

Legislative Assembly

Wednesday, 25 October 2006

THE SPEAKER (Mr F. Riebeling) took the chair at 12 noon, and read prayers.

PAPERS TABLED

Papers were tabled and ordered to lie upon the table of the house.

COMMUNITY DEVELOPMENT AND JUSTICE STANDING COMMITTEE

Notice of Motion

Mr J.C. Kobelke (Leader of the House) gave notice that at the next sitting of the house he would move -

That the date for presentation of the report of the Community Development and Justice Standing Committee's inquiry into natural disaster relief assistance be extended to 10 May 2007.

UNITED STATES VISIT

Statement by Minister for Sport and Recreation; and Water Resources

MR J.C. KOBELKE (Balcatta - Minister for Sport and Recreation) [12.04 pm]: In August I travelled to the United States to fly the flag for Western Australia at the World Masters Championships for swimming in San Francisco. The Federation Internationale de Natation - FINA - World Masters Championships are held every two years, and Western Australia has won the right to host the five swimming disciplines of the championships in 2008. I visited Stanford University in Palo Alto, California, which hosted 7 300 competitors aged between 26 and 94 years from 75 nations. One hundred and sixty-one world records were broken in speed swimming; there were 75 water polo teams that played 212 games, and 319 synchronized swimmers and 200 divers; and 922 open water swimmers braved San Francisco Bay. For Western Australia, the championships in 2008 offer an opportunity to host the biggest ever single sporting event in the state's history. A full financial analysis for the event is still being worked on, but the economic impact of the event, based on 6 000 participants staying 10 days and spending \$250 a day, represents an estimated \$15 million for the state's economy. The World Masters Championships will be held between 16 and 23 April, primarily at Challenge Stadium, with an open water swimming event to be conducted on the Swan River. We expect to be able to welcome competitors from Europe, America, South America, Asia and the Pacific.

The trip also allowed me to examine water recycling operations in Orange County and Nevada. This was timely, given that the weekend before I left, Queensland and South Australia were looking at the use of recycled and waste water. The two water authorities I visited are recognised as world leaders in providing potable water in circumstances similar to those that Western Australia now faces; namely, falling rainfall and run-off, changing world climate conditions and growing demands for more water. The Southern Nevada Water Authority has introduced sprinkler and garden-wise measures similar to those found in this state, as well as a four-tier water charge regime to help manage long-term water supplies. In the past seven years, the authority has paid its customers nearly \$74 million to replace lawns with water-smart landscaping, which has reduced lawn area by more than 650 hectares and saved over 148 billion litres of water annually. The Orange County Water District injects Santa Ana River water into an aquifer to act as a barrier to saltwater encroachment into the ground water basin. The program has proved successful in keeping the Pacific Ocean from advancing into the fresh underground water system and providing an opportunity to inject waste water into the ground water basin. It was interesting to compare these experiences with the aquifer recharge program being trialled here in Western Australia as part of the state government's plans to secure our long-term water future. Mr Speaker, I table the report.

[See paper 2145.]

NATIONAL YOUTH WEEK 2007 GRANT NOMINATIONS

Statement by Minister for Youth

MR D.A. TEMPLEMAN (Mandurah - Minister for Youth) [12.06 pm]: Firstly, I welcome students from the St Mary's Anglican Girls School who are in the public gallery this afternoon.

I inform the house that nominations are now open for National Youth Week 2007 activities and events. Grants of up to \$1 000 are available to eligible community groups and local government authorities. The eighth annual National Youth Week will be held from 14 to 22 April next year, and, with the theme of "Launch Yourself", it is a call to action for people of all ages to join in and celebrate the creativity and vitality of young people in

Australia. National Youth Week is an opportunity for the community as a whole to acknowledge the achievements and success of our young people, and to provide them with the opportunity to showcase their talents and express their views on issues that are of concern to them. The grants are made available through the state government's Office for Children and Youth with the support of the Australian government's Department of Families, Community Services and Indigenous Affairs. Applications are now open and can be accessed by contacting the Office for Children and Youth or by visiting its web site. Western Australia's recently appointed young member for National Youth Week 2007, Ms Kate-Anna Williams, is enthusiastic about her role in promoting young people to the wider community and celebrating what it means to be a young person. She will take an active role in promoting the availability of the grants, and also in assessing them as part of a panel. More than 60 events and activities occurred around the state for National Youth Week this year, and I hope to see as many, if not more, events held next year. All events will be promoted by the online National Youth Week calendar, once the site has been officially launched in December.

One of the highlights of National Youth Week 2007 in Western Australia will be the ninth annual WA Youth Awards Showcase, which will take place on Thursday, 19 April 2007. Finalists in six categories will be recognised on the evening, and one of these finalists will become the Western Australian Young Person of the Year for 2007. I urge all members to promote the National Youth Week grants in their electorates, and encourage young people to get involved in coordinating an event or project.

MID-WEST FREIGHT TRANSPORT

Statement by Minister for Planning and Infrastructure

MS A.J.G. MacTIERNAN (Armadale - Minister for Planning and Infrastructure) [12.08 pm]: I bring to the attention of the house the success of the Carpenter government in its efforts to make roads safer for regional communities by setting rules to encourage companies to move road freight onto rail. To deliver this in the mid-west, the state government took the unusual step of using its powers under the Transport Co-ordination Act to require all heavy haulage operations within 100 kilometres of an operating rail line in the mid-west to be licensed to ensure that this process could be better managed. I acknowledge the advocacy of the local member, Shane Hill, on behalf of his community in this regard. By working together with the Australian Railroad Group and Queensland Rail, the government has set targets for companies to move their freight from road onto rail. These discussions have had positive results. Midwest Corporation Ltd has announced that it is happy to work with the government to take more freight operators onto rail, and this move will be able to be done at little cost to the company. We have established good working relationships between government and the mining industry and the privatised rail companies to ensure a better and safer transport outcome for the region.

This is a success story that all road users can share in. On 24 October 2006, Midwest Corporation announced to the Australian Stock Exchange that it had purchased 64 rail wagons to prepare for its transition from road to rail. The house will be pleased to note that Midwest Corporation will be transporting around two million tonnes of iron ore per annum for about five years, not on road, as planned, but by rail. The purchase of these wagons is an indication of the company's preparedness to work with government. We believe that by July 2007 the transport of ore will effectively be managed on rail. This follows on from Mt Gibson Pty Ltd's pioneering work in hauling iron ore by rail to the Geraldton port. The government has taken a firm decision on this issue and it shows that when setting these boundaries and insisting on tough policies but working collaboratively, we can make significant changes to road users.

MEMBER FOR KIMBERLEY

Leave of Absence

MR J.C. KOBELKE (Balcatta - Leader of the House) [12.10 pm]: I move -

That leave be given for the absence from the Legislative Assembly of the member for Kimberley until 21 December on the ground of ill health.

Members on all sides will miss the presence of the member for Kimberley. We wish her a speedy recovery and hope that she will be back to join us early in the new year.

Question put and passed.

PRIVATE MEMBERS' BUSINESS

Standing Orders Suspension - Motion

MR J.C. KOBELKE (Balcatta - Leader of the House) [12.11 pm]: I move -

That so much of standing orders be suspended as is necessary to enable private members' business to take precedence from 4.00 pm to 6.00 pm on Wednesday, 25 October 2006, and Wednesday, 1 November 2006.

The effect of this motion will be to reduce private members' time by an hour and enable you, Mr Speaker, to allow a dinner break to be taken this evening between 6.00 and 7.00 pm so that the Legislative Assembly can sit this evening. I have already indicated informally to members that this week and next week are important for the passage of bills that we hope the Legislative Council will pass before the end of the year. After next week, the Legislative Assembly will have a break from sitting. The Council will sit for another two weeks and it will need the Assembly's bills transmitted to it before the Council begins the last two weeks of its sitting. It has been fairly standard practice in past years to reduce or totally take away private members' time in the last two or three weeks of Parliament. The government's priority is to pass legislation during those two weeks. We will then look to what must be done during the last two weeks of the sitting year. The Assembly is dealing with a number of bills this week. We will deal with the Daylight Saving Bill (No. 2) next week, which will be given priority during government time. I will move a motion to that effect. Therefore, the Assembly will need to sit late tonight and also on Tuesday and Wednesday nights next week to ensure that we complete all our business so that it can be dealt with by the Legislative Council.

MR C.J. BARNETT (Cottesloe) [12.12 pm]: The opposition reluctantly accepts what the government is doing. I did much the same for eight years in a row and therefore can hardly argue otherwise. However, I make the point that the opposition understands the pressure on governments to conclude bills before the Christmas recess. Last night was an example of the member for South Perth and others cooperating to conclude the debate on the Liquor and Gaming Legislation Amendment Bill. If the government keeps to its program and gives prior notice of its intentions, we will be sensible about it. I urge the government to try to avoid very late night sittings. Although the opposition accepts that there will be some reduction in private members' time, I hope that some private members' business will continue until the end of the year because it is important that members be given an opportunity to raise issues, albeit in a limited time.

Question put and passed.

DINNER SUSPENSION

Statement by Speaker

THE SPEAKER (Mr F. Riebeling): As a result of that motion being successfully moved, I advise that a dinner break will be taken between 6.00 and 7.00 pm tonight and on Wednesday evening next week.

Mr C.J. Barnett: If you can get it!

The SPEAKER: Good point. There will be some problems regarding members having access to dinner. The staff have assured me that alternative eating arrangements will be made available for members so that most members should be able to be fed in that period. I thank members for raising that matter.

DAYLIGHT SAVING BILL (NO. 2) 2006

Introduction and First Reading

Bill introduced, on motion by **Mr M.J. Birney**, and read a first time.

Explanatory memorandum presented by the member.

STAMP AMENDMENT BILL 2006

Introduction and First Reading

Bill introduced, on motion by **Mr E.S. Ripper (Treasurer)**, and read a first time.

Explanatory memorandum presented by the Treasurer.

Second Reading

MR E.S. RIPPER (Belmont - Treasurer) [12.16 pm]: I move -

That the bill be now read a second time.

This bill amends the Stamp Act 1921 to clarify the operation of the private unit trust provisions as a result of recent judicial decisions. The need for the amendments has arisen from a recent decision of the High Court, which reviewed key principles that underpin the operation of the private trust provisions of the Stamp Act. Although the High Court decision related to a Victorian land tax case, the Western Australian State Administrative Tribunal recently applied the reasoning of the High Court in a stamp duty matter relating to the private unit trust provisions. The state relies on these provisions to bring to duty changes in the ownership of private unit trusts as if there had been a change in the ownership of the underlying property of the trust. Private unit trusts are a commonly employed means to hold high-value property. A significant proportion of the state's high-value central business district property, other commercial properties, shopping centres and large land development stock are held in such structures.

These amendments are necessary to protect the state's revenue base by ensuring that duty is payable on changes to the ownership of these trusts and the high-value properties they control. The proposed amendments seek to clarify the operation of the private unit trust provisions to ensure that they continue to apply in the manner in which they did prior to the High Court's decision. The amendments ensure that a unit holder is taken to have an interest in the underlying land and chattels held by the trustee of a trust, despite any terms of a trust deed to the contrary. These amendments do not have any direct financial implications. However, there is the potential for significant future revenue loss if these amendments are not made. It is proposed that these amendments be made retrospective to 27 June 2006, which is the date on which I made a ministerial statement announcing the government's intention to amend the private unit trust provisions. Although retrospective legislation is generally considered undesirable, it is necessary in this case to protect the state from the significant revenue loss that could otherwise arise if the effect of these decisions was left unaddressed. The retrospective commencement date will not apply to dispositions that have occurred prior to 27 June 2006. I commend the bill to the house.

Debate adjourned, on motion by **Mr T.R. Sprigg**.

LOCAL GOVERNMENT AMENDMENT BILL 2006

Second Reading

Resumed from 24 October.

DR S.C. THOMAS (Capel) [12.18 pm]: I will contribute to the debate on the Local Government Amendment Bill. The members for Moore and Bunbury yesterday admirably canvassed the issues and put the Liberal Party's position. However, I would like to question the government at some stage about what the government's intention is and what it hopes to achieve with this legislation. It is not necessarily a bad thing to change the timing of local government elections. It is a relatively complex matter to understand the budget and finances of local government. Many people struggle to understand the time it takes to understand the issues, especially if new councillors are going straight into a new financial year, and I do not necessarily have a problem with that change. If people who want to join local government truly understood how parlous the finances of local government are and the sustainability issues that local governments face in the long term, I wonder whether they would volunteer to join. Current estimates are that of the 144 local governments - comprising 142 mainland and two island local governments - about 89 are financially unsustainable.

Mr E.S. Ripper: That is why we are encouraging amalgamations and the rationalisation of shared services and so on.

Dr S.C. THOMAS: That is a good point. This is the Victorian experiment: that rationalisation and amalgamation of local government will bring about great savings in expenditure and it will then be possible to reduce rates, which was done in Victoria temporarily, or local government will be able to provide a lot more services. It is a debate that happens quite frequently. If the Labor Party wants to rationalise local government, I ask that it rationalise Fremantle and East Fremantle first before it goes anywhere else. I would love to see that occur in the electorate of the member for Fremantle and the response it might get before it is tried anywhere else.

Mr J.J.M. Bowler: What about the western suburbs?

Dr S.C. THOMAS: After members opposite have done Fremantle and East Fremantle, we can have the debate about whether the Labor Party would like to amalgamate any others.

Mr E.S. Ripper: We are not compelling amalgamations.

Dr S.C. THOMAS: No, thank goodness the government is not compelling amalgamations.

A report appeared on Monday this week that Edith Cowan University in Bunbury, a very good educational facility, imported a guest speaker on local government from New South Wales. He is a lecturer in local government and he entitled his address "The myth of savings in local government amalgamations". I take the very strong view that amalgamating two or three financially unsustainable local governments into one big financially unsustainable local government does not change the issues relating to the sustainability of local government. All that does is reduce the number of councillors, because the same services still have to be provided.

Mr E.S. Ripper: You might have one less CEO, one less operating system and one less human resources system.

Dr S.C. THOMAS: The Treasurer has been in government for a while now. How many government departments has he seen merged that actually resulted in a serious reduction in their wages bill?

Mr E.S. Ripper: We are going to achieve significant savings through shared corporate services, and I think local government could also achieve some savings through similar measures.

Dr S.C. THOMAS: How many reductions has the Treasurer achieved to date?

Mr E.S. Ripper: We are expecting to achieve \$55 million a year.

Dr S.C. THOMAS: *Great Expectations* - it is a lovely novel, Mr Speaker! The Treasurer has a great expectation; he has never been able to do it in the past but he is about to achieve it now. We have the "minister for gambling with the environment" here; we could discuss whether there has been a major saving in merging the Department of Environment and the Department of Conservation and Land Management. I suspect that most of these mergers do not end up saving -

Mr E.S. Ripper: When it comes to the budget process, I will tell him about the savings it has achieved.

Dr S.C. THOMAS: As an aspiring Premier, here is a platform for the Treasurer to leap upon or fall off. We will watch with interest next year to see whether it is a step up or a slip.

Mr M. McGowan: We don't criticise one another in the house.

Dr S.C. THOMAS: The Treasurer has just changed the rules.

We are seeing here the government agenda for local government amalgamations. It is one more attack on the independence of local government, which will not do much to deal with the sustainability issues of local government. I would love to blame the government for precipitating the issue of sustainability, but I cannot really lay the blame fairly and squarely at the feet of the Labor government, as much as I would enjoy doing it. A number of the issues we shall be dealing with in relation to sustainability are in fact service issues. Local government is providing services it has never provided before. The question has been asked about whether those services need to be provided and whether the state government or the federal government is providing them in most cases. Local government is getting involved in areas that are traditionally beyond its purview. It is providing social services, and it would probably argue that that is because the state refuses to provide them. There is a degree of blame for this government and probably for previous governments as well. Local government is being required to pick up the slack.

If we had before us a bill that looked at all aspects of local government and its requirements, and how we could forward local government and improve it, we would be having a debate about financial sustainability in the longer term. It is a debate that we probably have been afraid of having for quite some time. When one puts the blowtorch of light on the sustainability of local government infrastructure, one finds there is a disaster waiting to happen around the corner, and the same blowtorch can also be put on state government and its infrastructure. We would probably find in relation to state-held infrastructure that the same disaster is only a little further away. I suspect local government will face the problem before the state government does. The crisis with infrastructure will still come and, ultimately, we may look at getting the federal government - the great tax taker of Australia - involved in infrastructure. Perhaps then we might get some results. When one looks at the increases in income versus expenditure requirements, one sees the poor country cousin is not state government, although the state government repeatedly attacks the federal government; it is local government. The government that is closest to the people is the one that is under the most stress in this process.

I would love to be debating a bill about the sustainability of local government. As I say, I commend those people who go into local government, particularly on the audit committees that exist at the moment, and who understand the finances of local government. If they truly understood the finances, they would be so frightened they would run a mile. Perhaps that is part of the reason that local government in some areas is having difficulty attracting councillors. It is a very difficult process and councillors have very little control over what they are doing. When we talk about five to 10 per cent of the budget being discretionary expenditure, which in some councils might be \$5 000 or \$10 000, why would they get involved? They would have to be suckers for punishment.

Changing the timing of elections, as long as it does not interfere with other elections, as the member for Moore said, is not a major problem. Let us talk about changing the process of an election from a first-past-the-post system to a preferential system, although not an exhaustive preferential system. I wonder at the government's intent in introducing this change, because it will have an impact. I ask myself what will be the most obvious impact. One of the prime impacts is that it will give the ability increasingly to run tickets. A first-past-the-post system might remove people who are elected with a relatively small number of votes. I think members opposite enunciated that at the time and said that somebody might be elected in the City of Stirling with 3 000 votes - I think I was in the chair at the time. What is the fundamental objection to those people being elected? Is it the fact that this proposal for preferential voting systems will remove those single issue candidates who sometimes are elected and might be felt to be irritants on councils? That is probably the first group of people who will be alienated; the people who became councillors because they did not like the council's decision to build a sewerage works somewhere, or give a tavern licence, or allow a high-rise building, or who are fighting development at Coogee Beach, or do not want desal 2 on their doorstep, or do not like the CEO.

Some of those people probably are irritants but I suspect that this change to a preferential voting system will make it much more difficult for those people to be elected. Members of the Labor Party have said that they do

not necessarily want people elected with 3 000 votes. Single-issue people seeking election will find it much more difficult. They would be much better off getting aligned with a group of people and running something of a ticket. Their chances of being elected under the preferential system would be much stronger.

What will we see at the end of the day assuming this proposal goes through and it cannot be stopped? People will have to become more organised if they want to be elected. It will be an obvious advantage to those who are in organised political systems already. Obviously, in the metropolitan area, councils tend to be relatively organised and quite political. I am not saying that any system is absolutely perfect, except one that bans political parties, removes the whole Westminster system and has consensus government. Every time that has been tried, however, it has been an absolute failure, and it would probably even fail at a local government level. The ideal democratic process is to ban political parties from all electoral spheres - state, federal and local - and run governments by consensus. That does not happen. At the end of the day, the bigger the unit, the more likely it is to become political because decisions that are required to be made need direction and organisation. Little country shires across the state - there are probably some in your own electorate, Mr Speaker - function perfectly adequately without any political control at all. They do relatively well. We tend to get consensus government, but agendas are still driven.

My problem with this proposal is that many people who get into local government start out as single-issue people. Some of the best contributors to local government have been elected because they have been het-up over a particular issue. If we start to remove those people from the process, we disadvantage the people who get elected for very positive reasons - people who are trying to stop or start a development in a particular area. If we do that, we remove a very big talent pool of people who might otherwise get into local government for the right reasons. We might find ourselves stuck with people who are best at organising, evaluating and bringing the numbers out. They will be the people who will be rewarded because they will understand the preferential system better. They will be organising tickets and running on platforms. Under the government's proposal, whether it is an intention or not, those people are more likely to be successful in the election process. It will reward the people who like organisation and the people who can use it; for example, the lobbyists who will not have to deal with an individual councillor because they are against the development of a wetland in a particular spot. They are probably much more likely to be difficult to deal with than somebody who is part of a ticket, who is organised and can say that a particular group needs to get together as it has an opinion on a certain issue. We will see evidence of that process in the Corruption and Crime Commission over the next couple of weeks - local government being organised and manipulated by a lobby system. The government's electoral proposal will further enhance that process. What do we gain from doing that?

The other issue that needs to be put very carefully in this debate is the relationship between the preferential voting system and compulsory voting. In a compulsory voting system under which everybody is required to vote, there is a logical argument for developing a preferential voting system. We are comparing state government with local government. The government is saying that they should match up and that because we have preferential voting for federal and state Parliaments, we should make local government the same. It is not linked; it is not the same, because there is no compulsory voting in the process. A compulsory voting process looks for an outcome that is acceptable to the greatest number of people. In a compulsory voting system, everybody is required to vote. With an exhaustive preferential system, we would end up not necessarily with the person that most people want but the person whom people disagree with the least. That is how an exhaustive preferential system works. The people who people most disagree with get the most primary votes, which get distributed. We get the people we disagree with the least. Many people vote that way.

In exhaustive preferential systems at the state and local government level, people in Labor Party heartland say, "I like him the least and then him the least" and eventually get down to a couple of candidates and choose from what is left. It is like Thanksgiving; at the end of the day, it does not matter whom one votes for, one will always get a turkey. People start from the bottom of the pile and work up. We end up with a compulsory system in many cases. We end up with the person whom most people have the least problem with. Local government currently works on a first-past-the-post system, so on an individual basis, we are likely to get the person who garnered the most support within his electorate.

Mrs J. Hughes: It is only a small catchment.

Dr S.C. THOMAS: The member is right. It is not a perfect system. I said previously in a different debate that if we could get people caring enough about politics and the decisions that governments make, nearly everybody would be involved in the process because everybody would care and we would have truly representative government. We do not do that for a number of reasons. To some degree, we have distanced ourselves from the electorate. To some degree, the electorate has moved away from politics and Parliament. It does not want to get involved in a lot of cases. It wants to get involved in a single unit.

Mrs J. Hughes: Don't you see that when people are voting in local elections, they actually are taking an interest? The people who are actually voting will make a conscious effort to vote according to whom they most

prefer. For instance, if I'm going to vote and I have a list of eight candidates before me, I will vote from one to eight for my most preferred. In a compulsory vote, however, a lot of people will cast a donkey vote; that is, vote according to the ticket. In local elections it's actually a designed vote. They're actually going out of their way to be involved in their local election, and they are informed. I think that's something that shouldn't be overlooked in local government.

Dr S.C. THOMAS: I accept what the member is saying to some degree. Some voters are certainly informed and know all the candidates well enough to rank them in order of preference. The member for Kingsley has been a member of local government. When she stood, how many candidates stood against her?

Mrs J. Hughes: Five.

Dr S.C. THOMAS: Would those who voted have known and understood all six candidates? Would they have known and understood where they stood on a whole range of issues?

Mrs J. Hughes: I think that's where local government is so beautiful, because if you take the effort to go out and talk to your people in local government and do the doorknocking, you will be the one that they most prefer to vote for. First-past-the-post or preferred voting almost becomes the same thing if you're prepared to put the effort in. Local government is really an animal that stands quite alone from the state governments or federal government.

[Member's time extended.]

Dr S.C. THOMAS: The member for Kingsley is taking up most of my time, but that is okay because it has been a good debate. I agree with the member; it is a very different creature. It is a very different species. That is why it does not need to have the same electoral models that work in state government. I think the member reinforced my argument with her own statement. As the member said, if one is prepared to do the work, the two models are almost indistinguishable in terms of outcomes. From what the member has just said, there is no advantage to her and her government in changing the system -

Mrs J. Hughes: There is.

Dr S.C. THOMAS: I will give the member another minute in a second. If the outcome is going to be the same and the candidates do the work of talking to people in the electorate, there is no incentive to change that system. If some candidates do not go out into the electorate and do not do the work, under the first-past-the-post system, they are the candidates least likely to garner any votes. Under the preferential system, by simply using preferences of other people, they can get the benefit.

Consider this scenario: the member for Roe, the member for Kingsley and I all decide to stand for local government. I am going to be the lazy one and not doorknock, but I have a personal popularity rating that would potentially beat the member for Roe because people have heard him speak. He is going to doorknock and get all the people to vote for him.

Dr G.G. Jacobs: It's a doctor-vet thing.

Dr S.C. THOMAS: It is a medical conspiracy issue. I know that I can get elected. The member for Kingsley and the member for Roe do the work, but I am lazy. I decide that with my extra hour of daylight, which I did not want - I will not be exercising more because I exercise anyway - I will probably go drinking at the beach or in the bars.

Mr G. Snook: Getting sandblasted.

Dr S.C. THOMAS: Yes, I will be getting sandblasted. I will be out there with my melanomas or whatever. I will not do the work. Under the first-past-the-post system, I cannot use those people that the member for Roe has spoken to. He cares desperately about the local hospital, for example, and wants increased funding for the local doctor. He doorknocks and he does relatively well. I cannot use his votes, because I have been lazy and have not done the work. I just happen to be captain of the local footy team and relatively popular as a good-time guy. However, in the system the government is proposing, I can take advantage of that. For example, I could be rewarded by boosting my numbers. The system the government is proposing will reward those people who are less able, particularly if the member for Murdoch joins the member for Roe and me in a bit of an unholy trinity, as we all have similar issues that we want to get up. The government's own argument would actually bring in that advantage. If the systems are the same, there is no advantage to the government. I cannot understand the government's incentive for this bill.

Mrs J. Hughes: It's not about an advantage to a person who is running; the advantage is to the person who is voting. Let's not get confused about why it is a preferential vote; it is not for the candidate but for the elector. You want to twist it around to see whether there is an advantage for the person who is running rather than for the person who is voting. I would prefer if my first preference could not get up that my second one could. That is the advantage to me as an elector.

Dr S.C. THOMAS: I agree that there is an advantage in that process, but there is also a disadvantage because it opens up the system to corruption. By amending the Local Government Act, the government is effectively saying that there is a balancing act. The member for Kingsley said that when everything is working, the two systems are relatively equal. I disagree with the member for Kingsley about whether the advantage is to the voter. The important aspect ultimately for the voter, surely, is to get the best candidate.

Mrs J. Hughes: The best candidate for voters; their choice.

Dr S.C. THOMAS: Ultimately, this bill is not about what is best for the voter or the candidate. Ultimately, the big winner in whatever system we use is what is best for the council and for local governments, and ultimately the best person gets up.

Mrs J. Hughes: I couldn't agree with that. That is what democracy is for.

Dr S.C. THOMAS: Under the system the government is proposing, the best person might not arrive through the door at local government, as the system is open to manipulation.

Mrs J. Hughes: But it is my choice. It is open to manipulation anyway. Let's forget about the external politics of local government for a moment and look at the in-house politics of local government, which I have to tell you is quite cutthroat and very organised. I might say that a lot of influence comes from within, not without, local government.

Dr S.C. THOMAS: My experience and interaction with local government has been at the country level. I think the member for Kingsley will find there is a vast difference between local government in the city and local government in the country. I agree with the member for Kingsley if she is saying that politics in city local governments is much more cutthroat and nasty. As a staunch Liberal, I am actually embarrassed by the performance of some Liberal councillors in a number of metropolitan local governments. There has been some shameful activity in some of them, with issues being hidden for political purposes and councillors taking sides. Unfortunately, the member for Kingsley's argument is tainted by that reference if her experiences have involved the nasty, cutthroat politics of local government. The intent of people on the conservative side of politics, but not everybody, is to remove that political influence. If I am hearing the member for Kingsley say that political influence is alive and well, we must deal with it.

Mrs J. Hughes: I can tell you that it is inherent in the system as it is.

Dr S.C. THOMAS: We must deal with the faults in the current system of inherently bad and nasty politics, which I am ashamed to say probably comes as much from the political parties that both the member for Kingsley and I represent as it does from anybody else. Obviously, individual agendas are driven elsewhere as well. However, as I said at the beginning of this address, that is not necessarily a bad thing. There are a lot of good people who will probably struggle now to get elected to local government because the preferential voting system will encourage the members for Murdoch and Roe and me to work against them in a unified force to have them removed. That is the problem with this bill. Why is the government intent on pushing it forward? I would love to debate a bill about the sustainability of local governments, about improving them and about recognising their financial issues, and not just simply saying that we should amalgamate them. Amalgamation of them would be a great thing for the state government because it would have fewer local governments to deal with. Those pesky local governments out there make demands and actually want things. They point out our problems, our weaknesses and our faults - local governments have done that particularly well with this legislation - and they disagree with us. Damn it all, they go out there and try to look after their own people while we try to look after all the stuff that we have to look after. They get in the way, do they not? The fewer we have to deal with, the more convenient it is for us. So let us kick out a few and amalgamate them so that we do not have to deal with them.

I read the commission's report on amalgamations. It recommended that Bunbury in my electorate should basically cherry pick all the best bits of the local governments surrounding it, which will help Bunbury because it is financially unsustainable. It probably is financially unsustainable. Nobody will address the long-term issues of sustainability, even in a growth area such as Bunbury and the local government area of Capel. Capel is the fastest growing local government peripheral area in the country - third overall, I think; it is beating Mandurah now. I say to the members for Mandurah and Dawesville that we have actually jumped over the top! Even Bunbury has sustainability issues. This bill will not address those issues. This bill tinkers around the edges of local governments by messing about with their electoral system because, I suspect, the government believes, based on some metropolitan examples, there is too much corruption in the system. The bill is not based on serious outputs for local government. I think that is the concern. As I said, after East Perth, East Fremantle and Fremantle are amalgamated, we will talk about the western suburbs and the member for Cottesloe's patch and so on. That is the obvious place to start. When that has been done, we can talk about that.

The problem with this bill is that it has appeared in the Parliament without solving anything, with the exception of moving elections so that, hopefully, councils that end up being investigated by audit committees and the

budget process provide a greater understanding. That is a great output. Ultimately, however, the bill achieves almost nothing else. I am not sure why the government is rushing to get these electoral reforms through the Parliament. If it is serious about improving the local government electoral system, why does it not take time and make some real changes to local government? The government should examine the sustainability of local governments and the services they are forced to provide because the state and federal governments are letting local governments down by not providing them. Instead of doing all that, the government wants us to tinker about at the edges with this bill. This bill is a wasted opportunity. It does not provide an opportunity to do something real for local government.

MR M.W. TRENORDEN (Avon) [12.47 pm]: Many years ago - 1970 to be exact - I became an insurance agent. I was given a rate book and a mirror. I knew what the rate book was for but I did not know what the mirror was for. The idea was that the rate book was to help me sell policies and the mirror was to help me watch myself starve if I did not sell any. This bill is precisely about that. We as opposition members of Parliament in this place have very little responsibility. In fact, the only responsibility we have is to attend this place. If we do not attend for a certain number of days in a row, as you, Mr Speaker, well know, we are no longer a member of this place. The only other role we have is to keep the government honest. This bill classically illustrates that the government has not been honest. It must be kept honest. I believe that the government will not get a particular part of this bill through the Parliament because it just has not gone through the correct procedure.

I have been listening to the debate with great interest, particularly the interjections by the member for Kingsley. Voting systems are simple. They involve either a simple majority or an absolute majority in a first-past-the-post or preferential system. It is not about voters and it is not about the system; it is about principle. We must have a system in principle in which the person elected is either the person who gets the highest number of votes or the person with at least 50 per cent plus one of the votes. That is it. It is not very complicated. I will never be in favour of a first-past-the-post system, as the member for Kingsley referred to in debate on this bill yesterday or the day before. I can clearly recall when a member of the Papua New Guinean Parliament was elected on seven per cent of the vote when about 18 candidates were standing for election to one seat. I do not think that represents democracy. A lot of my English friends ask how we dare operate a preferential system, because their system is based on pure democracy. First-past-the-post is a legitimate system when few people contest seats.

Mr R.F. Johnson: Exactly, and you are not forced to vote for someone you do not want to.

Mr M.W. TRENORDEN: Yes. The classic situation in Australia is the gerrymandered state of Queensland. The gerrymander system, over which Joh Bjelke-Petersen was beaten up, was, in fact, a Labor Party system. He happily kept it going because it suited him. The ALP introduced the system for which he became famous. The current Labor Party administration has gerrymandered Queensland with optional preferential voting. It has done that because it suits it. It is the only party of the centre to the left. If there was a strong Greens or Democrats Party or some other process in Queensland, it would not like that voting system. It would not assist the Labor Party, as it does now, and it would be opposed to that system. This government has not picked up optional preferential voting because the Greens (WA) take a portion of its votes. The Queensland Labor Party is not in that situation. The Greens are so weak in Queensland that it does not matter.

The voting system outlined in this bill is an issue; that is, as the Leader of the Liberal Party said in his contribution to this debate yesterday, this government has struck an agreement with local government, but it has not kept to it. In fact, it has ignored it. That is called arrogance. With this particular bill this government has been grossly arrogant and it does not deserve to get the bill through this house.

The bill comprises three sections. First is the section that we are arguing about; that is, the introduction of a proportional preferential system of voting. Councillors, not councils, within my electorate are not fazed about which voting system is in place, but they are extremely angry that they were not consulted in the process. I have had a very strong response to this bill. In recent years only a few issues have attracted a strong response from my electors. When I had my shot at Coles my telephone rang hot, and still does, and not one person opposed what I said. This local government issue has not resulted in my phone running hot, but it has resulted in numerous e-mails, faxes and letters. People are extremely agitated by what this administration has done.

Mr R.F. Johnson: Arrogance.

Mr M.W. TRENORDEN: Yes, the arrogance of it. I have not heard any comments about the proposed change to the local government election date. Holding the election in May makes it very difficult for new councillors to come to grips with the process of dealing with the local authority budget, which is brought down about that time. It is a sensible decision to hold local government elections in October. I am pleased that the Labor Party said that it is not in favour of 17-year-olds voting at local government elections.

The first part of the bill involves a process in which people became involved, but the government decided not to accept their recommendations. These people had every right to think that their voices had been heard. Not only did the government decide not to take up the recommendations made in that process, but also it decided not to divulge its decision. It is arrogance in the extreme, and the government deserves to have this bill voted down. I

will have words with the Greens. The Greens and I do not have in mind a particular process, but I think that they and the opposition have a similar attitude to mine; that is, that the government has a responsibility to keep its word. It has not done that and it deserves to lose that part of this bill.

MR C.J. BARNETT (Cottesloe) [12.54 pm]: I wish to comment briefly on the Local Government Amendment Bill 2006. Local government plays a very important role in our local communities and, indeed, is taking on what seems to be an ever-growing range of responsibilities.

In my electorate of Cottesloe there are seven local governments, and that is something I have in common with many country members of Parliament. Either part or all of the local governments of Fremantle, Mosman Park, Peppermint Grove, Cottesloe, Claremont, Nedlands and Cambridge fall within the Cottesloe electorate. These local governments work well and in cooperation with each other. Although every now and again one of them has a mini-crisis, generally they are well regarded by the community. From my experience, the people on these local councils are committed and work hard for the benefit of their communities. Their intentions are invariably good.

There is much discussion about amalgamation and the like, and I do not shy away from that debate; however, I place on the record that although there are multiple local governments in my area, they are effective and well-functioning organisations. I note that in the western suburbs there has been a lot of sharing responsibilities and undertaking joint programs. One project that is currently being planned is a major redevelopment of a joint library between Peppermint Grove, Mosman Park and Cottesloe. It is a project that will be well received by the community, and I strongly support it.

This bill makes two significant changes to local government elections. The first is that they will be held in October, rather than May. As members have said that is widely accepted as a sensible reform. New councillors will be elected in October and that will be more suitable in fitting in with the normal budgetary cycle of local government. That is a sensible and supported reform.

The second change is to shift from a first-past-the-post system to a proportional preferential system of voting for local council elections. Clearly, this is a controversial change. As other members have said, what irks local governments is that they were not consulted on this proposal. There is no excuse for not consulting the groups that will primarily be affected by the proposed change. It reflects extremely poorly, both on the Minister for Local Government and this Labor government. There is no circumstance that could possibly explain that away. Others have described it as arrogant, and that is an appropriate term.

I will comment on some broader issues. The current structure within local government provides for four-year terms, and half the councillors come up for election every two years. That maintains for local governments a continuity of membership, programs and budgetary processes. There are variations between councils. Some have no wards; in other words, the councillors are selected from a single ward or electorate. Others have single-member wards and others have multiple-member wards. Another variation is that in some cases the mayor is elected by all voters in a popular vote and, in other cases, he or she is elected from within the group of councillors who have been duly elected. There is flexibility within local government that gives local councils and the community the opportunity to vary the model to suit their circumstances.

Members should remember that the local government voting system is voluntary. Approximately 40 per cent of people vote. In the past 10 years postal voting has been introduced as an option for local councils. It is an option that is popular in my electorate. People consider it is a modern, forward step and it increases the level of participation of voters. Postal voting is a good idea for local government. It works well and people find it convenient and sensible. Generally it boosts the participation rate of voters by 10 per cent or more. Another aspect is that local government has first-past-the-post voting. In other words, the person who gets the highest number of votes wins. In a ward with two members, the two candidates with the highest number of votes are elected, or if the ward has three members, the top three candidates win. It is a very simple, easily understood system of voting, particularly in the context of voluntary voting. This bill will change local council elections, whether or not local government likes it, to a proportional preferential voting system. In other words, all candidates must be ranked and a preferential voting system will apply. There are a number of problems with that, many of which have already been talked about. It seems absolutely inevitable that a shift to a proportional preferential voting system will increase the participation of political parties, factional groups and organisations in local government elections. That is undesirable. One of the strengths of local government, in this state in particular, has been that party politics has largely been absent from local government. I know that that is less true in some of the larger councils, but councils have been largely free of party politics. A number of members in this house, on both sides of the chamber, started their political careers in local government, and that is very positive. People may have affiliations to either Liberal or Labor, but the local governments themselves have not been set up on a party political basis. If we move down this path of preferential voting, it is far more likely that we will see party or factional politics emerge.

The second point is that the new system introduces complexity.

Mr J.J.M. Bowler: It is complex counting, but it is not a complex voting system.

Mr C.J. BARNETT: Preferential voting always introduces complexity. People in the community cannot understand why the person who perhaps got the most number of votes, but less than 50 per cent, does not win. They find it confusing that a person who came second or third might end up winning the election. People find it confusing; they cannot understand it. It is imposing a level of complexity on voters, and in a voluntary voting system. I do not like preferential voting at all, but I am not arguing that point. Under a compulsory system, perhaps the case for preferential voting is stronger. However, with a voluntary voting system, people just want to pick whom they want to vote for. They do not want to have to rank candidates and find that the person holding the third highest number of first preference votes actually wins. It is confusing. It will certainly lead to alliances and deals, whether they be between major and minor political parties, factional groups or lobby groups. If we are talking about a small voter turnout - maybe only 40 per cent - this might amount to no more than 300 or 400 voters or even fewer in some small councils. It will be very easy for deals to be done on preferences and for the result of the election to be manipulated. Honest Western Australian voters who simply go to vote for the candidate they prefer might find that a major or a minor political party, or a lobby group, has effectively directed its supporters to vote in a certain way. There are plenty of people in this chamber - I am not one of them - who have played roles in stacking branches of political parties. We all know it can be done with great skill and to great effect. With small numbers voting and a preferential system, that element is now brought into the realm of local government. That is a giant step backwards for the functioning of local government. We need to recognise, in that context, that local governments have not worked on that basis. They work on a far more collaborative and consultative basis; not on the structure that exists in this Parliament.

The other aspect is the high cost to councils and ratepayers. I am advised that the cost will be a minimum of \$10 000 for the smallest of councils, ranging up to the order of \$200 000 to \$300 000 for the largest councils. There will be a significant cost impact, for no return at all.

Mr J.J.M. Bowler: Who said that?

Mr C.J. BARNETT: That is the advice from a local government authority, based on the South Australian experience.

Mr J.J.M. Bowler: Are you sure about that?

Mr C.J. BARNETT: It is advice that I have received. It will be costly.

Mr J.J.M. Bowler: Can you explain why?

Mr C.J. BARNETT: Based on the South Australian experience, it will be costly. The counting process will be more complex, and more complex campaigning can be expected. The advice I have is that it will be costly.

Mr J.J.M. Bowler: I will deal with that in my second reading response.

Mr C.J. BARNETT: The minister may do so.

Getting elected under a system of preferential voting is more complex for voters and for the councils. We will see preference deals and swaps. We are introducing that murky side of politics into local government. It will bring in party politics to a far greater extent than is the case at present, particularly with a voluntary voting system involving small numbers of voters. It will be easily manipulated by political parties and particular interest groups. This Parliament is based on the Westminster system. It is an adversarial system. An election is held and the winner takes all. That is the way it works. In this chamber, we are adversarial. That is the Westminster system, which I support. It works at a parliamentary level, both state and federal. Local government does not operate that way. It is about people of calibre and integrity standing to represent their local communities for the right reasons. It must operate in a more collaborative, consultative manner. As soon as preferential voting and a greater role for party politics is introduced, the goodwill that makes local government function so well is lost. That concerns me greatly. For that reason I believe that this will not be good for the functioning of local government. We can hold all the theories we like about model voting systems and democracy, but we are talking, by and large, about small local authorities. There are seven local authorities within my electorate. They pick up the rubbish, maintain the verges and look after the parks.

