record on other major sporting facilities. Western Australia does not have a major stadium, and still runs the risk of losing its major sporting event, the Hopman Cup. That saga has been played out because of poor planning and management over many years. The Perth Convention and Exhibition Centre was developed without tennis facilities. The decision not to include a facility good enough to stage the Hopman Cup in that ugly hayshed down on the foreshore has always bewildered me.

All that aside, although nobody will deny that there is an urgent need for these facilities, this legislation is not the way to achieve them. I cannot condone the government sledgehammering a local council, just as I cannot condone the government riding roughshod over individual private property rights through a range of other measures, which I ran through a while ago, such as planning and environmental regulation enforced by bureaucratic Nazis and other methods. This legislation could well present a nasty and dangerous precedent for local government in Western Australia. To extrapolate from this situation to an area I am familiar with, a relevant example may well be the Busselton Shire Council, which could well be facing exactly this sort of land grab in the very near future. We know that the Busselton jetty needs money poured into it. The estimate is between \$18 million and \$20 million for a major upgrade. I do not think the current Minister for Tourism even went to Busselton, but his first utterance on the project was that that facility would not get one cent of state government money. After that, because of the backlash he suffered, he relented a little and established a task force to examine ways in which the state government's contribution to a major regional facility like the Busselton jetty might be funded. The terms of reference for the task force include an alarming reference to the way in which land assets may be used to fund that contribution. For those members who do not know Busselton, around the waterfront, adjacent to the jetty, there are some very valuable recreational facilities, in particular Signal Park, Barnard Park, the Busselton tennis courts and a couple of other facilities. These are major active and passive recreational facilities for that community. I can well imagine this task force employing the expertise of a government organisation such as LandCorp, which will not be particularly interested in providing recreational facilities for the people of Busselton. It will be more interested in commercial opportunities; using that land to generate income to put into another facility. That process could precede another piece of legislation that the government might bring into Parliament next year telling the people of Busselton what will happen to their foreshore reserves in exchange for the money that will be generated. In those terms it would be an extremely dangerous precedent.

I oppose this legislation, not because I do not want to see sporting facilities developed - I do. I want to see sporting facilities developed that are the best in Australia. I want to see them developed in the right place, but that might not necessarily be in the Town of Cambridge. We all know the difficulties with public transport in the Town of Cambridge. Let us have a proper look at where these facilities should go. That should have happened 10 or 15 years ago; we should not be dealing with it now. This legislation is extremely heavy handed; it is a nasty, dangerous precedent for local authorities and everybody else with an interest in private property rights in Western Australia.

HON RAY HALLIGAN (North Metropolitan) [9.16 pm]: Other members have spoken quite eloquently on this issue and I do not intend going down the same path and talking in any depth about all the facts and figures that are available, whether they are believed or not. Through this bill the Minister for Planning and Infrastructure wants to do something that a great number of the ratepayers are not happy with. There are two sides to this story. The first relates to the sporting facilities. Some members in the other place, particularly those of a sporting mind, have said, even to me, that we should leave it to the government because we must have these sporting facilities. That is fine; that is an issue in itself, but this is a much larger issue than that. It does not relate to sporting facilities alone. The other issue relates to the old Perry Lakes sports complex that it is

proposed will now be changed into a residential area. People not only in the Town of Cambridge but also those living in the immediate vicinity are concerned about the total development, not just the three sporting facilities. As I said, that is an issue in itself and can be dealt with separately, but what is presented to us in this bill is somewhat different. It is incumbent upon members in this place to view this legislation in exactly that way. Many sporting men and women have become quite emotional about this issue and have said that irrespective of what happens at Perry Lakes, and irrespective of what happens to the Town of Cambridge and how much money it gets and who has control over the residential land, what matters is that we get three stadiums. I am afraid it goes a little further than that, and I ask members to view the bill in that manner.

The stadiums will be built, whether by the state government or the Town of Cambridge, and they will probably be built within the same time lines. Everyone keeps looking back at history and talking about what has not been done. Certainly not a lot has been done for a number of years. However, we cannot change history. We cannot change the past, but we can change the future. A lot has been said about the Town of Cambridge and its apparent lack of capacity to move forward. I do not know all the rights and wrongs of the issue, and I admit that I do not. However, as I say, my concern is with the here and now and what will happen in the future. People keep pointing the finger at the Town of Cambridge and saying that it is incapable. I could point the finger at many government ministers and say that I believe them to be totally incompetent, and I believe I would be right. However, no-one has tried to remove them from their positions.

Hon Barry House: I have.