Mrs J. Hughes interjected.

Mr C.J. BARNETT: I know there are larger councils in the northern suburbs. Perhaps they are too big. However, we are talking about local people who, although they receive payment, largely give of their own time to serve their local community. Now we are to decide that we will inflict upon them some of the worst features of the Westminster system.

Mr R.F. Johnson: We don't, they do. I won't take any responsibility for it.

Mr C.J. BARNETT: That is right; it is the work of the Labor government. I certainly do not take any responsibility for it. I oppose this change. It is particularly undesirable for local government. It will take away

much of the goodwill that exists in the local governments in my electorate, and in the other local governments around the state. It will result in more party politics, more deals, more preference swaps and more murky politics. The public does not want that. If the Western Australian public is turning off major political parties - there is evidence that it is, and also that we are not alone in that respect - it is because of the deal making, the preference swaps, the branch stacking and all the rest of it. That is what the public is rejecting. People are tired of that. They want to see good people elected. They are interested in what those people stand for, what their background is, and whether they will do a good job. That has been the strength of local government. People make a judgment on the calibre of the person, not on the faction or party that person represents. This Parliament will be doing a disservice to local government in this state if this aspect of this legislation is enacted.

I again state that it is absolutely indefensible that this Labor government did not consult with local government over these changes. This is a major change to not only the electoral system, but also the functioning of local government in Western Australia. A partnership agreement between state and local government that has existed under successive governments has been ignored on an issue that is contentious. I do not care what members opposite say. They can argue the virtues or otherwise of what they believe in, but their failure to consult condemns them on this issue. There is absolutely no way this Parliament should pass these changes. I oppose them, and I will continue to oppose them at every stage.

MR J.E. McGRATH (South Perth) [1.09 pm]: I preface my remarks on the Local Government Amendment Bill 2006 by saying that I do not have a local government background. In fact, I have probably had more to do with local government during the two years that I have been a member of this house than I had in my previous life. However, it has been an eye-opener to me to see some of the very good work done by people who work in local government. In my electorate of South Perth there are two local government authorities - the City of South Perth and the Town of Victoria Park. Both those authorities go out of their way to be very apolitical. The seat of South Perth has never been held by the Australian Labor Party, but it is interesting that two present ALP members of Parliament - the federal member for Swan and the state member for Kenwick - served, I believe, as councillors for the City of South Perth. I know from my dealings with the city that the mayor, John Collins, is very careful to make sure that politics does not become involved. When I attend a function at which the federal member for Swan is also present, we are treated as equals, even though we are on different sides of the political fence. That is one of the reasons that people in local government with whom I have spoken are so incensed about what this bill will do in changing the first-past-the-post system to one of proportional preferential voting. These people are worried that it will introduce politics into local government, something that they have been fighting off for a long time. Coming from where I sit and listening to this debate, it seems that the minister has not listened to people in the local government organisation. With anything we do and any legislation we deal with in this house, we must listen to the stakeholders. For instance, I recently had to deal with some legislation concerning racing and the government's intention to ban betting exchanges. There were people in the racing industry who wanted to support betting exchanges, and we listened to them. However, at the end of the day we had to support the racing industry, because that industry said to us that that is what it wanted. We had to support the industry.

It worries me that members of the Western Australian Local Government Association - those many local governments throughout Western Australia - are telling us now that they have not been listened to. One of the councillors from South Perth sent an e-mail to me recently. He wanted to know what the opposition would do about this legislation. His e-mail states -

Recently we were surveyed by the Ministers advisors on any changes needed in the current process and State Wide 90 % of members of Local Govt. voted for no change, now without any consultation he -

That is, the minister -

chooses to take this action, so that will bring Political Factions into play in Local Govt., Just what free thinking people need like a hole in the Head.

That is representative of the sorts of messages that I am receiving, and I am sure many other members of Parliament are receiving, from people involved in local government. I know that the Mayor of South Perth has been very outspoken, and I believe that the Town of Victoria Park also has concerns about what is provided for in this part of the bill. It must be borne in mind that we support the change to the date of the election and other changes in the bill. I think the member for Moore has pointed out that, basically, we support most of the bill. However, this is the one component that we feel is untenable.

The Western Australian Local Government Association has been calling it an ill-conceived or ill-considered proposal. It has stated -

Proportional Preferential voting is only used for Upper House elections at State and Federal level. It is the Lower House of Parliament, where the representatives of the local electorate are elected, that has the greatest similarity to Local Government.

Therefore, it is saying that we are putting in a system used mainly for the upper house, when local government is close to the people, similar to lower house members of Parliament. It continues -

In all Lower House elections the Preferential voting system is used. If consistency in the voting system was the true objective of these changes, the State Government would be introducing Preferential, not Proportional, voting.

The other more concerning issue, as I mentioned before, is that there has been no consultation. WALGA states -

The Local Government Advisory Board was tasked with investigating Structural and Electoral Reform. In doing so the LGAB sought input from the sector. In its report the LGAB made a number of recommendations (including that *no change* be made to the voting system), . . .

How many more messages does this minister need to get? Also, as I pointed out before, WALGA states -

. . . 90% of respondents to the WALGA electoral reform survey support the current voting system. Both WALGA and the LGMA support the current voting system.

Either the minister is prepared to try to ride this through and railroad the local governments in Western Australia, or he is determined to not listen to the message.

The other concern that has been mentioned is that any preferential voting system encourages alliances and factions to develop, and this facilitates party politics. That has been mentioned by most members on this side of the house. The member for Hillarys is nodding in approval, and I heard what he said yesterday. That is the one thing we do not want. Let us keep party politics out of local government. It is difficult enough for local government to do the job that it is doing now. Local government needs to be able to get on with its job, and people in the electorate need to be able to vote for someone who they think will be able to represent them, and to know that by their voting for that person, that person has a very good chance of getting up and not being beaten by some kind of ticket or party factional group vote. Party politics will play a bigger part under this type of voting structure. Dummy candidates will be fielded, preference deals will be done, and genuine people in the community who want to put themselves forward to serve in local government will be outmanoeuvred.

I will mention briefly what the Mayor of South Perth, John Collins, said in a recent media release dated 29 September. The media release states -

Mayor John Collins said the decision could only be described as a total disregard for community views and a challenge to democracy - sending alarms bells ringing.

"It is ironic that the way in which the change has been introduced is inconsistent with the State Governments' own principles that it applies and requires Local Governments to follow," he said.

"One of the principles of the Local Government Act is that Councils should promote greater community participation in decision making and the State Government has failed to comply with its own principles on this occasion.

"For such an important change, I would have thought that the Minister would have actively involved each Council in the decision making process, to ensure that the best decision was made for Local Government."

A lot of members on this side of the chamber have said in their speeches that this also flies in the face of what we were told when the Gallop government came to power in 2001. The then Premier said that it would be a consultative government; it would consult with the community. In the City of South Perth, that has a very hollow ring, because we find that we receive very little consultation.

Mr R.F. Johnson: It is not just in South Perth, my friend, but throughout the whole of Western Australia. This is the most non-consultative and arrogant government I have ever come across.

Mr J.E. McGRATH: I will give some examples of that arrogance. I know that South Perth will never be an ALP-held seat. It never has been and I doubt it ever will be.

Mr J.J.M. Bowler: Cocky!

Mr M. McGowan: Arrogance!

Mr J.E. McGRATH: It is not arrogance; it is the way that the people of South Perth think. These are some examples of how this government has ridden roughshod over the people of South Perth.

Mr R.F. Johnson: The member for Rockingham will run against you at the next election.

Mr J.E. McGRATH: He is welcome to do so. I would like to see him run for South Perth.

Mr J.J.M. Bowler: It is not us that you have to worry about; it is others on your side.

Mr J.E. McGRATH: More members of Parliament live in my electorate of South Perth than in any other electorate. I think there are about six or seven, and they are all very good supporters of the Liberal Party and of me.

Mr M. McGowan: Beware of people from the goldfields bearing gifts!

Mr R.F. Johnson: I am looking forward to the member for Rockingham standing as the next Labor candidate for South Perth. He has announced today in this Parliament that he will do that. Let him carry through on his word. He will be the shortest serving member of the Labor Party ever known.

Mr J.E. McGRATH: I am sure that the member for Rockingham has much more intelligence than that. However, let us look at some of the things that have been done by this government in riding roughshod over the people of South Perth. The southern railway line was commenced with little or no consultation with the City of South Perth. There was the Mends Street Bellhouse Cafe restaurant development. The member for Rockingham and Minister for the Environment turned up one day at the Mends Street jetty. All the media throng was there, and he was to make an announcement about this big development in South Perth. Someone from the media telephoned the mayor and said, "Mayor Collins, have you any response to the big announcement that is to be made today by the Minister for the Environment?" The mayor said, "What? What's going on?" The media person told the mayor that the minister was down on the jetty. Therefore, the mayor had to jump in his car and speed down to the jetty. There was the Minister for the Environment making an announcement about a massive restaurant development that was to take place in South Perth. The mayor had not even been told about it. That was arrogant.

Mr R.F. Johnson: That is so rude, but it is typical of that minister and every minister on the other side. They are an absolute disgrace, the lot of them. It is shameful.

Mr G. Snook: That is their typical consultative process.

Mr M. McGowan: Do you guarantee that you won't go to that restaurant in protest?

Mr J.E. McGRATH: No, I -

Mr R.F. Johnson: I'll tell you something else. When I was the Mayor of Wanneroo, member for South Perth, and the railway line was put through to Joondalup, there was a big announcement and there was an official opening. There was a special run from Perth to Joondalup. Do you know what? The one person who was not invited to that was the Mayor of Wanneroo. The station was in the City of Wanneroo but the mayor was not invited. They spent about \$250 000 on the special announcement opening the thing, but it could not run for another six months. That shows the arrogance and rudeness of this government!

Several members interjected.

Mr J.E. McGRATH: I need to get on with this.

The ACTING SPEAKER (Mr G.A. Woodhams): Order, members!

Mr D.F. Barron-Sullivan: This arrogance goes to the Premier himself. We recently had a disaster in my electorate, as many members would know. A typhoon went through Leschenault. The local government was given the primary responsibility on the day. The emergency services went out there. The local member was there, which was me. The Premier did not have the decency to inform the local member and other key people that he was going to the electorate. The member for Bunbury was there, as was the member for Murray. That is the sort of arrogance we see.

Mr J.E. McGRATH: That is typical, member for Leschenault.

Several members interjected.

The ACTING SPEAKER: Order! I encourage the member for South Perth to continue his comments.

Mr J.E. McGRATH: Thank you, Mr Acting Speaker. I make the point that although the member for Hillarys was apolitical at the time, the Labor Party intelligence might have seen that he had some Liberal tendencies. That is probably why he did not receive an invitation.

There is also the issue of the river walls. The City of South Perth has been told that, under the Swan and Canning Rivers Management Bill, it will have to pay for 50 per cent of the maintenance of the river walls for damage that is caused by boats going up and down the river. The council was not consulted on that. That is another thing that the City of South Perth is not very happy with this government about. Another issue is the Coode Street ferry. A person who used the ferry service was talking to one of the ticket collectors one day and was told that the ferry service would be discontinued. No-one in South Perth had been told. A petition was raised and it was taken to the Minister for Planning and Infrastructure. She said that not enough people were using the ferry service, and so the ferry would be taken off the run. One would think that a government that got into power on the back of its claim to be consultative and inclusive might have told the people of South Perth

that there was a problem with the ferry service because not enough people were using it, and that if numbers did not increase, the government might have to do something about the service. There was nothing of the sort. It was just bang, gone. The service has not been returned. The government has promised to bring the service back spasmodically as a summer service. We are still waiting for that to happen because that was two years ago. There is no consultation by this government. We feel like lepers in South Perth. We do not feel that the Australian Labor Party ministers are embracing us. They do not want to do anything for our electorate. I wonder why that is. It is little wonder that the Mayor of South Perth is not surprised by this Local Government Amendment Bill. This is just sheer arrogance by the minister. He has not listened to local government authorities around Western Australia. Ninety per cent of those surveyed said that they do not want this change. They do not want it for a reason. They believe that the system they have now works well. They do not want the disruption of changing the system. They do not want to be opened up to political interference. They do not want to be open to the possibility of splinter groups organising tickets to get certain groups into local government, when a good local person who stands for something in the community could miss out under this new system.

Mr R.F. Johnson: They only want Labor supporters elected.

Mr J.E. McGRATH: Yes. The more a person looks at the bill, the more he can see on it the imprint of the Attorney General. His hands are all over this. That is what the Western Australian Local Government Association is saying. This is a move to manipulate us and to bring Labor people into local government. It is to build up the Labor vote in local government. Local government could become an even bigger platform for future members of Parliament from the ALP. We think that the member for Fremantle has something to do with that.

Mr J.J.M. Bowler: How do you draw that link?

Mr J.E. McGRATH: We can draw that link because this is aimed at getting more Labor people into local government. The system will enable it to happen.

Several members interjected.

The ACTING SPEAKER: Order! I encourage the member for South Perth to continue his remarks and make them pertinent to this debate. I encourage government members to listen to the member for South Perth. If they would like to make a rebuttal, they can stand and spend some time doing so.

Mr J.E. McGRATH: I am speaking against this component of the bill. I agree with the member for Moore that the rest of the bill is fine. We should do it. Local government wants it. However, why impose on local government something that it clearly does not want? Local government is so firm in its resolve on this that the Western Australian Local Government Association is urging its members to move a vote of no confidence in the minister. This will blow up into a very big matter and the government will have to re-address it.

MR A.J. SIMPSON (Serpentine-Jarrahdale) [1.26 pm]: As a former councillor of the Shire of Serpentine-Jarrahdale for four years, I can say that I have a fair bit of knowledge of the workings of local government. My electorate of Serpentine-Jarrahdale covers seven local government authorities: Gosnells, Canning, Cockburn, Kwinana, Rockingham, Armadale and Serpentine-Jarrahdale.

The problems with this bill have been stated clearly in the press by the Western Australian Local Government Association. The preferential voting system is not the preferred voting system. The first-past-the-post system is easier for everybody who goes to the polls to understand. During my time in local government that issue was campaigned on. All the members who have spoken so far in this house had been involved in local government. The process a local government councillor goes through gives him a good standing to be a member of state Parliament. It is important that people have an understanding of the voting system. First-past-the-post voting is very simple to understand. It is also the system that WALGA wants.

A lot of members have already spoken about cost shifting to local government. Twenty years ago local government was responsible for the three Rs: roads, rates and rubbish. Local government is now involved in everything, including community groups helping youth and the aged and helping to build facilities for organisations from playgroups through to seniors. Local government is a network that plays a major role in the fabric of our society. It is important that state members of Parliament acknowledge and recognise the work that local governments do.

The member for Cottesloe pointed out that local government councillors have a four-year election cycle. Every two years half of the councillor positions are open for election. That is a great system. Local governments undersell themselves. I think that councillors should get paid more than they do. When I first became a councillor I was paid \$50 for a council meeting and \$40 for a committee meeting plus mileage. In 2001-02 there was a change and councillors were paid \$6 000 a year. It is a simpler system. When I was a councillor I was also a local baker. I would finish work at about eight o'clock in the morning after baking. I would go home and get showered and changed and then get involved in committee work. I would spend three, four, or even five

hours doing such work before I then went to bed before going back to work again. I enjoyed that. It is something that a person must have a passion for. I was a baker working behind the counter in my small community. It was great to talk to people on a Saturday morning when they were doing their shopping. They could ask me straight out what they were getting for their rates. I could talk about the great things that the council was doing, whether it was to do with the recreation centre, new parks, community halls or whatever. There was always something to say to the community and there was always a great feeling about being in local government. There is a great deal of companionship with other councillors in local government. We all got behind things. Occasionally, we would be divided on some issues. All in all, we got on to do the job. It is a great feeling. I must admit that I have great admiration for people who put up their hand to run for local government. There was recently a by-election in June. Two councillors had to resign and, as such, two positions fell vacant. Three people put up their hands. All three were very good candidates. The election was amazing because there was a 40 per cent turnout. The person with the most votes got 437 votes and the third person got 407, so only 30 votes separated the three candidates. I was very excited to find that people still take an interest in local government. The first thing I say to people when they tell me that they do not vote in local government elections is that they should not bloody whinge to me when they have a problem if they did not have their say. That is the most important aspect of our democratic right to vote.

Mr J.J.M. Bowler: Was there just the one vacancy?

Mr A.J. SIMPSON: There were two positions, but three people ran. It was fantastic to see a great turnout of 1 200-odd voters. I do not know the total number of people who could have voted. The Shire of Serpentine-Jarrahdale has four wards. The Byford ward has three councillors, the west ward has two councillors, the central ward has three councillors and the south ward has two councillors.

Changing the date for the election is a fantastic idea. People who were elected to local government in May always had a struggle, in that they had less than a month to get their heads around the running of local government. There had to be a unanimous vote on the budget in July, so those people basically went into it blind. I think it is a fantastic idea to change the election date to October. That will give people a few months to wet their feet and learn a lot more about how local government works. That will be a fantastic step forward.

I am sorry to say that not one person has told me that he supports preferential voting. When the industry says that it does not want it, the opposition must raise its concerns. Local government is a great organisation to be involved in. My shire comprises some 905 square kilometres. When I was a councillor, nearly 1 000 kilometres of road had to be maintained by the shire from its rate base, which at that time was about \$4.5 million. Every year our budget was close to \$10 million, so we did very well from our grants and dollar-for-dollar contributions. Another good point to make is that although we took \$4.5 million from our ratepayers, we turned it into \$10 million worth of infrastructure on the ground. That was a good positive spin, but it was always done with cap in hand. We had to write up a project, have the works costed, work through all the issues and then come up with a plan to ask one of the agencies for some money to make it happen. In my time at the shire, one of the biggest projects was the construction of a recreation centre at a cost of about \$3 million, which was nearly the entire rate base for a year. It was probably the only time that councillors were reluctant to take a vote on an issue. The council had to borrow close to \$2 million to build the centre. The council was like a nervous bride on her wedding day when it made the decision on the centre and we got the grant. It is a fantastic centre, which is doing very well. The best part about the location of the recreation centre is that the growth around it is phenomenal. The ratepayers of today and tomorrow will pay off that debt, and that is an important thing to do.

Again, as the member for Capel pointed out, not many local governments are viable. From year to year they have their cap in hand, trying to find ways to make the dollar stretch. That is probably an issue that the government should be looking at, more so than changing the voting system. The state government needs local governments to put the money back on the ground in the communities that are the fabric of our society. All in all, we should be looking at the bigger picture and asking how to make local governments more viable so that their dollar goes further, along with the money given to them by the state government. It would be better to have a debate about how we can support local government, instead of the government writing a report and saying that it will introduce preferential voting.

I do not have much more to add because I think that members on this side of the chamber are repeating themselves. Many members are passionate about this issue, so I will let others speak to the bill.

Dr S.C. Thomas: We have to say it 10 times to get it through to the government.

Mr A.J. SIMPSON: That is correct, member for Capel; we have to say it 10 times to get it through to the government. Again, I restate the fact that I am yet to see the benefit of preferential voting for local governments, and they have made their view pretty clear during the process. They do not support the proposal, and neither does the opposition.

Mr J.J.M. Bowler: Did you say that you were from local government?

Mr A.J. SIMPSON: I certainly was.

Mr J.J.M. Bowler: What year were you elected?

Mr A.J. SIMPSON: I was elected in 2001.

Mr J.J.M. Bowler: That was to local government, not to Parliament.

Mr A.J. SIMPSON: Yes; I was elected to state Parliament in 2005. I had my first term in local government to wet my feet. The Western Australian Local Government Association is a fantastic organisation. It is a good voice for the local government authorities to have their views heard. They have made them very clear in the media in the past few weeks. We on this side will not support that part of the bill.

MR T.R. SPRIGG (Murdoch) [1.35 pm]: Before I represent the views of the mayors of two local governments in my electorate, the Cities of Cockburn and Melville, I will make the observation that, interestingly, other than daylight saving, I have received more e-mails on this issue than any other. Obviously people have read about the legislation. I feel a bit sorry for the minister; he has been left in the lurch. I know it is a portfolio that he handballed to another minister, and now he has had to cop it all by himself. It is very interesting that not one government member has contributed to the debate. I do not know whether the member for Kingsley will make a contribution; she has made a number of interjections. It is a bit hard when the minister must try to defend the indefensible. I am sure that he will be up to it, but defending the indefensible will never ring very true.

I do not want to repeat all the points that have been raised by members on this side of the chamber, but I put on the record the fact that I have received letters or copies of letters from the major councils in my electorate. There are three local councils in my area - the City of Cockburn, the City of Melville and the City of Canning. I have had representations from Mayor Stephen Lee of the City of Cockburn. Mayor Lee has shown strong opposition to the proposals in the bill. The main problem he has cited is the lack of consultation, which has already been mentioned by members. WALGA also was not consulted. Mayor Lee also mentioned that the preferential system is too complex for people to understand, and believes that it will discourage people from standing for election. He believes that the first-past-the-post system, which is supported by WALGA, is the way to go. He made the point that the decision to vote against this proposal was unanimously supported by the elected members of the City of Cockburn; there was not one dissenter. I put it to the minister that that is very unusual in local government these days; usually somebody will say something in opposition. I make the point that Stephen Lee, as good a local mayor as he is, is a bit misguided in his political leanings because he does lean towards the minister's side of politics, yet he is vehemently opposed to these particular proposals.

I also put on the record the thoughts of Ms Katherine Jackson, the Mayor of the City of Melville. The main point she made in her letter to Minister Ford was that an overwhelming number of councils that were contacted by the Local Government Advisory Board are against these proposals for various reasons, but certainly because of the simplicity of the first-past-the-post system; it is much easier to understand and administer. Mayor Jackson made the point that it prevents any potential political interference in the system, and that point has been made very well by members on this side of the house. She also referred to government hypocrisy. She suggested that in the links between state and local government, the state government promotes open and transparent government - we all know about that and that it has got lost somewhere - but does not consult local governments when it comes to the crunch. I quote from the letter from Mayor Jackson to Hon Jon Ford, the Minister for Local Government and Regional Development. It states -

Put simply, the Government is not practicing what it preaches and furthermore, a lack of consultation flies directly in the face of the State and Local Government's Partnership Agreement which requires the State to consult within the industry when significant changes are proposed.

Such consultation has not occurred and at the very least it would have been courteous for the Government to brief the industry on what is being proposed and to outline the reasons as to why the Government is rejecting the recommendation of the Local Government Advisory Board to adhere to the current "*first past the post*" electoral method.

That statement from Mayor Katherine Jackson sums it up pretty well. No-one seems to have a problem with changing the date for local government elections by moving it from May to October for budgetary reasons. It seems to make good sense. I have had no direct contact with the City of Canning, but I am sure that veteran Mayor Mick Lekias would concur. The member for Moore knows Mick Lekias pretty well. I am sure he would concur with the thoughts of Mayor Katherine Jackson and Mayor Stephen Lee. He would certainly be disappointed if we did not vote down this proposal with all our might.

I suppose it means that I am conservative in outlook in some ways, but it has always been an adage of mine that if something is not broken we do not have to fix it. This was not broken and the government did not have to fix it. We will oppose this with all our might.

MR J.C. KOBELKE (Balcatta - Leader of the House) [1.41 pm]: The Minister for Resources and Assisting the Minister for State Development, who was previously Minister for Local Government, will handle this bill for the minister in the other place. As he has been in the chamber for some time, I suggest that he get some

refreshment and return soon. I have taken an interest in and followed the debate on some of the matters that have been raised. A key matter that has been raised is the charge that consultation has not taken place. The minister has made it clear that the consultation was very thorough and resulted in a detailed report. There could be some discussion on whether the final stages of that entered into meaningful discussion with all the parties, but there has been quite lengthy discussion during the compilation of the report. As the minister has pointed out, he did not take up every recommendation. This bill clearly does not conform to the particular recommendation on voting systems, but not every other recommendation was taken up. The minister who will be handling this legislation for the minister in the other place is now in the chamber, so I will leave it to him to respond to the second reading debate.

MR J.J.M. BOWLER (Murchison-Eyre - Minister for Resources and Assisting the Minister for State Development) [1.43 pm]: I will start where the Leader of the House left off. He talked about the fact that a common issue raised in opposition during this debate was the lack of consultation by Minister Ford and the government on this issue. I have with me the report on the inquiry into local government structural and electoral reform in Western Australia, which I commissioned in November 2005. May I praise the Local Government Advisory Board for its work on this report. I will read out some facts about the consultation that gave rise to this document. Ten public hearings were conducted from 7 November to 12 December, one of which was on Westlink satellite broadcast. There were 212 recorded attendees. We do not know how many others were on satellite links. There were 150 speakers at the various hearings around the state. The hearings were held in almost every region of Western Australia. There were 233 submissions. There were 107 submissions from individual councils; this means that 37 did not make submissions. The total number who supported first-past-the-post elections in this review was 58. The total number supporting preferential voting was 11.

Mr R.F. Johnson: Eleven!

Mr J.J.M. BOWLER: The total number of local governments that did not respond was 75. The member for Hillarys says 11, but a constant claim in the other place was that no-one in local government supported the change. About 25 per cent supported preferential voting when this document was researched.

Mr R.F. Johnson: You said 11.

Mr J.J.M. BOWLER: Yes, 11 and 52 opposed, which means about 20 per cent.

Mr R.F. Johnson: You said 25 per cent. Your maths is not very good. I think your interpretation is not good either.

Mr J.J.M. BOWLER: On page 172 of the document it refers to -

Mr R.F. Johnson: How many asked you -

Mr J.J.M. BOWLER: I will read this out and then get back to the member for Hillarys and answer his question. On the subject of first-past-the-post elections, I concede that recommendation 2.5 was -

That the current provisions for the 'first-past-the-post' system of voting be retained (p 175).

One would assume that the five members of the panel favoured first-past-the-post elections. However, the bulk of the document reads -

Preferential system should be introduced. In FPP elections, candidates work together to get votes for each other. Preferential would make it more difficult for this practice to take place.

Mr R.F. Johnson: Who said that?

Mr J.J.M. BOWLER: The Local Government Advisory Board.

Mr R.F. Johnson: That you or your colleague appointed?

Mr J.J.M. BOWLER: No.

Mr R.F. Johnson: The recommendation was to continue with first-past-the-post.

Mr J.J.M. BOWLER: We have spoken to the chairman and said that the bulk of the report indicates that the board voted for the preferential style system. We asked why the recommendation did not do that. I think the board was basically running out of time and made a recommendation that was not supported by the evidence in the document. I will read it out -

- Preferential system should be introduced. In FPP elections, candidates work together to get votes for each other. Preferential would make it more difficult for this practice to take place.
- FPP does not adequately reflect the wishes of electors when there are three candidates or more.
- FPP is unsuitable when there is more than one vacancy.
- Allows for a greater representation from a range of interest groups and prevents domination of elections by mainstream party politics.

Mr R.F. Johnson: How can you keep a straight face when you say that? Repeat the recommendation.

Mr J.J.M. BOWLER: The member for Hillarys has said that my maths is not too good, but let me put it this way: if 59 people vote at a local government election when there are four vacancies, under the first-past-the-post system 30 might vote for four candidates because they are on a party ticket. Under the first-past-the-post system those four candidates from one party, whether the Liberal Party, Labor Party or Greens (WA), would all be elected.

Mr R.F. Johnson: We do not have tickets. You might do.

Mr J.J.M. BOWLER: If 29 vote for the other four candidates, not one of them would get up.

Mr R.F. Johnson: You are insulting the integrity of electors.

Mr J.J.M. BOWLER: No. In that way some of both sets of candidates would get up and, therefore, there is less chance, as the board says, of a political party involving itself in local government.

Mr R.F. Johnson: Who are the people who make up the advisory board?

Mr J.J.M. BOWLER: One of them is Ron Yuryevich. Is the member casting aspersions on his credentials?

Mr R.F. Johnson: I just want to know who they are. Who are the others?

Mr J.J.M. BOWLER: The Mayor of Swan, Charlie Gregorini, Ron Yuryevich and there are others. I will find out who the others are and let the member know.

Mr R.F. Johnson: I would love to know who they are. How can they say that in the body of a report and then come up with a different recommendation?

Mr J.J.M. BOWLER: It shows there is divided opinion.

Mr R.F. Johnson: No, it does not; that is your interpretation.

Mr J.J.M. BOWLER: The image presented by the opposition is that local government is totally in favour of one system and opposed to the other.

Mr R.F. Johnson: The majority are, and you know that.

Mr J.J.M. BOWLER: Let us go over the issues that the member for Moore raised. One of them was that his current leader was the then Minister for Local Government in 1995 when the current act was introduced. He made a number of significant changes. I agree that they were significant changes. They were the biggest changes to the act for many years. I think the bulk of them created a very good act. However, to say that this bill makes an equal number of changes is ridiculous. These are two minor changes -

Mr R.F. Johnson: There was massive consultation.

Mr J.J.M. BOWLER: To compare these with the changes that the previous minister made is absolutely ridiculous. I put it on the record that the bill the current leader of the Liberal Party introduced is now a good act. The member for Moore also said that the voters in the outlying rural wards feel disenfranchised and that they are worried they will be taken over by other towns, especially when the wards are abolished. When I was the Minister for Local Government and Regional Development, I travelled throughout Western Australia and I can tell members that the exact opposite is the case. People in rural areas in particular are concerned that they are disenfranchised under the current voting system. I will give members an example. Busselton has two rural ward councillors -

Mr T. Buswell: It has three rural wards and four councillors.

Mr J.J.M. BOWLER: Sorry, it has four councillors. The people who live in the bush, or in the rural areas, are concerned that the town councillors will dominate the council because of the town's greater population. Therefore, they did not want to see an end to the wards. I told them they should get rid of the wards because currently they cannot influence a majority of the councillors on the wards. However, if the wards are abolished and it all becomes one system, the people in the rural wards will dominate. Was the Deputy Leader of the Opposition from the town or from a rural ward?

Mr T. Buswell: Urban.

Mr J.J.M. BOWLER: I said that if the wards wanted control of the vote of the majority of the councillors - to do that, urban councillors would be needed - it would be better to get rid of the ward system. When I explained that to the lady - I will not mention her name - she agreed that the wards should be abolished.

Mr T. Buswell: That is only one extreme outcome. Another outcome is that the people in the rural wards will be completely disenfranchised. I bet the minister didn't tell her that.

Mr J.J.M. BOWLER: I take the member's point. Several councillors, particularly in the mid-west and south of Geraldton, have gone away from the system of wards to having just one council. That includes part of the

member for Moore's electorate. Rural people use their franchise more often than do people who live in towns. Therefore, the rural councillors have found that rather than being dominated by the town councillors, the rural councillors are having more of a say. That is the reality. The member for Moore will probably find that.

The member for Moore asked why such a large number of amendments have been made to the bill before it has passed through the house. That has been done to give greater certainty. There have been some complaints about that. However, it will provide greater certainty now rather than having to make amendments to it in the future. The member for Moore also showed his ignorance by saying that we should defer the bill for one year. Local government elections are now held every two years. Should we not have local governments for one year in Western Australia?

Mr G. Snook: Defer it for a year.

Mr J.J.M. BOWLER: The member wants to defer the system for a year, but the elections are held every two years. It cannot be extended for one year. It can be extended for either two years or nothing. If the member cannot work that out, he should be thrown out of his shadow portfolio because he does not know the provisions of the Local Government Act. Local government elections are held every two years, not each year.

Mr G. Snook: As the former Minister for Local Government and Regional Development, you should get your facts right.

Mr J.J.M. BOWLER: I have just pointed out the member's ignorance. Local government elections are held on a two-year rotation. How can it be deferred for one year? It is either deferred for two years or it is not deferred at all. Does the member want to defer it for one year or two years?

Mr G. Snook: You don't want to consult the community. You are arrogant. Your government is arrogant and you don't want to give the community a chance.

Mr J.J.M. BOWLER: At least the member for Bunbury might know the provisions of the act, unlike the member for Moore.

The member for Bunbury claimed that the first-past-the-post system either removes or minimises politics. The reality is the opposite.

Mr R.F. Johnson: Why do you want to change it then?

Mr J.J.M. BOWLER: It is a fairer system. Under the previous system, the left over preference counted for a full vote. Under the system we are proposing, it will have a lesser weight and therefore there is less chance of a political party dominating a particular ticket. It is like the upper house in Western Australia. The Mining and Pastoral Region has five members. Usually either three Liberal and two Labor Party members are elected to that region, or vice versa. A couple of years ago there was a One Nation member and two Liberal and two Labor Party members, but usually it is an alternating combination of three and two members between the Liberal Party and the Labor Party. If we had the first-past-the-post system in the upper house, and, say, 49 per cent of the electorate voted for the Liberal Party and 51 per cent voted for the Labor Party, under the opposition's system, there would be five Labor Party members in the Mining and Pastoral Region and the Liberal Party would have no-one to represent them. If members think that is fair, they are in cuckoo land.

Mr R.F. Johnson: You are talking absolute rubbish.

Mr J.J.M. BOWLER: I have just embarrassed the member for Hillarys, because that would be the outcome of that method. It has been claimed that many of the local governments in the eastern states are politicised because of the number of Liberal and Labor councils. We agree that we want to keep that from happening in Western Australia. Changing the present voting system to the proposed system will make it even harder for one party to dominate a council. If members do not understand the system, we will hold a seminar to explain it to them.

Mr R.F. Johnson: I have seen it in the northern suburbs.

Mr J.J.M. BOWLER: Was the member for Hillarys not elected to local government under the old method?

Mr R.F. Johnson: I was elected under the preferential system.

Mr J.J.M. BOWLER: I thank the member. Was there politics involved in the local government then?

Mr R.F. Johnson: Not as far as I was concerned.

Mr J.J.M. BOWLER: Why would it be any different in the future?

Mr R.F. Johnson: I said, "as far as I was concerned". However, I had Labor Party candidates running against me.

Mr J.J.M. BOWLER: The member beat that candidate, so what is he worried about?

The member for Bunbury asked how an extraordinary vacancy would be filled under this voting method. It would be filled in the way it is filled currently; that is, another election would be held. It is not like the Senate in

which another member of the same party fills the vacancy. Another election would be held, which is exactly the same situation that currently applies.

The member for Wagin claimed that the government has not consulted.

Mr G. Snook: True or false?

Mr J.J.M. BOWLER: This document I have in my hand is not a bad little document to have produced without consulting! One-hundred and seven councils took part in this process. On top of that, the new Minister for Local Government and Regional Development, Hon Jon Ford, has visited and met 80 councils in Western Australia in the short time that he has been the minister.

Mr G. Snook: What have they all told him?

Mr J.J.M. BOWLER: Hang on! The member for Moore just said that the minister had not consulted. He has held discussions with 80 of the 144 councils.

Mr R.F. Johnson: You think consulting is meeting a council and telling it exactly what you will do. That is exactly what Brian Burke did. When he had to consult the Leader of the Opposition, he said to Barry McKinnon, "By the way, so and so is going to have this job." When Barry McKinnon said, "You were supposed to consult me," Brian Burke said that he just had.

Mr J.J.M. BOWLER: The current Leader of the Opposition - I do not know how long he will be the leader - Hon Paul Omodei, said that he supports the change in the election date. Most speakers, including the member for Hillarys, support the change to the election date. I was the Minister for Local Government and Regional Development when I made that announcement during Local Government Week last year. I announced that local government elections would be held on the third Saturday in October, and the matter was generally accepted and well received.

Mr R.F. Johnson: That is when the local governments approached you and asked you to do it.

Mr J.J.M. BOWLER: No, they did not.

Mr R.F. Johnson: Yes, they did.

Mr J.J.M. BOWLER: I raised it with them and they agreed.

Mr R.F. Johnson: No! Tell the truth. What date did you tell them that?

Mr J.J.M. BOWLER: When I first became the minister, I raised the prospect with the local governments and they agreed.

Mr R.F. Johnson: Are you saying that the government had not been approached before then? You tell the truth in this place.

Mr J.J.M. BOWLER: The Leader of the Opposition also said - never a truer word has been spoken - that there is no perfect voting system to keep out politics. He is right. There is no perfect voting system. However, the system we will put in place will diminish the chance of a political party dominating local government. That is pure fact.

Mr R.F. Johnson: That is rubbish.

Mr J.J.M. BOWLER: The member does not understand how the new system will work.

The Leader of the Opposition also spoke about Senate voting. At one stage he made reference to above-the-line voting. There will be no above-the-line voting. As is the case in the Legislative Council elections in Western Australia, each candidate's box will have to be numbered. There will be no above-the-line voting. In all other respects, local government elections will be conducted in the same manner as are state and federal elections. Many members opposite spoke about their confusion over the new system. They may be confused because they cannot work it out and they have not bothered to read what the new system is about. I will relate an experience to members. I have five sons. At the last local government elections, four of them were old enough to vote. I told them that they should vote. A friend of the family, the brother of the former member for South Perth, is a Liberal Party member. All of my boys wanted to vote for Mr Pandal. I said that they should go ahead and vote for him. One said that he wanted to put him at number one. I replied that the vote was not numbered one through five; candidates were given a tick. He replied that he had recently voted in federal elections for the first time, and that the system was numbered; why was it different in Western Australia? I tried to explain, and halfway through my explanation, one of my sons threw the voting slip in the air and said, "Damn it - I'm not going to vote." It is a totally different system.

Debate interrupted until a later stage of the sitting, pursuant to standing orders.

[Continued on page 7636.]

QUESTIONS WITHOUT NOTICE**INFLATION DATA****777. Mr T. BUSWELL to the Treasurer:**

I refer to the fact that according to the inflation data released today by the Australian Bureau of Statistics, Perth's 4.8 per cent inflation rate is largely due to a 9.3 per cent rise in housing, nearly triple the 3.3 per cent increase for the weighted average of eight capital cities.

- (1) Can the Treasurer confirm that an analysis of the ABS data reveals that a third of the inflation result for Perth over the past year can be directly attributed to increases in property prices and rent?
- (2) Can the Treasurer confirm that the land shortage has contributed to the increase in property prices, which has been the single biggest factor in Perth's 4.8 per cent inflation rate?
- (3) Will the Treasurer concede that the government's failure to manage the release of land for housing has dramatically increased purchase prices and has placed pressure on the Reserve Bank to increase interest rates?

Mr E.S. RIPPER replied:

- (1)-(3) Only the Deputy Leader of the Opposition could find doom and gloom in the wonderful economic circumstances currently being experienced in Western Australia. The Deputy Leader of the Opposition is the only one looking for the negative aspects of Western Australia's economic situation. Everyone else recognises that the Western Australian economy is booming. Everyone else recognises that we are living in extremely fortunate times and that we have, as a community, increased capacity to build a wonderful economy and a wonderful society as a result of our economic circumstances.

Several members interjected.

The ACTING SPEAKER (Mr G. Woodhams): Order, members!

Mr E.S. RIPPER: The consumer price index in Perth rose by 1.1 per cent for the September quarter; it rose by 0.9 per cent nationally. Treasury has advised me that Perth's inflation rate is likely to ease during 2006-07 as exceptional factors such as fuel and fruit prices either plateau or decrease. However, inflation in Perth could remain a little above the rate for the rest of the nation as long as housing price growth exceeds the national average by a significant margin. Housing was the largest contributor to growth in the Perth consumer price index for the quarter, contributing just under half of the 1.1 per cent increase. Food was the next highest contributor, accounting for 0.27 percentage points. In good news for motorists, fuel prices fell during the September quarter, reducing Perth's CPI growth by 0.09 per cent. The real risk is what the national inflation figures will do to John Howard's promise on interest rates. Bill Evans, the chief economist at Westpac, said today that the result meant it was almost certain that the Reserve Bank would raise rates by 0.25 per cent on 8 November, and that the result also posed the significant risk of a follow-up rate rise in February.

The pundits have recently reflected upon three interest rate increases and the prospect of a fourth; now they are talking about the prospect of a fourth and a fifth interest rate increase since John Howard made his interest rate promise. Even if there is only a fourth increase and not a fifth, average mortgage repayments in Western Australia will jump to \$14 942 a year. Think about that figure: \$14 942 a year; an extra \$1 300 a month, or \$25 a week. That is what will come out of the family budget as a result of four interest rate increases since John Howard made his promise. This government cares about family living standards and has always kept increases in household fees and charges well below the rate of inflation. In real terms, the basket of household fees and charges has been cut by \$390 over six years; electricity prices have been fixed for six years.

Several members interjected.

The SPEAKER: Order, members!

Mr E.S. RIPPER: Families can access the pay to learn allowance; the liquid petroleum gas subsidy has been doubled to \$1 000; compulsory motor vehicle third-party insurance premiums have been slashed by 10 per cent, saving the average motorist \$25 a year on every car registered; and families are making savings from 50c public transport fares for schoolchildren.

Mr T. Buswell: Whoopie-doo.

Mr E.S. RIPPER: Whoopie-doo, says the Deputy Leader of the Opposition! That should be noted by members of the fourth estate. The Deputy Leader of the Opposition thinks that families do not care about 50c school bus fares. He thinks that families do not care about frozen electricity prices and a real cut of \$390 in household fees and charges levied by the state government. John Howard has broken his promise, and Western Australian families are going to pay through the nose as a result. The state opposition, supine in front of its Canberra masters, does not care and will not make any criticism.

DOMESTIC GAS RESERVATION POLICY

778. Mr P.W. ANDREWS to the Premier:

Will the Premier please advise the house of the recent support for the state government's domestic gas reservation policy?

Mr A.J. CARPENTER replied:

I thank the member for the question. I have said previously in the house that it is absolutely critical for Western Australia to secure its long-term energy supplies for its own economic needs. That is the reason for the government's domestic gas reservation policy. The policy is overwhelmingly supported by the people of Western Australia. The government released the policy announcement approximately a week ago, and it is interesting to see that there has been a very, very strong and positive reaction to the policy announcement. That is not surprising, because it is commonsense. Western Australia, a major energy exporter, would be the laughing stock of the world if it was unable to secure its own energy supplies. It is beyond me that the federal government cannot see that simple truth. It is almost incredible that the federal government cannot understand that Western Australia must secure its own energy supplies. However, many of the positions taken by the federal government are hard to believe. I have been heartened by the reaction from Woodside Energy Ltd over the past couple of weeks. The government has had good discussions with Woodside. Woodside has made a commitment to finding a solution to its Pluto gas project and has committed to providing domestic gas from the Pluto reserve, which will fall into line with the government's domestic gas reservation policy. I am very heartened by that. The incredible scaremongering by the federal Minister for Industry, Tourism and Resources, Ian Macfarlane, has been revealed for what it was: windbaggy; irresponsible and foolish. If anyone had bothered to take notice of him, it could also have been potentially very damaging to the Western Australian and national economies. Wayne Osborn, Alcoa Australia chief in Western Australia, has shown very strong support for the domestic gas reservation policy in an article in today's *The West Australian*. He talks about the need to guarantee long-term supplies of competitively-priced gas to add value to the Western Australian economy. In the article he is quoted as saying -

So the more we can use our natural gas for our own economic development in this country, I think we will be much better off.

He is obviously correct. A domestic gas reservation policy is not a new thing. It began when the gas industry in Western Australia began, and was promoted by Sir Charles Court several decades ago. It has bipartisan support in the Parliament and I am grateful for that. I think that is a reflection of the commonsense of the position with respect to Western Australia's future.

It is very interesting to look - I will not dwell on this too much - at how the gas industry is evolving around the world. It is very interesting in particular to take note of what is happening in Britain, which is now moving from being a gas exporter to being a net gas importer, and the change in thinking that is associated with that. Britain is now very concerned to make sure that there is, by requirement, sufficient gas to fuel not only domestic householders but also the industry and commercial sector. Significant changes are taking place around the world in the LNG industry. Western Australia must position itself for the long-term benefit of the state. That is what we are doing. Our government is committed to ensuring that Western Australia is positioned for the long term, with gas and water supplies, infrastructure, human infrastructure development, and so on. No community, no society and no economy can afford to ignore its energy supplies; and we will not.

HOUSING STRATEGY

779. Mr T.R. SPRIGG to the Premier:

My question is on the theme of broken promises. In September 2001 the then Minister for Housing and Works, the current member for Central Kimberley-Pilbara, launched the Western Australian housing strategy. At the launch he said -

Ensuring that Western Australians continue to be well-housed should not be left to chance . . .

He said also -

Government needs to develop policies and plans which facilitate the supply of sufficient housing that is affordable, appropriate and well-located . . .

Can the Premier explain why, after five years and four ministers, the much vaunted housing strategy has not been completed?

Mr A.J. CARPENTER replied:

I thank the member for the question. I have been given a document that relates to this very subject. First, let me say this. The member needs to understand that Western Australia is going through an enormous period of

growth. Policy settings need to be changed to accommodate that growth. We do not live in a world in which suddenly everything can be fixed. In that time we have had the biggest growth in the housing industry that this state, and possibly also Australia, has ever seen.

Mr T.R. Sprigg: And how have you handled it?

Mr A.J. CARPENTER: How have we handled it? I will say it again. In that time, as far as I am aware, we have had the biggest growth in the housing industry that this state, and possibly also the nation, has ever seen. That is point one. The member might find it worth tucking that away in his mind. We have presided over the biggest growth in the housing industry that this state has ever seen.

Mr T.R. Sprigg: But what are you doing about it? It is your job to deal with it!

Mr A.J. CARPENTER: This is a sort of déjà vu experience! This is a bit like the question we had last week on education, when we were asked, "What have you done?", and we rattled off all the things we have done, and they said, "But what have you done?"! What did the Romans ever do for us? We say, "They gave us the aqueducts and the viaducts and all that sort of thing", and they say, "But what did they do?"! We have presided over the biggest growth in the housing industry this state has ever seen.

Mr M.W. Trenorden: There were two periods of growth. One was after the Second World War -

Mr A.J. CARPENTER: When was the big one? It was in the sixties. The population of Western Australia now is just over two million and is growing at a very strong rate. The population growth after the Second World War was significant for its time, but I do not think it was anything like the growth we are experiencing now.

The state housing strategy has five major strategic areas. They are: refining the system to ensure delivery of world-class housing; ensuring future generations can buy a home; increasing the supply of affordable private rental; providing a strong housing safety net through government supported housing; and housing the most vulnerable people in our community.

Several members interjected.

The SPEAKER: Order, members!

Mr A.J. CARPENTER: We are living in a world that does not stop. It is not a matter of being finished. We are living in a world where tomorrow the sun will rise, and there will be needs. Over the past five years the government has worked in all five areas, and many more. To suggest that we have not done that is a declaration of ignorance. The Department of Housing and Works is the state's largest land developer. Over 3 000 residential lots are being released this financial year. The member for Murdoch is a bit of a mathematician, so he should remember that figure. Many of those lots will be available to low income and first home buyers -

Mr T. Buswell interjected.

Mr A.J. CARPENTER: What did the Deputy Leader of the Opposition say?

Mr T. Buswell: I said you are well off the expected demand.

Mr A.J. CARPENTER: That is not what the Deputy Leader of the Opposition said.

Mr T. Buswell: The UDIA has estimated that we need 24 000 lots per annum at the moment in Western Australia. The industry is not delivering that number, because of this government and the constraints. That is what I said.

Several members interjected.

The SPEAKER: Order, members!

Mr T. Buswell: That is a factual statement, and the minister knows it. The minister has been caught out on it.

Ms A.J.G. MacTiernan: Absolute rubbish!

The SPEAKER: Order! That is an interesting conversation between two people who are not answering the question. We want the Premier to answer the question.

Mr A.J. CARPENTER: Mr Speaker, I should know better than to elicit interjections from the empty vessel opposite.

Many of those lots will be available to low income and first home buyers, being priced in the lower quartile, currently \$155 000 and below, of residential block prices. It is estimated that around 300 homes will be refurbished in 2006-07 under the New Living urban renewal programs around the state. Current predictions are that at least 5 000 new loans -

Mr T. Buswell interjected.

The SPEAKER: Order, members!

Mr A.J. CARPENTER: - will be entered into under the Keystart program, including the Access scheme for disabled people, and the Goodstart scheme for indigenous home buyers. Anyone who has examined the housing sector in the 13 months since the strategy was launched would realise that the current state of affairs in terms of demand and supply, and prices, is uncharted territory for this state. The fundamentals have all moved at an unprecedented rate. It needs more than one document and one policy setting to make our way through it. We have had so many submissions that the final outcome is still under consideration. We are still consulting the stakeholders. I think that will be a continuous process.

Mr T. Buswell: How many submissions did you get?

Mr A.J. CARPENTER: I do not have that number.

Mr T. Buswell: You got 60! With all those bureaucrats, you cannot handle 60 submissions! What a disgrace!

The SPEAKER: Order, Deputy Leader of the Opposition!

Mr A.J. CARPENTER: I get the feeling there is a touch of envy opposite! They wish they were over here, with their hands on the wheel!

Several members interjected.

The SPEAKER: Order! I call to order the Deputy Leader of the Opposition and the member for Avon.

Mr A.J. CARPENTER: There is a touch of envy! They wish they were over here, with their hands on the wheel! However, we know from experience that when they are on this side of the house, they just sit here and do nothing!

The Western Australian economy is growing at an unprecedented rate. As I outlined to the house yesterday, literally thousands of people -

Several members interjected.

The SPEAKER: Order, members!

Mr A.J. CARPENTER: - are coming to Western Australia to take advantage -

Several members interjected.

The SPEAKER: Order! I call to order the Deputy Leader of the Opposition and the member for Cottesloe.

Mr A.J. CARPENTER: I have done my best to answer the question.

HOUSING STRATEGY

780. Mr T.R. SPRIGG to the Premier:

I ask a supplementary question. Will the Premier concede that his failure to implement the state housing strategy in 2002, as promised, has contributed to the social housing crisis in this state?

Mr A.J. CARPENTER replied:

No.

HOSPITAL EMERGENCY DEPARTMENTS - WINTER MONTHS

781. Mr J.N. HYDE to the Minister for Health:

Now that winter is effectively over, can the minister update the house on how our hospital emergency departments coped during those traditionally busy months?

Mr J.A. McGINTY replied:

Mr Speaker -

Several members interjected.

The SPEAKER: Order, members!

Mr J.A. McGINTY: I thank the member for Perth for his ongoing interest in emergency management. I take this opportunity to congratulate four groups of people - the doctors who work in our emergency departments, the nurses who work in our emergency departments, the St John Ambulance Association, and the administration of our public hospitals - for what has been a resounding success during the 12-week trial in our emergency departments. The trial was designed to eliminate, or at least significantly reduce, the incidence of ambulance diversion and ramping at the period of peak demand in our emergency departments.

The trial commenced on 10 July. It was such a success that it has been extended for a further eight weeks until 26 November. I am very pleased to report to the house that the trial resulted in zero episodes of ambulance diversion at the tertiary hospitals. That is quite a remarkable achievement. Between July and October last year -

in other words, the peak winter months - the three major hospital emergency departments spent 123 hours on diversion. This year they did not spend one second on ambulance diversion, which is a great success.

Several members interjected.

Mr J.A. McGINTY: Why do members opposite not like the fact that things are going well? Members opposite are such a miserable mob. Even though the government has eliminated ambulance diversions from our teaching hospital emergency departments, those opposite are whingeing! Look at them all. They should join with me in celebrating a great success and pat our doctors, nurses and ambulance service on the back for the great job that they have done.

Mr T. Buswell: What about the orderlies who push patients around the corridors all day?

Mr J.A. McGINTY: I really feel sorry for members opposite. I hope that they stay in opposition for a long time, because that is their rightful position.

The second thing that emerged from this very important trial, which was initiated by the emergency departments themselves, was a 77 per cent reduction in the frequency of ambulance ramping from 57 hours last year to 12.85 hours this year for the comparable period. Ambulance ramping is when an ambulance is at a hospital for longer than 20 minutes after it has brought in a patient. One of the mechanisms used by the doctors and nurses in the emergency departments is what is referred to as ward over-census policy, which effectively creates temporary additional capacity on the wards to enable the emergency department to move admitted patients to the wards in anticipation of a patient discharge at times of peak demand. This is a great example of our very dedicated staff working in the emergency departments coming together for the good of patients. I table the report entitled “‘No ramping/No Diversion’ Trial Final Report”.

[See paper 2146].

Mr J.A. McGINTY: I will briefly refer to a further five initiatives that have been undertaken to ease the pressure on our emergency departments. Firstly, six after-hours GP clinics have been established in conjunction with the emergency departments at our hospitals. So far this year those six GP clinics have treated 27 000 people, people who would have otherwise sought medical treatment from hospital emergency departments. This has freed up the capacity of emergency departments to deal with more seriously ill and injured patients. Second, the hospital in the home program is expanding dramatically to enable people, particularly those with chronic diseases, to be treated at home so that they do not require an expensive inpatient bed. Third, we have employed extra mental health staff to work in the emergency departments. Fourth, we have dedicated beds in most of our emergency departments to cater for people with chronic mental illnesses. Finally, we have increased the number of mental health beds. When the current program is complete, there will be an extra 108 acute beds and 400 community beds.

Dr J.M. Woollard interjected.

Mr J.A. McGINTY: Member for Alfred Cove, the good news is that since we came to government in 2001, we have increased the number of full-time equivalent nurses to almost 2 000. Since coming to government, we have employed 1 900 extra full-time equivalent nurses. The employment of so many extra nurses has enabled us to cope so much better.

PHYSIOTHERAPISTS ACT 2005 - REGISTRATION OF GRADUATES OF UNIVERSITY OF NOTRE DAME AUSTRALIA

782. **Mr T.K. WALDRON to the Minister for Health:**

I will ask this question with a bit more enthusiasm than the member who asked the previous question!

I refer to the delay in the accreditation of the first batch of physiotherapy graduates from the University of Notre Dame Australia by the Australian Physiotherapy Council.

- (1) Does the minister agree that this delay has resulted in those graduates being unable to work as physiotherapists unless they are given conditional or provisional classes of registration under the Physiotherapists Act?
- (2) Does the minister agree that until the Physiotherapists Act 2005 is proclaimed, there is no legal clause to allow graduates to attain conditional or provisional registration to work?
- (3) How long will it take for the legal and legislative services division of the Western Australian Department of Health to complete the regulations and for the act to be proclaimed; and, what is the minister doing to expedite the proclamation of the Physiotherapists Act 2005?

Mr J.A. McGINTY replied:

I thank member for Wagin for some notice of this question and for his enthusiasm for physiotherapy and manipulation!

- (1)-(3) The University of Notre Dame Australia applied for accreditation for its physiotherapy course in August this year. This is where the problem arose. It normally takes about six months to accredit a course of this nature. The application came in very late, given that the current batch of graduates completed their course at the end of September. Effectively, the application for accreditation of the course was made only one month prior to the students' graduation. I do not want to make any criticisms; it just happened that way. The Physiotherapists Registration Board of Western Australia cannot recognise this qualification from the University of Notre Dame for the purposes of registration until such time as it is an accredited course. The current physiotherapy legislation makes no provision for any provisional or conditional registrations of physiotherapists. Fortunately, last year this Parliament passed the Physiotherapists Act 2005, which provides for the provisional and conditional registration of physiotherapists. That power will come into effect after the act is proclaimed. The act has not been proclaimed because the regulations have not been drafted. In recent days I signed off on the drafting instructions for the regulations to accompany that act. Now that we have discovered that there is a problem for the graduates of the University of Notre Dame, I have instructed the Department of Health to give top priority to this matter and to move with expedition to draft the regulations. It has advised me that the first draft of those regulations should be ready within a week or two. I will give this issue top priority to ensure that the regulations are promulgated as soon as possible. That will enable the act to be proclaimed, and the new board will be given the power to grant conditional or provisional registration to the UND graduates to enable them to practise. It is my hope that that process will be completed within a matter of weeks, rather than months. I thank the member for drawing this matter to my attention. It will receive urgent consideration.

NEW METRORAIL - COMPLETION OF CITY TUNNEL

783. Mr J.N. HYDE to the Minister for Planning and Infrastructure:

Today *The West Australian* and its excellent award-winning - and Australia's pre-eminent - cartoonist Alston reported on the city tunnel breakthrough on the New MetroRail project. Will the minister please provide the house with more details about this very important milestone in my electorate?

Ms A.J.G. MacTIERNAN replied:

All I can say is - bring on Kerry Stokes! For everyone other than our friends at *The West Australian*, the completion of the city tunnel was very good news. The second of the rail tunnels has now been completed. That portion of the project has been done in record time. The tunnelling started on 25 October 2005 and, in an act of perfect symmetry, it was completed on 24 October 2006. That completion time was quicker than even the most optimistic estimate.

Several members interjected.

Mr J.N. Hyde: This is important.

Ms A.J.G. MacTIERNAN: Thank you, member for Perth.

The completion of one of the most challenging aspects of the project means the completion of all the major structural work associated with this project. Within the next few weeks, our good friend Wes, the tunnel boring machine, will be dismantled and the fitting out of the concrete structures will begin, the rail track laid and all the ventilation and architectural finishes done.

I have some very interesting statistics on the project in general. A total of 140 kilometres of track had to be laid on the project, and so far 131 kilometres have been completed. Around 93 per cent of the rail track has already been laid. The project is progressing very well.

Ms K. Hodson-Thomas interjected.

Ms A.J.G. MacTIERNAN: It has been a tough project. The member for Carine and many other members have been lining up asking the government whether they can ride on the first train. We will seek to accommodate those members. This is a great project. It looks as though it is very much now on target for our new trains to begin running up and down the track in April. We therefore fully expect that services will be up and running at the beginning of July 2007.

SENIORS RENTAL ACCOMMODATION

784. Dr G.G. JACOBS to the Minister for Seniors and Volunteering:

I acknowledge the political and legal students from Penrhos College in the public gallery.

I refer to our ageing population and the important contribution that seniors make to our society and to the fact that this is Seniors' Week.

Ms A.J.G. MacTiernan: You are a great advertisement for active ageing.

Dr G.G. JACOBS: I will take the minister for a run around the bridges any time!

Several members interjected.

Dr G.G. JACOBS: We will see how she goes then - but I will not be going through any tunnels, that is for sure.

- (1) Is the minister aware that the number of seniors waiting for public rental housing has increased by 13.4 per cent since 2001-02 to 2 672 people?
- (2) Given this increase and our ageing population, can the minister please explain why the number of building commencements for seniors rental accommodation has fallen by 40 per cent over the same period?

Mr D.A. TEMPLEMAN replied:

- (1)-(2) I thank the member for his question. I would not take him up on running around Kings Park because he would defeat me! The member has asked a question that relates to housing and of course to get a response concerning the statistics it would be more appropriately directed to the Minister for Housing and Works. However, in answer to his question generally, seniors in Western Australia have been, and continue to be, a major priority for this government. This government provides a range of concessions and supports for seniors in Western Australia - up to \$1 500 worth of support, which includes rebates, subsidies etc that were introduced some 20 years ago by Hon Kay Hallahan, a minister in a Labor government - an Australian first - and a person of whom this party is very proud. Seniors in Western Australia acknowledge the contribution and the wonderful support that this government has continued to provide them. Not only in this state but also across Australia there is an increasing change in our demographics. As a result, over the next 20 years increasing numbers of people will be over the age of 60. I am certain that the Minister for Housing and Works and, indeed, this government are very aware of the need to ensure that the interests of those vulnerable people who are seniors are provided with appropriate and effective housing. However, we must understand that the Australian government has a very important role to play in housing and aged care. It is a pity that the Australian government does not share the passion for seniors that the government of Western Australia has.

SENIORS RENTAL ACCOMMODATION

785. Dr G.G. JACOBS to the Minister for Seniors and Volunteers:

I have a supplementary question. Why have the Minister for Seniors and Volunteering and his colleague the Minister for Housing and Works failed to identify and act on this problem when the government is flush with funds?

Mr D.A. TEMPLEMAN replied:

That question is a sad indictment on the previous government because not only were its policies for our most valuable seniors in this state very poor, but also it did not implement any policies or practices to ensure that seniors in Western Australia were the recipients of appropriate supports. We as a government and I as Minister for Seniors and Volunteering will continue to advocate strongly on behalf of seniors and to make sure the priorities of that important sector continue to be at the forefront of this government's policies and actions.

SOUTH HEDLAND - GOVERNMENT SUPPORT

786. Mr T.G. STEPHENS to the Minister for Housing and Works:

Will the minister please advise the house of the state government's latest initiatives to support the local community and industry in South Hedland. While she is doing that, could she please describe to members opposite, who seem to be capable of enormous levels of invincible ignorance, the benefits flowing from the rollout of the housing strategy here in Western Australia in response to the housing challenges we are facing?

Mrs M.H. ROBERTS replied:

I thank the member for the question and for his commitment to his community, particularly that of South Hedland. It is rather interesting that he has referred to the Housing Strategy WA, which was initiated by him when he was the Minister for Housing and Works.

Mr T. Buswell interjected.

The SPEAKER: I call to order the Deputy Leader of the Opposition for the third time.

Mrs M.H. ROBERTS: This is the discussion draft document, which -

Mr T.R. Sprigg interjected.

The SPEAKER: I call to order the member for Murdoch for the first time.

Mrs M.H. ROBERTS: This is the discussion draft document, which contains more than 100 pages of housing strategies.

Mr C.J. Barnett interjected.

The SPEAKER: I call to order the member for Cottesloe for the second time.

Mrs M.H. ROBERTS: Members opposite seem to want it both ways. On the one hand they complain if we do not have a strategy, yet when we show them a strategy on which we are seeking further public comment and which we are in the process of implementing, they complain again. The fact is that the government has been rolling out a sensational housing strategy throughout the metropolitan area and regional Western Australia. Only last Wednesday the member for Central Kimberley-Pilbara and I, together with the Mayor of Port Hedland and members of the Hedland community, opened another new government milestone with the South Hedland New Living project. This will be the biggest New Living project in Western Australia. I opened a refurbished demonstration home, which will act as a sales office. It demonstrates the quality of housing we are about to establish in South Hedland.

Dr K.D. Hames interjected.

Mrs M.H. ROBERTS: It is interesting that a former Minister for Housing has interjected. I understand that when he was minister, there was no money and no strategy; there were just a few signs. Maybe he had left the scene and did not know what had been done, but that is a fact.

Several members interjected.

The SPEAKER: Order!

Mrs M.H. ROBERTS: This strategy is not represented by a few tin-pot signs; it is a \$50 million project - a project valued at something in the order of which members opposite never even contemplated. As part of this project, 187 homes and properties will be refurbished and sold to the public. Public housing will also be improved, with 293 homes to be refurbished and retained as public housing. The government signed a memorandum of understanding with the Town of Port Hedland some time ago, and it is also looking at apprenticeship and traineeship opportunities for young people, who will be an integral part of the project. We realise that refurbishing the houses and looking after public housing is just one part of the equation. On top of the recent Pretty Pool release, in the next six months a further 80 lots of land will be released in South Hedland. Over the following 18 months, a further 300 lots will be put on the market. It is great news. I compliment the member for Central Kimberley-Pilbara, whose commitment to his electorate on this matter has been second to none. He has worked closely with the mayor and the local stakeholders. What we are about to deliver in South Hedland will completely turn the area around. A very rundown place where nobody wants to live will be turned around with this holistic approach. It is not just about refurbishing the houses; it is also about the roads, footpaths, security and lighting. It is about creating amenity for the whole community of South Hedland.

CO-OPERATIVE BULK HANDLING LTD - GRAIN SALES

787. **Mr G. SNOOK to the Premier:**

I refer to the federal Treasurer's support for Western Australian grain growers being able to take up the more lucrative offer from Co-operative Bulk Handling Ltd that will provide growers with up to \$30 per tonne extra.

- (1) In light of the catastrophic drought conditions being experienced by our farming community, how does the Premier justify his government's refusal to support the opposition's motion in Parliament last week that called for Western Australian farmers to be allowed to sell to CBH for this season?
- (2) Will the Premier consider changing his position and standing up for our farmers?

Mr A.J. CARPENTER replied:

- (1)-(2) It is a strange situation when a debate takes place and then one of the participants in the debate is subsequently asked to justify his position. I would have thought that was the purpose of the debate. The debate allows for different points of view to be put. The points of view of both the National Party and the government were put at some length in the debate last week, and do not require reiteration. The state government was of the view that the federal government should provide the necessary funding to AWB Ltd to excuse Western Australian grain growers.

Several members interjected.

Mr A.J. CARPENTER: It would seem that war has broken out amongst our conservative friends in the chamber! It has been a strange week or two in politics. Did the member for Cottesloe take part in the debate last week?

Mr C.J. Barnett: No, but I'll tell you what I have done -

Several members interjected.

CO-OPERATIVE BULK HANDLING LTD - GRAIN SALES

788. Mr G. SNOOK to the Premier:

I have a supplementary question: does the Premier acknowledge that his stance and his refusal could cost the Western Australian economy approximately \$40 million, as outlined in the offer made by CBH?

Mr A.J. CARPENTER replied:

I have said in this place before, and I think it went without dispute, that this government has the best Minister for Agriculture and Food that the state has had for a long time. Not even the National Party disputes that, and its previous deputy leader was Minister for Agriculture in the previous government. Through the present minister, the government has a good understanding of the needs of the Western Australian agricultural sector. I make it absolutely clear that, as a government, we will do what we can to assist our farmers, not only this year, but also every other year. I do not believe there is anything in the government's record that would suggest otherwise.

WATER SUPPLIES

789. Ms J.A. RADISICH to the Minister for Water Resources:

Can the minister outline what further steps are being taken to secure Western Australia's water future, given that the state has just experienced one of the driest winters on record?

Mr J.C. KOBELKE replied:

I thank the member for her question. I know that her electorate on the urban fringe has a range of water issues in which she has taken a keen interest. Part of her electorate also covers the Gnangara mound, which highlights the fantastic underground water resources available in the south west of Western Australia. I will comment on a few things that the government has done in that respect. The government has allocated \$6 million for metering on the Gnangara mound, to make sure that we are planning properly. Proper planning must be based on correct scientific information, so we need to know what the draw is to make sure that we plan effectively. As part of that planning, the government is investing \$9 million in investigating the Perth basin aquifers through a drilling program that will go on for some time. We have also instigated an audit of the existing ground water licences - I am talking here about major users, not suburban backyard bores - to ensure an accurate record of the amount that is being drawn under those licences and to make sure that where people have licences they no longer need, that water is made available to other users. This is an incredibly important program, in which we are seeking the engagement of all holders of major ground water licences so that we have a record not of only the amount of water that has been allocated in these licences but also the level of usage. With a closer match between the allocated amount of water and the usage, we can make sure that that water is available to people with increasing demand for water.

MINISTER FOR EDUCATION AND TRAINING - PREMIER'S CONFIDENCE

790. Mr J.H.D. DAY to the Premier:

I refer to the comment on ABC radio last Friday by the political analyst, Professor David Black, to the effect that it may well be time for the Premier, perhaps around Christmas, to reshuffle the ministry and move the Minister for Education and Training somewhere else. Does the Minister for Education and Training have the Premier's full confidence, or will there be a new Minister for Education and Training by the start of the next school year?

Mr A.J. CARPENTER replied:

I thank the member so much for the question! Who made that remark?

Mr J.H.D. Day: Professor David Black. Are you going to deride him?

Mr A.J. CARPENTER: No, I have been a big fan of David Black for a long time now. He engages in the political debate in a constructive way; probably more constructively than many other people in Western Australia.

If I did not believe that the Minister for Education and Training should be in that position, she would not be in that position.

Mr J.H.D. Day: Is she doing a good job?

Mr A.J. CARPENTER: I have said that. It is a very difficult job. When the government was elected, it embarked on a pathway of reform. That always draws out opposition from people who do not like what the government is doing. It is not an easy ride; it was not when I was Minister for Education and Training. The opposition provided all those questions last week and the government has answered them. If the government decides to make some changes, I guarantee the opposition will not be the first to know.

LOCAL GOVERNMENT AMENDMENT BILL 2006*Second Reading*

Resumed from an earlier stage of the sitting.

MR J.J.M. BOWLER (Murchison-Eyre - Minister for Resources and Assisting the Minister for State Development) [2.49 pm]: When debate was interrupted, I was going through some of the points raised by members of the opposition, and I had reached the last of the points raised by the Leader of the Opposition, who is not in the chamber today. He asked whether local government elections would be like elections for the Senate, in which there was the option of an above-the-line vote. My reply to that is that there will be no above-the-line vote; all boxes will have to be filled in.

I now move on to points raised by the member for Hillarys. He raised some very good points. The member also pointed out that, before coming to Australia, he was mayor of a London borough. The member for Hillarys was proudly a member of the borough and followed politics in Australia. He pointed out that the trouble with the London system was that it was dominated by politics. He went to some length to explain the workings of the Conservative Party and the Labour Party. Then he went on to explain that that system uses the first-past-the-post method. He came from a London system that he said was dominated by politics, yet it was using the system of voting that he says will not introduce politics into local government in Western Australia. The hypocrisy is unbelievable.

Mr R.F. Johnson: Minister, it was honest politics. It was open politics.

Mr J.J.M. BOWLER: It was politics. The member should get used to it. He has been hoisted on his own petard and he is embarrassed by it. He is either a hypocrite or he does not know what is going on. He wants the system in London but not in Australia. It is unbelievable. The member for Hillarys also pointed out that when he came to Australia, he said that he would not become involved in politics. Then his wife gave him a leave pass and he got involved. Firstly, he went into local government. He got elected in 1991, when we had a preferential system in WA. Once again, he said the system we want to go back to will introduce politics. When he was in local government in 1991, it did not involve politics. The hypocrisy or the stupidity is quite staggering. The member for Hillarys did not want politics but he got it.

The member for Capel raised one very good point.

Mr G. Snook interjected.

Mr J.J.M. BOWLER: The member for Moore cannot talk. As the opposition spokesman on local government, he does not even know that local government is on a two-year cycle. He wanted to put this bill back one year, which would mean that we would not have local government in WA for a year. He wanted to just cancel local government for a whole year. He does not know how local government works. I think he made a mistake and he has recognised it.

The member for Capel raised a couple of good points. He said that the election date was good and he supported the change to October but he had a query. He asked what would happen if it clashed with a particular date. He asked about the flexibility of the date. If the third Saturday in October clashes with something else - say, a federal or state election or a big by-election in WA - the election can be moved to either the next Saturday or the Saturday after. If it does clash, it can be moved two weeks.

Dr S.C. Thomas: It will still be problematic. Two weeks will still be a bit of a pain for organisational factors.

Mr J.J.M. BOWLER: It gives us more flexibility than we currently have. Currently there is no flexibility. I think it is a step in the right direction. We can have it either the following Saturday or the Saturday after that.

Mr R.F. Johnson: Are you going to answer a question today? You said you would.

Mr J.J.M. BOWLER: Okay, I will listen to the member. What does he want to say?

Mr R.F. Johnson: You were going to tell me in your response what groups came to you as a government and said, "We want this system of voting."

Mr J.J.M. BOWLER: I told the member that 11 councils -

Mr R.F. Johnson: No, you didn't.

Mr J.J.M. BOWLER: A common cry on the other side was that there was no consultation. I have 488 pages of consultation by the Local Government Advisory Board. I happened to be the minister when the process was initiated in November. The advisory board consulted with every council in the state. A total of 107 councils responded - but they were not consulted! That is beautiful.

I will move on. The member for Capel raised a good point. He wanted to make sure that the talent pool in local government would not be narrowed down. I agree with him. I have no doubt that once he studies this new

system of voting that we will introduce, he will see that it will have the opposite effect. I am willing to have a discussion with him. I am also willing to say something to the member for Hillarys.

Professor Black's name was mentioned earlier. He knows a bit about politics. I am willing to take three methods of voting to him. The first is exhaustive preferential, which the member for Hillarys got elected on in 1991 before the current Leader of the Opposition changed the act in 1995. The second method is the first-past-the-post system, which was introduced in 1995. The third method is proportional representation, which we propose. We will ask the good professor which one he thinks lends itself to use by a political party of any persuasion to control local government. I will submit myself to his judgment. Is the opposition prepared to do that? No, because this method that we are introducing will make it harder for a political party to get into local government. The member for Capel's question about reducing the talent pool in local government was very good.

Mr R.F. Johnson interjected.

Mr J.J.M. BOWLER: The member for Hillarys should calm down. He is getting excited. The member for Capel made a very good point. We want to keep the talent pool in local government as wide as possible. I believe in my heart - I am prepared to submit this to Professor Black - that this method will make sure that we have a wider talent pool of individuals who can get onto council, particularly when there are multiple vacancies.

The member for Avon, the former Leader of the National Party, mentioned that councillors in Northam did not care which voting method was used. He said that they were angry at the lack of consultation. As I said, we have been consulting since November.

Mr M.W. Trenorden: But you didn't tell them.

Mr J.J.M. BOWLER: At the end of the day, ministers have to make decisions. The decision was made and we have announced it. The Local Government Advisory Board consulted for month after month, and 488 pages of consultation later, the Northam councillors say that they were not consulted.

The member for Cottesloe, the former Leader of the Opposition, claimed that the first-past-the-post system is easy to understand and that proportional representation is difficult.

Mr R.F. Johnson: Do you agree with that?

Mr J.J.M. BOWLER: Just because it is simple to understand, if it is not fairer or better, we should not have it. Just because something is more difficult for the opposition to understand, it does not want to consider it. I will give the member for Hillarys a personal presentation of the new system when it is introduced so that he can understand it. It will take more than a couple of days; it will take a couple of years. We could use the one year when we have the hiatus in local government that the member for Moore wants. We could use that whole year to explain to the member for Hillarys how this voting method works. Just because a method is simple does not mean it is better. Just because it is easy to understand does not make it better. It is difficult to understand how voting is done under this other method. It makes sure that no one group can dominate a council election. That is exactly what certain members of the opposition have said they want to achieve. We will make sure they are given a lesson in this new method. I am confident that when Professor Black brings down his judgment, they will say, hand on their hearts, that I was right.

The member for Cottesloe made another claim. I ask to be corrected if I am wrong. The member for Hillarys was sitting next to him at the time. Did the member for Cottesloe say that it would cost some councils \$200 000 or \$300 000?

Mr R.F. Johnson: He said that based on the information he had, based on this South Australian information, for larger councils there could be an extra cost of about \$200 000, and a lot less for smaller councils.

Mr J.J.M. BOWLER: I wanted to make sure that that was right. The member for Cottesloe is usually very good with his information. However, the research by the advisory board was that the City of Stirling, one of the biggest municipalities in the state, if not the biggest, would be up for a cost of about \$6 500. Given that, with the minister making these commitments, the Department of Local Government and Regional Development will develop the software for the 144 councils to run the elections. Once the software is installed, it will not cost an extra cent. The department will also develop 145 manuals, one for every council and one for the opposition members so that they can understand the act. We will even put in pictures for the opposition so that it can understand it. We will also have seminars around the state so that local government is well educated on the new process. We will also develop an education program and campaign so that not only the councillors but also the voting public understand the new system. Claims that there was political interference in this new voting system are absolutely ridiculous. As I have said, I will now take this system to Professor Black to prove to him that of the three systems we are proposing -

Mr M.W. Trenorden interjected.

Mr J.J.M. BOWLER: Hang on! The councillors in the member for Avon's electorate said that they did not care which way the voting system went. Their only complaint was a lack of consultation.

Mr M.W. Trenorden: I do not have a lot of time for Professor Black's point of view.

Mr J.J.M. BOWLER: The member can name someone else and we will take it to him.

Mr R.F. Johnson: I have one last interjection. Will you please tell me now, so that it will be in *Hansard*, who were the members of that advisory board appointed by you? I know that Charlie Gregorini was one.

Mr J.J.M. BOWLER: Charlie Gregorini and Ron Yuryevich.

Mr R.F. Johnson: Who are the others?

Mr J.J.M. BOWLER: I will get the list and provide it to the member at the end of this debate. Member for Moore?

Mr G. Snook: I'm glad that I have your gracious approval to make an interjection.

Mr J.J.M. BOWLER: No, come on. Do not waste any more time. Spit it out.

Mr G. Snook: You're very good, minister, at interjecting when you're sitting over there.

Mr J.J.M. BOWLER: I am giving the member the chance to interject. What does he want?

Mr G. Snook: The minister held up a big report. Tell me: has the government responded formally to all the recommendations in it?

Mr J.J.M. BOWLER: No. We have responded to some and not to others.

Mr G. Snook: Why not?

Mr J.J.M. BOWLER: Governments are elected to govern, take advice and then make a decision. My friend the member for Moore will never be in that position, because he is destined for permanency on the opposition benches. He could stay in this place for three terms, but he would have to get used to being on the other side.

I will go back to the member for Hillarys. He wanted to know who the advisory board members are.

Mr R.F. Johnson: The ones you appointed.

Mr J.J.M. BOWLER: Some of them were on the board previously. The members are Charlie Gregorini, who I think was appointed in the member's term of government; Quentin Harrington, who comes from the department; Helen Dullard; Ron Yuryevich, who is a Western Australian Local Government Association representative; and Eric Lumsden, who is from the City of Swan, I think, although he may have moved from the city now. I say to the member for Hillarys that I always give to him everything he wants.

I thank the opposition for its general support for the change of the date. I initiated that change when I was the Minister for Local Government and Regional Development. However, before I came into politics I was a journalist. I covered many council elections in May and June, and I was always staggered when I saw new councillors come in, and a week after coming in they would have to adopt a budget of maybe, as was the case in Kalgoorlie then, \$4 million or \$5 million. I could see the questioning looks on their faces. They did not know what they were doing. Therefore, I think there is general agreement, not only in this house, but also in local government, that the new date in October is one that will generally be welcomed.

I also thank the opposition for their support for the changes to the provision under which, inadvertently, 17-year-olds could have voted. We are closing the loophole that exists in the current act because it adheres to a part of the Electoral Act, but not in total. This meant that those who had enrolled before they turned 18 may have voted in local government elections. Although we want young people to enrol and to vote, we do not want them to vote when they are under the age of 18. That is the law of the land.

Mr R.F. Johnson: Unless they are in the Young Labor movement; then it's okay.

Mr J.J.M. BOWLER: We make exceptions for everyone!

As I said, the two main complaints have been, first of all, the claimed lack of consultation. Minister Ford has visited and met 80 councils in the short time he has been Minister for Local Government and Regional Development. Many of those councils have said to Minister Ford recently that they support the changes. The other main point of contention was the claim that because we are introducing this change, it must be good for the Labor Party. As I have said and as any expert will prove - whether it be Professor Black or someone else whom the member for Avon wants to pick - the opposite is the case; that is, it will be harder under the system we are proposing for one group of people to dominate a multivacancy election. That is the fact and that is the reality, despite all the rhetoric that came from the other side. I am sure that the members for Hillarys, Moore and Bunbury, who I think are all fine people, will, at the end of the day, realise that they were wrong, and I hope that they will say so publicly.

Question put and a division taken with the following result -

Ayes (25)

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

Noes (21)

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

Pairs

Mr N.R. Marlborough	Ms S.E. Walker
Mrs C.A. Martin	Mr P.D. Omodei
Mr M.P. Murray	Dr S.C. Thomas

Question thus passed.

Bill read a second time.

Motion

MR G. SNOOK (Moore) [3.10 pm]: I move -

That the Local Government Amendment Bill 2006 be divided into two bills as follows -

(1) The Local Government Amendment Bill 2006, consisting of -

- (a) the existing title and clause 1;
- (b) the following clause -

“2. Commencement

This Act comes into operation on a day fixed by proclamation.”; and

- (c) clauses 3 to 11, 14, 15, 17 and 18.

(2) The Local Government Further Amendment Bill 2006, consisting of -

- (a) a title -

“A Bill for an Act to further amend the Local Government Act 1995.”;

- (b) the following clauses -

“1. Short title

This is the Local Government Further Amendment Bill 2006.

2. Commencement

This Act comes into operation on a day fixed by proclamation.”;

- (c) clauses 3, 12, 13 and 16.

It has been made exceptionally clear by the Western Australian Local Government Association and numerous councils that they feel there has been inadequate consultation. Despite what members opposite have said, including the Minister for Local Government and Regional Development and the Leader of the House, it must be conceded that the consultation process has been neither conclusive nor full enough to satisfy WALGA that there had been a fair and reasonable discussion about the process of changing this very major part of the Local Government Act. What the government is trying to accomplish is not insignificant. It will alter the structure of how local government conducts the voting process to elect councillors.

I hope that the reason I have called for the bill to be split is understood by most members. Members on this side of the house agree with those sections of the Local Government Act that the minister just alluded to concerning ensuring that 17-year-olds cannot vote until after they turn 18 years of age. There is no problem with that. We

agree with that, and industry agrees with that. Industry has told us that there was adequate consultation on that matter and that the process went through an agreed outcome.

The former Minister for Local Government and Regional Development claims to have initiated changing the election date for local governments from May to October for the obvious reasons that have been outlined, which is for councillors to familiarise themselves with the budgeting system upon their election. That is notwithstanding the fact that local governments function on a four-year forward planning budget. A council prior to the year of the election would have reviewed and reset its four-year budget. Arguments could be put for and against that proposal. In essence, local government and WALGA agreed with it; it was not disputed and it was widely debated in the community. In WALGA's view, adequate consultation had taken place on that matter and an adequate process was instituted. The Liberal Party agrees with those sections of the bill as proposed by the government. I have indicated to the Leader of the House and to the minister that the Liberal Party does not have a problem with that. Members' speeches have indicated that they too have no problem with it. We totally support those proposals.