Hon RAY HALLIGAN: I would have to side with my colleague on this argument.

The point is that people in glass houses are quite happy to throw stones, but they are not happy with criticisms of their own actions. No-one is perfect and we certainly do not live in utopia. Mistakes have been made. Mistakes will continue to be made in the future, but let us hope that we can minimise those mistakes.

Hon Barry House has gone down the path of property rights. Many members have been involved in that issue for a number of years. I recall that about seven years ago the Standing Committee on Constitutional Affairs had before it a petition on property rights. It became bigger than the proverbial *Ben-Hur*. We started to talk to people and it became an enormous issue. This was under the Liberal government of Premier Richard Court. It was an enormous issue. That remains today. It has not changed, yet we have had a Labor government for nearly five years. What has it done on the issue? As I say, I am not just pointing the finger at the Labor government, because nothing happened under the Liberal government either. It is an issue, but no-one has been able to resolve it. The issue has been talked about, but no-one has done anything about it. There was an issue with Perry Lakes; there is an issue with Perry Lakes. Let us move forward and let us do it in the best possible manner.

A number of people have expressed concern one way or the other about a particular minister who is riding roughshod over a council. I am sure that many members of this place will have received a communication from Councillor Bill Mitchell, the President of the Western Australian Local Government Association. I will quote from one of those communications, dated 9 October this year. It states -

Local communities will be at greater risk of being bullied by State Government if the Perry Lakes Redevelopment Bill is accepted without complaint.

WA Local Government Association President Cr Bill Mitchell said the ideology behind the proposed legislation was arrogant and threatened the self determination of all local communities.

Cr Mitchell said the underlying message that all Local Governments should take from the current situation confronting the Town of Cambridge was that the State Government was prepared to strip away community assets and participation to get its way.

He said the precedent established by the Bill went far beyond the specific issues of the Perry Lakes stadium redevelopment.

“The legislation clearly only relates to Perry Lakes however it is the ideology behind it that should be of most concern to all Local Governments and their communities,” Cr Mitchell said.

He is the president of the Western Australian Local Government Association. There are 144 local government authorities in Western Australia. As members know, 142 are on the mainland and two are offshore. He is the president of the organisation that looks after the majority of those 144 authorities. He is expressing his concerns but appears to be ignored by the minister. Having dealt with the minister over quite a number of years on similar issues, members on this side of the chamber are continuing to express those concerns.

As I said, members have received quite a bit of correspondence about meetings that have been held between council members, ratepayers and the minister. I have not seen anything written that explains exactly what has transpired at the meetings or whether any conclusions have been drawn from the meetings. My concern is that

the government appears to be ignoring what has happened. As has been said by Councillor Bill Mitchell, the government has developed and expressed an ideology that states that it will ride roughshod over the Town of Cambridge. The government will undertake the development irrespective of what the council wants or the ratepayers want. I believe that Hon Murray Criddle said he was aware that there appear to be some divisions within the Town of Cambridge. I have received some communication from some councillors who have stated that they support the government. Others do not. I am not sure exactly what the minister has done to try to resolve this issue. We have heard stories one way and the other. I have seen nothing definitive from the minister. There are a number of members of the North Metropolitan Region whom one would consider stakeholders in this issue because Perry Lakes is part of their electorate. There are seven members: three on the government side of the chamber, three Liberals and one Green. We are fully aware of this "consultative" government. I am not sure that the government has consulted with any of the seven members. We have received documentation from councillors, ratepayers, ratepayers' associations and WALGA presidents but what have we received from the government? What have we received from the minister? In my case it has been zero - absolutely nothing. If the government believes that it has a case and that what it is doing is correct, why has it not tried to convince us - the seven members who represent the area in the upper house? If the government wants to be consultative and if it wants to try to convince us, it could be just a matter of writing a letter and giving us the chance to respond, rather than us having to dig to try to find out exactly what consultations the government has undertaken with ratepayers and the council. I would think the minister would want to be proactive if she is firmly of the belief that what she is doing is correct and in the best interests of the ratepayers of the Town of Cambridge, rather than to put forward an argument that appears to be backed by many people that three sporting stadiums are needed. With so much money in its coffers at the moment, the government could build the stadium anywhere; it need not build it in the Town of Cambridge. Even if the government has decided that it is the best place for the stadium, the land is new and unencumbered, and has nothing on it at the moment. The land itself, therefore, is not the issue; it is about what is happening to the land that belongs to the Town of Cambridge under the endowment act. This government will tear away this land from the Town of Cambridge. It has pointed a finger at the councillors and told them they are incompetent and incapable of developing the land. That has come from a minister who has continual cost blow-outs of millions upon millions of dollars in everything that she touches. Government members call that competence. It is total incompetence, yet the minister has the audacity to say that the Town of Cambridge must give up the land that it holds on behalf of the ratepayers of that town. It is totally and utterly wrong. As I said, if the minister firmly believes that what she is doing is in the best interests of the Town of Cambridge, why not try to convince us? That is something she has not tried to do.