By moving this motion, my objective, if the motion is agreed to, is to allow the bill to be divided into two bills and be carried through the normal process. As I understand it, there is indicative support for that across all parties. Dividing the bill into two parts would not delay the process. The point I make is that there has been a total lack of consultation. This matter has upset local government and the industry as a whole. Members in this house have had many approaches by and contacts with a range of councillors, chief executive officers and councils about the government's decision. I have several letters in my file from people who have taken the trouble to write me. Some of them are from people outside of my electorate. That is a fair indication that they are a grumpy mob. WALGA, which represents the whole industry and the 142 local governments within the state and the two local governments in the territories, is very well respected by all governments. It is very sad that WALGA is so dissatisfied and disgruntled that it is running critical advertisements against the minister. Further, WALGA is advising the councils it represents to move a vote of no confidence in the minister. Over the years WALGA has been very upset with various ministers and governments of different political persuasions. It has expressed those views through the normal process and it has done that publicly. However, I cannot recollect having detected such dissatisfaction and bitterness during the time I was in local government. That is not good for the process of government. The government will argue that consultation has taken place. I am not trying to put the Leader of the House on the spot, but I take his point that possibly towards the end of the process there could have been a more complete consultation process.

Mr J.C. Kobelke: I didn't say that. I said there may be some dispute over how effective the final stages were on this particular issue. I certainly took issue with the statement that you and others have made that there had not been consultation. I was open to some difference of opinion as to whether the finalisation of the consultation process could have been more effective.

Mr G. SNOOK: That is fine; I accept that. WALGA, which is a reputable organisation, would not be as vociferous in the normal course of its functioning to the degree that it is if it were not very upset. That is the defining point. We must pause and recognise that. At the end of the day, the government has the numbers and it can carry sway with whatever it likes. That is respected and acknowledged. The democratic process will prevail. That is how we work. I am saying to the government: stop and take a breath. Even if the government is not convinced about WALGA's concerns and is not assured that there is some merit in WALGA's arguments, and even if it continues along the path it has been taking, at least if the government stops and take a breath WALGA will not be able to say that this process has been unfair and has been railroaded through. That is the type of language WALGA is using. WALGA is using words such as "arrogance" and "unfairness". Those are powerful words. In my view, this change will be with us for a long time, as has been the change from 1995. This is a vitally important part of the process of local government elections. I do not want to argue about the merits of the election system that the government is proposing and whether it will be better or worse, or whether it will be politically loaded. I do not think I need to repeat that. I am not in this chamber to filibuster and hold up this debate. I am genuinely attempting to address, on behalf of WALGA and local government, the concern that there has not been enough consultation about this process.

To emphasise that, most members would have received by either e-mail or fax a document from WALGA titled "Parliamentary Brief". The document is addressed to MPs, so I believe every member of Parliament will have received it. It is from the President of the Western Australian Local Government Association, Councillor Bill Mitchell. It starts in a critical way with a lot of words that I will not read, because all members will have read them. I will try to remain focused on the issues that are of concern. The document lists seven myths, and WALGA's response to those myths. I will read out a couple of them to highlight the point that I am making in supporting the motion and the reasoning behind it. It states -

Myth No. 2: *The Government is attempting to achieve an alignment of voting systems, between Federal, State and Local Government elections.*

Response: Proportional Preferential voting is only used for Upper House elections at State and Federal level. It is the Lower House of Parliament, where the representatives of the local electorate are elected, that has the greatest similarity to Local Government.

I would argue that is a case in point. Only the upper houses at the state and federal level use a proportional preferential voting system. It is well known that part of the Labor Party's long-held philosophy is that it does not believe there is a need for an upper house. If there is not a need for an upper house, why are we using this system? To add to that, if this proportional preferential voting system is so good, I would love to have explained to me by members on the other side of the house, or someone else, why that system should not apply also to the Legislative Assembly and the House of Representatives. If that process is the best reflection of the wishes of the electorate with regard to choice of candidate, it goes without saying that the Legislative Assembly should also adopt that system. I do not favour that system. I believe that the system for the election of members to the Legislative Assembly in this state, and for the House of Representatives in Canberra, is an adequate reflection of the will of the electorate and provides fair representation. I would like the Leader of the House or the minister to respond to that when the debate on this bill continues.

The WALGA response goes on to say -

In all Lower House elections the Preferential voting system is used.

That backs up the comments I have just made. It continues -

If consistency in the voting system was the true objective of these changes, the State Government would be introducing Preferential, not Proportional, voting.

That is a good point. The minister has espoused that this is the best system. It has been argued by way of interjection from a number of members opposite that this is the best system. We on this side have argued the contrary. It is interesting to note that WALGA, which is asking for more representation and more opportunity to discuss this matter with the government before this matter is determined in this place, is also arguing the contrary. I assure members opposite that I have spoken only twice to Councillor Bill Mitchell on this issue. I spoke to him yesterday when he was in the gallery as an observer. I also phoned him this morning to ensure that WALGA's position was firm and clear. He said I should go to the e-mail and download this document, and I said I already had.

WALGA goes on to say -

Myth No. 3: *There has already been consultation, through the LGAB process.*

This claim has been made by the minister and the Leader of the House.

Mr J.C. Kobelke: I am not taking a point of order. However, I suggest that these matters are not actually relevant to the motion that is before the house. These are matters that go to the component parts of the bill. We are currently dealing with the member's motion to split the bill. You need to talk a bit about those matters, but I put it to you that it is not appropriate that you engage in a full debate on the component parts of the bill.

Mr G. SNOOK: Can I not give the reasons that the bill should be split?

Mr J.C. Kobelke: Yes, but you have spent most of the past 15 minutes debating the content of the bill, which we have already debated during the second reading debate.

Mr R.F. Johnson: He is giving the reasons that the bill should be split.

Mr J.C. Kobelke: I am not taking a point of order. I am just saying that you need to address the matters that are in the motion.

Mr G. SNOOK: I will endeavour to do that. As I have said, I am genuinely not filibustering. I do not want to waste the time of the government or this house. I want to get on with the job. However, we need to seriously consider this matter and the reasons that I have moved this motion. I will be brief. I will then get back to the substance of the motion.

The WALGA document continues -

Response: Are they joking? The Local Government Advisory Board was tasked with investigating Structural and Electoral Reform. In doing so the LGAB sought input from the sector. In its report the LGAB made a number of recommendations (including that no change be made to the voting system), which the Minister released for comment to the sector.

That was the consultation to which I think the Leader of the House and the minister are referring. This is vitally important. I tried to get the ear of the minister by way of interjection, but the minister continued to speak and I could not get through to him. I often allow interjections when I am speaking. I think that is reasonable. However, never mind. I respect the minister's right.

The WALGA response continues -

The Government has not yet offered its formal response to the full range of recommendations of the LGAB. This **DOES NOT** constitute consultation on a legislative proposal.

That is the very point I am making. That is critical. That is, in essence, the very reason that we need to split this bill. We need to allow the main sections of the bill to go through so that local government can get on with the job. If we split the bill, it will not change or inhibit anything. It is probably clear to the Leader of the House and most members that in this current financial year most local governments - I am told the majority - have not budgeted for an election. There was a lot of consultation over a number of years leading up to this proposal to change the day of local government elections. Local government was expecting the bill to be passed. We on this side of the house have indicated that we support the bill. Of course, the government supports the bill because it is the government's bill. My motion to divide the bill into two bills will allow that to occur without any problems whatsoever; indeed, it will be as though the whole bill was going to go through. Local government has claimed - this is where there has been inadequate consultation, although it has been mentioned that there was a survey etc - that it was stunned to find that the bill included a provision to change the voting system. I am aware that drafters of legislation fail to include parts of legislation. However, I highlight to the house the six pages of amendments that are absolutely critical to changing the voting system. Without proposed clause 16, which is on the notice paper, the bill will not work. It has taken six pages of amendments to get it right. Without proposed clause 16 being right, the whole thing will not work. Page 25 of the notice paper contains the heading "Division 1 - Preliminary". Page 26 deals with division 2 and sets out a raft of provisions about what can and cannot happen and how the new electoral voting system will work. Page 27 deals with division 3, and pages 28, 29 and 30 all include amendments. There are 25 proposed clauses on the notice paper that, whoops, the government forgot to include. Without those proposed 25 clauses, the bill will not work. The six pages of amendments are the result of the bill being rushed and ill-prepared. If it had been well prepared, and if the industry had been well consulted, these clauses would have been included in the original bill. However, they were not. I am not talking about a minor amendment; rather, I am talking about six pages of amendments. The six pages of amendments almost surpass the bill in size. That is extraordinary. It is fair and reasonable for me to assume - other members can think what they like - that the drafting of this legislation has been rushed. The bill was introduced as a matter of priority. The government decided to slip into the bill the part about changing the voting system. The Liberal and National Parties agree with the provisions that seek to correct the anomaly in the voting age and with the change in the month for ordinary council elections from May to October. At some stage during the process, the government decided to include the provision to change the voting system. That is fine; the government can do that. That is why it is in government. However, the government must keep its word and consult people thoroughly, particularly about a major issue such as the voting system used in local government elections.

The minister has been inundated with approaches from people in the industry who are not happy. A motion of no confidence will be moved against the minister. One might say that that is politics - so be it. We are not dealing with merely a group of people or demonstrators who are upset about an issue; rather, we are dealing with the third tier of government. We are dealing with a system of government that should be respected. The state government can disagree with local government. However, it should have a reasonable and well-based working relationship with local government and the Western Australian Local Government Association.

That is the essence of my argument. I have outlined the genuine reason that I want the bill to be split. If I have the support of members, I intend to move a motion to send the second bill to a standing committee. That will provide maximum opportunity for the issue to be discussed and investigated. In that way, WALGA will not be able to criticise the government. Indeed, if the matter is given a proper hearing by a standing committee, I will stand in this place and support the government and say that it has done everything possible to recognise WALGA's dissatisfaction. If members agree to the second bill being referred to a standing committee, I will suggest that the standing committee report back to Parliament when we reassemble in the new year. In that way, the process can still be implemented. Sending the second bill to a standing committee will allow WALGA's views to be heard. After that consultation, we will be able to move forward. We are talking about a major change. In the lead-up to the 1995 amendments to the Local Government Act were many years of consultation. I recollect meetings being held throughout the state. In fact, the local authority in which I was involved travelled to Cunderdin to attend one such meeting. Local government was given ample opportunity to determine what impact the legislative changes would have. I rest my case. I seek the support of the house for my motion, which has been moved in a genuine attempt to rebuild some bridges between WALGA and the government, to give us some breathing space and to allow part of the bill to be passed so that a process can be put in place. The system of voting proposed will be around for a long time; therefore we must dispel the issues. The Labor Party is the government of the day. After a period of consultation, the government will be able to get on with the job and implement its policy. However, it must give local government fair recognition so that it cannot say that the government is inconsiderate, inconsistent and arrogant, which is what it is saying now.

MR J.C. KOBELKE (Balcatta - Leader of the House) [3.38 pm]: The government will not support the motion moved by the member for Moore to split the bill. I acknowledge that the member for Moore is genuine in his approach to the provisions contained in the bill. He has been extremely reasonable in the way he has put his case and, as a result, one tends to have some sympathy for his argument. As I indicated by way of interjection, the member for Moore dealt with the substance of the issue rather than the reasons that the bill should be split. Of course, the member had to refer to the substance to explain why he wanted to split the bill. However, many of those issues should be taken up in debate during the second reading, as they have already, or in consideration of the relevant clauses as the bill proceeds.

In dealing with the motion to split the bill, we must consider the two major proposals contained in the bill. The first proposal is to shift the date on which local government elections will be held. Given that the opposition supports that provision, the member for Moore has decided that that provision should be retained in the Local Government Amendment Bill. Members opposite do not support the provision that seeks to change the voting system used in local government elections; therefore, they wish to have that provision placed in a separate bill so that the matter does not proceed. As members are aware, the Minister for Local Government and Regional Development, Hon Jon Ford, brought this proposal forward. The bill has the full support of the government. We believe that the provisions contained in the bill should proceed together. The minister has made it clear that he does not countenance splitting the bill. For those reasons, the government will not support the motion.

Without straying from the standing orders, I will comment on one suggestion raised by the member for Moore. When talking about the content of the bill, he asked why, if proportional representative voting is so good, we do not use it for every seat. Those remarks indicate that the member has no understanding of voting systems. A proportional preferential system is applicable only to multi-member wards; namely, when a number of members are elected for the same ward or for the same constituency. That is why proportional representation is used in the Senate where a number of senators represent each state. Similarly, that system is used in the state upper house because numerous members are elected from the same region. It would apply in councils only when more than one member was elected at the same time from the same ward or same constituency, because it might be a whole-of-council election. It is fair and is based on many attributes that I will not elaborate on now because that is not the motion before the house. This motion reflects a lack of understanding that would best be taken up in debate when we deal with the bill as a whole. For the reasons I have given, the bill contains two specific proposals that the government wishes to take forward and, therefore, it does not agree to the splitting of the bill.

MR G.M. CASTRILLI (Bunbury) [3.40 pm]: I support the motion moved by the member for Moore to split the Local Government Amendment Bill 2006. In acknowledging the interjection from the Leader of the House on the member for Moore about the time frame, I will not take too long. The Western Australian Local Government Association has requested that the council election date be moved from the first Saturday to the third Saturday in October. That is a sensible proposition. As do other members who have served in local governments as mayors, councillors or shire presidents, I know what a baptism of fire new council members face when they are expected to deliberate on a budget process in the first week in May and when that process has already started. Large councils, of course, have large budgets and they can be very complex and daunting. The City of Bunbury, of which I was the mayor, manages a budget of well over \$50 million, so I know first-hand that it takes time to get used to the budget process. Some new councillors find it very daunting indeed. Councillors who are elected in October will be able to experience the process over March, April, May and into June. Six or seven months' involvement in the process before dealing with the budget will assist a little, although it will not necessarily help altogether. Some members can probably attest to the fact that even councillors who have been involved in the local government system for some time do not understand the full ramifications of a local government budget. However small that assistance might be to new councillors as a result of a change in the election date to October, I totally support it.

I support also the amendment to the Local Government Act that will ensure that the voting age of people at local government elections is 18 years and over. I have no argument whatsoever with the first of the bills that will result from the member for Moore's motion. I fully support those two proposed changes that I have just referred to. However, I support the member for Moore's proposition concerning the second bill, the Local Government Further Amendment Bill 2006. As I said during the second reading debate on the original bill, I do not support the provisions to amend the voting system for councils. WALGA's and my biggest fear is that the new voting system proposed by this government will politicise local government in this state. I absolutely do not want that to happen. I do not know whether government members want that. Members who are sincere about this issue and who have served in local government do not want politicisation of local government as we know it. Political interference is totally out of the question, and should be discouraged at all costs. I am totally against political interference in local government. The Western Australian Local Government Association was not consulted about legislation that affects every one of its members.

As the member for Moore indicated, the original bill comprises seven pages, and six pages of amendments to the bill are on the notice paper. You will be aware more than I, Madam Deputy Speaker, that those six pages of

amendments, when incorporated into the bill, can amount to eight or nine pages of legislation. When the number of pages of amendments is greater than the number of pages in the bill, we must ask what the hell is going on. It is very important legislation, yet the number of pages of amendments is greater than the pages in the bill itself. I find that totally incomprehensible. Who was consulted about the amendments? WALGA was not consulted before the original bill was introduced, so I doubt it was consulted on the amendments. WALGA is, after all, the peak body, so it defies belief that it has not been consulted on such an important issue. As we stated before, 90 per cent of local governments surveyed - I acknowledge the percentage the minister alluded to earlier - are vehemently against the change to the voting system, so much so that they have mounted a major television campaign against it. As I said yesterday during the second reading debate, it is a very big step for any council to consider a motion of no confidence against a government. That reflects how strongly WALGA feels about the issue. WALGA has articulated the reasons behind its motion of no confidence, so I will not go into them again because I talked enough yesterday about the politicisation of local government, ticketing systems, block voting etc.

I hope these changes do not lead to candidates needing the endorsement of a political party to run for local government.

Mr J.J.M. Bowler: There is more chance of that influencing the vote in the current system.

Mr G.M. CASTRILLI: The minister spoke about that before, and I understand that.

Mr J.J.M. Bowler: Do you think I am right or wrong?

Mr G.M. CASTRILLI: Before Jeff Kennett's structural reforms to local government in the early 1990s, political parties in Victoria were ticking off candidates - they had to be endorsed by a political party. I do not want that and I am sure the minister does not want that.

Mr J.J.M. Bowler: These changes will lead to less chance of that happening.

Mr G.M. CASTRILLI: I do not want that to happen in Western Australia. The minister says he wants to align the voting system with the federal and state government systems. Proportional representation is used only in the Senate and the state upper house.

Mr J.J.M. Bowler: That is because there are multi-vacancies in the Senate and the Legislative Council, as occurs now in local government.

The DEPUTY SPEAKER: We are not debating the substantive motion; we are dealing with the motion moved by the member for Moore; so if the member for Bunbury could address that, it would be helpful.

Mr G.M. CASTRILLI: I am trying to enunciate why I support the member for Moore's motion to split the bill in two. I do not want to spend too much time going over ground that I covered yesterday. The member for Moore adequately covered a lot of ground today, so I will move on from that. The reason for wanting to split this bill is that, to my knowledge, no local government has budgeted for an election to be held in May this year. Local governments were caught totally unaware of the government's intention to introduce this bill. As I said, local government did not mind the amendments in the first part of the proposed split bill to which I referred, which seeks to change the date of elections and to ensure that the minimum voting age at council elections is 18. I have no problems with that whatsoever, but local governments were caught totally unaware about the proposed new voting system. As I said, I support the member for Moore's proposal to refer the second part of the split bill to a committee. The change to the voting system is the only aspect of the legislation with which I am not happy. I do not want to hold up the bill. The opposition is seeking to split the bill to ensure that progress can be made, given that regulations must be prepared etc. If we split the bill in two and pass the first of the two proposed bills, we will not hold up the council election process. Splitting the bill will also give the government a genuine reason to consult with local government about the system it is trying to introduce. The government may be able to convince WALGA that the system the minister is talking about is right. This would give the government an opportunity to go back to WALGA, which is the peak body, put the cards on the table, go through the whole system and try to move on.

Mr J.J.M. Bowler: I reckon that I could win them over in half an hour.

Mr G.M. CASTRILLI: If half an hour is all the minister needs to convince WALGA, what reason is there for him not to support this motion?

Mr J.J.M. Bowler: I'm meeting Bill Mitchell on Friday, and I reckon that by half an hour after the start of the meeting, he'll be agreeing with me.

Mr G.M. CASTRILLI: If the minister is serious and genuine about what he just said, he will support our motion to split the bill. He could get the new provisions through to allow elections to be held in October. Then he can go to WALGA for half an hour next week and sort it all out. If WALGA then comes back with a changed position I will support the minister, recognising that he has done everything he can in terms of consultation. I

might not agree with his decision, but I would acknowledge the fact that he had done everything he could to consult properly with WALGA.

Mr J.J.M. Bowler: It is pretty complicated, and you mightn't understand it, but this is the best and fairest voting method.

Mr G.M. CASTRILLI: First of all, I do not agree with the minister. However, the main point for me is that - Several members interjected.

Mr G.M. CASTRILLI: Madam Deputy Speaker, I am adhering to the wishes of the Leader of the House in trying to progress this matter quickly. The minister is only delaying the process.

Mr J.E. McGrath: Maybe that's what he wants.

Mr G.M. CASTRILLI: I am quite happy, because the delay supports us. The Local Government Advisory Board investigated structural and electoral reform and recommended that the first-past-the-post system remain.

Mr J.J.M. Bowler: Was that at page 177? Did the board not say that optional preferential was the best system?

Mr G.M. CASTRILLI: First-past-the-post was the system recommended to be retained by the Local Government Advisory Board. What is more, that advisory board was hand-picked by the government. The chairman and chief executive officer came from the same council at the time, although they are not in the same council now.

Mr J.J.M. Bowler: Are you casting aspersions on Eric Lumsden and Charlie Gregorini?

Mr G.M. CASTRILLI: No, I am not, because both of them are very good friends of mine.

Mr J.J.M. Bowler: I just wanted to make sure, because you implied that you were.

Mr G.M. CASTRILLI: The minister should not imply something that is not factual. I have a great deal of respect for both those men. I have talked to them on occasions and sought their guidance. The government has not even formally responded to the full set of recommendations in that report. The point is that it has not consulted with WALGA on a piece of legislation. We are not talking about the report put out by the board, but a piece of legislation introduced into this Parliament. That is what the government has not consulted on. It has done some investigations through the advisory board, but it did not consult on the bill, which is the legislative proposal. The minister needs to do a lot of work on this. Splitting the bill in two can accommodate a fair outcome. It would ensure that sufficient time was available so that the October elections proposal could proceed properly. As I said before, regulations need to be drafted. It would also give the government a genuine opportunity to properly consult with the peak body of local government on this very important issue. I hope that the minister understands that I am genuine in this. If he can sort this problem out by talking with WALGA for half an hour, I suggest he do that.

MR T.K. WALDRON (Wagin - Deputy Leader of the National Party) [3.56 pm]: I will be brief, because everything has been said and this debate has gone on long enough. I might not agree with the member for Moore on wheat marketing and things like that, but I do agree very much with what he is trying to do now. I fully support him on the motion to split this bill. It is interesting listening to the members for Moore and Bunbury, who have vast experience in local government, and I respect their views on this. It makes sense to split this bill after listening to this debate. It makes sense to split this bill after talking to people in local government. We need to progress the bill for the sake of having the election time changed. We do not want that held up. Splitting the bill and allowing the clause on 18-year-olds to go through as well is commonsense. The Leader of the House made the point, briefly, about consultation. I will not go into that again, other than to say that the government's problem is that no matter what we say and argue in this house, out there in local government land, whether it be right or wrong, people feel that they have not been consulted. Whatever we do in this chamber will not change that. That is why I said in my second reading contribution that the government should listen to what people are saying. Splitting this bill is commonsense. The government should take some more time for consultation. If the minister has said that he can turn WALGA and local government around in half an hour, let him do it. The National Party strongly supports the motion of the member for Moore.

Question put and a division taken with the following result -

Ayes (22)

Mr C.J. Barnett
Mr D.F. Barron-Sullivan
Mr M.J. Birney
Mr T.R. Buswell
Mr G.M. Castrilli
Dr E. Constable

Mr M.J. Cowper
Mr J.H.D. Day
Mr B.J. Grylls
Dr K.D. Hames
Ms K. Hodson-Thomas
Dr G.G. Jacobs

Mr R.F. Johnson
Mr J.E. McGrath
Mr D.T. Redman
Mr A.J. Simpson
Mr G. Snook
Mr M.W. Trenorden

Mr T.K. Waldron
Mr G.A. Woodhams
Dr J.M. Woollard
Mr T.R. Sprigg (*Teller*)

Noes (26)

Mr P.W. Andrews
Mr J.J.M. Bowler
Mr A.J. Carpenter
Mr J.B. D'Orazio
Dr J.M. Edwards
Mrs J. Hughes
Mr J.N. Hyde

Mr J.C. Kobelke
Mr R.C. Kucera
Mr F.M. Logan
Ms A.J.G. MacTiernan
Mr J.A. McGinty
Mr M. McGowan
Ms S.M. McHale

Mr A.D. McRae
Mr A.P. O'Gorman
Mr J.R. Quigley
Ms M.M. Quirk
Ms J.A. Radisich
Mr E.S. Ripper
Mrs M.H. Roberts

Mr T.G. Stephens
Mr D.A. Templeman
Mr M.P. Whitely
Mr B.S. Wyatt
Mr S.R. Hill (*Teller*)

Pairs

Ms S.E. Walker
Mr P.D. Omodei
Dr S.C. Thomas

Mr N.R. Marlborough
Mrs C.A. Martin
Mr M.P. Murray

Question thus negatived.

Debate interrupted until a later stage of the sitting, pursuant to standing orders.

[Continued on page 7667.]

DAYLIGHT SAVING BILL (NO. 2) 2006*Second Reading*

MR M.J. BIRNEY (Kalgoorlie) [4.02 pm]: I move -

That the bill be now read a second time.

Today may well be an historic day in the history of our state. The second reading of the Daylight Saving Bill (No. 2) 2006 may well mark the start of a process that leads to the permanent introduction of daylight saving into Western Australia. The concept of daylight saving is thought to have been first raised by Benjamin Franklin in 1776, with no success. It was raised again somewhat more seriously by British builder and fellow of the Royal Astronomical Society, Mr William Willett, in an essay entitled "Waste of Daylight" in 1907. It was not adopted in Britain, however, until April 1916, during World War I, as a wartime measure designed to save energy.

Daylight saving was then adopted by the commonwealth government of Australia on 1 January 1917 and imposed upon all Australian states in order to conserve energy during the First World War. It ceased to operate in March 1917 in Australia before being reintroduced as an energy-saving measure once again in 1942, during the Second World War. On this occasion daylight saving finished in March 1942 and was re-implemented again between September 1942 and March 1943.

Daylight saving then disappeared altogether in Western Australia until a trial was introduced in October 1974, lasting until March 1975. A subsequent referendum saw daylight saving defeated that year by a margin of 3.66 per cent. I am talking about a change of decision margin. A further trial between October 1983 and March 1984 also resulted in a subsequent rejection by the people in the 1984 referendum by a margin of 4.35 per cent. The last trial of daylight saving in WA was between November 1991 and March 1992. This resulted in a rejection in the 1992 referendum by a margin of just 3.14 per cent, the closest result to date.

The fact that three referenda have previously been held on this subject is certainly not an argument against holding another one. It is, in fact, an argument to do the opposite. We need to recognise that people's lifestyles change substantially over time and that we have a responsibility, and indeed an obligation, as elected members to continually test public opinion regarding issues such as this. In doing so, we can ensure that our policies actually reflect the modern-day lifestyle and not that of yesteryear.

I do not believe that anyone in this chamber could or would argue that we as a society are not working a much longer working day now than we were 14 years ago when the last referendum took place. Indeed, back then it was commonplace to arrive home from work by 5.30 pm. Today, working parents are lucky to get home to their families by 6.30 pm and would no doubt relish the opportunity to spend some quality outdoor time with their children and spouses after work. In my own electorate of Kalgoorlie, the 12-hour shift that results in a worker arriving home from work in the dark is now commonplace. The Perth office fraternity is also working longer and harder and arriving home in the dark.

Daylight saving has the potential to be the glue that bonds families together. It has the capacity to dramatically reduce our unhealthy reliance on the television as our primary source of entertainment after work and it encourages people to get off their backsides out of their lounge rooms and to get outdoors, which I know members will agree is a good thing.

At the other end of the day, I cannot think of one good argument to sustain the view that we should be sleeping whilst the sun is shining. The sun rises in some parts of the state at around 4.30 am during summer. I propose

that the sun should rise an hour later in the morning and that we transfer that extra hour of daylight to the other end of the day where it can be gainfully employed.

Western Australia is so rich in natural assets and opportunities that it has the potential to market itself as Australia's premier lifestyle state. The rest of the country, and indeed the international community, is recognising very quickly that we have the very best beaches, the best major river system, the best climate, the best parks, the best tourism precincts and the best and most interesting country regions in the nation. Eastern staters and internationals are migrating here at a rapid rate of knots. We now have a once-in-a-generation opportunity to capitalise on that level of interest.

Whilst daylight saving alone is not the silver bullet, it is a very necessary part of the overall strategy to paint WA as the lifestyle state, the state where living is an experience and not just a state of existence. Melbourne used to be known as the *al fresco* city. Perth could steal that title without any trouble at all, and daylight saving would ably aid that process.

There are many other arguments in favour of daylight saving. I would like to go through some of them now. Firstly, as I said earlier, daylight saving was originally introduced to conserve energy during times of war. The theory was that if two million people turned their lights on one hour later at night, there would be a significant energy saving, which would obviously have flow-on effects to the environment. This is still a good argument today and remains current. Secondly, it stands to reason that a state should have marginally less road accidents, particularly those involving pedestrians, if motorists are driving whilst the sun is out as opposed to driving at night. This would be the case for one extra hour a day during the earlier evenings under daylight saving.

One argument against daylight saving that I do have some sympathy for is the argument that says it will be marginally harder to get kids to sleep at night. While I accept that this may be an issue for a while, I believe that in time it will become less difficult, as has been the case in the eastern states. I might add, however, that children get out of bed in the morning according to the sun and not according to a clock. This means that under daylight saving, children just might get out of bed one hour later in the morning, which no doubt would give mum and dad that extra bit of time in bed themselves in the morning.

I hesitate to use the pro-business argument to support daylight saving but it is such a powerful argument that I feel I must. A very small percentage of Western Australian businesses, mostly big businesses, deal directly with Asia and would prefer to remain in the same time zone. The reality, however, is that the overwhelming majority of our small to medium-sized businesses draw their stock from the eastern states of Australia. This is the reason that we should stay as close to the eastern states' time zones as we possibly can. Whether people own a shoe shop, a stationery shop, a pushbike shop or an auto parts shop, as I did, they buy their stock from the east if their business is in Western Australia. I cannot begin to tell members about the frustration that business owners feel when they arrive at work by 9.00 am ready to place an order, only to learn that their eastern state's counterpart is at lunch. In practice, people really have only about one hour a day to order stock from the east, after lunch breaks and time zone differences are taken into account. This is a serious impediment to business.

For the past six years and beyond, I have campaigned long and hard for the introduction of daylight saving. Indeed, in the very first election flyer that I placed in the letterboxes of people in my electorate of Kalgoorlie, I promised that I would do all that I could to make daylight saving a reality. I ask quite genuinely that all members give favourable consideration to the passage of this bill. I simply say to those members who are undecided that this bill provides for only a trial, and the real question of daylight saving will be decided not by us, but by our constituents in a referendum. One cannot be much fairer than that.

I have sought to coincide our daylight saving trial with daylight saving in the eastern states, which means that each trial will conclude at the end of March. In doing so, however, I recognise that because of our position in the spectrum and our relatively late sunrises in March, it may not be ideal to have daylight saving during that month of March. If this is recognised as a problem during the first trial, I will consider moving, prior to the referendum, an amendment to the legislation that would remove March from any future daylight saving program. It may well be possible to replace it with October, but for the time being I have simply adopted the eastern states' model, which runs from the end of October through to the end of March.

It seems that the media have reported that this bill will definitely pass through the Parliament. If there is one thing that I have learnt about politics, it is that a person can never take anyone's vote for granted. I am concerned that members may be getting anti daylight saving e-mails and phone calls only because the pro daylight saving lobby feels that it has no role to play, given that the media have reported that the bill will pass. My message to members of the pro daylight saving lobby is to get into gear, to not take anything for granted and to seize the opportunity to communicate with their members of Parliament.

Finally, in closing I sincerely thank the member for Ballajura, John D'Orazio, who is the co-sponsor and the co-architect of this bill. His willingness to put party politics aside in the interests of progressing the bill is

commendable and deserves to be formally recorded. I also extend my sincere appreciation to the Premier and the Deputy Premier, who have indicated their support for the bill.

From a personal perspective, I think that genuine debates that involve members having a free vote, only from time to time, are very rewarding and much better reflect the nature of our work as members of Parliament. I look forward to discussing the contents of this bill with any member, and I will make myself available at short notice at any time of the day or night to answer any questions that members may have. I commend the bill to the house.

Debate adjourned, on motion by **Mr E.S. Ripper (Deputy Premier)**.

DAYLIGHT SAVING BILL 2006

Second Reading

MR J.B. D'ORAZIO (Ballajura) [4.13 pm]: I move -

That the bill be now read a second time.

I have much pleasure in presenting the second reading speech on the Daylight Saving Bill that I introduced yesterday. Who would have thought, after giving notice of a motion a week ago, that we would be in this place today starting the process, with the best opportunity ever, of introducing daylight saving into this state? I thank the member for Kalgoorlie, the Premier and the Leader of the Opposition for having an open mind on this bill when it was introduced as a concept last week.

The bill clearly identifies the purpose, which is to introduce daylight saving throughout Western Australia. It is a short and simple bill and is based on the 1991 bill. I say at the outset that this bill will lapse, and I will support the member for Kalgoorlie's compromise bill. However, I will read my second reading speech in the house, because it contains the same issues and highlights the same principles espoused by the member for Kalgoorlie.

The bill proposes to introduce daylight saving, starting in early December and going through to the last Sunday in March. It then proposes that there be a further two years of daylight saving, starting from the last Sunday in October and finishing on the last Sunday in March. That is in keeping with what happens in the eastern states of Australia. I know that that is important, especially for business. I also understand that there is a move on foot, I think principally led by the President of the Senate, to try to standardise the various daylight saving periods, so that we will all have the same period. This bill, of course, does not take heed of that. We have decided that daylight saving in this state should be on the basis of that in the mainland eastern states of Australia. If there is a change to those hours, obviously an amendment will be needed at the appropriate time.

The provisions in the Daylight Saving Bill allow the Governor, on the recommendation of the minister, to make regulations in relation to matters that may need alteration because of the effect of daylight saving time. However, it is limited to the effect of daylight saving time; in other words, people cannot use daylight saving as an excuse to deregulate trading hours or other hours of operation, or to reduce the length of people's working time. That is important. It will allow the minister, in special circumstances, to make the appropriate changes.

My bill does not contain a referendum clause. It proposes three years of daylight saving, with daylight saving coming to an end in March 2009. The dates were clearly chosen so as to avoid the likelihood of this issue becoming a political football at a state election. The last thing we need is to have this issue involved in an election, whereby both sides, and even Independents, would use it as a political football. In that case, the outcome, which would be in danger of not being the correct one, whichever way it went, would have an impact on the community. In my view, it is much more important that this issue is dealt with by Parliament and that there is no referendum.

The question of a referendum has been raised in a number of quarters. I believe that this issue should be decided by members of Parliament, as the elected representatives of the people. We, as members of Parliament, are required to determine many controversial issues, including abortion, gay law reform, terrorism laws that allow detention without trial, liquor licensing, laws that take people's property rights away, and many more. If we had put any of those issues to a referendum, I believe they would have all been lost; but we did not. Therefore, I believe this is just another issue that we need to deal with; and, if we deal with it, the community will accept our decision.

However, in politics, one needs to face reality. The reality is that we will have a referendum on this issue. That is why yesterday I met with the member for Kalgoorlie and a representative of the government to try to reach a firm position, so that the pro daylight saving lobby would have one position, rather than three different positions, which could endanger the outcome of daylight saving. I do not take it for granted that the daylight saving legislation will pass this house and the upper house. However, it will have its best chance of success if there is one position that we can all work towards and aspire to achieve. However, I again say that a referendum on this issue would allow some people who really have no interest in the issue to have a say, which may not be in the

best interests of the community. We, as members of Parliament, need to understand that if we make decisions based on referendums, many controversial issues will never pass this place.

I will quote a former member for Darling Range, Mr Thompson. I was going to leave this until the end of my speech, but I will quote it now instead. In 1991 he said -

... this issue will reappear until eventually the politicians have the guts to say, "We will legislate for this and put it beyond question for ever more."

I have the guts. Do other members have the guts? Even if the referendum after the three-year period is lost, the issue of daylight saving will come back again and again until a decision is made by Parliament. Unfortunately, the reality is that we will need to hold a referendum on this matter after the three-year trial to ensure that this bill has the best chance of being passed by this place; therefore, I will support that position.

I congratulate the opposition and the government for allowing their members to have a free vote. I smile a little while I say that because I did not quite realise how much difficulty that would create in the long term. Having a free vote is a great concept, but it does not allow the outcome to be told until the last minute. That is a problem in politics, as I have discovered in the past few days. The discussions I have had with a number of people give me confidence that the numbers are there to support this trial and the holding of a referendum. However, the numbers appear to be very close, particularly in the upper house. I again support the member for Kalgoorlie, who has urged the people who want daylight saving to lobby members of Parliament so that members will hear the views of those who support it, and not just the views of those who oppose it. The opponents of daylight saving will campaign against it, and some of them can be quite vicious. Some of the e-mails and phone calls to my office have been vicious, whereas the people who support daylight saving think that members who support it are wonderful. That is the dilemma of being a member of Parliament. I have had to agree and disagree with a number of people.

I turn now to the question of why daylight saving is needed. The member for Kalgoorlie called on his experience as a businessperson, and I too will call on my experience as a businessperson and as the former Minister for Small Business. When I was the Minister for Small Business, business raised this issue all the time. One of its biggest bugbears was having to deal with the eastern states when daylight saving began over east. It could be argued that businesses must adapt. That might be true, but I will illustrate how difficult it is for the business community. I owned a pharmacy and worked as a pharmacist in a major regional shopping centre. I was basically working in the retail industry and was dealing with pharmaceuticals. Most of the suppliers of cosmetics and other products that are sold in that business are supplied from the eastern states. When daylight saving is in place and a business opens in WA at nine o'clock in the morning, it is already lunchtime over east. The busiest time for retailers in major centres is between 11.00 am and two o'clock. Not only is that the busiest time, but also it is the lunch-hour period for staff. When they come back from lunch and that busy period is over at two o'clock, the businesses in the eastern states have closed and there is no-one left to answer queries. Therefore, there is a limited amount of time in which to do business with the eastern states. That is a bugbear for the retail industry. It is very difficult to do business with people from the eastern states during daylight saving hours. The majority of dispatches to Western Australia are sent from the eastern states. If goods are not dispatched by two o'clock WA time, a whole day can be lost. That creates a practical problem for the dispatch of pharmaceuticals in particular, and other products that are needed urgently. Many people do not realise that. It is important to try to minimise the gap between the eastern states and Western Australia.

Although we tend to think that the introduction of daylight saving will save only one hour, it will provide an extra two hours of effective business time, which will make a helluva difference. Over the past few days, it has been demonstrated how strongly business supports daylight saving. Businesspeople have told me that they are very thankful that Parliament is at last looking at this issue, and they will be even more grateful if we enshrine it in legislation; I only wish it were permanent.

I will turn now to benefits of daylight saving for staff. Staff who work for commercial-retail operations begin work at nine o'clock in the morning and finish at five or five-thirty in the afternoon, depending on the type of business it is. Sunrise is between 5.00 and 6.00 am, and it is much later during winter. Regardless of that, those workers begin work at 9.00 am and they finish at 5.00 or 5.30 pm. The introduction of daylight saving will, in reality, make their finishing time 4.00 pm when it is otherwise 5.00 pm. That will give staff who work in retail an extra hour to spend with their families to recreate and to spend quality time together. That is something we should support. Daylight saving will afford us a better opportunity to tackle the lifestyle problems that society currently faces, including obesity. Adults and children will have more recreation time. If they do not want to use that time to engage in physical recreation, they will be able to use it to spend quality time with their families. I will allude to a graph in a minute that shows that the biggest benefit of daylight saving is the amount of time people will have to spend with their families and to recreate. In our society, in which time is so precious, we should support that because it is good not only for health reasons, but also good for the community. If we do not pass this legislation, we will be negligent. We have an opportunity to make a helluva difference to the health of

our community in a physical sense and to foster the wellbeing of the community by creating time in which families can share quality time together. We should bear that in mind carefully when we vote on this issue.

Interestingly, some of the people who oppose this issue have made some wild accusations. They say that the difference in temperature will be so great that it will affect schoolchildren when they go home because it will be the hottest part of the day. They say that we will be exposed to more sunlight, which will cause more incidences of cancer. I will show members a graph that indicates that is untrue. Daylight saving will afford people the opportunity to tackle lifestyle issues such as obesity and people not getting enough exercise. People will be able to spend quality time with their family and the extra daylight hours will allow them to do whatever they enjoy doing during daylight hours throughout the week; they will not have to wait until the weekend to do it.

Research shows that daylight saving reduces energy use. I do not profess to be an expert on that matter, and I will not labour this point. However, research suggests that daylight saving saves energy. I will not make that a great issue. The feedback from my electorate has been overwhelming. The support for daylight saving in my electorate is huge. I estimate it to be in the vicinity of 70 per cent. A television poll was held recently on Channel 9 and it showed overwhelming support for daylight saving. The perthnow website, which I am told has received some 42 000 responses, shows that 89 per cent of people are in favour of daylight saving. Even the Australian Democrats are getting in on the act. The Democrats conducted a survey on the matter at the Bassendean Fair and Expo last weekend and it found that 71 per cent of the respondents supported daylight saving. I have talked a lot about daylight saving because it is a topic that I am very passionate about and want to have introduced in this state.

I will now refer to a chart that was prepared by Dr Hammer, who is a doctor of mathematics. I think he is in the public gallery. His company is called Arctangent Enterprises Pty Ltd. He has chosen an average day in January 2004. The temperature peaked at 36 degrees on 17 January 2004. He could have picked another day, but he picked a random summer's day to show the rise in temperature and the hours of operation of eastern states' businesses. It gives an indication of what happens and what effect daylight savings would have had. It shows the temperatures throughout the day, the sunrise and sunset times, the normal office hours for both Western Australian and eastern states businesses, with both daylight saving time and western standard time, the meal times that people tend to take, the bed times for children and adults, and the recreation times. I will hold up this graph. I am very proud to have the member for Mindarie help me hold up this graph, because the member for Mindarie has been instrumental in getting this argument about daylight saving before the Parliament. He is a passionate supporter of daylight saving.

Several members interjected.

Mr J.B. D'ORAZIO: Was that the "Independent Party"? I need to tell members a story about the "Independent Party". One of the people who rang me was absolutely angry with me and made the comment that -

Several members interjected.

Mr J.B. D'ORAZIO: No. This one was actually amusing! This person rang me and said, "I have always voted Independent, but if you pass this thing I am never, ever going to vote Independent again!" She was not even from my electorate!

I will run through this chart. It summarises the whole daylight saving issue. The bottom of the graph shows the hours of zero to 24, which is normal Western Australian standard time. The hours at the top are daylight saving time, with the one-hour difference. It shows the business times in the eastern states, and the overlap with Western Australia. It shows the enormous benefits that daylight saving will have for business. That might seem small, but it is a huge factor.

Mr R.F. Johnson: Who prepared that graph?

Mr J.B. D'ORAZIO: Dr Hammer.

The green lines show sunrise and sunset. The blue line shows the evening meal time. The recreation time is highlighted here. The evening recreation time is shown as being half during sunlight hours and half not during sunlight hours. This is what it will be under daylight saving. The white part on the graph shows the time that is allowed for people to get home after work. The significant thing from my point of view - this is something that all members should look at - is the meal and recreation time. I call that family time.

Mr R.F. Johnson: Do we all have to eat at that time?

Mr J.B. D'ORAZIO: I would be happy to swap the blue and the orange lines for the member for Hillarys, because he is unusual! They are interchangeable. That shows how daylight saving will have the biggest benefit in giving families time to recreate together and engage in the activities that they enjoy.

There has been an interesting argument that daylight saving will result in a huge difference in temperatures. The graph shows the temperature rise, and also the temperature fall when the sea breeze comes in.

Mr R.F. Johnson: Is that every day? I find that astounding!

Mr J.B. D'ORAZIO: I am glad, member for Hillarys! I hope that at the end of this debate the member for Hillarys will be supporting daylight saving! The difference in temperatures because of the one-hour time difference will be between half a degree and one and a half degrees. It is not significant. The argument has been put that there will be a huge increase in temperatures, and school kids will die in the heat of the school bus. The reality is that the maximum increase in temperatures will be between half a degree and one and a half degrees. It will make very little difference. That is real data, not imaginary data.

Mr T.K. Waldron interjected.

Mr J.B. D'ORAZIO: I am not going to win the argument with the members of the National Party.

Mr R.F. Johnson: You have convinced me, my friend! That graph is absolutely astounding!

Mr J.B. D'ORAZIO: I like the member for Hillarys' humour! I am very serious about the fact that daylight saving will be of enormous benefit for business. More importantly, it is about lifestyle and families, and about tackling the health issue in our community.

Mr C.J. Barnett: I think we need a photo of you holding up that graph!

Mr J.B. D'ORAZIO: I am sure I will have many to give the member!

Mr D.T. Redman: Is it correct that the hottest time of the day is actually four o'clock?

Mr J.B. D'ORAZIO: On the day shown on this graph, the temperature peaked at four o'clock. It will peak at five o'clock during daylight saving hours. As I have said, the difference in temperatures because of the one-hour time difference will be between half a degree and one and a half degrees.

Mr R.F. Johnson: Do you give a guarantee with that?

Mr J.B. D'ORAZIO: The member for Mindarie has given an unequivocal guarantee that if anyone's curtains fade because of the introduction of daylight saving, he will replace them.

Mr R.F. Johnson: I have a pair of curtains at home that have faded!

Mr J.B. D'ORAZIO: In conclusion, this issue has created enormous debate in the community. As I have said, as the person who had the honour of proposing this issue last week, I have received enormous feedback from a great number of people. In my opinion, the arguments that are put against daylight saving have little merit. Perhaps in the country there are some issues that need to be looked at. There is some flexibility in the proposed legislation to deal with some of the issues in relation to school and trading hours to accommodate the communities that may have a problem. This issue is about trying to do something that will be of benefit for our business community and for the health of our community. It will also put us in line with the eastern states. That will not only help this state to prosper economically but also improve the wellbeing of the community. A number of retired people have phoned me to complain about the introduction of daylight saving. I think daylight saving will make very little difference. When I say to those people what difference do they think daylight saving will make, because daylight saving will not create any more hours of sunlight -

Mr R.F. Johnson: Doesn't it?

Mr J.B. D'ORAZIO: No! It does not change the length of the day. All it does is change what people do at what time of the day.

Mr R.F. Johnson: Can I just say that I found your presentation much more enlightening than the member for Kalgoorlie's presentation! It was much more scientific!

Mr J.B. D'ORAZIO: I thank the member for Hillarys for his tongue-in-cheek comments! At least I tried to put some facts on the table and argue the case. Everyone has an opinion on daylight saving, as I have found out over the past few days. I hope the members of this Parliament will support the concept and the three-year trial. I would have preferred that there was no referendum at the end of the trial. I believe this is just another issue that we need to deal with. However, if we get daylight saving, I am happy to have whatever strings are attached to it. I ask the members of this place to support the bill, and, more importantly, I ask the members of the upper house to support it, so that Western Australia can enjoy daylight saving this year and for many years to come. I look forward to the result of the referendum. Hopefully this time it will be positive.

I conclude by thanking the member for Kalgoorlie for his support yesterday when I approached him for the joint proposal that has been put. I also thank the Leader of the Opposition and the Premier for allowing their party rooms to have a free vote on this issue. I thank the members of the media, in particular Graham Mason from *The West Australian*, because when I stood in the Parliament last week to bring this matter to the attention of the Parliament, he was the only member of the media who picked it up and realised this was an opportunity to make

a difference. I also thank the editor of *The West Australian*, Paul Armstrong, for allowing me to get on the front page on this important issue. I thought that was a bit unusual after all the publicity I have had over the past few months! More importantly, that has meant that Western Australians will now have a better opportunity to enjoy daylight saving, so I thank *The West Australian*. I also acknowledge the *Sunday Times*, because it ran the issue quite hard by giving plenty of publicity to the member for Mindarie. It also ran polls in the newspaper. I also thank Joe Spagnolo, who worked with the member for Mindarie in bringing this matter to the attention of the public. I also thank the other media outlets for taking this matter on board and seeking the views of the community. Hopefully the community will be given the opportunity to enjoy daylight saving in the not too distant future and for many years to come. I commend the bill to the house.

Debate adjourned, on motion by **Mr T.R. Sprigg**.

SELECT COMMITTEE INTO PROSECUTION OF ASSAULTS AND SEXUAL OFFENCES

Establishment - Motion

Resumed from 27 September on the following motion moved by Mr R.F. Johnson -

- (1) That a select committee be established to inquire into and report on decisions made in the past five years by the Director of Public Prosecutions (DPP) not to proceed with prosecutions in cases which involve charges in relation to assaults or sexual offences, and in particular to -
 - (a) investigate the reasons for prosecutions not proceeding;
 - (b) review the extent to which the information and evidence provided to the DPP was perceived by the DPP to be prejudicial to the prosecution or otherwise inadequate;
 - (c) review guidelines for determining which cases presented to the DPP should not go to trial;
 - (d) identify the extent to which the public interest is a factor in decisions by the DPP not to proceed with a prosecution, and how that public interest is determined;
 - (e) review how the age of the alleged victim affects such decisions;
 - (f) assess the adequacy of these and other criteria for making a decision not to prosecute; and
 - (g) determine how the relevant authorities have been informed of, and taken account of, feedback from the DPP about the adequacy of the information placed before him.
- (2) Neither the report from the committee nor the evidence released by the committee will specifically identify any individual who has not faced trial directly as a result of the DPP's decisions not to prosecute, whether or not any such individual has been charged and is currently before the court on any criminal matter, but the committee may detail case background and circumstances of decisions made by the DPP.
- (3) The committee will ensure that if evidence is to be taken in public, witnesses undertake not to disclose the names of those individuals referred to in the preceding paragraph and will be advised that to breach such an undertaking will be regarded as a contempt of the house and dealt with accordingly.
- (4) The committee will report to the Legislative Assembly by 29 March 2007.
- (5) The committee will consist of the member for Churchlands, the member for Cottesloe, the mover, and two members nominated to the Speaker by the Leader of the House.

Point of Order

Mr R.F. JOHNSON: We are obviously waiting for the Attorney General, who is dealing with the motion for the government, to come into the chamber. It is normal procedure for the person handling the motion for the government to be in the chamber. I am sure that the Attorney General is behind one of the chamber doors. It is quite important that he be in the house -

Mr C.J. Barnett: Which door do you think he is behind?

Mr R.F. JOHNSON: I think he will come through one of the chamber doors. I am desperately hoping that the Attorney General is making an effort to get into the chamber so that we can debate this very important motion, which was first read to the house some weeks ago. I thank you, Mr Acting Speaker (Mr M.J. Cowper) for showing some leniency by allowing me to pursue this point of order. I have had second thoughts about this point of order and now wish to withdraw it.

Debate Resumed

MR J.A. McGINTY (Fremantle - Attorney General) [4.42 pm]: I thank the member for the very interesting point that apparently he was trying to raise!

When I last spoke to this motion, I indicated that the government does not oppose an inquiry into the matters outlined in the motion. Since that time, I have had discussions with the member for Hillarys and various government members. As a result of those discussions, I wish to move some amendments to the motion. My understanding is that the opposition will agree to my amendments. I seek leave to move the amendments in one question.

Leave granted.

Amendments to Motion

Mr J.A. McGINTY: I move -

Section (1), line 1 of the motion - To delete "(1) That a Select Committee be established to" and substitute -

That this house refers the following inquiry to the Community Development and Justice Standing Committee -

(1) That the committee

Section (4) of the motion - To delete "29 March 2007" and substitute -

30 June 2007

Section (5) of the motion - To delete the lines and substitute -

(5) For the duration and purpose of this inquiry only, the following members are appointed to the committee: the member for Hillarys, the member for Churchlands and the member for Maylands.

The import of these amendments is to extend the time of reporting. As I understand it, it is intended that a subcommittee of the Community Development and Justice Standing Committee will conduct an inquiry into the terms of reference, which essentially, if I can paraphrase them in the following way, will be to investigate the role of the Office of the Director of Public Prosecutions in matters involving assault and sexual assault. I do not know whether we really intend for the committee to consider assault cases; the motion substantially refers to sexual assault cases. I am happy to leave the breadth of the definition on the basis of that understanding. The past conduct of the Office of the Director of Public Prosecutions will be scrutinised. I have no reason to believe that anything untoward has happened. However, I believe that in the interests of accountability only good can come from a measure of parliamentary scrutiny of this matter. I have moved the amendments to the motion on the understanding that they will be agreed to by this house and that the inquiry will get underway forthwith.

MR R.F. JOHNSON (Hillarys) [4.47 pm]: I am happy to accept the amendments. As the Attorney General said, we had discussions behind the chair with the involvement of the Leader of the House, who does not always agree with me, and a solution was reached.

Mr C.J. Barnett: The axe fell on my head.

Mr R.F. JOHNSON: The member for Cottesloe was going to be a member of the committee but, unfortunately, he has become the fall guy and has been axed from the committee that will look into these matters. The member for Cottesloe has plenty of other work to do. I do not think he is too disappointed about not having to give up his time to spend on the committee.

Mr C.J. Barnett interjected.

Mr R.F. JOHNSON: Yes, I think if being on the committee required the member to travel, it may have been a different story. Indeed, I am sure wild horses would not have dragged him away! There is no real intention to travel; if there were, the committee would travel to eastern states to see what happens in those states. Funnily enough, the eastern states have parliamentary committees that oversee their Director of Public Prosecutions' operations. As I have said before, a joint standing committee oversees the activities of the Corruption and Crime Commission. However, no Western Australian parliamentary committee monitors and oversees the DPP. I am concerned not only about the DPP. As I explained in my initial speech, my concerns also relate to the low rate of prosecutions. In some cases, people are charged by the police and then the evidence is given to the DPP, but his office may decide that the evidence is inadmissible. I want to determine why there has been a reduction in the number of convictions for serious sexual assaults. I understand that the percentage of sexual assault convictions is in the single digits.

Mr R.C. Kucera: The committee will find that much of that has to do with the attitude of the complainant. My 30 years of experience has shown that getting a complainant in a sexual assault case, particularly a woman, to the barrier to give evidence is very difficult.

Mr R.F. JOHNSON: There may be many reasons. However, when the DPP's office decides not to proceed with a certain case, it is Parliament's duty to consider the reasons that it has not pursued a case. The DPP's office may well blame the police. In certain cases I am sure it does. I am sure that in certain cases the police blame the DPP. The subcommittee of the main committee will investigate very thoroughly the DPP and the police. If there has been negligence, a mishandling of a case or if files have been lost etc, I believe this Parliament has the right to know that those things have happened so that it can identify the shortfalls in the system. There is nothing untoward in a committee of this Parliament looking into the DPP and the evidence that is given by police. Blame may be attached to the DPP or the police or both. A lot of lessons could be learnt. This result is not what I wanted, but I am prepared -

Mr J.A. McGinty: You beat me into submission!

Mr R.F. JOHNSON: I would have to get up very early in the day to beat the Attorney General.

Mr G. Snook: Daylight saving or no daylight saving!

Mr R.F. JOHNSON: I would have to get up even earlier if daylight saving is introduced!

The Attorney General has been pretty cooperative about this issue. I know that he is constrained by the way the Labor Party does things. I do not think the Attorney General would have been too unhappy if a select committee had been established. However, the Leader of the House has different views and he has responsibility for that portfolio, and I accept that. It is not the most ideal situation, but half a loaf is better than no loaf. I remember that expression from my childhood days when I was starving. I accept the amendment and look forward to being a member of the main committee and chairing a subcommittee that examines this very important area of justice.

Amendments put and passed.

Motion, as Amended

Question put and passed.

CHILDCARE SERVICES - COUNTRY WA

Motion

MR T.K. WALDRON (Wagin - Deputy Leader of the National Party) [4.50 pm]: I move -

That this house calls on the state government to take immediate steps to address the appalling state of childcare services in regional Western Australia, particularly in relation to -

- (a) the shortage of suitable childcare services in regional areas of Western Australia;
- (b) the problems caused by the introduction of unworkable regulations governing the operation of childcare centres in country areas; and
- (c) the need for a more flexible model for childcare arrangements in regional Western Australia, while still providing for the safety and wellbeing of all children in care.

I acknowledge that, since I placed this motion on the notice paper, the Minister for Community Development has suggested some moves in the direction we have sought. The minister has worked with us and particularly a group known as the Wheatbelt Organisation for Children's Services. Although we are happy with the minister's response and the direction in which this issue is heading, we want to make sure these proposals and ideas for more flexibility for country childcare services are actually implemented and continue to operate. While acknowledging that not everything will be perfect everywhere, we want to ensure that we can properly address and remedy some of the issues I raise during my remarks on this motion. The member for Merredin will talk more about the Wheatbelt Organisation for Children's Services later. The conference held at Toodyay last Friday, where Hon Kate Doust represented the minister, was a fantastic day; it was very heartening, particularly to the member for Merredin, the patron of WOCS, and to me, given that I also work closely with WOCS.

I will give an overview of childcare services in country Western Australia to ensure the background is correct. From the start, I stress the importance of child care to country WA and its growing importance as situations change in country WA. Access to child care in country WA has always had its challenges. However, the problem intensified earlier this year with the introduction in March of children and community services regulations. As I said, the Minister for Community Development, Hon David Templeman, has acknowledged that these new regulations have created upheaval for childcare organisations all over the state. Nowhere was that more evident than in country WA, particularly in the seat of Wagin, around Narrogin and other centres. Some of these issues were brought to my attention very quickly and very strongly. I acknowledge Chris Gorton of the

Narrogin Child Care Centre, who has been very clear about the meaning of the new regulations, and that has enabled me to raise some of these issues. As I said, we acknowledge the minister's response to our concerns and that he is committed to working through the reforms that will apply to the unique situation of childcare providers in rural and remote Western Australia. I emphasise the unique situation that communities face in providing child care in country WA.

The National Party believes it is imperative that new regulations be implemented for rural providers of childcare services. Without them, many of our childcare services that operate under different means will become unviable and we will lose them. That will be bad news for families, communities and Western Australia. Currently, an alarming number of towns have either no childcare facility or child care that is provided only because of the voluntary efforts of parent groups, who are now being adversely affected by new regulations to the point that they will impinge on the viability of those childcare facilities. I will talk more about volunteers, but at this point I highlight that the work of volunteers in country WA is outstanding.

Mr D.A. Templeman: Hear, hear!

Mr T.K. WALDRON: Many towns, particularly in the wheatbelt, run occasional childcare facilities that result purely from the efforts of parents who have worked to open a childcare facility in their town and who contribute hours of volunteer work in the ongoing management and funding of their centre. They usually put in those hours before they begin fundraising, often to pay for basic services such as electricity.

I will highlight an example in Goomalling that reflects in various ways the situation in many of our country communities. Goomalling is an example of a community that works hard to provide childcare services for two days a week. The service is run by a management committee of 10 busy mothers. These mums are responsible for the management of the centre and must fundraise to keep the service going. The mums contribute 10 to 15 hours a week of their time to keep the service running. In a ridiculous situation, mums pay to put their children into the childcare service so that they can do the voluntary work associated with maintaining that service in their town. That one little example should drive home to everyone what we are on about. The volunteer administration work saves them \$7 700 a year. Until recently, the mums ran a cleaning roster for the centre to save \$3 000 a year - the cost of employing a cleaner. They have had to change this policy and employ a cleaner so that they can attract new committee members. It was reaching the stage at which volunteers were suffering burnout as a result of the continually increased workloads while trying to manage their own toddlers and newborn babies. In addition to the fundraising, the Goomalling management committee has disconnected its fax line to save \$600 a year. The daily cost of running the service is \$626, which covers mostly wages. The fees and a small wages grant cover some of the costs, but before the service can break even it must find a \$193 a day shortfall. This shortfall is made up through fundraising and some donations. The committee raises an additional \$14 000 a year, which is a big ask in a very small community and of 10 already busy mums. Obviously, they get some assistance from the community because that is the nature of people in country communities. However, in such communities these days there is the increasing problem of more falling to a few. As a result, the pressure on these women and families is quite large.

On top of all this work, the work of the management committee has increased because of the new regulations. This is mostly due to the increased number of exemptions the childcare facility must obtain under the licensing arrangements to ensure they operate within the new regulations. The introduction of the regulations has put further pressure on these groups. The committee is now facing burnout and is having difficulty finding people to take over the work. Others in the community have seen the huge workload taken on by committee members and, not surprisingly, they do not want the job. The Goomalling facility is an occasional registered facility and is ineligible for the federal government's childcare benefit. This means that child care is an expensive option for parents. Parents in Goomalling are eligible to receive 45c per hour from the state government out of a total cost of \$6 per hour.

Mr B.J. Grylls: That's not even the cost of a postage stamp.

Mr T.K. WALDRON: The service is not accredited, and so cannot receive the CCB. The centre can be accredited only if it is open for a certain number of hours, and that centre, only being open a couple of days a week, does not have enough hours to be accredited. An average of 10 to 13 children a day attend the Goomalling childcare centre. The centre has places for more children, but many parents cannot afford to use the centre because of the lack of financial assistance. Another problem faced by Goomalling and similar towns is the shortfall in qualified staff who want to work in the regions. Qualified staff are often difficult to retain due to the offer of only part-time employment. This is an issue across the regions. With part-time employment, it is hard to retain those qualified staff. Childcare facilities also face a lack of funding options. Grants are available for toys, structure changes and purchasing other equipment, but nothing is available for the operational costs. The Goomalling service considers itself lucky because it has recently been given support by the local shire, which is good to see, but there is still plenty of work to be done. The assistance makes it slightly easier for the mothers to manage the centre and conduct fundraising efforts.

I could bring forward many examples of different situations and differing degrees of difficulty. However, I am trying to talk about the need for more flexibility, which was talked about at Toodyay the other day, and of the reality of application, so that we can take some of the pressure and stress off local childcare services. The great majority of wheatbelt and north west childcare services have great difficulty in attracting and retaining qualified staff to fill positions. This is a big issue. The new regulations mean that in small services with unqualified but highly experienced workers, the unqualified workers are unable to fill in as responsible officers while the qualified workers have lunchbreaks. Therefore, those services are forced to apply for exemptions that allow an unqualified worker to fill in for this period. There are undoubtedly situations in which this is necessary. I will be stressing one thing all the way through. The Nationals do not want to see children at risk; we want to keep the quality of care high. However, there are many situations in which we feel that the new regulations are unwarranted. This is where the flexibility that we were talking about at Toodyay comes in. When a worker is highly experienced, there should be a way in which the exemption becomes unnecessary so that that worker can take over for that period.

Following the introduction of the new regulations, one rural childcare centre was told by the licensing unit that the centre was now providing an inadequate service because an unqualified but highly experienced worker who had been working at the centre for 19 years did not possess the same tertiary qualifications as a qualified worker. Nineteen years is a lot of experience, and I am sure that local people would not allow such a person to remain employed at the centre if there was any doubt about her fitness and ability to undertake the role. I am sure that the person with 19 years' experience found it a bit ridiculous that she was unable to supervise the children at the centre without an exemption during the qualified worker's lunchbreak, despite her 19 years' experience. That is where the flexibility needs to come in, and hopefully we will see that happen. I have no doubt that we must have qualified workers at our childcare services. As I have said, we have no wish to detract from the quality of the service offered at any childcare centre. However, the reality in rural and remote areas of Western Australia is that not all services can attract more than one university-qualified worker to relieve for lunchbreaks or other breaks. Rather than having the situation in which exemptions must be constantly applied for, it would make sense if there were an assessment or recognition of prior experience and other qualifications, such as a certificate III qualification. That is a pretty fair thing, and I think the minister understands that. The Kondinin community childcare centre has had trouble finding qualified staff to fill positions. After extensive advertising over a period of four years to fill the positions as required, the centre has been unable to find qualified workers. This has forced the centre to operate under exemptions, which take time to be processed and approved, and causes the ongoing difficulties we have been talking about.

I will talk a bit about allowing skilled women in country Western Australia to work. Having been a member of Parliament for a country electorate for the past six years, and from my previous role managing country football, I realise that women are very much leaders in country communities. If they are allowed to, they can play a major role in not just private business and working life, but also community organisations. For instance, in the football clubs in country Western Australia, 90 per cent of the money raised comes from the ladies' committees. This is really important. Country communities are filled with skilled and qualified women who find that, after stopping work to have a family, they are unable to return to work, due in many cases to the difficulty in accessing child care. I could give many examples of that in my own area. This is in the light of the fact that there are jobs in country towns that cannot be filled. There is a work force out there, but it can be utilised only if proper support for child care is available. I mention community positions again, because I know that in some cases more women would become involved in local government and other things that are of great benefit to our communities, let alone paid employment.

The availability of child care has a broad influence on a community. A family may choose to live in one town rather than another based on the availability of child care. It becomes a point in favour of a particular town. Say a family decides to move to the country and has to choose between Kojonup and Boyup Brook. If child care is available in Kojonup but not in Boyup Brook, a family with a mortgage to pay off, needing the mother's income, will choose Kojonup for that reason. It is not always a factor, but it does play a part. I know from my real estate days that it was a factor then, and as time has gone on, and with so many women qualified in different areas, it is becoming a bigger factor. I have an example here of a working mother from Ejanding who travels 50 kilometres to Goomalling to use the occasional childcare service, and then travels a further 25 kilometres back to Dowerin to work. She has to travel 50 kilometres to get the child care and 25 kilometres back. There is no childcare service in Dowerin, but there is a demand in that town, and there is a growing population there. It is not that far from Perth. These are the issues we are confronting, and we want to work with the minister to improve things.

The new regulations for childcare providers created a lot of confusion throughout the state. We are working through that, and events like that held last Friday in Toodyay really help. The regulations under the Children and Community Services Act include the Children and Community Services (Child Care) Regulations 2006, the Children and Community Services (Family Day Care) Regulations 2006, the Children and Community Services (Outside School Hours Care) Regulations 2006, and the Children and Community Services (Outside School

Hours Family Day Care) Regulations 2006. The regulations were implemented either in a hurry or with little consultation. Although the intention was to better regulate Western Australia's childcare services, that was not accomplished in regional Western Australia. They actually threatened the very existence and viability of childcare services that were already in short supply. There is a lesson there. Obviously, the changes to regulations are made to try to make things better, but I think that the changes were made without any knowledge of how they would apply across the board in rural areas.

Mr D.A. Templeman: I think you're right.

Mr T.K. WALDRON: I think it was done with the best intentions, but it is a lesson for whichever party is in government in the future to always think about the country so that these problems do not occur. Child care in regional Western Australia does not fit into the one model. In regional Western Australia childcare services often provide care for a small number of children of multiple age groups, often all in the one area. One aspect of the regulations that has received the most criticism is that a different staff member is required for children of different ages. This is unworkable in many country childcare centres. It is not uncommon for two families with three children, each in different age groups, to book into a country day care service. Under the new regulations, three staff are required to look after six children. This is simply not viable. Quality care can still be provided with fewer staff members in these situations. This is the flexibility that we are talking about.

Mr D.A. Templeman: You have not addressed that.

Mr T.K. WALDRON: I will acknowledge that in a moment. We are now looking to address other issues. I will highlight what actually happened. I am getting there. Country childcare service providers, both commercially and community managed, have made it clear that they do not want to compromise on the safety or the wellbeing of children. Every time people go to see the minister about this and argue for more flexibility, they make this point strongly. There is a real feeling that they do not want to compromise the care given to their kids. I understand that the minister has a responsibility for flexibility and he has to take that into account. Childcare service providers aim to provide exceptional care but remain viable. It is viable in large metropolitan day care services to dedicate a certain number of staff to each group of children of different ages and cared for in separate rooms, but this is not how it works in regional WA. It should be noted that the feedback received about the regulations is that they are difficult to understand. The owners, managers and management committees of country childcare services are fearful of breaching regulations. They want to do the right thing without endangering the future of their services, but at times they have been confused. We are gradually addressing that.

Before I conclude and hand over to the member for Merredin, I will talk about the concessions that the minister made with the regulations that disadvantage the country family day care services that cater for a wide range of ages. I raised this issue when this problem first arose. Chris Gorton from Narrogin Regional Child Care Services came to my office and raised it with me. I think it was a Friday afternoon. I want to give the minister some credit. When I heard about the situation, I thought that this could not happen because we would lose our day care service. This service, like many others, found itself in a position in which it could not cater for families following the introduction of the regulations. I contacted the minister's office and he acted straightaway. I was very grateful for that. I congratulate him on recognising the importance of this issue straightaway and taking the action he did. It gives those of us in the National Party confidence that he is listening to what we are putting forward. We want to make sure that it continues to happen on the ground and continues to happen on an ongoing basis.

Prior to the regulations being implemented, family day care services were able to look after up to seven children aged from birth to 12 years. After the implementation of the regulations, family day care providers were told that they could be licensed only for children from either birth to 8.5 years or four to 12 years. It meant that families with children in both age groups would not be able to use the same service for their children. This was a big concern in country areas. It is also worth noting that regulations forcing a service provider to choose one licence or the other could lessen or cut out the service to one of the age groups. This is especially worrying when we see the federal government's Welfare to Work initiatives, which mean that many parents will be returning to the work force and may require after-school care for their children.

It is also worth noting that the minister made changes to the way in which creches are regulated. It was raised with me by the Narrogin Golf Club. The initial regulations indicated that parents were not permitted to be more than 50 metres from their children. That presented parents who use creche facilities with problems. For example, the Narrogin Golf Club would not be able to use the creche as parents cannot play golf within 50 metres of the creche.

I conclude by relating a quick story before I hand over to the member for Merredin. At the conference on Friday a lady named Shelley McQueen from Wongan Hills told a great story about herself and Amelia McLarty, a couple of young mums who got involved in child care by setting up a childcare service in an old building. It is called Cubbyhouse. They encountered some real issues keeping that going but they also saw a need to get better facilities. I have a copy of her speech. I do not know whether Hon Kate Doust got a copy of that speech. It is

worth looking at. It is a great example of what happens in country WA and shows why these people need sensible and flexible regulations to do what they do. Without them, we are in big trouble. They set about trying to make sure that their childcare service stayed open and got a better building. They had been through 15 to 16 months of pain and heartache trying to convince local people that what they were doing was right, dealing with local criticism, getting local government support while running the childcare service and meeting all the hurdles that kept being placed in front of them. In the end, they raised \$243 000, including \$60 000 from the shire.

Mr D.A. Templeman: Where was this?

Mr T.K. WALDRON: This is in Wongan Hills. It is called Cubbyhouse. I have a copy of the letter, which I will be happy to give to the minister later.

I will mention WOCS again. The patron of WOCS, the member for Merredin, will talk more about it. I thank WOCS for the great work it does. It is a fantastic group.

Mr D.A. Templeman: Under excellent guidance.

Mr T.K. WALDRON: It is under fantastic guidance. Not only WOCS but other groups in country WA are doing great work. I mention Chris Gorton again. I am really encouraged by the movement we are seeing to greater flexibility. However, I want to make sure that we continue down that positive path. Other issues will arise. Members of the National Party are on the ground close to the issues. We will continue to keep the minister informed. We ask him to keep considering what we put forward to him. It will be put forward in a proper way and in good faith.

Child care in country WA is critical. We have really struggled. The regulations frighten the heck out of people. They have caused a lot of angst. We need to make sure that they are right so that we can continue to provide flexible child care in our communities in order that mums and families will benefit from it, along with the communities and the state. The minister has a big responsibility, which we acknowledge.

MR B.J. GRYLLS (Merredin - Leader of the National Party) [5.17 pm]: I also support this motion on child care. I will outline what the Wheatbelt Organisation for Childcare Services did to set itself up and what it has been able to achieve. In my time as a member of Parliament, this is probably the most effective lobbying organisation that I have had anything to do with. Not only has it become a lobbying organisation, but also it has convinced the bureaucracy and the Minister for Community Development to make the changes that will benefit local communities. We often raise issues and concerns in the Parliament but it is often difficult to get an outcome. With the support of the current minister, we are getting somewhere. That is a real endorsement of what WOCS has done.

As I travel around my electorate, I see that it is very clear that groups of volunteer mums find it very difficult to establish childcare centres in their communities. It seems that they are all operating separately to one another and are not getting too far. I organised a teleconference at a meeting that we held over the road in one of the annexes of Parliament House. We invited people with an interest in child care to come to the meeting or to go to their local telecentre and join a videoconference. It enabled many more people to participate in that debate. It was great that the previous minister, Minister McHale, was able to attend that meeting. It became very clear that every community had a demand and a desire to put together a childcare service, but the means, the expertise and the right advice to do that were sadly lacking. WOCS was formed in July 2005. Since then it has been a very effective lobbying group. I congratulate Scott McKenzie, the chair; Jackie Murray; Jamie Gilmour and all of their committee for the work that they have done to get a great result not just for wheatbelt child care, but also, when we finalise these new regulations, for child care right across regional Western Australia. We should also mention Penny Curry, the wheatbelt representative from the Department for Community Development. Penny has done a remarkable job supporting these groups of volunteer mums. Her work needs to be recognised. We wish we could have multiples of Penny Curry spread out across the regions to better this cause.

I have extensive notes on this issue. I have charged my office staff with the responsibility to fight hard for the Wheatbelt Organisation for Childcare Services and to help childcare facilities as a whole. The member for Wagin talked about the skills shortage in the regions. The easiest way to solve the shortage is not to bring in workers from the eastern states; it is not to bring in workers from overseas; it is to get the people who already live in the community and who have skills back into the workforce. The way to do that is to provide adequate childcare so that those people can move back into the workforce. I would like to recognise the team in my office - Aila, Lauren, Jane and Claire - for the work they have done in getting information from across Western Australia. I will talk about the north west shortly. Their work has been absolutely first-rate. I normally stand and speak off the cuff in Parliament, but their work has been so diligent that I actually need to read from their notes so that their hard work can be recognised.

The need for workable regulations and volunteers requires far greater support from the government and bureaucracy. It should be recognised that those organisations play a great role in setting up and managing community childcare facilities. After consultation with the Wheatbelt Organisation for Childcare Services, the

Department for Community Development has recently released proposals for two alternative licensing models for rural services, which the National Party welcomes. As I have said, this process has had a really positive outcome. The process - from lobbying, through to the minister understanding the issue, through to actually having the regulations presented to other Parliaments in the not-too-distant future - is a really positive step forward. It just goes to show that when something is not going one's way and things are not working, positive outcomes can be achieved by effectively lobbying and by gathering together an organisation that can do the necessary work. That sends a really positive message to many country communities that may sometimes feel a bit neglected by the system. However, in this case we have put together a model that seems to work really effectively.

I also recognise local government support. Local government support has been crucial in many towns. Sometimes a supportive shire makes the difference between one town being able and another being unable to set up a childcare service. Local governments are called upon to supply the buildings, to modify the buildings to ensure that they comply with regulations, and often to provide ongoing administrative support to ensure that the paperwork associated with running a childcare service can be completed with the help of volunteer management committees. I would like today's debate to prompt recognition from the state government of the necessity for more support for volunteer management committees. The volunteer management committees set up, manage and maintain childcare services. The onus is upon the volunteers and the broader community, which is often struggling to understand a system that can be very complex and, I hasten to say, often convoluted. It needs to be understood that child care in the country is a very different thing from child care in the metropolitan area. Profit-making childcare centres are run in the metropolitan area. The young entrepreneur owner of the biggest childcare centre in Australia is listed in the top 200 of the Business Review Weekly's rich list. Childcare centres are making substantial amounts of money with the support of childcare benefit payments. As profitable businesses, they are easily able to support the administration side of the business. It is a very different outcome for small childcare centres in the country that look after 10 or 12 kids. Although the National Party supports the regulations coming forward that will allow centres to operate, we still do not have support for volunteer administration committees. People such as Penny Curry do a fantastic job, but she cannot be in 20-odd towns at once. Penny Curry's available days would allow her to spend only one or two days a year in each of the communities that she represents. The National Party wants a system that affords better protection for our kids. That is the challenge that needs to be recognised. I encourage the government to look at the budget surplus and recognise that volunteer groups do so much unpaid work that it is only reasonable to offer more assistance to provide them with more people like Penny Curry. There are two alternatives: provide more people like Penny Curry on the ground in the communities, or make small grants available to these groups to enable them to employ somebody. In my opinion, the small grant option would result in the onus remaining on volunteers to provide the service. They may make \$15 or \$20 an hour doing some of the administrative work. However, it is preferable to have the right person answering the phones and going through the yearly reviews or regulation updates. That will be really valuable. That is what different organisations tell me when I speak to them - that they would not say no to some extra money in the system, but that it is preferable to have a person who can provide a quick answer and who can offer so much more help. Although the National Party has argued for changes in the regulations, we have also continued to push for greater support mechanisms, such as those that people like Penny Curry can provide. We could go a long way towards making the new regulations work a lot better if we had more support under the umbrella of the Department for Community Development for people to actually jump in their car, go out to volunteer management committees for their monthly meetings and identify the problems that have been raised. Without that sort of support in place, a typical situation might be that a volunteer mum gives up her night to come to the meeting and all the problems are identified. First thing next morning, she gets on the phone and calls Penny Curry; however, Penny Curry cannot be contacted. By the next day, three meetings in different towns have taken place and Penny Curry now has five groups ringing her. Members would not deny that we can get this right if we work together. The simple expedient of having someone sit in on monthly volunteer meetings to help guide the processes would be valuable to the volunteers and to us as regulators and administrators who are keen to ensure that we get this right.

For many volunteers, it is not possible to return to the workforce without provision of a childcare service in the town. They consequently work together to start up and run their own childcare centre. It is a huge cost-saving to the government for volunteers to manage their own centres in this way. However, these attempts are not always successful. A case in point is Kellerberrin, where the closest childcare service is 44 kilometres away in Cunderdin. The next closest is 50 kilometres to the east, in Merredin. A survey undertaken in the town indicated that 93 per cent of families would utilise an occasional care service, and up to 32 children would be involved.

Mr D.A. Templeman: How far was the nearest centre?

Mr B.J. GRYLLS: It is basically 50 kilometres either way - to Cunderdin or Merredin. A committee was formed and support was forthcoming from the shire council and from the school to use the existing kindergarten

premises. However, the committee made the decision to cease work on the childcare service because of a number of drawbacks, including the time and expertise required to undertake the ongoing administration to comply with childcare regulations, the lack of availability of qualified staff, and the difficulty for interested workers to achieve suitable qualifications. There were also concerns that volunteers who were already giving up their time to run the committee would also have to commit a vast amount of time to fundraising activities. The member for Wagin spoke earlier about how people in Goomalling had to put together a committee and also a roster to clean the childcare centre at the end of each day, and how they eventually had to cancel their fax line because they could not afford the \$600 annual fee. The lengths to which these groups go to try to make it work can be readily seen. When volunteers in the town of Kellerberrin wanted to set up a childcare centre, they rang various other towns, including Goomalling, Kulin and Corrigin, to get their advice. After talking to other groups that had put childcare services together, the Kellerberrin volunteers were actually scared off and decided that it was too hard for them to go down that path. Hopefully the new regulations will go some way towards recognising these difficulties.

I turn to the issue of the stringent regulations placed on volunteer management committees. It is now a requirement for all management committee volunteers to have police checks. No-one would argue that police checks are not necessary. However, I will provide the example of what was involved in obtaining a police check for a new committee member at the Mukinbudin childcare centre. She lives 50 kilometres from town. She knew that the police check had to be undertaken. She drove to town and met all the requirements for the police check. I think it costs \$30 to \$40 to obtain a police check. She drove back home because she obviously had other meetings and other matters to attend to. When the police check was submitted to the Department for Community Development, it was discovered that although the police had performed the check, the local policeman had not signed the document. Instead of just requiring the local policeman to sign the document and fax it, the volunteer mother was required to do it all again, on top of everything else that she had to do. It involved her doing a second 50-kilometre round trip. That does not sound like much, but little things like that make it much more difficult and stressful to put together a police check. There should be some recognition that small things make a big difference. The ability of a volunteer group to access funding to pay for new committee members to get a police check might be one of those little things that can help out those types of committees. Also, the local committee members' names and addresses must be advertised in the local newspaper. These types of regulations are a problem for many people. Not everyone wants his name and address advertised in the local newspaper. We are talking about factors that discourage people from becoming involved.

Although there is no disputing that the safety of children is paramount, it is an onerous obligation to place on volunteers, most of whom are parents and all of whom are responsible for running the business of the childcare service but who are never directly or solely responsible for the children in the care of the service. Volunteer management committees are responsible for what happens at the childcare centre, but they employ someone to manage it. There is some concern about the legal obligation involved. It is different for businesses, which operate to make a profit and for which the appropriate checks and balances can be put in place. Some people are concerned about making volunteer management committees legally responsible.

I turn now to the north west. From my extensive travels there, I know that child care is a serious concern. During the last two times I was in Karratha, I was told that more than 200 children were on the childcare waiting list. Karratha and Port Hedland are the centres of the mining boom in the Pilbara. There is a massive skills shortage in that region. Many people who live there are young families. It is remarkable what is happening there. Young families in Karratha and Port Hedland are living in caravan parks, often with two or three children. They are taking part in the boom that is delivering great benefits for the government and all of Western Australia. They are doing that under very onerous conditions. I do not think anyone would wish people to live in a caravan with children for an extended time. However, people are doing that right across the Pilbara. Adequate child care would provide relief for the mothers and allow them to get back into the work force to ensure that the growth continues.

The girls in my office have conducted surveys and found that more than 200 children in Broome and Karratha are on the waiting list for child care. South Hedland has a waiting list of 90 children for long day care and 30 children for after school care, and in Dampier 50 children are on the waiting list for the Dampier Early Learning Centre. Although members often praise the mining boom and the great work that is being done in the Pilbara, it is clear that child care is not keeping up with the boom. That means that we are not supporting the very people who work the hours that provide the conditions for the great boom that is occurring in the Pilbara. That must be recognised and we must support those communities, otherwise the skills shortage will get worse. I am happy to provide the minister with the figures that show the challenges that face the people in the Pilbara.

A survey undertaken by my office shows that the child care situation in Broome is quite dire. There is an extensive waiting list for the Jalygurr Guwan Aboriginal Children's Services Centre, Chu Chuu's Early Education Centre, Little Pearlers Childcare and the Kimberley Kids Club. Many of the waiting lists are the result of staff shortages of mainly qualified workers. This means that some of the centres are unable to cater for

the number of children the centres are licensed for. The Broome Lotteries House Occasional Childcare has closed down; it has stated that the pressure of new regulations and staff shortages made its existence unviable. The Pilbara Development Commission notes that child care is one of eight critical issues to the regions. This has led to the commission helping to facilitate the formation of a new regional advocacy group for child care in the region, called the Pilbara Regional Organisation of Childcare Services. This follows the model of the Wheatbelt Organisation for Childcare Services - WOCS - which was formed in the middle of last year. It is great to see that the Pilbara is following the same model to address the issues in that region. The Pilbara group will address many of the same issues. The attraction and retention of staff is one of the most critical issues it faces. The transient population and the lure of more lucrative employment in the resource sector has meant that there is no easy solution to problems of attracting and retaining qualified childcare workers. As well as recognising the steps that have been taken in the wheatbelt, the minister will recognise also the many challenges that face the Pilbara and the Kimberley. I am sure that the same problems apply to the goldfields, the Gascoyne and across the state. This issue is important for regional communities and we would appreciate the minister's continuing support. The minister must be congratulated for the new models for childcare centres that were announced in Toodyay on Friday.