Hon George Cash interjected.

Hon RAY HALLIGAN: That is exactly right, but not this minister. When one has power, it is a simple matter to just turn one's back on others. Let us hope that she does not go down the path of Marie-Antoinette, who told the people to eat cake. That is virtually what this minister has done. She is virtually saying, "I do not care what you think. I do not care what you propose to do. It is now mine and I am taking it over." It is wrong in principle.

There are many other aspects associated with this development that other members have referred to and no doubt other members who speak after me will refer to. One concern of a great number of people is the amount of money that is likely to accumulate from the rezoning of the former Perry Lakes Stadium and to where that money will go. Any number of amounts have been bandied about. I do not know the true figures. Again, very little has come from the minister in the way of authentication of the amount that might be achieved from the sale of the land or the amount that might need to be spent on the three stadiums. I have seen nothing. I do not know whether there is any quote for the stadiums or whether someone has just used a calculator and said, "That's about right." What we are being asked to do is pass a bill through this place that will create a *fait accompli*.

It will then be totally up to the minister to decide what she wants to do. If that means spending money in a manner that certainly the Town of Cambridge and members might not be happy with, it will be far too late. That is why I would have been far happier had the minister tried to convince me that what she wants to do is viable - there is no doubt that it is feasible, but it must also be viable - and that I should turn my back on the Town of Cambridge and support her.

Once again, the difficulty is that the minister has ignored members on this side of the chamber. We are not considered to be stakeholders; we just happen to be the representatives of many of these people, such as 400 000 people in the North Metropolitan Region. We are ignored each and every time. More often than not, we have to search for information. Even then, quite often that information is not available, yet we are being asked to make decisions that affect quite a number of people and involve many millions of dollars. People wonder why we tend to become aggressive at times during the second reading debates and, certainly, the committee stage of bills. It is because of a lack of information. Unfortunately, I believe that the members in charge of the bills often have

less information than we do. That places us in an impossible situation. Members of this place are aware of the demands on their time and of the number of bills that normally go through this place. Understandably, the government would like bills to pass through this place, particularly towards the end of the year. That is all the more reason that we should be fed more and more information. The fact that we have not been given information causes me to think that the government has something to hide. I have to think the worst. I have become cynical, purely because no information has been provided. I am certainly cynical about this bill.

The government wants to go above and beyond what I believe would necessarily be in the best interests of the people of the Town of Cambridge. People, no doubt including the minister, often talk about the sporting facilities catering for the whole of Perth and Western Australia; that is, that those facilities will be provided for all followers of those sports. That is true. However, that is no reason that others should be pushed out of the way so that those needs can be satisfied, but that is exactly what is happening. The Town of Cambridge has certainly been pushed out of the way. I suggest that its concerns are not being considered. The land belongs to the Town of Cambridge. It may have to forgo quite a few dollars if the government does what it intends to do.

There are other issues. I would like the parliamentary secretary to explain some of the points that I will now raise. The Town of Cambridge put to a number of members that it proposed to sell off only so much of the land on the old stadium site as would facilitate the building of the stadiums. Is that the intent of the government, or does the government intend to develop the total site? Residents in the immediate vicinity are also concerned - I believe rightly so - with the type of development that will take place. Again, I believe they are entitled to know what the government proposes; that is, what type of housing will be constructed and how many houses there will be.

We have heard from the Greens about the environmental issues. Their concerns are totally understandable. This is an opportunity to try to do things in a manner in which they probably should have been done many years ago. That is an issue in itself. We are concerned about pollution. However, I suggest that one type of pollution is visual pollution. If people go across the road from the present stadium site to the houses on the high side and look down, it does not look too bad. Once that is all developed, what can they expect to see? That should be a consideration also. What will they see? Has the government made some decisions in that area?