[Member's time extended.]

Mr B.J. GRYLLS: With the cooperation of the minister and the Department for Community Development, and with input from WOCS, alternative licensing models for rural childcare services have recently been released for consultation. It is imperative that these models come to fruition and that extensive consultation take place with industry and the community. These new models of child care must offer flexibility for country childcare services. I think they will do that. It must be recognised that rural childcare services must be run very differently from the large childcare services, such as ABC Learning, that are provided in the metropolitan areas. Country day care centres often look after a number of children in one room rather than divide the children into different rooms by their different ages. This provides different challenges from those faced in the metropolitan childcare services, and this must be recognised in the regulations.

A couple of single mothers, Jane and Aila, work in my office and send their children to child care. They talk about the childcare centres in glowing terms. They drop off the children and know that their children will be provided with a healthy lunch. The centres are well staffed, and if anything goes wrong, the staff immediately contact the parents. The single mothers receive the full childcare benefit payment. Child care costs them about \$25 a day. Jane and Aila are getting the benefits of a childcare service that works properly and effectively, and they receive the full benefit of the CCB payment. The member for Wagin talked about childcare models. The Goomalling community, which has done a lot of volunteer work to put a childcare service together, has ended up with no CCB because its model did not qualify for that federal payment. When the federal government identifies problems in child care and says that it will put more money into the CCB, it is only relevant if the model meets the requirements to access that money. It is very disappointing that the money for childcare centres is going to the for-profit centres, which are making large profits. On the other hand, the volunteer committees that do everything for free cannot access any of that federal money.

The issue of the number of qualified staff required to service childcare centres and the stringent building regulations that apply to a purpose-built childcare centre will also be addressed through these new regulations, which we welcome. The current proposed models encompass childcare services in rural or remote Western Australia. There will be two service levels. The first provides for a single-staffed centre with a maximum of seven children and the second provides for a small rural childcare centre for up to 20 children. The two alternative licensing models should encompass all rural childcare services to ensure that no rural childcare service is lost due to unworkable regulations that do not recognise the particular needs of providing services in those rural areas.

I turn now to the single-staffed centres at which one unqualified carer who works from non-residential premises will care for a maximum number of seven children, which will comprise five preschool children and two children aged either preprimary or above. The carer will need no qualifications other than a first aid certificate. The small rural childcare centres will cater for up to 20 children in a multi-age grouping but will maintain a ratio of one carer to four children aged between zero and two years old; one carer to five children aged between two and three years old; and one carer to 10 children aged between three and six years old. The staff who work at the second level of childcare centres must be qualified. Limits will be placed on the number of children and babies that will be permitted to attend a centre at one time, including a provision whereby no more than eight children aged between zero and two years old and only four children aged between zero and two years old may be less than 12 months of age. I hope these changes will help alleviate the difficulty in attracting staff. Once again, the problem, particularly in the Pilbara, is that the demand for labour is enormous, and the money that is offered to childcare workers is very different from the money that is offered in other industry sectors. Many of those jobs are unskilled as well. We will need to address that matter and look at how we can increase the salaries of childcare workers.

One key difference in the small centre model is the ability of an e-qualified worker who has experience and/or a certificate III in child care to work in place of a second university-qualified worker, although still under the supervision of a qualified supervising officer. This is crucial when we take into account the difficulty in attracting qualified workers to regional areas, particularly when the offer of work is often limited to part time.

We support the introduction of these new regulations. However, one issue that needs to be addressed is the eligibility criteria for services to fit into the small rural centre model. The proposal outlines that only towns with a population of fewer than 5 000 people, and with only one childcare service, will be eligible to operate under the new regulations. We believe this might exclude some of the communities that would like to follow this model. I do not believe the intention is that communities that do not meet the criteria will be excluded. Hopefully that matter will be looked at.

Mr D.A. Templeman: Are you referring to the eligibility clause for small rural centres?

Mr B.J. GRYLLS: Yes. I have some more on that in my notes. Some towns that have a population that exceeds 5 000, or that have two types of childcare services, such as one long day care centre and one occasional care centre, may not be eligible to operate under the new rules. In other words, they may be forced to operate under the current regulations, despite the fact they are operating under the same, or similar, conditions to those that fit the criteria. Therefore, we believe the new regulations may exclude some towns. With a bit more time we will be able to find out whether that is the case. That is one of the first challenges that we will be commenting on when we respond to Friday's announcement.

The widening of the eligibility criteria to make them the same as those for single-staff centres would ensure that those centres that are most in need of the new regulations would be eligible to operate under them. The limit of 20 children for the small centre model would ensure that any large commercial operation would remain ineligible to gain from the rural regulations. In towns such as Katanning, where the population of the region is probably over 5 000 -

Mr T.K. Waldron: I do not know about the region. For the shire I think that would be right on the knocker. That is the other thing we need to clarify. Is it the town or the whole shire?

Mr B.J. GRYLLS: In towns such as Katanning, where there are two already two services, the occasional care service would struggle to operate under the present regulations, without ongoing exemptions. It is crucial that these new regulations, which pertain specifically to rural childcare services that fit into these parameters, are endorsed and put into place immediately. The Nationals applaud the development of these new regulations and are pleased that the minister recognises the distinct needs of rural services. I cannot applaud this enough. I was unaware on Friday that we had come as far as this. That is remarkable considering the time frame and the challenges we have had to face. I have had many phone calls back and forth to Pauline. I am really excited that we have come as far as these draft regulations. The minister's team in the Department for Community Development should be commended for coming up with these two new models, considering the time frame and the fact that DCD has been under enormous pressure on a range of other issues. It is heartening to know that when we get involved in issues such as this we can get an outcome. The Nationals congratulate the minister on that. There might even be a few people in the wheatbelt who think the Labor Party does not have such a bad Minister for Community Development!

Mr D.A. Templeman: That is because that is where I am from! I am from the wheatbelt, member.

Mr B.J. GRYLLS: That is correct.

Mr D.A. Templeman: I have to look after my roots, you know!

Mr B.J. GRYLLS: It has been a positive experience for the people who have been involved in WOCS. They are excited about the flexibility that may result from these regulations. We congratulate the minister for that.

The next thing that I want to put on the agenda is the need to look at school premises for the provision of child care. Many communities do not have an appropriate building, or an appropriate member of the community who is willing to use her own home to provide child care. All the schools have met the occupational health and safety criteria. All the schools have the right toilet blocks and playground equipment. All the safety issues have been addressed. They have safety glass rather than plate glass in the windows. Therefore, rather than make small country towns build a purpose-built centre or adapt an existing building when they might not be able to afford that, we should utilise the school facilities if at all possible. This is probably the next step for us. The towns that have an appropriate site are probably already using that site. The towns that do not have an appropriate site are probably holding back and putting it in the too-hard basket. It will be interesting to see whether we can work with the schools to incorporate them into child care. Some of the private schools in Perth are already providing child care on campus. This might be positive in trying to link early learning into the school years. As I have said, the ability of a shire or a community to raise enough funds to provide a purpose-built building for 15 or 20 kids will always be ruled out because of the cost. However, the vast majority of our small towns have a primary or district high school. The ability to utilise that infrastructure is very important. That may be something for us to put on the agenda for further investigation.

I congratulate WOCS for the work it has done. I look forward to working with the Pilbara organisation on the challenges it is facing in child care. I reiterate that we have a skilled work force that is raising young kids. It will always be difficult to attract workers from the eastern states and overseas. We should not ignore the great amount of talent that exists among the young mothers in the community. We should put in place child care in the regions that recognises the great contribution these people can make. That will help to maintain the strong economic conditions that regional Western Australia is delivering to this great state.

MR D.T. REDMAN (Stirling) [5.46 pm]: I support the comments of the member for Wagin and the member for Merredin. In the limited time available I will raise two examples in my electorate of how people have been progressing the issue of child care. The two examples are quite different. The first relates to Walpole. For some two and half years, the community of Walpole has been trying to establish an occasional care facility. It has a steering committee in place. That committee comprises a group of volunteers. They are very motivated, and they have been working very hard, as has been the whole community of Walpole, in progressing a range of issues. In trying to establish that occasional care centre, they came up against some funding barriers. They were not able to get funding for it. They then shifted their target and looked at establishing a childcare centre. However, they did not meet the eligibility criteria for that. Now they are back to going for the establishment of an occasional care centre. I believe the funding is now available. In fact, they have guaranteed support for that funding. They found those two and a half years very frustrating. As recently as a couple of hours ago, I made a phone call to them to ask how they are progressing. They are very happy about how the recent changes have made things a lot easier for them. I compliment the minister for that, as did the member for Merredin. In recent times they have been able to get a hearing from the people at the other end of the phone and an answer to some of their questions. They are in the process of surveying the community. They are finding that frustrating, in the sense that two and half years ago they surveyed the need, but now a lot of the kids who would have attended the centre are going into primary school, so they have had to do the surveying again and get their established position. The level of funding that they will get, particularly to support the staffing of those facilities, will depend somewhat on the number of students, as well as the age category that those students fit into. An interesting comment was made to me on the phone today that they never got to the point at which they could actually fill out the whole application form. They always found that something was missing. They found it very frustrating that they had to get a solution to that, but by the time they had resolved that issue, something else would come up. Probably the biggest issue for them was dealing with the various agencies, getting an answer when they needed one, and getting across the barriers that exist. I feel very confident that they will achieve the outcome that they are seeking. From their comments I know that there is support from the minister's office.

Another example is a childcare centre in Denmark with a licence to look after 38 kids. The staff at that childcare centre raised with me a raft of concerns about the new regulations. They are very concerned that little forethought went into the regulations given their potential implications, particularly on childcare centres in regional communities, for whom viability is a critical issue. Such centres do not enjoy the economies of scale that are enjoyed by the bigger city centres. They need to make their childcare centres work because they provide a service. They believe the regulations are restrictive because they offer little flexibility. The most recent contact I had with that childcare centre suggested that it is happy with and supportive of the revised draft regulations for rural and remote areas. I point out to the minister - this concurs with the point made by the member for Merredin - that the only restriction encountered by the Denmark childcare centre is its licence to look after 38 kids, which puts it just outside the 20 bracket contained in the regulations for rural and remote areas. The staff at the centre have made the point that it is rare that they look after 38 children. They often look after considerably fewer. However, the centre must be licensed to look after 38 children for the rare occasions on which it has greater numbers. At present it has to submit an application for exemption to get around some of the regulatory restrictions on a three-monthly basis. The centre would prefer the minister consider how many children it looks after rather than the number of children it is licensed to look after.

Mr D.A. Templeman: Which centre are you talking about?

Mr D.T. REDMAN: Little Whalers Child Care in Denmark. We must remember that the people who own childcare centres are running small businesses. They are trying to make a business work in a little community and they are trying to provide a service to that community. That service is also supportive of the duty of care of the children that they look after. The key issue for Little Whalers Child Care is flexibility. In the first instance, it seems very happy with the new draft regulations. It also seems happy with the level of response it has received from the minister's office, which is very pleasing.

In summary - I want to give my colleague the member for Greenough a chance to speak to this motion - it is imperative that the new regulations be put in place for regional childcare facilities. Childcare regulations must allow for a level of flexibility. I appreciate the need to balance that flexibility with the duty of care for kids. It is a balance. We must make it work in the regional centres. There is a lot of volunteer support in the regional centres. Some volunteers put in a huge number of hours to make the centres work; sometimes they do so under very trying conditions. Some of my colleagues have provided examples of such volunteers today. We must

provide them with support. I reiterate the point on which the member for Merredin concluded his speech; that is, the idea of co-locating childcare facilities at schools. The "one community, one college" project is amalgamating the primary school and the high school in Mt Barker. It is looking at having government and other services like child care on the one site. That is a tremendous project. The community is showing much vision. That concept fits in well in the bigger regional centres. I know that it has initial government support. That concept should be followed through. We should consider co-locating childcare centres on those sites and making them viable in the bigger regional centres.

MR G. WOODHAMS (Greenough) [5.55 pm]: On Saturday night I attended a fundraising function in the community of Tenindewa, which is about 20 kilometres west of Mullewa. The function was attended by 80 people. Of those 80 people, about 30 were children under 12 years of age. The main task of the evening was organising child care and seeing what the kids were up to. A number of adults undertook to organise various games. The flexibility displayed by the adults under the circumstances - none of these people was qualified in child care - and the tasks they undertook enabled them to look after the children. I am telling this story so that the minister understands - I think he does understand - the need, particularly in regional Western Australia, for flexibility in the delivery of child care. I am not instancing Tenindewa as a place that needs permanent child care. In fact, if the minister travelled to Tenindewa today, he would find nobody there at all. The only reason those 80 or so people were at Tenindewa was to attend the fundraising function.

There are three different types of communities, particularly in my area. There are communities such as Kalbarri and Dongara, which are rapidly growing communities. There are communities like Mullewa and Morawa, which are reasonably stagnant, albeit there is the possibility that some growth will be inspired by the mining industry. The third type of community is a community like Geraldton - the outer suburbs of Geraldton are part of the electorate of Greenough - in which a high level of professional childcare services is delivered by competitive groups. There is a need for great flexibility in the delivery of child care in those three different types of communities. The Shire of Morawa is spending a considerable amount of time trying to resurrect a childcare facility that was established quite a long time ago. It folded because it did not have the appropriate staff to manage it. Under the auspices of the chief executive officer of the Shire of Morawa, Gavin Treasure, the shire has located somebody in the town to assume management of that centre. Without that individual there would be no childcare facility in Morawa. I am sure that the minister is aware of some of the child care issues that exist in Mullewa. It is very difficult to find a professionally trained individual in Mullewa to take on the role of a permanent or part-time child carer. A large number of children in both those communities require child care. There are no fewer children in Dongara and Kalbarri. A commercial childcare operation identified Dongara as a potential growth centre for its services. It located itself in Dongara and organised a childcare licence. However, after a short time - I will not name the particular organisation; I am sure the minister has the capacity to find out its name - it decided that the centre was not a commercial venture and that it was not going to work. The community of Dongara and Port Denison found themselves without a childcare facility. These communities have a considerable population of young adults who have children between the ages of two and 12 years. At different times of the day and week, those children need to be placed in temporary or permanent child care so that their mums and dads can work. In my electorate alone there are three different childcare requirements.

I ask the department to take a look at this issue by getting back to the word that I used at the beginning of my speech; namely, flexibility. The minister must consider childcare services, particularly in regional Western Australia, on a case-by-case basis because, as the minister knows from his previous profession, it is often difficult attracting professionals into a town. In my experience childcare workers are prepared to get involved in other community activities, which only serves to enrich that community. I think permanent child carers also give an added boost and inspiration to the volunteers, who in many instances have endeavoured in every possible way to keep childcare services going or to create childcare possibilities in their communities. I ask the minister to consider flexibility in this area. As the members for Wagin, Merredin and Stirling mentioned, some childcare workers have a certificate III or IV from TAFE; others receive the appropriate qualifications after attending Edith Cowan University. I do not disagree with that. However, as has been adequately pointed out, many people in our community who do not have formal qualifications are more capable than qualified people to be childcare workers because of their experience. There must be flexibility in the system.

Debate adjourned, pursuant to standing orders.

Sitting suspended from 6.00 to 7.00 pm

INDUSTRIAL TRAINING AMENDMENT BILL 2006

Second Reading

Resumed from 20 September.

MR J.H.D. DAY (Darling Range) [7.00 pm]: The purpose of the Industrial Training Amendment Bill 2006 is to allow for the engagement in part-time apprenticeship programs by students at school, in particular students in years 11 and 12. It is a bill that the opposition supports. We will not hold up its progress. The legislation must

be implemented by 31 December this year as a result of an agreement at the Council of Australian Governments meeting in February this year. Part of the communiqué of the statements made by COAG then reads -

By December 2006 also, legislative, regulatory and educational barriers will be removed so that school-based apprenticeships are nationally available as a pathway for school students where there is industry demand. Industrial barriers will also be removed to enable school-based apprenticeship participation in skills shortage industries where there is industry demand.

This change is part of a national agreement. On its merits, this legislation is worth supporting for two reasons. Firstly, with the increase in the minimum school leaving age at effectively the end of year 11 in 2006 and until the end of year 12 as from 2008, it is appropriate that a greater range of options be available for students in those years. That has been the case since they could leave school at the end of year 10. The second reason is that, with the skill shortages in the range of trades in this state, particularly nationally, it is appropriate that students who remain in the school system be able to start their formal training in a trade through an apprenticeship on a part-time basis if it is considered worthwhile for them to do so.

Various other schemes will continue that are not based on a formal apprenticeship program. However, by undertaking an apprenticeship in this way, students will be able to enter into what is effectively part-time paid employment. They will also of course, by definition, remain within the school system. That is a desirable result, as we have indicated during debate in this chamber on the relevant legislation to increase the minimum school leaving age.

I seek a response from the minister on a couple of issues. Firstly, I would like the minister to explain how this program will be dealt with in district high schools in the rural parts of Western Australia where the same options are not available as exist in senior high schools and larger regional centres where there is a greater critical mass of secondary school students. Obviously, there are major challenges in the smaller country towns where there are district high schools. I am interested to know how students in those areas will be best provided for under this scheme.

The other issue that I understand is relevant is that there is something of a shortage of designer technology teachers in secondary schools. If that shortage is not adequately dealt with, it could negatively impact on this proposed program. In other words, if students are unable to take designer technology courses, it may be more difficult for them to participate in these apprenticeship programs.

I do not see the need to go into the detail of the bill in great length. The bill contains facilitating mechanisms to enable the changes to be implemented. From my examination of the provisions, they seem to be appropriate. The opposition supports this legislation, as I said, as part of a national scheme but also on its own merits within Western Australia. We think it is worthy of support.

MR T.K. WALDRON (Wagin - Deputy Leader of the National Party) [7.06 pm]: I thank the minister for the briefing we were given at short notice. It helped us to understand some of the provisions in the Industrial Training Amendment Bill 2006. The purpose of the bill is to introduce part-time apprenticeships. That will allow young people to participate in apprenticeships on a part-time basis; in other words, it will allow students wishing to commence an apprenticeship to do so while still at school. The National Party strongly supports this legislation and will always support legislation that gives opportunities to our young people. This part-time apprenticeship scheme will provide young people with skills. I am sure those skills will assist them and their local communities and, hopefully, the state.

As the member for Darling Range mentioned, there is a special need for this bill given that the compulsory school leaving age is to be set at 17. Greater scope for skills training is needed in years 11 and 12. The agriculture colleges in country WA do a great job in providing fantastic courses in this area. The other point the member for Darling Range raised, which I was going to ask about, concerns the numbers required for this scheme to be implemented in smaller district high schools.

This legislation eventuated due to agreement reached, I think at a February 2006 Council of Australian Governments meeting, that all governments would remove legislative, regulatory and educational barriers to participation in school-based apprenticeships in collaboration with industry. That is a good move. The 2004 school apprenticeship link for years 11 and 12 is, I think, the industry preferred model, which involves unpaid work and different skills in year 11. However, students can undertake a particular course in year 12 that involves three days at school, one day off for job training and one day's work experience.

I would like to make a couple of points particularly about the rural point of view. One issue in rural WA is the problem in getting training providers to actually deliver training. It is good to have schemes but we have to deliver training in rural WA. I think the TAFE colleges currently manage the School Apprenticeship Link and school-based apprenticeship user choice contracts. The regional training organisations are funded by the Department of Education and Training, but we must investigate more ways for basing training and training providers in regional WA. Having that flexibility as well is a constant issue in country WA.

Another matter that we discussed at the briefing, and about which I was heartened by the staff, was possibly giving assistance to apprentices generally for travel and accommodation. I know of a young fellow from Darkan who had to travel regularly to Bunbury to sit the theoretical part of his apprenticeship. That put a cost burden on his family insofar as just getting him there, and that sort of scenario puts a special burden on single-parent families. We should consider ways of making that easier and providing training locally. Assistance with travel and accommodation are commonsense things. I know there is a limit to what the government can provide, but we could consider individual cases and apply flexibility in that area. I think that happens to a certain extent but we may need to consider upgrading that area, given the current skills shortage and the need to provide training education to students aged 17 years who are attending compulsory education.

Mr A.D. McRae interjected.

Mr T.K. WALDRON: The National Party supported lifting the school-leaving age but we also said that resources would need to be provided to establish education courses and most of all to the people. We need training providers etc in regional WA to deliver those courses. However, when that is not possible and young people must travel, we have to look realistically at more subsidies for travel and overnight accommodation etc to make it easier for kids to take up apprenticeships and see them through, and hence ease the skills shortage. This is a good bill and the National Party is 100 per cent behind it. We just make those comments in a positive way and look forward to the minister's comments.

MR A.D. McRAE (Riverton - Minister for Disability Services) [7.12 pm]: I am handling this bill on behalf of the Minister Assisting the Minister for Education and Training, who is absent from the state at the moment. Indeed, the minister is in Europe attempting to increase the flow of skilled workers into the state to meet the extraordinary demand for labour that has been created by the boom that Western Australia is now experiencing.

This bill is designed to increase flexibility and choice for senior high school students in years 11 and 12 in Western Australia to access apprenticeships and traineeships wherever they are in this state. I thank the members for Darling Range and Wagin, from the Liberal and National Parties respectively, for their very positive support. The issues that they raised about access in regional and rural areas, and indeed the shortage of skilled trainers and teachers, are real problems. However, those problems are endemic through all sectors of the economy. There is nothing peculiar about the shortage of skills in some training areas.

I make the following specific responses to comments from the members for Darling Range and Wagin. Both members made comments about other programs that are available for people in years other than 11 and 12, particularly those in year 10 who might be exiting school but who are now finding, because of the minimum school-leaving age, that they are obliged to stay at school longer. They asked about meaningful transition programs that may be available for people. There is already a substantial body of training programs available for Aboriginal students in years 10, 11 and 12 in district and senior high schools. It is intended that those programs will lock in very tightly to this new program of part-time and school-based apprenticeships. Indeed, it may also link into the School Apprenticeship Link people who would otherwise have left school. That is a direct link from school into external indentured contracts for training. Although there are no magic cures in this legislation, there is no doubt that industry, rural communities and the government are aware of the need to give a better and wider range of opportunities to young people, particularly those in district high schools who do not avail themselves of school-based apprenticeships and traineeships covered by this amendment to the Industrial Training Act.

Another point that the member for Wagin raised, which was also dealt with to some extent by the member for Darling Range, is what we can do to increase support resources. A number of reviews are under way now. There are a couple of things that the government has asked the Department of Education and Training to examine, specifically how we might provide increased funding for accommodation and travel to regional apprentices and trainees, and the particular example the member for Wagin gave of the student in Darkan who had to travel to Bunbury is a case in point. An examination is under way of current fuel costs and income constraints of apprentices and we are also looking directly at the support we might be able to give for allowances in that regard. The second point, of course, is that rather than requiring apprentices and trainees to move from their towns and go off to a block release, whether it be in Bunbury, Albany or some other regional centre, or even Perth, we should also examine how we can put TAFE lecturers on the road so that they can conduct assessments and certifications of achievements of competency in the workplace.

Mr T.K. Waldron: I think employers would very much welcome it.

Mr A.D. McRAE: I do, too. The opportunity for employers to talk to professional trainers about the process that indentured employees in rural and regional communities are undertaking would add qualitatively to the training that is being undertaken in those communities. It would also make employers, trainees and apprentices feel much more comfortable about the skills development process in which they are involved if we could make that work and it stacked up. There obviously would be some sort of trial to see how it works, but we would attempt to roll it out more widely in places where it could be implemented.

I am very appreciative of the Liberal and National Parties' support for these amendments. This bill, in combination with the reforms on the length of indentures already brought to this house by the Minister Assisting the Minister for Education and Training, is part of the revolution in training going on across Australia and being led by Western Australia. Western Australia led in the reduction in apprenticeship and indenture periods based on the achievement and assessment of competencies and on ensuring that people met their competencies and were not kept within a training program any longer than need be, thereby releasing them as skilled workers into the labour market as soon as possible. Western Australia is also leading in this program; indeed, we have been the national leader in training for a very long time. I am very pleased that the reform program will be supported by all parties in this chamber.

Question put and passed.

Bill read a second time.

Leave granted to proceed forthwith to third reading.

Third Reading

Bill read a third time, on motion by **Mr A.D. McRae (Minister for Disability Services)**, on behalf of Mr N.R. Marlborough (Minister Assisting the Minister for Education and Training), and transmitted to the Council.

LOCAL GOVERNMENT AMENDMENT BILL 2006

Consideration in Detail

Clauses 1 to 5 put and passed.

Clause 6: Section 4.7 amended -

Mr G.M. CASTRILLI: Does the Electoral Commissioner take advice from anyone when determining a specific matter, such as an election date, or anything like that? Does he take advice from the minister or anyone else?

Mr J.J.M. BOWLER: The Electoral Commissioner would consult the Department of Local Government and Regional Development to receive advice, but then the decision is up to the commissioner.

Mr G.M. CASTRILLI: I refer to clause 6(2), which amends section 4.7(2) by deleting references to elections being moved to a later Saturday in May, and substituting references to a later Saturday in October, or the first, second or third Saturday in November. More than likely, the election date will remain the third Saturday in October. However, what sort of circumstances would lead to the adoption of a later election date?

Mr J.J.M. BOWLER: This relates to local disasters, for instance. There may be a fire or a flood, or some other reason people cannot get to the polling booths, so the election can be moved to one of the other dates.

Mr G.M. Castrilli: Basically, it must be something extraordinary.

Mr J.J.M. BOWLER: Yes.

Mr G. SNOOK: The minister, as a former Minister for Local Government and Regional Development, would undoubtedly understand the act better than I would. Was a provision like this included in the act?

Mr J.J.M. BOWLER: Yes, it was. It made the same provisions for dates in May. This clause alters the dates to October.

Mr G.M. CASTRILLI: I have one final question on section 4.7 of the act. Under section 4.7(4), which allows for any other election date, what circumstances would cause the Electoral Commissioner to change the date to one other than the third Saturday in October or the first, second or third Saturday in November?

Mr J.J.M. BOWLER: Once again, this has to do with exceptional circumstances of a local nature. I understand that a later provision deals with a clash with federal elections, but this provision refers more to local disasters.

Clause put and passed.

Clause 7: Section 4.16 amended -

Mr G. SNOOK: By way of clarification, can the minister advise the basis for the three-month waiting period between a casual vacancy and the calling of an election? Why has consideration not been given to altering that requirement? Why should it not be altered?

Mr J.J.M. BOWLER: That is a good point. Three months is about as short a period as is possible between when a vacancy is declared and first advertised and an election held. Therefore, any vacancy that occurs during the three-month period before an election is held as part of the general council election.

Mr G. Snook: Has the Western Australian Local Government Association indicated that it is comfortable with this provision, and sought no changes?

Mr J.J.M. BOWLER: I understand that that is the case. I understand that this provision is contained in the existing act anyway. This clause just alters the date from May to October.

Clause put and passed.

Clause 8 put and passed.

Clause 9: Section 4.40 amended -

Mr G. SNOOK: I have read this clause several times, and I am unable to determine where, in section 4.40, it is indicated that 17-year-olds would be enrolled and the problem dealt with by this amendment would arise. I understand that a person must be 18 years old in order to be enrolled. Confusion surrounds that and I would like the minister to explain the technique used to enrol people and the danger of people's names being on the roll even though they are not 18 years of age. I cannot fathom how that can happen.

Mr J.J.M. BOWLER: At first blush, the member will think he is right. However, under the Electoral Act, 17-year-olds can enrol, in preparation for turning 18; however, they cannot vote until they are 18. The current Local Government Act does not include that provision. Until now 17-year-olds who are enrolled on the state electoral roll have been able to vote at local government elections because the Local Government Act states that if a person is on the state electoral roll he or she can vote, but it does not include the provision that that person must be aged 18.

The amendment is tidying up that situation and bringing the Local Government Act into line with the state and federal acts. A 17-year-old can apply to be on the state electoral roll a few weeks before he turns 18. A lot of people tell them not to wait until the day they turn 18 to enrol; they can enrol before that. One of my sons did that. This bill will provide that a person must be 18 years of age to be able to vote at local government elections.

Mr G. Snook: Does not the state Electoral Act have precedence over the Local Government Act? I imagine only one act has that provision.

Mr J.J.M. BOWLER: The state electoral roll is used for local government elections, but there is no provision in the Local Government Act that a person must be 18 to vote. There may be some 17-year-olds on the roll. This bill will ensure that they must be 18 to vote.

Mr G. Snook: I understand the situation now and thank the minister for his explanation.

Clause put and passed.

Clauses 10 and 11 put and passed.

Clause 12: Section 4.69 amended -

As to Referral to Community Development and Justice Standing Committee

Mr G. SNOOK: I move -

That this bill be referred to the Community Development and Justice Standing Committee for consideration and report by 1 March 2007.

Further to the indication from this side of the house during the debate earlier today, it is a fundamental requirement of the Liberal Party that we make every effort to bring to the government's attention the need for further consideration of this proposed section. It is imperative that I take a stand by moving this amendment. I will not debate this issue further because all that needs to be said has been said. The opposition believes there has been inadequate consultation on this portion of the bill. This amendment is an attempt to ensure that adequate consultation will take place to bring back goodwill between the Western Australian Local Government Association and the government of the day.

Mr J.C. KOBELKE: The government will not accept this proposed section being referred to a standing committee. Some of the matters raised by the member have been adequately canvassed. This bill contains two clear provisions. One will shift the date of elections and the other provides a mechanism by which elections will be conducted. The government does not accept that there has not been wide-ranging consultation and discussion on the method of election. I appreciate the way in which the member is handling this bill by seeking to make his point. The point has been made and the government is insistent that the legislation should include those two major changes. They both relate to election matters and they sit rightly together. For that reason we do not support this proposed section being referred to a standing committee.

Question put and a division taken with the following result -

Ayes (15)

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

Mr J.H.D. Day
Dr K.D. Hames
Ms K. Hodson-Thomas
Mr J.E. McGrath

Mr P.D. Omodei
Mr D.T. Redman
Mr G. Snook
Dr S.C. Thomas

Mr T.K. Waldron
Mr G.A. Woodhams
Mr T.R. Sprigg (*Teller*)

Noes (23)

Mr J.J.M. Bowler
Dr J.M. Edwards
Mrs D.J. Guise
Mr J.N. Hyde
Mr J.C. Kobelke
Mr R.C. Kucera

Mr F.M. Logan
Ms A.J.G. MacTiernan
Mr M. McGowan
Ms S.M. McHale
Mr A.D. McRae
Mr A.P. O’Gorman

Mr J.R. Quigley
Ms M.M. Quirk
Ms J.A. Radisich
Mr E.S. Ripper
Mrs M.H. Roberts
Mr T.G. Stephens

Mr D.A. Templeman
Mr P.B. Watson
Mr M.P. Whitely
Mr B.S. Wyatt
Mr S.R. Hill (*Teller*)

Pairs

Ms S.E. Walker
Mr R.F. Johnson
Dr G.G. Jacobs
Mr M.J. Birney
Mr M.W. Trenorden

Mr N.R. Marlborough
Mrs C.A. Martin
Mr M.P. Murray
Mr J.A. McGinty
Mr A.J. Carpenter

Independent Pair

Dr J.M. Woollard

Question thus negated.

Consideration in Detail Resumed

Mr P.D. OMODEI: I rise merely to allow my good friend and colleague the member for Moore to continue his remarks on clause 12.

Mr G. SNOOK: I place on record that the opposition is strongly opposed to clauses 12 through to 15. I understand that the minister has an amendment to clause 16.

Mr J.J.M. Bowler: Does your opposition include clause 15?

Mr G. SNOOK: Yes. I want to place on the record by motion that the Liberal Party opposes clauses 12, 13, 14 and 15, and so move.

The ACTING SPEAKER (Mrs J. Hughes): We will have to go one clause at a time if they are to be voted against.

Clause put and passed.

Clauses 13 to 15 put and passed.

Clause 16: Schedule 4.1 replaced -

Mr J.J.M. BOWLER: I move -

Page 5, line 27 to page 6, line 9 - To delete the lines and substitute -

Division 1 - Preliminary**1. Terms used in this Schedule**

(1) In this Schedule -

“**continuing candidate**” means a candidate who has not already been elected or excluded from the count;

“**first preference vote**” received by a candidate means a vote cast by an elector that indicates that the candidate ranks highest in the order of the elector’s preference for the candidates;

“**one office election**” means an election to fill the office of mayor or president or to fill one office of councillor;

“**quota**” means the quota determined under clause 10(1);

“**total vote**” means the total number of all the first preference votes received by candidates.

- (2) A reference in this Schedule to votes of or obtained or received by a candidate includes votes obtained or received by the candidate on any transfer under this Schedule.

Division 2 - One office elections

2. One office election: 2 candidates

- (1) If there are only 2 candidates in a one office election -
- (a) the number of votes received by each candidate is to be ascertained; and
 - (b) the candidate who has the greater number of votes is elected.
- (2) If the candidates have an equal number of votes, the returning officer is to draw lots in accordance with regulations to determine which candidate is elected.

3. One office election: 3 or more candidates

Clauses 4 to 8 apply if there are 3 or more candidates in a one office election.

4. Count of first preference votes

- (1) The number of first preference votes received by each candidate and the total vote are to be ascertained.
- (2) If the number of first preference votes received by a candidate is more than half of the total vote, the candidate is elected.

5. Exclusion of candidate and transfer of votes if vacancy remains

- (1) If the office has not been filled, the candidate who has the fewest first preference votes is excluded and all of that candidate's votes are to be transferred to the continuing candidates as follows -
- (a) any ballot papers of the excluded candidate that express the first preference vote for the excluded candidate and the next available preference for a particular continuing candidate are to be transferred to the continuing candidate;
 - (b) the total number of ballot papers that are transferred to a continuing candidate under paragraph (a) is to be added to the number of votes of the continuing candidate;
- (2) If the number of votes that a continuing candidate has received on the completion of the transfer under subclause (1) is more than half of the total vote, the candidate is elected.

6. Further exclusions if necessary

- (1) If, after the transfer of all the votes of an excluded candidate, the office has not been filled, the candidate who has the fewest votes is excluded and all of that candidate's votes are to be transferred to the continuing candidates as follows -
- (a) any ballot papers of the excluded candidate that express the first preference vote for the excluded candidate and the next available preference for a particular continuing candidate are to be transferred to the continuing candidate;
 - (b) the total number of ballot papers that are transferred to a continuing candidate under paragraph (a) is to be added to the number of votes of the continuing candidate;
 - (c) any ballot papers previously transferred to the excluded candidate under this Division that express the next available preference for a particular continuing candidate are to be transferred to the continuing candidate;

- (d) the total number of ballot papers that are transferred to a continuing candidate under paragraph (c) is to be added to the number of votes of the continuing candidate;
- (2) If the number of votes that a continuing candidate has received on the completion of the transfer under subclause (1) is more than half of the total vote, the candidate is elected.

7. Filling vacancy if 2 candidates have equal votes after a transfer

If there are only 2 continuing candidates and they have received the same number of votes on the completion of a transfer under clause 5(1) or 6(1), the returning officer is to draw lots in accordance with regulations to determine which candidate is elected.

8. Procedure to determine excluded candidate if votes equal

If the candidate who has the fewest votes is required to be excluded under clause 5(1) or 6(1), and 2 or more candidates (the “**tied candidates**”) have an equal number of votes (no other candidate having fewer votes) the returning officer is to draw lots in accordance with regulations to determine which of the tied candidates is excluded.

Division 3 - Elections for 2 or more councillors

9. Application of Division

This Division applies to an election other than a one member election.

10. Count of first preference votes and determination of quota

- (1) The number of first preference votes received by each candidate and the total vote are to be ascertained and a quota is to be determined by dividing the total vote by one more than the number of candidates required to be elected and by increasing the quotient so obtained (disregarding any remainder) by one.
- (2) Any candidate who has received a number of first preference votes equal to or greater than the quota is elected.

11. Transfer of surplus votes if any vacancy remains

- (1) Unless all the offices have been filled, the votes (if any) that each elected candidate has received in excess of the quota (“**surplus votes**”) are to be transferred to the continuing candidates as follows -
 - (a) the number of surplus votes of the elected candidate is to be divided by the number of first preference votes received by the elected candidate and the resulting fraction is the “**transfer value**”;
 - (b) the total number of ballot papers of the elected candidate that express the first preference vote for the elected candidate and the next available preference for a particular continuing candidate is to be multiplied by the transfer value;
 - (c) the number so obtained (disregarding any fraction) is to be added to the number of first preference votes of the continuing candidate;
 - (d) all those ballot papers are to be transferred to the continuing candidate.
- (2) Any continuing candidate who has received a number of votes equal to or greater than the quota on the completion of any transfer under subclause (1) is elected.

12. Further transfer of votes if any vacancy remains

- (1) Unless all the offices have been filled, the surplus votes (if any) of any candidate elected under clause 11(2), or elected subsequently under subclause (2), are to be transferred to the continuing candidates as follows -

- (a) the number of surplus votes of the elected candidate is to be divided by the number of votes received by the elected candidate and the resulting fraction is the **“surplus fraction”**;
- (b) in relation to any particular ballot papers for surplus votes of the elected candidate, the surplus fraction is to be multiplied by the transfer value at which those ballot papers were transferred to the elected candidate, or by one if they expressed first preference votes for the elected candidate, and the product is the **“continued transfer value”** of those particular ballot papers;
- (c) the total number of ballot papers for surplus votes of the elected candidate that each -
 - (i) express the next available preference for a particular continuing candidate; and
 - (ii) have a particular continued transfer value, are to be multiplied by that transfer value, the number so obtained (disregarding any fraction) is to be added to the number of votes of the continuing candidate and all those ballot papers are to be transferred to the continuing candidate.
- (2) If on the completion of the transfer of the surplus votes of the elected candidate to a particular continuing candidate that candidate has received a number of votes equal to or greater than the quota, that candidate is elected.

13. Votes of other candidates not to be transferred to a candidate who has obtained a quota

If a continuing candidate has received a number of votes equal to or greater than the quota on the completion of a transfer under clause 11 or 12 of the surplus votes of a particular elected candidate, no votes of any other candidate are to be transferred to the continuing candidate.

14. Exclusion of candidate and transfer of votes if any vacancy remains

If, after the counting of first preference votes or the transfer of surplus votes (if any) of elected candidates, no candidate has, or less than the number of candidates required to be elected have, received a number of votes equal to the quota, the candidate who has the fewest votes is excluded and all of that candidate's votes are to be transferred to the continuing candidates as follows -

- (a) any ballot papers of the excluded candidate that express the first preference vote for the excluded candidate and the next available preference for a particular continuing candidate are to be transferred to the continuing candidate (each ballot paper at a transfer value of one);
- (b) the total number of ballot papers that are transferred to a continuing candidate under paragraph (a) is to be added to the number of votes of the continuing candidate;
- (c) the total number (if any) of other votes obtained by the excluded candidate on transfers under this Division are to be transferred from the excluded candidate in the order of the transfers on which the excluded candidate obtained them, the votes obtained on the earliest transfer being transferred first, as follows -
 - (i) the total number of ballot papers transferred to the excluded candidate from a particular candidate and expressing the next available preference for a particular continuing candidate are to be multiplied by the transfer value at which the ballot papers were so transferred to the excluded candidate;
 - (ii) the number so obtained (disregarding any fraction) is to be added to the number of votes of the continuing candidate;

- (iii) all those ballot papers are to be transferred to the continuing candidate.

15. Further transfer of surplus votes if necessary

Any continuing candidate who has received a number of votes equal to or greater than the quota on the completion of a transfer under clause 14 or 16 of votes of an excluded candidate is elected, and, unless all the offices have been filled, the surplus votes (if any) of the candidate so elected are to be transferred in accordance with clause 12, except that, if the candidate so elected is elected before all the votes of the excluded candidate have been transferred, the surplus votes (if any) of the candidate so elected are not to be transferred until the remaining votes of the excluded candidate have been transferred in accordance with clause 14 to continuing candidates.

16. Further exclusions if necessary

Subject to clause 18, if, after the transfer of all the votes of an excluded candidate, no continuing candidate has received a number of votes greater than the quota, the continuing candidate who has the fewest votes is excluded and that candidate's votes are to be transferred in accordance with clause 14.

17. Transfer of votes to a candidate to cease as soon as quota has been obtained

If a candidate is elected as a result of a transfer of the first preference votes of an excluded candidate or a transfer of all the votes of an excluded candidate that were transferred to the excluded candidate from a particular candidate, no other votes of the excluded candidate are to be transferred to the candidate so elected.

18. Filling final vacancy

In respect of the last office to be filled for which 2 continuing candidates remain, the continuing candidate who has the larger number of votes is elected even if that number is below the quota, and if they have an equal number of votes the returning officer is to draw lots in accordance with regulations to determine which candidate is elected.

19. No need for further count if number of continuing candidates equals number of vacancies

Despite any other provision of this Division, if the number of continuing candidates is equal to the number of remaining unfilled offices, those candidates are elected.

20. Order of transfer of surpluses

Subject to clauses 21 and 22, if, after any count or transfer under this Division, 2 or more candidates have surplus votes, the order of any transfers of the surplus votes of those candidates is to be in accordance with the relative sizes of the surpluses, the larger or largest surplus being transferred first.

21. Procedure in case of equal surpluses

Subject to clause 22, if, after any count or transfer under this Division, 2 or more candidates have equal surpluses, the order of any transfers of the surplus votes of those candidates is to be in accordance with the relative numbers of votes of those candidates at the last count or transfer at which each of those candidates had a different number of votes, the surplus of the candidate with the larger or largest number of votes at that count or transfer being transferred first, but if there has been no such count or transfer the returning officer is to draw lots in accordance with regulations to determine which candidate is, as between those candidates, taken to have had the larger or largest surplus.

22. Surplus from earlier count or transfer to be transferred before later surplus

If, after any count or transfer under this Division, a candidate obtains surplus votes, those surplus votes are not to be transferred before the transfer of any surplus votes obtained by any other candidate on an earlier count or transfer.

23. Procedure to determine excluded candidate if votes equal

If the candidate who has the fewest votes is required to be excluded under clause 14 or 16 and 2 or more candidates (the “**tied candidates**”) have an equal number of votes (no other candidate having fewer votes), whichever of the tied candidates had the fewer or fewest votes at the last count or transfer at which each of the tied candidates had a different number of votes is excluded, but if there has been no such count or transfer the returning officer is to draw lots in accordance with regulations to determine which of the tied candidates is excluded.

24. When votes are to be set aside as finally dealt with

If a candidate is elected by reason that the number of first preference votes received by the candidate, or the aggregate of first preference votes received by the candidate and all other votes obtained by the candidate on transfers under this Division, is equal to the quota, all the ballot papers expressing those votes are to be set aside as finally dealt with.

25. Transfers to be treated separately

Each of the following constitutes a separate transfer for the purposes of this Division -

- (a) a transfer under clause 11, 12 or 15 of all the surplus votes of an elected candidate;
- (b) a transfer in accordance with clause 14(a) and (b) of all first preference votes of an excluded candidate;
- (c) a transfer in accordance with clause 14(c) of all the votes of an excluded candidate that were transferred to the excluded candidate from a particular candidate.

The amendment basically explains the new voting system and the various terminologies that are used therein.

Mr P.D. OMODEI: For the benefit of the house, will the minister take us through each of the divisions in the amendment and explain how the voting system will work?

Mr J.J.M. BOWLER: Proposed division 2 does not need an explanation. It is a standard, first-past-the-post system of two candidates for one vacancy. If there are two candidates and one vacancy, obviously the one with the highest number of votes gets in. Where there is a one vacancy election and three or more candidates, clauses 4 to 8 will apply; that is, a preferential system will operate. It is basically the same as the way in which members are elected in the lower house of Western Australia. A person with the lowest number of votes gets knocked out. That candidate's preferences get moved up, and that keeps happening from the bottom up until it arrives at 50 per cent of the vote plus one vote.

I think proposed division 3 is where the complication or the opposition's lack of knowledge may show. Proposed division 3 deals with proportional representation when there is more than one vacancy. In Kalgoorlie-Boulder, for example, there are 12 councillors, which means there will be six vacancies. A quota is established by the number of formal votes plus one over the number of vacancies, which in Kalgoorlie's case would be six. In the example I give there are three. In a ward with two vacancies with 18 000 electors who vote, the quota would be 18 000 plus one, divided by the two vacancies plus one more, so it would be divided by three, and therefore the quota would become 6 001; that is, there are 18 000 electors, and if one is added to that number it becomes 18 001. That is divided by the number of vacancies. If there are two vacancies, one is added to that to divide by three, which means that the quota for the first person elected to the two seats would be 6 001; that is, a third of the votes plus one. If there are 18 000 voters, 6 001 votes are needed. The votes are then counted as first preferences. If one of the candidates gets more than 6 001 votes straightaway, that candidate is elected. Let us say that a person needs 6 001 votes and gets 7 001 votes, just to make it easy, so the person has 1 000 spare votes. Under the ordinary preferential system, the whole 7 000 number two votes then go down. Under this system, only a proportion - that is why it is called proportional representation - the 1 000, comes down as a proportion of the 7 000. All the preferences are distributed. If a person has 7 001 votes, let us say that 4 001 votes go to one candidate and 3 000 go to another candidate. Those candidates do not get 4 001 and 3 000 as preferences; they get basically one-seventh of the 4 001 or the 3 000. Does the Leader of the Opposition understand that?

Mr P.D. OMODEI: I am following the minister, and I do not intend to let the minister off the hook. I want the minister to explain, and I think he was doing so, the issues of surplus votes and the transfer value, and the

surplus fraction and the continued transfer value, because these are very important matters. I recall that when the main debate on this legislation was taking place, you, Madam Acting Speaker (Mrs J. Hughes), seemed to have a very good understanding of this system of voting. I must confess that, although the Legislative Council has been elected under a proportional preferential voting system for many years, there has always been significant confusion about how quotas are set. The minister has explained that to us to some degree. I have very great difficulty understanding surplus votes, the transfer value, the surplus fraction and the continued transfer value. I recall very clearly an election for seats in the Legislative Council in 2001 -

Mr J.J.M. Bowler: The Mining and Pastoral Region.

Mr P.D. OMODEI: I think the sitting members, Greg Smith and Mark Nevill, received a significant fraction of the quota compared with that received by the candidate who received the lowest number of votes in the election. Despite that, the candidate with the lowest number of votes ended up ahead of Greg Smith and Mark Nevill. I recall very clearly that, at the time, the Liberal Party considered taking action in the courts to challenge the result. The reason we did not do that was a lack of resources. It threw into confusion the voting system as we knew it. Why should we now accept this system of voting for local government when normally chief executive officers can count the votes in a first-past-the-post election in possibly half an hour? The first-past-the-post system is very easy and uncomplicated; it is very hard to sort. We are proposing to replace it with a system that is complex in the extreme. There can be only one reason for that, which is to benefit the Labor Party in Western Australia. That is why this is happening. While I have been talking, the minister will have had time to receive advice from his advisers so that he can explain to the house this system and make it very clear in our minds, and we can explain it to our constituents.

Mr G. SNOOK: I cannot let this opportunity go by. During the second reading debate the minister told the house - I am not having a shot at him personally; this is about the issue - that within half an hour he could convince the president of the Western Australian Local Government Association of the benefits of this process. I thought that the minister would have the best knowledge of this system of all members in this house. I freely admit that this is the most confusing and convoluted system that could possibly be used for a simple local government election to elect real people to do a real job at the local council level on real, ordinary local issues. Those people will not work on complicated matters of state or complicated matters of international importance. This bill was brought to this house as a meagre skinny bill of a few pages. On Thursday, at the briefing, my colleagues informed me that there was a six-page amendment. I want the minister to explain to the house why this bill is necessary to introduce such a wonderful electoral system of voting to get the best results - which I have heard from the other side of the house - and to elect the best candidates to do the best job in local government. The bill, as introduced, is inconclusive and lacks the most vital part, which is how the proposed system will work! The system will not work because that part is missing.

I am holding up a copy of the Victorian model to which I alluded in my second reading debate contribution. It is downloadable and is a slide show of proportional representation, produced by the Victorian Electoral Commission. It tells the reader what the minister has tried to explain. I have read it but I cannot follow it because it talks about quotas and quotients, and second preferences being delivered after the first candidate has reached a quota. It gives a hypothetical example of 7 106 voters voting for four candidates. It discusses how the votes are distributed. In this hypothetical case there are three vacancies. Of the 7 106 formal votes a candidate must have at least as many votes as the quota. For this example the quota is 1 777 votes. The figure then has to be rounded up so that the nearest whole number is achieved. It goes on to state that the first preference votes for each candidate are counted. Candidate B is then elected if she receives more than the quota of 1 777 votes. Does the minister think that the little old shire out the back of Woop Woop that has a budget of \$1.2 million or \$2 million and has to pay about \$7 000 just for postal votes can afford this? I know that from my own council experience about four years ago. It cost my local authority about \$7 500 for postal voting which it implemented in an effort to do the right thing and to encourage people to vote in local government elections. That was the cost then. What would the cost be for a small council that has revenue of \$5 million or \$6 million? How the heck will it have the capacity to afford it? The minister says that there will be a program, as well as seminars and booklets. This proposal is ridiculous. It is incompetent of the government to bring a bill to this house that is missing the most vital and essential information needed to make the proposal work. The minister says that there has been adequate consultation. If there had been adequate consultation, there would be no need for this amendment because I am pretty sure that WALGA would have said that this is a joke because the vital ingredients are not in the bill. We oppose this amendment.

I listened to the minister's explanation but, like me, he was confused and a bit uncertain. I concede that the minister has a greater knowledge of this than I have because, as a minister, he has had a lot of advice. I was a mere shire president for a few years. I am so glad that I am not in local government now, and will not have to put up with this party political system being dropped on local government.

Mr J.J.M. BOWLER: I will address some of the points raised by the Leader of the Opposition. He is right about the problems we had in the 2001 vote and count in the Mining and Pastoral Region. The problems that the

Liberal Party had at the time have been fixed. Some minor changes have been made to the state Electoral Act to prevent that from happening again. I also point out that one of the main claims from the Leader of the Opposition and members opposite is that this is a tool of the Labor Party to get all the Labor Party people elected. The election in the Mining and Pastoral Region saw a Liberal Party candidate, a Labor Party candidate, a One Nation candidate and a Green candidate elected out of five vacancies. So much for a system that sees one party dominate and gets all its candidates up! In fact, the very opposite happens. That is what I am trying to tell the member. This system is fairer, although complex.

Mr P.D. Omodei: It is fairer by accident, not by design.

Mr J.J.M. BOWLER: No. When the Leader of the Opposition was the minister he changed the current system in 1997, which could see all the people from one party or one group get up at an election. Therefore, what the Leader of the Opposition and other members opposite are claiming will happen is not the case.

The member for Moore raised some points. The system is complex but we do not expect every CEO and every outback shire to carry out a count this way. It will be done with a simple computer program. The data on all the votes received will be input, a button will be pushed, and in a nanosecond the result will come out. That is the beginning and end of it. The Department of Local Government and Regional Development will provide the software to all the 144 councils in Western Australia. The data will be input, a button pushed, and the results will be known straight away. The member for Moore showed the house a printout of the Victorian electoral system, which is designed to provide a simpler explanation. We will be distributing our own brochures and information to the councils, as well as holding seminars to explain the system.

Mr J.H.D. DAY: I confess to not having been involved in the debate on this bill previously and I do not intend to speak for a long time, but I am certainly conscious of the fact that local governments in my area - I am particularly mindful of the Shire of Kalamunda - like all local governments in Western Australia, do not want this system of voting. Certainly the Western Australian Local Government Association is very much opposed to this method of electing councillors. I ask the minister to explain, for the benefit of the people in my electorate, why this method is being introduced. Given that this method of election has been so strongly opposed by the local government community itself, why is this method of election being introduced?

Mr J.J.M. BOWLER: The member for Darling Range would have to ask each of the councils the reason for that.

Mr J.H.D. Day: No; why is the government introducing this method?

Mr J.J.M. BOWLER: The level of opposition has more to do with the belief by local governments that they were not consulted, rather than with the system. The fear is that the state Labor government - a political party - is introducing this system so that it can get Labor Party candidates elected in local government elections. I think there has been a realisation by the member for Moore - certainly the Leader of the Opposition seems to have realised it - that the opposite is the fact. Under the current system, everyone in a team could get elected to the vacancies, whether there be two, three, four, five or six vacancies. With this system, that will be impossible. It will be a total impossibility for one team to dominate one local government election. People's concerns are more about the fear of the unknown, because it is complicated, but I think it is fair. I also think there is a belief - I disagree with it - by some local governments that they have not been consulted. I do not know whether the member heard my response to the second reading debate, when I pointed out that an inquiry by the Local Government Advisory Board that I initiated in November went for five months. It spoke to 107 councils, but it actually approached all 144 councils. The voting method and the different voting options formed part of that inquiry. One hundred and seven of the 144 councils responded.

Mr J.H.D. Day: There is a legitimate concern that single-interest groups or groups with the support of a relatively small number of electors will end up getting elected and, therefore, will tend to dominate the whole process of local government.

Mr J.J.M. BOWLER: The member is exactly right; there is that concern. However, the opposite is the case. For example, under the current method, one person got elected to the Joondalup council with four per cent of the vote. Under the current system, which is very simple - it looks very easy - every single-issue group and every cuckoo-land group can have a crack when those results continue to be seen.

Mr P.D. OMODEI: If the system is so simple and straightforward, why was it not explained to local governments so that they understood it? The minister's comments defy logic. In his electorate of Kalgoorlie-Boulder, a motion of no confidence in the Minister for Local Government and Regional Development is being moved. That in itself is an indictment of local government, and the minister, as a former Minister for Local Government, will be very conscious of that.

Although he has given all these explanations, he still has not explained the meaning of surplus votes, the transfer value, the surplus fraction and the continued transfer value. None of those issues was explained to local

governments. This system of voting was not explained to local governments. It was thrust upon local governments. They were looking forward to the amendments to the act that would allow for October elections and for the change in the age of eligible voters from 17 to 18 years, but nobody forewarned them of this proposal to introduce proportional preferential voting. At the very least, the Labor government should apologise to local governments for introducing it in this way. Why did the government try to sneak in this proposal, which is considered to be fundamental to local governments and the way in which they are elected and which has the potential for political interference? I am not a Philadelphia lawyer, but I suspect that proportional preferential voting has been part of the Labor Party's platform for a long time. Therefore, why did the government not tell local governments that, whether or not they liked it, it intended to amend the Local Government Act to introduce proportional preferential voting, and be open and honest with them? Local governments would have said that at least the government had signalled what it intended to do. Local governments have been offended because the government put this provision in the bill without forewarning them and without giving them sufficient time to mount a campaign to oppose it. This is a fundamental change for local governments. Very few people understand this voting system. I defy members in both the Assembly and the Legislative Council, where the system is used, to explain it very clearly to their constituents. The minister is perpetrating on local governments a system that they do not accept. In my career in Parliament and in local government, there was always a consultative process with local governments on any piece of legislation or any proposal for structural reform. The minister's Local Government Advisory Board, which was appointed by the government, made a recommendation that the current first-past-the-post system should stay in place. It recommended that clearly in its report to the government. The government chose to completely ignore that recommendation and came up with a new proposal that the Western Australian Local Government Association and individual local governments were unaware of. We now have an unprecedented situation in which local governments in Western Australia are moving motions of no confidence in a minister of the Crown. I have never seen that happen in all my time in local government. If the minister cannot explain the issues of surplus votes, the transfer value, the surplus fraction and the continued transfer value, he should at least apologise to local governments for the way in which this legislation has been brought into the Parliament.

Mr G.M. CASTRILLI: I would like an explanation of the minister's amendment to clause 16 of the bill to amend schedule 4.1 of the act. In particular, I seek an explanation of proposed clause 17 of the schedule, headed "Transfer of votes to a candidate to cease as soon as quota has been obtained"; clause 20, headed "Order of transfer of surpluses"; and clause 22, headed "Surplus from earlier count or transfer to be transferred before later surplus". I am having some difficulty understanding those clauses and I would like an explanation of their effects.

Mr J.J.M. BOWLER: First, I will respond to a couple of points raised by the Leader of the Opposition. I do not know whether the Kalgoorlie-Boulder council has passed the motion of no confidence in the minister, but I know that it was going to raise the matter. The council was consulted. The Mayor of the City of Kalgoorlie-Boulder, Ron Yuryevich, is one of the five members of the advisory board that spent five months talking to Western Australian councils around the state and then released a 488-page document that is sitting on my desk. It is absolutely ridiculous to say that he was not consulted.

Mr P.D. Omodei: He recommended in that report that the first-past-the-post system stay.

Mr J.J.M. BOWLER: However, the bulk of the report indicates that the proportional representation system is the best. The member can throw his head back. I know that it is incongruous that the bulk of the report favours one system but the recommendation favours another. However, it indicates to me that it is not cut and dried, as some local governments are saying. In addition, the Minister for Local Government has met, by his count, 80 of the 144 councils in the short time that he has been minister. He has raised that issue constantly with those 80 councils. I am told that it was not on their horizon.

Mr P.D. Omodei: Ask yourself why. Because they did not understand it; that is why.

Mr J.J.M. BOWLER: There were many other issues of greater concern to local government leaders in the state when the minister raised it with them.

Mr P.D. Omodei: Because they didn't think you were going to jump them, that's why.

Mr J.J.M. BOWLER: When the issue is raised with them, they expect it.

The member for Bunbury wanted an explanation. I will read this out and he can see whether it helps. I started to explain the matter and we got sidetracked. I was referring to the example in which a candidate gets 6 001 votes and we then keep on going, first of all to the preferences, and if someone is elected, one-seventh of that person's preferences come down to other candidates. Votes are counted according to the first preferences and any candidates who have achieved a quota are elected; that is, once someone has got 6 001 votes. To decide which of the remaining candidates are elected, only the surplus votes are transferred from candidates who have more than the necessary number to achieve a quota. Once a person is elected, his votes are transferred down. This

applies when the first preferences of voters are not able to be used to elect a candidate. In normal preferential voting, all of a person's preferences come down. If a candidate gets 7 001 votes, it means there are 7 001 second preferences and they all come down. Here only the unused number - I think I used the example of 1 000 spare votes - comes down.

Mr P.D. Omodei: Where do they go?

Mr J.J.M. BOWLER: They go to the other candidates. They get the second preferences, but they get only one-seventh of the value. In other words, if I get 4 200 of those second preferences, I will get only one-seventh of them because the candidate who got a quota needed only 6 000 votes and had 1 000 left over. It is one-seventh of the value, therefore I would get 600 votes.

Mr G. Snook: In other words, you are passing on one-seventh of your preferences to the next candidate.

Mr J.J.M. BOWLER: Coming down, yes. It is complicated. As I just explained, the surplus votes are distributed at transfer value. A candidate will not get the whole 7 001 votes coming down; he will get the spare 1 000. Therefore, it is one-seventh of the value, which I think once again demonstrates that one group of people will not get all the votes. Under normal preferential voting, all the votes come down and the same team gets its candidates up. With this system, candidates do not get the full value of the preferences that are left over. Therefore, voters from other groups - whether it be the Greens or whoever, different people with different issues - have more chance of getting in. Where surplus votes are distributed but candidates do not achieve the quota, the one with the lowest number of votes is excluded and that person's second preferences are distributed in full value. If that does not get a person a quota, the one-seventh value votes that he got from the top down are distributed upwards.

Mr P.D. Omodei: Very clear, isn't it!

Mr J.J.M. BOWLER: It is not easy to explain. It is complicated, but it is fairer and we should not stop doing something because it is complicated.

Mr G. SNOOK: Four councils in my electorate attended the Moora breakfast that the minister referred to, one of the 80 breakfast meetings, I think he said, that the minister has been having. It was a great opportunity and I applaud him for that. Four of those councils came to me and said, "Member, what are you going to do about this nonsense that the minister wants to bring in to change the voting?" It was the old "I hope you're going to stand up and make it perfectly clear that we're totally opposed to it." I asked them what they had done at the meeting. Had they voiced their opinions? They said, yes, they had voiced their opposition to the minister. That is what they told me. That was the Shire of Dandaragan. I had a personal approach from the Shire of Chittering and communications from outside my electorate from the Shire of Wongan, the shire CEO of Kellerberrin-Tammin, and so it goes on. I have the letters here. At that breakfast four councils in my electorate indicated clearly to me that they do not want this change because they have not been consulted and they do not want to go down this road, because they know it is complicated. The minister is on record now as saying there will not be domination by alliances or groupings or political parties. It is clearly there for everybody to see. It is contrary to what we are saying because we feel this proposal will exacerbate political influence in local government, which I alluded to earlier in the debate on this bill. It does occur. I will observe and note with interest the outcome of the minister's clear statement that there will be less political influence. The proof of the pudding will be in the eating and, as our grandmothers would say, that is the best check of all. We will certainly see what comes out of this.

Mr P.D. OMODEI: I accept the minister's explanation of the voting system. Obviously it works for state elections. Whether it is ideal for local government elections is another issue. It is very clear that the system of voting will benefit those people who are organised. We have to ask ourselves who are the organised bodies in our community. They are the political parties. It has been made very clear during the debate that while politics exists in local government to some degree, it is not overt. Successive ministers over a long period of time have said that it is a good thing to keep politics out of local government. Inquiry report after inquiry report has recommended that factions and politics should stay out of local government. All this will do is exacerbate the situation.

I have just been handed this letter, which is self-explanatory, by the member for Bunbury, who has been a very successful and long-serving local government member in that area of the world. The letter is from someone in the minister's electorate, and is addressed to the Premier. It reads -

Dear Premier,

I write to you to as the Mayor of the City of Kalgoorlie-Boulder to express my discontent with the Government's recent proposed changes to the Local Government voting system.

I believe the proposed changes will politicise Local Government elections and are contrary to the good governance of local communities.

Furthermore I request the State Government immediately justify the reasons for proposing the change and indicate why the amendment has been introduced with such urgency without consultation with WALGA, and whether it will now be pursued given that it is now clear that the proposed changes are contrary to the expressed wishes of WA Local Governments and your own Local Government Advisory Board.

It is expected that my complaint will be prioritised and your response will be provided as a matter of urgency.

Yours sincerely

Ron Yuryevich, AM RFD

MAYOR - CITY OF KALGOORLIE BOULDER

He says in that letter that it is contrary to the expressed wishes of local governments and the minister's own advisory board, of which he has been a prominent and highly respected member for a number of years. Ron Yuryevich is not a Johnny-come-lately to local government. He has been around for a long time and has been a president of the Western Australian Municipal Association and WALGA, I am told by my expert in local government, the member for Moore. He is a person with some credibility in local government. He is the minister's own local mayor, so surely the minister would take notice of what he says.

I mentioned that, at the very least, if the Labor Party in Western Australia imposes this system of voting on local government in Western Australia, it should admit that it intended to do so, and the Labor Party, the minister and the Premier should apologise to local government in Western Australia for introducing legislation that will have such a major impact on local government in this state.

Mr J.J.M. BOWLER: I put on the record that the Leader of the Opposition was out of the chamber when I made my point earlier this afternoon that he was the minister when this new act was introduced. I praised the new act and I thought that it was a very good one, and that is why there have been so few amendments in recent years. The Leader of the Opposition says that he wants to keep politics out of local government. Good! As I have said, the system under this bill has more chance of doing that than the system that is in place now and the system that was in before. As I said during the second reading debate, I have no doubt that any political observer the Leader of the Opposition wants to nominate, who could compare the three systems to assess which would be the most effective in allowing political parties to get involved in local government, would find that the current system would be first, the previous system would be second and the proposed system would be third.

I want to comment on the point raised by Ron Yuryevich. I am aware of the letter read by the Leader of the Opposition. Ron saw me last week at a function in Kalgoorlie and raised his concerns with me. The recommendation in the report goes against the general thrust of the report on which system is considered to be the best. If the Leader of the Opposition reads the report, he will see that I basically say that optional preferential is the best, as I -

Mr P.D. Omodei: It's not optional preferential.

Mr J.J.M. BOWLER: Proportional preferential, I am sorry. The Leader of the Opposition was correct in picking me up.

Mr P.D. Omodei: Optional preferential is closer to the first-past-the-post system.

Mr J.J.M. BOWLER: I know; that is the system in Queensland, is it not? I do not know why the recommendation goes against the general thrust of the report, but if the Leader of the Opposition reads the report, he will see that the recommendation does come as a surprise. Ron was on the five-member board and obviously he was one of the two or three who voted to make that recommendation. However, obviously, three members who compiled the bulk of the report said that this proposed voting method is the best. As the member for Moore said, and I agree with him, the proof of the pudding will be in the eating.

Mr P.D. Omodei: Again, before you sit down, how would a single-interest person in the community or a person with no political affiliations have a chance to get up when teams of people and organised political operatives will be running tickets?

Mr J.J.M. BOWLER: As I demonstrated, in 2001 when the weighted Gregory system was used, which is very close to the system we are talking about now, the Liberal Party and the Labor Party dominated in the Mining and Pastoral Region. The Leader of the Opposition said that will suddenly start in local government. There were five vacancies in that region and candidates from four different parties were elected. That is not a bad little sighter for the Leader of the Opposition, in rifle-shooting parlance. The proof of the pudding will be in the eating, as the Leader of the Opposition finishes his business applications.

Mr G.M. CASTRILLI: I will read out another letter that the Liberal Party received. This one is addressed to Hon Paul Omodei, MLA, and it refers to changes to the local government election system. It states -

The Shire of Corrigin opposes the proposed change to the local government election system which Council believes has the potential to have a detrimental impact on the good management of Councils.

Legislation to amend the *Local Government Act 1995* to replace the existing first past the post voting system with a proportional preferential system of voting was recently introduced without consideration or consultation with the local government sector.

Council supports the views of the Western Australian Local Government Association that a proportional preferential system:

- Encourages the use of factions and party politics in local government;
- Is less understood by voters and more open to manipulation by candidates;
- Involves listing the candidates rather than voters aligning with one candidate;
- Results in high error rates in completing voting cards; and
- Potentially increases the cost of administering the voting system.

The Shire of Corrigin seeks your support to oppose the Government's changes to legislation to introduce a proportional preferential voting system for local government elections.

Yours sincerely

Julian Murphy

Chief Executive Officer

I understand what the minister is talking about in terms of the report from the advisory board. However, the advisory board recommends that the first-past-the-post system remain. The crux of all this is that no-one has been consulted on the bill. Two different issues are involved. First, the advisory board recommends that the system remain the same; secondly, the Western Australian Local Government Association has not been consulted on this legislation, which has far-reaching effects. The next question in the Shire of Corrigin's letter asks how many more appeals the minister thinks will be generated out of this system. Everybody is struggling to understand the system. Local governments will be struggling to understand, and people in the community will not understand, if there is any surplus voting, who else will get their votes. There will be a whole lot of confusion in the community and I think it will result in a lot more appeals. Can the minister comment on that?

Mr G. SNOOK: I would like to read a letter from the Shire of Wongan-Balidu to Hon Alan Carpenter, Premier of Western Australia. This is an open letter that was sent to me, and reads -

Dear Premier

**PROPORTIONATE PREFERENTIAL VOTING / LOCAL GOVERNMENT
AMENDMENT BILL**

It was recently reported in the Local Government News (Issue 38.06) that the Minister for Local Government had introduced into Parliament the above Bill containing an amendment to remove the first-past-the-post elections and apply the proportional system of voting which currently applies in vote counting for the Western Australian Legislative Council.

The proportional system of voting is complex. The Amendment Bill states that details of the system are to be described in "Regulations" -

We have not seen the regulations yet and we do not know when the regulations will be presented. The regulations do not normally come into the Parliament at the same time as the bill, but once again the minister can understand the concern of local governments. The letter goes on -

however our Association (WALGA) informs me they have no detail as to the content of the proposed Regulations.

It is extremely disappointing that your State Government has introduced this Bill given the resounding and outstandingly clear vote against it by 90% of all 144 Councils, not to mention it also being contrary to the advice and recommendations of your appointed Local Government Advisory Board recommendations.

What is more disappointing is the manner in which the action occurred, which demonstrates a complete disdain and disregard for your signing and your commitment to the State Government - WALGA consultative agreement. The action is in total contradiction of the Minister for Local Government and Regional Developments own Board advice.

Premier: I urge you on behalf of our constituents - the residents of WA whom we represent as your representative at the local level (the State's closest tier of Government): to reconsider the Bill and retain

the current system of voting. More importantly - I urge you to re-pledge your commitment and bring faithfulness to your consultation agreement with Local Government by ensuring this and other proposed changes which impact on Local Government (and its residents and ratepayers) are carefully considered via the adopted consultation protocol.

We will respect you and your Government for making decisions that go against our and our constituents' wishes, but only if we are consulted as part of the process. To flaunt the agreement when it suits you and your Government is the epitome of hypocrisy and thereby dishonours the position of Premier.

Premier: I request you restore integrity to due process, acknowledge your Government has failed to abide by its coalition agreement and recall this Bill now.

Yours faithfully

Duncan Holme

SHIRE PRESIDENT

That is a very powerful letter. This is the reason that numerous other councils are employing me to make this point. I raise that so that it is placed clearly on the record as a strong conviction of this local government's view.

The SPEAKER: Before I give the call to the member for Hillarys, I wish to mention to the newer members in the house that standing up and reading letters is not actually part of a debate. In fact, the rules indicate that members reading from documents should limit those quotes to a few lines, not entire documents. The last two contributions from the member for Bunbury and the member for Moore were basically the reading of letters into *Hansard*. Members should bear that in mind.

Mr R.F. JOHNSON: I will not be reading any letters. What I have to say will come from my heart and from my head. This will be my only contribution to the consideration in detail stage. We are considering clause 16, which is the corrupt electoral system that this minister and this government want to impose on the voters in local elections in Western Australia. We have seen a vote to refer this bill to a committee defeated tonight, and we have seen a vote to split the bill, which was a very sensible motion, defeated earlier today. This is all in relation to clause 16. We have seen nothing today but arrogance and rudeness and total disregard for the consultation process that this government promised when it took power in 2001. That is reflected completely in this clause. This clause is the most important one in the bill, as far as I am concerned. The minister has still failed to answer the question I have put to him time and again in relation to this clause; that is, who came to see the minister, the Minister for Local Government and Regional Development in the other place, or anyone else in the government and said that they desperately wanted this system of voting in local government elections? No-one has done that. This has been done by this little pinko, commo group within the Labor Party that is determined to have its own way. We saw it with the gay and lesbian legislation and the decriminalisation of cannabis - all this social reform rubbish that we keep seeing from the government. I thought the government would have got all that out of the way in its first four-year term, but we are seeing it again tonight - more social agenda inflicted on the people of Western Australia. This government will stand absolutely condemned for its total disregard for the wishes of the people of Western Australia. The people of Western Australia do not want this crap system of voting. That is all it is; it is a dreadful system of voting. The government is inflicting on the people the same voting system that it has in the upper house of the Parliament. If the government thinks the general public can understand how that voting system works, it is living in cloud-cuckoo-land; it is off with the fairies. I have said that about many of the government ministers - I think they mix with the fairies too much, and that is probably the trouble.

Mr J.J.M. Bowler: Such as?

Mr R.F. JOHNSON: I will elaborate one day.

Mr J.J.M. Bowler: Your homophobia is as embarrassing today as it was then.

Mr R.F. JOHNSON: The minister has contradicted himself today. He said that his sons could not understand the first-past-the-post voting system.

Mr J.J.M. Bowler: One of them could not.

Mr R.F. JOHNSON: I do not believe the minister; his sons must be more intelligent than that. The apple does not fall far from the tree. The minister is not an unintelligent person. As I said before, he is a businessman; he is in the wrong party.

Mr J.J.M. Bowler: You were calling me a commo, pinko lefty a second ago.

Mr R.F. JOHNSON: He is now. He has been brainstormed. It is dreadful what these people will do to decent people, and how they can change the decent person into the sort of person the minister is today. Actually, I do not think the minister is responsible for this legislation. His mate in the upper house and the Attorney General

are responsible for this sort of rubbish legislation. I do not think the minister for one minute would come up with this type of voting system himself. I have more respect for the minister, but he unfortunately must carry their rubbish through this house. He will do it with a smile on his face as he knows he cannot do it any other way. This is the worst system of voting for local elections we could ever have. If the minister is trying to encourage people to vote in local elections, he is going the wrong way about it. People like the first-past-the-post system. The minister does not like it because it is not the best system for getting his mates elected in local elections. The government wants to control every local authority in Western Australia. The minister referred back to when I stood as a councillor for the City of Wanneroo, and then became the mayor, and the fact that I belonged to the Liberal Party. At that time, the person I work very closely with was the late Fleur Frame. The minister would not know her because he is from Kalgoorlie. Some of the members in this chamber will know of Fleur Frame. She was an official in the Moore division of the Labor Party, but she and I worked on all the local issues together. We worked really well indeed. There was no politics. She was very happy to recommend that her people vote for me when I stood, and I would do the same for her. However, the system that is being introduced here through the little pinko, commo group within the Labor Party will be the rubbish legislation of local government elections and the minister will stand condemned. This bill will be split in the upper house, I can guarantee that.

Mr P.D. OMODEI: Regardless of whether or not this is a good system of voting, the fact remains, to put it in the minister's words - in the rifle-sighting parlance I think he used - the minister and the Labor Party are well and truly within the shooter's spotlight, and no matter where they run or dodge on this issue, local government has them well and truly in its sights. This system is very difficult for the layperson to understand. It is so difficult that it was considered by a Court of Disputed Returns a couple of elections ago, whether it was the Gregory system or not. If the minister wants to get under my skin in relation to rifle-sighting parlance, he can just make my day. I have tolerated a fair bit from his side, and I am not prepared to cop very much more.

Mr J.J.M. Bowler: I did not make that inference.

Mr P.D. OMODEI: I appreciate that very much. The problem with this legislation, more than anything else, is that it is being imposed on local government without any forewarning or consultation. Why would the mayors and presidents of councils right around Western Australia write to the Premier, the minister and members of the opposition in the way that they have? It is unprecedented. The minister must accept that it is unprecedented in all the time that I have been in this Parliament, and I have been a member for 18 years this year. At the very least, if the minister wants to get this legislation through with some credibility, he should go out and apologise to local government and to the members of this house for the way in which this legislation has been introduced. It is no reflection on the people within the Department of Local Government and Regional Development. They are obliged to do the government's bidding, and they will provide legislation that fits the government's requirements. However, whether it is truth or perception, local government does not like the proportional preferential voting system for local government. The minister can say as much as he likes that the first-past-the-post system can be rorted, but it is still the simplest way for an elector to vote. Given that local government voting is voluntary, we all know that the numbers who vote in small local governments are higher than those in larger local government areas, where the percentage of voters turning out is between 20 and 30 per cent. Therefore, 70 per cent of the people in the electorate are not voting. When a candidate is elected in the first-past-the-post system with four, 10 or 15 per cent of the vote, it is still a legitimate way of voting. The person who gets the most votes wins. Whether that person has four per cent of people voting for him and 96 per cent of people not voting for him is hypothetical. The largest number of people voted for that person. It is so simple to count. It might be said that a group might try to kick the sitting member out by running multiple candidates or whatever. If that person is good enough, he will get more votes than the next person. However with a preferential voting system, there is example after example, whether it be exhaustive preferential, limited border, optional preferential or this system of proportional representation. The fact remains that the system in place at the moment is the one preferred by local government in Western Australia, and the state government in the state should accede to local government sentiment and keep that system in place.

Mr G.M. CASTRILLI: Mr Speaker, I ask you for your guidance. I have an extract from the other house that is in *Hansard*. Can I read part of that into my contribution?

The SPEAKER: The member can read part of it.

Mr G.M. CASTRILLI: It shows just how complex this legislation is.

The SPEAKER: The rule that I have on the reading of documents is that it should be limited to a few lines and the document should be paraphrased. It is up to the member to comply with those general rules.

Mr G.M. CASTRILLI: I will do it as succinctly as I can. I will not read the question, but I will read the answer. On Tuesday, 24 October 2006, Hon Robyn McSweeney put a question in three parts to the Minister for Local Government. The question asked the minister to outline the reason that the government wants to change

the system. It referred to the bill being introduced without consultation and the television campaign that the Western Australian Local Government Association has put up against the government. The answer reads -

I thank the member for the question.

(1)-(3) The government believes that the first-past-the-post system is a better and more equitable voting system. It is the same system we use to get elected to this house -

He was asked whether that was correct and he said -

Such a system of voting will provide better community representation on local governments. The government started consulting on this reference to the Local Government Advisory Board on sustainability and electoral reform back in October last year.

Does the minister agree with the Minister for Local Government's response? Perhaps he was confused about this issue and was caught up in the complexity of the voting system and what he was bringing into the Parliament.

Amendment (deletion of words) put and passed.

The SPEAKER: The question is that the words to be inserted be inserted.

Dr K.D. HAMES: I have not participated in this debate but I heard the member for Bunbury ask a question and it appears to me that the minister was about to get to his feet but was too slow and the question was put. Perhaps this is an opportunity for him to respond.

Mr J.J.M. BOWLER: I will deal with a few matters that were raised. The Minister for Local Government made a mistake when he explained the two systems and he used the wrong wording. On reading the answer to that question, the member would be confused, and he freely admits it.

As a resident pinko-commo-lefty in the Labor Party -

Mr G. Snook: The truth is out.

Mr J.J.M. BOWLER: The member for Hillarys never says anything that is wrong.

The member for Bunbury said that this system is less understood. He is right. That is the reason it will be the job of the Department of Local Government and Regional Development to make sure that it conducts seminars, provides voting manuals and creates the software so that on the night of the election the results can be known when the information is put into the computer. The department will provide general information to any local government authority that requires it. The member said that a letter from the Shire of Corrigin indicated that this would lead to high error rates. I think the opposite. I am not denigrating my sons, but they have voted in federal and state elections, which use the numbering system - one to four in one case and one to six in the other - and they find that at local government elections they do not number anything; it is a different method. Whether it is Senate, House of Representatives, Assembly or Council, we have a numbering system. However, the system is totally different for local government elections. The existing system will cause confusion, if not for local government, for young people when they vote at one of the elections I referred to.

I correct the member for Moore's assertion that 90 per cent of the 144 councils are opposed to this system. Ninety per cent of the 55 per cent that responded were opposed to it, and when I attended the South Kalgoorlie Primary School, that would have been less than half. The Leader of the Opposition said the first-past-the-post system could be sorted. His colleague the member for Hillarys gleefully pointed out that when he was the mayor of a London borough it was dominated by politics and it used first-past-the-post voting.

Amendment (insertion of words) put and passed.

Clause, as amended, put and passed.

Clauses 17 and 18 put and passed.

Title put and passed.

LIQUOR AND GAMING LEGISLATION AMENDMENT BILL 2006

Third Reading

MR M. McGOWAN (Rockingham - Minister for Racing and Gaming) [8.47 pm]: I move -

That the bill be now read a third time.

MR A.J. SIMPSON (Serpentine-Jarrahdale) [8.48 pm]: I now have an opportunity to speak on the Liquor and Gaming legislation Amendment Bill. I was not here when the second reading debate took place in this house last week because I was on a very special trip to China. I was presented with a fantastic opportunity to

visit China, and I took it. Mr Speaker, you will understand my situation after having visited China in April this year. I had the opportunity to visit the wonderful country of China with a local chamber of commerce group and local business people.

Mr J.E. McGrath: Were there any bottle shops there?

Mr A.J. SIMPSON: There are no bottle shops in China.

Mr G. Snook: Does it have liquor licensing laws?

Mr A.J. SIMPSON: It does not have liquor licensing laws. Liquor is sold on the streets.

All members have been lobbied by different industries on this bill. It has been an unusual experience for me to have someone from industry lobby me to have their rights protected. I have a problem with that issue. In a former life as a baker with my own business, I faced the supermarket next door installing a frozen-dough compartment, which took away about half of my bread-roll trade every day. Both businesses paid rent to the same landlord. The response I had was that it was life and that I should get used to it; that it was just competition. Probably the most relevant point about that is that the consumer will always win as long as the competition is right. To apply that argument to liquor licensing is quite difficult.

I think we might have somewhat missed the issue because we have been lobbied by all areas of the industry. Some parts of the industry are looking for protection and others are looking to open the door. On the day of the minister's second reading speech some people gathered outside Parliament and held a parade to say goodbye to Dullsville. I wondered why it was that those people thought they needed more alcohol to be available for Perth to lose the tag of "Dullsville". I thought that they had got the wrong end of the stick. They seemed to be missing the point that alcohol is known to be a dangerous substance. We must protect the community, which is the whole idea of liquor licensing. We must moderate consumption and control who sells alcohol. That is why when a nightclub or a hotel has entertainment and perhaps a fight breaks out, a licensee is in control of the premises; it means that when the licence comes up for renewal, we will have some control over the licensed premises.