What thought has been given to the additional traffic that is likely to occur in that area? What will happen with the roads? What other forms of public transport, if any, does the government intend to utilise in that area so that people can attend the sporting facilities, or must we just expect more and more cars and more pollution? Should that not be part of the consideration? My understanding is that there is not a great deal of public transport around there at present. When there are three sporting stadiums in that area, the government and the sporting associations themselves will encourage more and more people to go there. Therefore, what will we end up with? Has the government come up with a business plan for these sporting stadiums? Are we likely to be given the opportunity to view that business plan? Does the government have any idea of the number of people who will be in the area and at what hours of the day they will be travelling in the area, or are three stadiums being built just because some sporting associations have said that that is what they need; they must have them, regardless.

I believe there are more questions than answers at the moment. It is important that the government provide us with all that information before we pass this bill. It would be most unfortunate if we were to just rubber-stamp it because it is what the government wants, and for the government to find in 12 months or two years that things have not gone according to plan, and therefore it will just change things slightly - another \$100 million here and another \$15 million there. Surely the government has a plan and it goes beyond just the superficial building of three new stadiums on land that it still must acquire and, I understand, rezone.

Of course, Hon Giz Watson has already spoken about the facility for disabled people. What will happen about that? Is that all part of the business plan, or will that facility be hived off somewhere else? Who knows? Hon Giz Watson asked the question. I am not sure that an answer is readily available. It should be part and parcel of the government's plan. It should not be doing this piecemeal. The plan should already be available. The government is the first to accuse others when stating that this has been on the books for seven years. It has been in government for five years. Has it been sitting on its hands for five years? Will it start putting things together today? It is important that this information be available to allow members to scrutinise it. I do not think it is an issue that we can hand over to government and say, "Go your hardest. If it doesn't work, too bad - have another go in another year." This is taxpayers' money and it will disrupt many lives. This legislation is important to many hundreds of people. Taking into account the sporting facility, it is important to probably many thousands of people.

I have heard the government speak about trying to get it right. Here is its opportunity to get this right. It is no good saying to the opposition, "Trust me, I am a minister; trust me, I am part of the government", because, unfortunately, I do not.

It is very, very important for this government to present a business plan that incorporates all the issues that have been brought to this place by members, including the environmental issues raised by the Greens (WA). A business plan should be brought to this place so that we can be convinced all the issues will be dealt with. Instead of trying to use its numbers, as the government does in the other place, to push legislation through, it should come up with a convincing argument. I hope the Greens will accept that there is a need for an argument of that nature; that it will agree there is a need for a business plan that shows the government's proposal will provide for not only the wants and needs of the sporting fraternity, but also the needs of the people who live in the area. If those needs cannot be catered for, it may be that the government will have to provide some form of compensation. This is all part of a business plan. Unless the government can identify the areas in which there are likely to be problems, it cannot possibly find a solution. If it is not aware of the problem, it will not be thinking about a solution. It is particularly important that the government think about a solution.

Again, I would like to know why the minister believes it is impossible for the Town of Cambridge to provide the sporting facilities. Of course it will not go out there with hammer and nails and build it themselves. It will contract people to do so, just as the government will. Cannot the government contract with the town to ensure that a contractor, acceptable to both parties, can build these facilities? I do not know what the minister has in mind that causes her to want to go down this particular path. Maybe the parliamentary secretary will be able to provide the house with that information. I sincerely hope she can.

At this point, I certainly cannot support the bill. I cannot support what the government is doing. I am concerned about the other 143 local government authorities around Western Australia and the message that this bill is sending to them, which is not good - it is far from good. This country has three tiers of government. I believe that the local government tier does a particularly good job. Local government goes off the rails periodically, but so does this government. It does not mean that we have to get rid of it. The voters will tell us that in a few years. There is no doubt that members of the government do not believe that they should be moved even though they make mistakes and have cost blow-outs and ministers have to resign. Why should this government believe that the Town of Cambridge is so totally incapable of seeing through this undertaking?

I hope that the parliamentary secretary has quite a number of answers available when we examine the bill in more detail during the committee stage, because the parliamentary secretary can be assured that many questions will be asked. I hope that she might be able to anticipate some that I have failed to ask this evening. It is particularly important that local governments believe that they can get on with the job that they have been asked to do, that they have the authority to do and that ratepayers expect them to do. We should sit back and allow them to do so and step forward only when they have done something drastically wrong. The situation has been in limbo for seven years. I understand there is a story to that, and it is not as simple as some people say. If the minister has formed a belief about what the Town of Cambridge has done to date, the minister should come forward and explain. If she cannot come into this place, she could do so in writing. I believe it is particularly important that she should at least try to explain her reasoning. To date we have heard nothing but "Trust me, I'm a politician", which is not good enough.

HON GEORGE CASH (North Metropolitan) [9.52 pm]: We are considering the Perry Lakes Redevelopment Bill 2005. The long title of the bill suggests that it is -

An Act to provide for the resumption and redevelopment of certain land at Perry Lakes, and for related purposes.

That seems simple enough; that is, if one does not have any regard to the history of this bill. Those who have some knowledge of what has been going on between the government and the Town of Cambridge know that this bill has its origins in the refusal of the Town of Cambridge to award a contract for the development of certain lands and the building of certain buildings to the minister's favourite contractor, Multiplex. This bill is all about payback; it is payback for the Town of Cambridge not buckling to what the Minister for Planning and Infrastructure wanted for the government's favoured contractor. What is happening with this bill is that the Parliament is being used by the government to do its dirty work. The Parliament is being asked to agree to this bill so that the government can confiscate the land that is currently owned by the Town of Cambridge. That means that it is owned by the ratepayers and residents of that local authority. This is very much a case of removing the ratepayers' lawful property rights. When resuming land, the Western Australian government would usually use parts 9 and 10 of the Land Administration Act to deal with compensation. However, the current government does not want to use the Land Administration Act to resume this land because it knows it would be obliged to pay compensation, as it is set out under that act. The Perry Lakes Redevelopment Bill is very clear about the compensation that is intended to be paid for the Perry Lakes land. The compensation provision is set out in clause 7, which is headed "No compensation payable for Perry Lakes land". This is an absolutely critical clause in the bill and it states -

- (1) A person who holds an interest extinguished by section 6(4) in respect of the Perry Lakes land is not entitled to claim or receive any compensation for the extinguishment.
- (2) The *Land Administration Act 1997* Parts 9 and 10 do not apply to or in relation to the compulsory acquisition of the Perry Lakes land effected by section 6.
- (3) The State is not liable to indemnify any person for any expenses incurred before resumption day in relation to the Perry Lakes land.

A compensation clause cannot be made much clearer than that. No compensation is to be paid for the Perry Lakes land. It is true that there is provision for some compensation for the AK Reserve land, which is currently estimated to be about \$1.7 million. If members work further through the bill, they will see that by way of a hint of compensation - if we can call it that - clause 9 deals with the return of part of the Perry Lakes land. However, it is couched in very vague and general terms. It generally says that on completion day, if any of the funds are left, they might be transferred to the Town of Cambridge but if nothing is left, that is exactly what the Town of Cambridge will get - nothing. That is the dilemma that this bill presents. It does not present a great dilemma to me because the Parliament is being asked to use a sledgehammer to crack a nut. That is especially true because as late as today the mayor of the Town of Cambridge, Councillor Marlene Anderton, wrote to the Minister for Planning and Infrastructure to reinforce the views of the Town of Cambridge. The mayor pointed out that her council had agreed in principle to a memorandum of agreement for undertaking to do the various things that are required to be done on the Perry Lakes and AK Reserve land; that is, the council has undertaken to build the sporting facilities that have been talked about for so long.

It is important for members to recognise that this bill is not based in good faith. It was born in vengeance and in spite. It was being drafted at the same time as the Minister for Planning and Infrastructure was meeting with the Town of Cambridge and telling the Town of Cambridge that the government did not intend to resume the land in the manner that is now outlined in the bill. The government was duplicitous in the way in which it dealt with the Town of Cambridge. It is no wonder that ratepayers within the Town of Cambridge and the chairman of the Western Australian Local Government Association have raised considerable concerns about the way in which the government is dealing with this land through this bill. I should qualify what I said regarding vengeance. "Vengeance" means a punishment that is exacted or inflicted for a presumed wrongful act. "Spite", of course, means ill will or malice. That is exactly what this bill is all about. I do not believe that the Parliament should allow itself to be used to deal with the land that is owned by the Town of Cambridge in the way in which the government proposes; it is vague and general. The government cannot account for the money that it is going to receive should it be successful and this bill is agreed to by the Parliament. The gross value of the subdivided land is worth between \$189 million and \$200 million. We know that expenses will be involved and we know also that even Multiplex was prepared to offer to the Town of Cambridge that if the council allowed Multiplex to work with the council as the principal contractor, Multiplex would guarantee that the council would get back between \$110 million and \$115 million net, after certain facilities had been built. The government recognises the concerns that have been raised about the no-compensation clause and has proposed an amendment to give the council back \$50 million. That is not good enough and will not be acceptable to the people in the Town of Cambridge.

Debate interrupted, pursuant to sessional orders.

House adjourned at 10.00 pm