The Local Government Amendment Bill, which we were debating earlier tonight, gives power back to local government so that it can have more say in who can have a licence in certain areas. I believe it is a good thing that the power is being given back to the community. However, I believe that society is headed on a dangerous road. Grocery advertisements in newspapers have mixed in with them advertisements for alcohol. We should be looking at the mixture of grocery and alcohol shopping and the advertising of it. We seem to want to control liquor licensing but we are letting such advertising run away. I am sure that members will look back in 10 years and think that they could have done something better. All members must agree that stepped regulation and a controlled deregulation process would be far better and far easier. I believe that would be the best way to go. The bill in front of us will loosen up all liquor licensing. I have concerns about how much alcohol it will let into the community. We need to make our suburban lifestyle better by freeing up the process, but although members on this side of the house support the bill, I have concerns about the process we have gone through because of all the lobbying.

I will not talk for much longer, but I wanted to contribute to the debate because I was not here last week. Apart from going to China, I have also travelled to other parts of the world, as have many other members. I have seen in other countries the seamlessness of general grocery and liquor sales. Shoppers in many modern supermarkets can go into a liquor sales area without leaving the store. Supermarket owners are trying to bring the liquor outlet into the supermarket. It is just a matter of time before it happens here. This is probably where the line has to be drawn in the sand for how we control and regulate liquor sales. The director general needs to be more forceful. I think there are only four inspectors in this state. Is that right?

Mr M. McGowan: After the changes come in, there will be 25 inspectors.

Mr A.J. SIMPSON: How many are there now?

Mr M. McGowan: There are 20 inspectors.

Mr A.J. SIMPSON: There will be five more. They must work to keep an eye on the liquor industry. All members have been lobbied and told that this legislation will open up the floodgates. We have been told that restaurants will become small bars and that it will be small bars versus taverns. We have all heard the arguments, but no-one really knows. We have had the debate and put forward our arguments, but as we have put forward our arguments, other people have put forward theirs. The arguments end up going full circle. Even though we are talking about the liquor industry, the question of Sunday trading is relevant. The state conducted a referendum on retail trading hours, and 60 per cent of people said no to Sunday trading. The attitude to liquor licensing seems to be different. The argument seems to be that people are not selling bread or milk but alcohol, so that is all right. I agree that we must look at the issue, but we must go forward. The bill is in front of us, but

will we look back and think we have made the right decision? Let us hope so. The bill amends the Liquor Licensing Act, and we must be careful how we control the consumption of alcohol.

To sum up, my concern is with people's health and the fact that the danger of alcohol in our society has been proved. We saw what happened at Halls Creek this year when the director stepped in and stopped packaged liquor being sold. That has been a great plus. Those circumstances that occurred in the north west of the state can occur everywhere else in the state. We must look at that issue as a responsible government and say to the community that we are legislating for liquor licensing because alcohol is a dangerous substance. We must control how we sell liquor and how we regulate it in our community.

MR P.D. OMODEI (Warren-Blackwood - Leader of the Opposition) [8.56 pm]: I rise to make a contribution to the debate on the Liquor and Gaming Legislation Amendment Bill and to commend the minister for introducing quite complex legislation. I believe that once this legislation becomes law, it will not be the end of the story. I think the Minister for Racing and Gaming will need to address some ongoing issues. I do not think there would be more members in the Parliament than I who have received as much comment and lobbying on this legislation from all sectors in the community and from members of the Liberal Party in Western Australia, who have communicated to me their concerns both for and against the legislation. The community is concerned about the consumption of alcohol in Western Australia, particularly from the point of view of harm minimisation. There is no doubt that many of the social problems in this state are connected to the overuse and availability of alcohol. Therefore, the regulation of the use of alcohol in this state is fundamental to the good governance of this state and the wellbeing of the community.

We were faced with four major issues with the legislation, which included the public interest test. It was a significant liberalisation of the public needs test. I think much of the debate has overlooked the fact that the changes from the public needs test to the public interest test to all intents and purposes will deregulate the liquor industry to a far greater extent than virtually anything else in the legislation. That has been accepted by the community. The issues of small bars, and whether they should allow 120 people or fewer, and the impact of small bars on current hotels were also matters of great contention. We debated those issues long and hard in our party room. We adopted a position, we consulted with the community and I requested that the party room change that decision.

I believe that the concept of small bars will open up a lot of opportunities for small business in Western Australia. At the same time, those small bars must be regulated and controlled. The argument that the Australian Hotels Association put quite clearly is that 120 people in a bar is a significant number. Very few hotels would have 120 patrons in a front bar at any one time. That issue needs to be considered. We have considered it very carefully. The minister made it very clear that he would stick to his line of 120 people on a square-metre basis. I would expect that most people would have a bar for fewer than 120 people. Restaurateurs in Western Australia who apply to serve liquor without a meal can do so now under the 20 per cent of the seating capacity rule, but it must be in a designated area. My shadow minister, John McGrath, has worked very hard on this issue for many months, consulting with the community and listening very carefully. I commend him on his work ethic and the number of people he has dealt with. He would have had more calls than anybody else, including me, on this issue. No-one has consulted more than the shadow minister.

The member for South Perth visited the eastern states to see how restaurants there are legislated. Sydney has the 30 per cent rule for designated areas. Given that was in place when the Olympic Games were on, it was something that needed to be taken into consideration. We considered having a thirty three and a third per cent rule; that is, one person in three being allowed to consume alcohol in a restaurant on an undesignated basis. Again, that was misreported by the press. That is not unusual. We were trying to find a compromise that would be easier to police than the 60-40 rule based on 60 per cent food consumption and 40 per cent alcohol consumption - which had to be accounted for. We considered all these matters in the first meeting we held. We went into the community to listen to interest groups, in particular, which I must say were not backward in coming forward. I made a decision to make a recommendation to my party room to support the package proposed by the government, albeit with some amendments that I thought were important to some of the stakeholders. To that extent I thank the minister for his cooperation with the shadow minister and some backbenchers - particularly the member for Murdoch - in discussing some of those things.

We saw a lot of inequities in the deregulation of Sunday trading. The major food chains already own 13 hotels in Western Australia. They are able to trade on Sundays. Two hotels in North Perth, one of which is the Hyde Park Hotel, are both owned by a major food chain. They compete against a liquor store that cannot trade on a Sunday. As such, we had the reverse of the argument of the major food chains taking over liquor trading in Western Australia. There were a lot of anomalies. At the same time, there is the issue of being able to buy alcohol from a major food chain but not being able to buy a lettuce. I was questioned on that by the press. I was asked about the situation in which a person could buy a beer from a major food chain liquor outlet but not a lettuce. I responded by saying that it was a very good question. It also begs the question of trading hours for retail operators in Western Australia. I am sure that the government and the opposition will revisit this issue

between now and the next election. It is inevitable. The judgment on our side about Sunday trading was that we should support its deregulation.

The Liquor Commission is a concept that is part and parcel of this legislation. The powers of the commission are quite significant. There is a concern in the community that the commission will override local government. That is of concern to me as well. Local governments should be able to control what happens in their municipalities through their town planning schemes and should be able to call up some of the applications. As this legislation is put in place, that will be an issue that will come to the fore. If it turns out that local governments are inhibited in their control of, for example, a breakout area for serving liquor in a restaurant, that will also come to the fore. The group that will be most disaffected by this legislation is the Australian Hotels Association. The regulations that will apply to hotels, bars, taverns and restaurants collectively and individually are something that needs to be considered. I suggest to the minister that one of the ways in which we can even the ledger by minimising the impact on hotels around the state is to look at the regulations as they apply to hotels and how they serve meals and liquor, the trading hours, the parking requirements, the local government requirements and a range of other things. They all need to be considered with the intention of making sure that the burden on hotels is no greater than it is on many of the new categories being put in place.

I do not want to keep the house for very long except to say that, in my discussions, support for the legislation came from the Restaurant and Caterers Association, the Liquor Stores Association of WA, the small events association, the Tourism Commission and the Committee for Perth. For members who are not aware, the Committee for Perth is a recently established organisation that is looking at the future of Perth to 2020. It is looking at what kind of a Perth we will have, what kind of social infrastructure we will have and what our lifestyle is expected to be by 2020. It is considering all the infrastructure that is required and whether we should redevelop the city to make it an attractive city for people from all around the world to live in. Members might think that what I am saying is not related to this liquor licensing legislation. Only last week we were made aware that we need another 70 000 people to work in the resources sector in Australia. Those people need to be ultra skilled. A total of 42 000 of them are needed in Western Australia by 2010. The people will come from either interstate or overseas. They will be experts in their area. They will probably come from very modern cities, which probably never close. Those cities will have all the necessary aspects of a modern city, including sporting and cultural events and the arts. We need to have a city that will be attractive to people from all around the world. Notwithstanding that, the city has to be attractive to people from this state also so that they can have great pride in this city as the capital city of the state. To do that we need an environment that is acceptable and amenable to the people who come from around the world. I will add another adjunct to the issue of the resources sector. Once upon a time all the major resource companies were located in Sydney, Melbourne, London and Europe. A lot of those companies are now located in Perth. They include Rio Tinto, BHP Billiton, Woodside and Inpex - a range of major companies. The companies have a large number of employees, most of whom are not from Western Australia. Many migrated to this country from all parts of the world, particularly parts that are much more advanced. I believe that Perth is the most beautiful city in the world. I am disappointed the way graffiti is taking off in the city. We should maintain Perth as the clean, green, beautiful city we know it to be. It has a Mediterranean climate and it is probably one of the most beneficial and beautiful places in the world in which to live. We cannot stay the sleepy hollow we have been in the past. I deplore those people who refer to Perth as Dullsville. We should take Dullsville out of our vocabulary. The Committee for Perth is sponsored by Rio Tinto, BHP Billiton, Woodside, Ernst and Young, and a range of other major companies. It is a high-powered committee. I believe it has the ability to make Perth what it should be by 2020. I hope that I am still around to see that. We have the opportunity right now to grasp this issue with both hands.

If we are to make Perth what it should be, we need to have a system of governance that allows a freeing up of our society. This is a start. The freeing up of liquor licensing is not about making people drink more grog or anything like that. It is about allowing people more options and choices. That is what our society should be about; that is what our government should be about in Western Australia. This is meant as a criticism. I do not think Western Australia is performing well in the tourism stakes. A lot more could be done to attract tourists to this state. We are being beaten hands down by Queensland on a range of matters. It is beating us in attracting tourists. It is beating us as a state. Queensland has a smart state program and is spending a lot of resources on its universities to attract industry, commerce and technology businesses to the state. I believe that we can beat it in the race. We can be the most business-friendly state in Australia. We can be the greatest tourism state in Australia, if not the Southern Hemisphere. We can ensure that our centres of excellence for the mining and resources, education and health sectors are state of the art. This is just one of the planks by which to do that. The other plank is to make sure that we free up retail trading laws in Western Australia. I am strongly of that view. I have not yet finessed that in my political party. We had a referendum that indicated that people do not want Sunday trading. However, I think we need to go forward towards 2020 with our eyes open.

We also need to address the issue of daylight saving. Is it not wonderful that members will have a free vote on daylight saving in Western Australia? I saw on the news today that the vote in the Legislative Council could be

very close. The feedback I am getting from my electorate is that my constituents will kill me if I support daylight saving. The unfortunate part of the issue is that I am the leader of a major political party in this state, and I must consider what is best for Western Australia. On that basis, I have no hesitation in supporting daylight saving. I do not think there should be a referendum. Four hundred thousand people in Western Australia have not had the opportunity to have their say on daylight saving. Should they have a say? Do they have a say? They have a say every four years at the election. The government must have the courage of its conviction to govern and, as the former Premier said, to govern for all Western Australians. It is a very nice catchcry. The best things that could happen for Western Australia at the moment would be to free up commerce to make this city more attractive, to turn its view of Perth from Northbridge to the river and open up the river to a ferry system and to have an international-style stadium. We have one opportunity to do that, and that is now when the state is booming. Superannuation companies around the world today are bulging at the seams with money that is waiting to be invested. Let us ensure that that money is invested in Western Australia.

There are difficult aspects of this legislation that had to be considered. The legislation has generated a lot of emotive comment, just as daylight saving has. People trundle along at the school of life and up comes an issue, so they express their frustration by lashing out on an issue such as this when, in reality, it will be good for the state. Many of my colleagues might not be very happy with my comments, but they have a free vote. It may well be that the government of Western Australia needs to talk to members of the Legislative Council about their free vote in a very careful way, not to influence them, but to whisper in their ear to forget about daylight saving and consider what is good for Western Australia. In so doing, it may well come to pass that they may agree to support daylight saving, along with liquor licensing legislation. It has been a difficult issue. There is no doubt that the most affected group in this debate has been the Australian Hotels Association. It has sought, through its contacts in this place, to pass amendments to improve the legislation from its perspective. I do not think the government should forget that sections of the community will be affected in a negative way by this legislation. In the end, the issue for government is to weigh up what is best for the community. I think that the reason the opposition is supporting this legislation is that it believes it is good for the state of Western Australia. I want the minister to take on board my comments about those people who will be affected, whether they be in the metropolitan area or around the state and, if necessary, to introduce changes to regulations to make it easier for them to trade so that the impact is not as great on that section of the community.

MR T.R. SPRIGG (Murdoch) [9.14 pm]: As previous speakers have mentioned, there has been a lot of debate on this issue and members have put in a lot of long hours. I note that the minister had a little kip earlier to get refreshed for this debate. It is probably time to reflect on the legislation. When any piece of legislation is passed in this house, it is a good time to work out the potential effect that that legislation could have. I thought I would do that by setting the scene in late 2012, about six years hence. Premier Omodei is about to lead the Liberal Party to its second consecutive election win. He has a 10-seat majority and the polls are saying that that will increase to 15 in the upcoming election. However, there are issues to debate. There had been a late leadership spill in the Labor opposition. The member for Perth got a bit tired of growing bus shelters, chairing boring meetings of the Joint Standing Committee on the Corruption and Crime Commission, and travelling to Thailand, and he challenged for the leadership. To the surprise of everybody, he won, so the member for Perth is the Leader of the Opposition. Leader of the Opposition Hyde has said that he wants to have a debate with Premier Omodei on some of the issues in the community.

Several members interjected.

Mr T.R. SPRIGG: It is also interesting that the member for Riverton is the Deputy Leader of the Opposition, who got a couple of nurses to help him in his election campaign for the deputy leadership. What of the 2006 Minister for Racing and Gaming?

Mr T. Buswell: Scratched!

Mr T.R. SPRIGG: He was consigned to the back bench after he drove the federal Leader of the Opposition around once too often. He lost his ministries because the cane toads had reached Bullsbrook and the Swan River was full of blue-green algae. He left a legacy indeed.

Dr S.C. Thomas: Prophetic words!

The DEPUTY SPEAKER: There are rules pertaining to the third reading debate, but on this occasion I think I will allow some latitude.

Mr T.R. SPRIGG: The former minister's 2006 deregulation of the liquor industry has had some consequences, which Premier Omodei's thirty-ninth Parliament will have to deal with. Since the deregulation of the liquor industry in 2006, there has been a proliferation of small bars in Perth and in country areas, but most of them have not worked well. Quite a few have changed hands several times and quite a few have closed, because the tourists just did not come to Western Australia. The tourism policy was not very good in the time of the 2006 government and the tourists stopped coming to Western Australia, an issue that Premier Omodei was going to address in the thirty-ninth Parliament.

A couple of big bars are cramming in on Friday nights 250 people, causing enormous social problems when they all leave at once at closing time at one or two o'clock in the morning. There is no policing; it just keeps going on. There are not enough inspectors in the area to police the laws. Since 2006, 50 taverns and 100 independent liquor stores have closed and something like 250 people have lost jobs. A lot of those people are still unemployed. The unemployment rate has gone up because of the deregulation of 2006. Sunday trading by liquor stores has given Coles and Woolworths 85 per cent of the packaged liquor market. They also have a 90 per cent share of the grocery market, which has grown from 80 per cent in 2006, because they were able to convince the government of the time that they had to open the doors of their grocery stores on Sundays after they had been allowed to open the doors of their liquor stores in 2006. They were able to gain that market share because the Labor government of 2006 did not believe in antitrust legislation. The government did not believe it would work, so it let market power pervade. Eight south west wineries had fallen foul and had to close their doors. They had nowhere to sell their grapes; they could not meet the price that the major suppliers, Coles and Woolworths, had put on them. Another 100 people were unemployed in the south west as a result of the small wineries closing their doors. A carton of Crown Lager, which used to be \$40 in 2006, was now \$70 and was very seldom discounted. The multinationals that controlled the marketplace had paid lip service to a few specials every now and then, but the consumer had paid a lot more for his liquor in the past few years due to the deregulation that happened in 2006.

Several members interjected.

Mr T.R. SPRIGG: A few restaurants -

Mr M. McGowan: Where is the National Party in 2012?

An opposition member: Gone!

Mr T.R. SPRIGG: A few restaurants become pseudo bars, which the minister promised in 2006 would not happen because he was to have inspectors going round to make sure that 60 per cent of restaurants' revenue was derived from food. It did not happen. There were not enough inspectors and the restaurants were getting away with it.

These are some potential consequences of the bill that we have just read a second time. I hope I am wrong about all those consequences.

The DEPUTY SPEAKER: I hope no other members take too big a leaf out of that speech, as entertaining as it was.

MR D.T. REDMAN (Stirling) [9.22 pm]: The member for Murdoch is a very hard act to follow. Clearly the position will be different in a few years. One of the things that has been highlighted is that country people have really been put to the test in getting their political representation heard. That is one of the key things that the National Party will push in the future; that is, a strategy to get our vote heard for people who live in the regions and to get some changes in things that are dear to them. This bill is clearly one of those matters to which there is significant opposition, particularly from people in the regions whom we represent. I refer to country hotels and some smaller country businesses. We are taking up the debate for them and that is one of the reasons we will be opposing the bill. We generally support the tenor of this legislation.

Mr T. Buswell: No, you don't. You're opposed to it.

Mr D.T. REDMAN: Yes, we are, and I will talk about that in a second and make my case.

The proposal to have small bars and for restaurants to be able to sell liquor without people having to have a substantial meal is sound and there is certainly a place for it. That is the argument I put forward in my second reading contribution and during consideration in detail. There were two aspects on which we could not change our position. Although we support the tenor of the bill, Sunday trading in particular is the aspect that we could not go past. We held the position that this was a step in the direction of opening up the market for the major supermarket chains. It is very interesting that only in yesterday's paper, and it was missed by everyone who spoke in the debates on this bill, there is a headline in the business section that says "Woolworths backs changes to licensing laws". It does not surprise me one little bit that that is the case, because the opening paragraph says -

Woolworths boss Michael Luscombe yesterday endorsed reforms for WA's liquor licensing laws, amid speculation it could prompt the supermarket giant to launch its Dan Murphy's warehouse chain in WA.

Further on it says -

Woolworths denied the proposed changes to the Act would make it easier to ramp up its WA liquor business but Mr Luscombe said Sunday trading made it a more attractive proposition.

Clearly Woolworths sees the agenda moving and it sees an opportunity for itself.

Mr T. Buswell: How do they force consumers to go to Dan Murphy's? Is it some sort of subliminal advertising campaign we are not aware of?

Mr D.T. REDMAN: It is interesting that the Deputy Leader of the Opposition should raise this argument. I was not going to mention the fact that he gave me this document. It is entitled "Liquor retailing and the Woolworths/Coles juggernaut". It comes from the *Journal of Australian Political Economy* and is written by Evan Jones.

Mr T. Buswell: Be careful because I have the rebuttal from the next month.

Mr D.T. REDMAN: It is very interesting reading because it portrays the proactive behaviour of these big companies in getting their market share in a predatory - that is the word that comes to mind - or zealous way. I will quote some parts of the conclusion, because it is quite an extensive document and I encourage members to read it. It states -

There appears to be no regulatory inhibition to Woolworths and Coles Myer acquiring overwhelming dominance in the liquor retailing sector. The implementation of National Competition Policy through the National Competition Council has involved the blackmail of States to deregulate their extant licensing arrangements.

...

Both the NCC and the ACCC view the aggression of the two retailers as a boon to the constituency that matters - the consumers.

That was the strong point made by both sides of the house in this debate. To continue -

As argued above, this view is short-sighted. It is also profoundly negligent of the businesses who are victims of a structured process of exploitation.

The general political ethos regarding small business emphasises that it provides the dynamic backbone of the free market system.

Further on it states -

Woolworths and Coles have established a successful precedent in the grocery sector, and are now applying the same principles in the pursuit of domination of retailing in other sectors now that growth in the grocery market has stalled.

That is a serious concern to us. It is a serious concern to regional people. The areas that we represent, particularly in the farming community, and the areas that many country Liberal members represent, have farming businesses that they want to maintain. They want to maintain the viability of those businesses and they want to maintain something that contributes to their local economy and communities. In Western Australia, we should be very concerned about the potential impact that these big players will have on small regional economies in particular 10, 20 or 30 years ahead. I believe we have a strong independent sector in Western Australia and it is a strength for us. I think we need to be very careful about the changes we make to alter that position. Certainly the people that we represent hold that strong view.

Several members interjected.

The DEPUTY SPEAKER: Member for Capel!

Mr D.T. REDMAN: That is a fundamental principle of why we have opposed Sunday trading. We see that as the thin end of the wedge. The potato industry is another classic industry. There has been comment on that industry recently. We have supported a regulatory regime in that industry. I notice there is a strong antiregulatory push coming from the Liberal Party at present. The potato industry is one of the areas that are being considered. I am sure that will be a serious concern for the member for Warren-Blackwood.

Mr P.D. Omodei: That's bullshit!

The DEPUTY SPEAKER: Order! The Leader of the Opposition will contain himself or he will find himself warned!

Mr P.D. Omodei: Come on, member for Stirling; give us a break. If you are going to start that crap, you will get it from me! That is absolute rubbish, and you know it.

The DEPUTY SPEAKER: Leader of the Opposition!

Mr D.T. REDMAN: If I am to be targeted on my concerns for regional people in relation to Coles and Woolworths, let us look at the whole issue.

Several members interjected.

The DEPUTY SPEAKER: Order, members!

Mr D.T. REDMAN: I think that is the potential impact of some of these pieces of legislation. There were two areas that we were concerned with; one was Sunday trading, and members will be aware of our views on that.

Mr T. Buswell interjected.

The DEPUTY SPEAKER: Order! The Deputy Leader of the Opposition was on three calls to order the last time I looked.

Mr D.T. REDMAN: We also made a move to strengthen the public interest test for a new licence, particularly in the regions, but that was not supported by the minister. The minister made the point that the legislation could be read to give consideration to that in an indirect way. We were concerned that that was not substantial enough and we moved to strengthen the legislation, but that did not get his support. These were the two areas, therefore, that we pushed that did not get support from the minister. I hope, however, that he will pursue the two issues strongly. I hope that he maintains his position on not allowing the proliferation of liquor outlets, in regional areas in particular, because there is concern about the integrity of those communities. Secondly, the Leader of the National Party took the view that the minister should consider a grants program to help some regional pubs protect the heritage and cultural values that they have contributed to regional towns and centres.

That is an aspect we hope the minister will pursue beyond this debate. We will certainly be pushing discussions on that aspect with the Treasurer. The minister is a good bloke, and I am sure that he will take that matter to the Treasurer and get a good outcome. Those are the principles that the National Party considered in this legislation. We are concerned about the major players in the retail trade, and we foresee this legislation as the thin end of the wedge. We must be very careful about that and for that reason we will be opposing this legislation.

MR J.E. McGRATH (South Perth) [9.31 pm]: I think I am the last speaker before the minister responds and I will therefore try to put a bit of brevity back into the debate. I do not know what was in the member for Murdoch's chardonnay at dinner tonight, but he left out the issues of daylight saving and one vote, one value in the bush! If he had included those issues in his speech, he would have covered the whole gamut of politics in the past couple of years. I appreciate that the member for Murdoch has been under a lot of pressure in the past couple of weeks in regard to this debate, as he has been closely linked to the liquor industry. It has been a difficult time for him because this is indeed very far-reaching legislation.

The Minister for Racing and Gaming and member for Rockingham is one of the younger members of the chamber. He will probably go down in history as the great deregulator. I do not want him getting a big head because he must remember that, if it were not for the Liberal Party, this legislation would not have occurred. It is a good thing that the result has come about in the way it has. I want to show my appreciation to our leader, the member for Warren-Blackwood, who came on board when the debate in the party room was hard going. We had some very robust debate in the party room. That is what the Liberal Party is all about. However, ultimately the process was right and I think we came up with the right outcome. I believe it is what the people of Western Australia want and, thankfully, the bill has had a fairly smooth transition through this house.

I also mention country members who had a lot of concern about this legislation. Just like the Nationals who supported their country electors and country hotels, our country members also had a lot of concern about the legislation. They had to be convinced that it would not be harmful to hotels throughout country Western Australia. I am confident that that will not occur. I will not speak for long in this third reading debate, but I will break down a couple of areas that we considered.

The issue of restaurants trading as bars was a real concern for us all. There is a genuine feeling in the community that restaurants should be restaurants and not bars. People said to us, as I am sure they said to the government and the minister, that people in modern society want choice; they want to go to a restaurant and have a glass of wine or a beer. Restaurants will not become beer halls; they will always be restaurants. We have put our faith in the restaurant industry and believe that it will adopt this legislation in the spirit in which it is intended. We agree with comments that were made earlier tonight by other members that permitting licences for small bars will provide opportunities for new businesses. We also foresee small bars as a challenge for existing licensees, hoteliers and people like that, and possibly even restaurateurs who want to branch out into a different mode of operation. We believe the consumer will be the winner in that regard.

Sunday trading was another difficult issue for us, but we felt ultimately that the consumer had to have choice. That is the way we voted. However, there were some areas of this change to the legislation on which we needed some assurances from the minister. Happily, the minister agreed to a three-year impact study. We will be watching very carefully to see how this legislation impacts not only on hotels in the industry overall, but also on other sections of the liquor industry. The minister also agreed to appoint more compliance officers. We will be watching that closely too. There is always concern that the sale of liquor must have some control. Because this legislation will create a widespread change to the industry, it will be important that extra compliance officers be appointed. The opposition will be watching that too. I do not think there will be a lot of problems in that regard.

Several members interjected.

Mr J.E. McGRATH: Excuse me, members! It has been a long day for some of our members, especially country members, and I think they want to get back to their farms.

Several members interjected.

Mr J.E. McGRATH: Another aspect of the legislation that we considered was the need to ensure that everyone was on a level playing field. We cannot force hotels that have operated in a heavily regulated business environment for more than 150 years to suddenly and dramatically change their environment. The minister has therefore agreed to many concessions. Hoteliers will be able to trade on a more level playing field. It is only fair that other people in the liquor industry who can serve liquor should not be given a walk-up start against hotels, but I do not believe that will occur.

All in all this is good legislation. I commend the minister for his very bold and brave stand on this bill. Other ministers in the past have been unable to take on the might of the Australian Hotels Association, but the minister in this regard has had the strength and courage to do so. He obviously had the support of his Premier. This bill represents groundbreaking changes to the liquor industry. I thank all our members and the members of the National Party and the Independents who participated in the debate. It has been a good debate for everyone. The outcome has not been what they expected to achieve, but ultimately I think it will be good legislation for Western Australia.

MR B.J. GRYLLS (Merredin - Leader of the National Party) [9.38 pm]: I will take a few minutes to talk again about my visit to the Koorda Hotel, an old historic pub with an old verandah in a small country town with a population of about a thousand. Koorda is very lucky in that the pub has been purchased by business people with other interests that have enabled them to pour some of the profits from the other business into the Koorda Hotel. They are doing a fantastic job. They are building a whole new beer garden outside under shelter to cater for smokers and people who want to sit in an outside environment. They have polished all the floorboards, built a new bar and are just about to embark on updating some of the facade. It looks really special and will turn into quite an icon for that part of the region. The great challenge for country hotels is that we cannot rely on all of them being bought by wealthy business people who can afford to use profits from elsewhere. When I spoke to the owners, they said that it was impossible for them to use profits from operating the hotel to pay for the sorts of refurbishments that they are making to the hotel. This is the challenge that we foresee for country hotels going forward. We would like all historic country hotels to have the opportunity to succeed into the future. That is why I call on the minister again to consider very seriously a country pub revival grants scheme. It would be a unique opportunity, given the obvious passage of this legislation, to recognise the importance of country hotels in the future. It will provide the opportunity for those country hotels that do not have wealthy owners to participate in the grants program, and upgrade some of their facilities to ensure that they remain viable into the future. They cannot rely purely on profits over the bar to function. Unfortunately, in the economic rationalist view of the world, that will lead to these hotels closing because eventually the owners will lose interest in cross-subsidising them from other income, and we will begin to lose these pubs. I do not think anyone would like to see that. All of us, as we travel, like the opportunity of stopping in for a beer at a country pub. I hope that a country pub revival grants scheme can be considered. To my friends in the Liberal Party, we have an opportunity, when this bill reaches the upper house, to put some pressure on the government to make this happen.

Mr T. Buswell: Can I ask you as a matter of interest, having owned, and still owning, a historic property, if you get a grant to upgrade, say, the facade of a country pub, and that pub is already going broke and cannot afford to regenerate itself, how is that going to change by upgrading the facade? How will that affect the long-term sustainability of that institution?

Mr B.J. GRYLLS: The point I am making is that I do not think there is any long-term sustainability for these country hotels. We either concede defeat now, or we keep on trying to ensure that they remain, because they are important parts of the social infrastructure. I can tell the member for Vasse that I think local governments in country communities will start buying the pubs and using ratepayers' money to cross-subsidise them.

Mr T. Buswell: I am not against upgrading historic buildings, but my concern is that it will not actually help maintain the hotels in a sustainable way. All you are doing is applying a new coat of paint. How will it help the pub address the underlying issues?

Mr B.J. GRYLLS: If the member took a look at the Koorda pub a year ago and compared it to the way it is now, he would see that it has increased its traffic as a result of the upgrade. The member's philosophy is correct - there is now a fundamental problem with the viability of country pubs without someone with a lot of capital coming in and doing it as a labour of love. However, when I consider the importance of these hotels to the country community, it is about more than just their viability as businesses. I can foresee that down the track shire councils will have to take a part in owning them, and there needs to be some recognition from the

government of their importance to the community, just as is done with heritage buildings. It would be a valuable contribution to this debate.

MR G. WOODHAMS (Greenough) [9.44 pm]: I rise to support my colleagues in the National Party, and members of both the government and the Liberal Party in supporting a great deal of the Liquor and Gaming Legislation Amendment Bill 2006. There are a couple of elements in this proposed legislation that we need to be wary of, and I am sure that the minister will be wary in following them through. The Leader of the National Party, the member for Merredin, was just talking about a possible grants program for regional hotels. In the electorate of Greenough there are two historic hotels that I am sure not very many members in this house have been to - the Yuna Hotel and the Bootenal Tavern. The Yuna Hotel has been purchased by the local farming community to keep it running as a social centre in the very small town of Yuna. Its focus is as a social centre, rather than as a place where a great number of people will gather on a regular basis to consume alcohol. It certainly provides a social focus for that community. It is the only part of that town, besides the school, where people can meet each other. The other institution I mentioned is the Bootenal Tavern, which has recently been purchased by some people from Geraldton, who keep it open for only a couple of nights a week. They purchased it because of its historic value in what is known as the Greenough back flats. These are two examples that the minister might wish to look at, and ask the people why they are doing it. This is not necessarily to provide a financial incentive to those individuals, but perhaps to get some ideas from them about how they have managed to maintain those facilities and continue to provide social services to their communities.

In the electorate of Greenough there are a number of communities that only have one hotel - Walkaway, Morawa, Nabawa, Mingenew, Three Springs and Mullewa. There is also a hotel on the Greenough front flats, known as the Hampton Arms. All those hotels are in varying stages of repair. It is really up to the enthusiasm of the owner, and that enthusiasm is sometimes generated by the through traffic. As is well known, sometimes a business can decline or grow depending on the nature of its management. Once again, I encourage the minister to have a look at these one-horse towns, as they might be known colloquially, and take a look at the role the local drinking hole is playing in the community that surrounds it. All of these are small communities.

The proliferation of liquor outlets is a major issue in the larger communities such as Geraldton, and there is a possibility that there could be some knock-on effect into the smaller communities surrounding Geraldton, such as Walkaway and Nabawa. I issue a note of caution about Sunday trading in that area, because of the greed some of the larger corporations in this country have been demonstrating of late. There is a great need for this legislation to recognise the different circumstances in which many people find themselves in regional communities.

I do not think this is a great deal different in some ways from the last time I was on my feet in this chamber, when we were debating child care. I recognise that the two issues may be a long way apart in their intent and what is required, but I suggest without any facetiousness at all a link between the maintenance of child care and the maintenance of social care via a hotel in a particular community. If the hotel were to close, it would also cause some considerable problems for many members of those communities. In speaking to this legislation, I ask the minister to wear a very social hat, if he can, in addressing some of our concerns.

MR M. MCGOWAN (Rockingham - Minister for Racing and Gaming) [9.48 pm]: I begin by saying that I will be relatively brief, considering the amount of time already spent on this debate and the fact that it is late at night. I thank all members for their contributions. Many members have made contributions in the various stages of this debate and in consideration in detail. It has involved many perspectives - people from the country, people involved in the industry, people with ideological views both for and against, and people with more practical experiences coming to the fore. Most, if not all, members have brought their heartfelt consideration to this legislation. It has involved everything - drama; backflips, some graceful and some not so graceful; and the interesting contribution of the member for Murdoch, a Nostradamus-like figure who can read the future. I am sure it will be interesting to look back in 2012 to see whether he was correct. I appreciate the compliments that I have received from members on both sides of the house. It has been an unusual experience. I do not really know how to take them. I am not quite used to niceties in this place. Perhaps I am a little paranoid when I think that when members in this place are being nice there may be an ulterior motive. I hope that something is not going on and that I will not arrive tomorrow morning with a knife in my back, having been lulled into a false sense of security. I thank members for their contributions to this debate.

I would like to acknowledge the member for South Perth and the Leader of the Opposition, both of whom have shown good sense in their position on this issue. I appreciate their support. Their support has shown that a little bit of bipartisanship in this place demonstrates that what joins us together as Western Australians and Australians is greater than what divides us. To show a little bit of bipartisanship goes a long way towards improving our image in the public mind, and it is a good thing.

A quality of people in parliamentary life is that when they get a little experience in this place, they work out that vested interests will often harass and threaten them. However, if members are prepared to stand up and make

changes they believe are right, the next day they often find that they were right and the sun has come up, life goes on and the doom and gloom prophecies of some people will not come to pass. If members of Parliament adopted that approach to those who tried to sway them from doing what they believed in and what they thought was correct, they would not only create better conditions for citizens, but also show a little bit of integrity and find it easier to sleep at night by acting in that manner.

These reforms will transform Western Australia's hospitality and tourism industries. They will make a huge difference to and improve our quality of life. That is what it is about. We live in a state in which we have it pretty good. It was not always thus. At various points in our history we have had it pretty bad. We should not rest on our laurels and fail to implement measures that improve our competitiveness and attractiveness as a state, particularly those measures that are reasonably easy to achieve. In the overall scheme of things, this bill is an easy way to achieve change. If we can make a change that improves the state and makes it more competitive, attractive and that improves our economic performance, we should make that change, particularly if it does not cause the angst that some economic changes over the past 30 years have caused. Over the years some changes have caused trouble and strife for people who are least able to fend for themselves. These reforms will make our state better and improve its economy.

The Leader of the Opposition raised a number of points that I will address. Largely I agreed with his speech. It was a good speech. He asked that we ensure we put in place measures to make it easy for hotels to adjust and that they have a fair trading environment versus their competitors in the liquor industry. I remind members of what will be put in place as part of these reforms to ensure that that takes place. Hotels will no longer be required to provide meals, which is an important initiative for those hotels that are struggling and perhaps do not want to maintain a kitchen or chef because they are not doing the trade to justify doing so. Hotels will no longer be required to keep their bars open to be able to trade from their bottle shop. I covered this issued last night by referring to a hotel that on a Saturday morning may only be doing trade through its bottle shop. Why should it have to keep its bar open? Hotels will no longer need to seek approval for minor variations to internal floor space. They can seek a five-year extended trading permit instead of a one or two-year permit, which will save paperwork. A Liquor Commission will be put in place to provide a simpler and less legalistic approach to decisions pertaining to licences. It will be necessary for three or more unrelated complainants to make a complaint against a hotel, except in extreme circumstances. The small bar licence will provide a great opportunity for those hoteliers with some entrepreneurial spirit about them. Hotel bottle shops still have an advantage over stand-alone bottle shops because they have an extra 24 hours of trade available to them throughout the week. We are not changing that. The extra 24 hours, particularly the evening trade, is an advantage which they will not lose.

Various members commented on Coles and Woolworths. I will not repeat what I said last night. I do not have the prejudices against those companies that some members have. They employ a lot of Australians and are largely Australian owned and provide a good product and good service. Hundreds of thousands, if not millions, of Australians, directly or indirectly, have their savings tied up in those companies. Other businesses trade effectively against them six days a week; why not on the seventh day of the week? The killer argument in my view is: why should we penalise companies that employ lots of people and then say we do not like them for doing that because they employ too many people? It is ludicrous that we would say that to these companies.

I thank from the department Mr Barry Sargeant, the director general - a very good director general, who has been a fine public servant for Western Australia over many years. I also thank his assistant Ms Janine Belling, who did a lot of hard work at the departmental level to ensure that these reforms reached this state. Both of these people have been in the chamber over the past few days and have done a sterling job. I thank Mr John Nicholls from my staff, who has done a great job on these reforms and provided me with good advice and guidance.

From here the bill will be transmitted to the upper house. I urge members of the upper house to support the bill, although I realise they do not like lectures from the lower house. I ask members in that house to support the bill and recognise that it is in the interests of the state and that both major parties agree to it. I ask the upper house to let it go through the Parliament without undue obstruction so that this state can, in 2007, be the beneficiary of these reforms that will allow our hospitality environment to be transformed.

For me it has been a great experience. I have never had the responsibility, in a legislative sense, to handle a bill of this magnitude from start to finish. It has been an interesting, if not a little tiring, experience over the past 18 months to get it to this stage, particularly negotiating my way through interest groups, parliamentary process, colleagues and working out what was the right thing to do. Along the way I have been guided by what I think is right and have not been willing to be easily swayed from that view. What I believe is right is in this bill, and it will be good for the state. We should always be guided by the interests of the state rather than extraneous interests such as self-interest or political interest. We should remember that no matter what we do in 2006, nothing lasts forever. I guarantee, if I am still alive in 30 years, that they will say that these laws are old and past their use-by date and it is time they were reformed. There will be a new paradigm around this issue that will improve this bill. However, that is the nature of politics, and I hope I am around to see it.

Question put and a division taken with the following result -

Ayes (33)

Mr C.J. Barnett	Mr J.N. Hyde	Mr P.D. Omodei	Mr D.A. Templeman
Mr J.J.M. Bowler	Mr J.C. Kobelke	Ms M.M. Quirk	Dr S.C. Thomas
Mr T.R. Buswell	Mr R.C. Kucera	Ms J.A. Radisich	Mr P.B. Watson
Mr G.M. Castrilli	Mr F.M. Logan	Mr E.S. Ripper	Mr M.P. Whitely
Mr M.J. Cowper	Mr M. McGowan	Mrs M.H. Roberts	Mr B.S. Wyatt
Mr J.H.D. Day	Mr J.E. McGrath	Mr A.J. Simpson	Mr S.R. Hill (<i>Teller</i>)
Dr J.M. Edwards	Ms S.M. McHale	Mr G. Snook	
Dr K.D. Hames	Mr A.D. McRae	Mr T.R. Sprigg	
Mrs J. Hughes	Mr A.P. O’Gorman	Mr T.G. Stephens	

Noes (3)

Mr B.J. Grylls	Mr G.A. Woodhams	Mr T.K. Waldron (<i>Teller</i>)
----------------	------------------	-----------------------------------

Pairs

Mr N.R. Marlborough	Ms S.E. Walker
Mr M.P. Murray	Dr G.G. Jacobs
Mr J.A. McGinty	Mr M.J. Birney
Mrs C.A. Martin	Mr R.F. Johnson
Mr A.J. Carpenter	Mr M.W. Trenorden

Independent Pair

Dr J.M. Woollard

Question thus passed.

Bill read a third time, and transmitted to the Council.

House adjourned at 10.04 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

REGIONAL CATCHMENT COUNCILS - FUNDING AND PROJECT DETAILS

1427. Mr P.D. Omodei to the Parliamentary Secretary to the Minister for Agriculture and Food; Forestry; the Mid West and Wheatbelt

I refer the Minister to the Regional Catchment Councils of Western Australia and ask -

- (1) How much funding has been provided to the Regional Catchment Councils of Western Australia from the State Government over the life of the Councils?
- (2) How much funding has been provided to the Regional Catchment Councils of Western Australia from the Federal Government over the life of the Councils?
- (3) How many projects have been successfully implemented and provided positive environmental outcomes for farmers? Please name them.
- (4) How many major salinity reclamation projects have been undertaken by the Avon Catchment Council in the past 5 years?
 - (a) Of these projects, how much of the total project funding has been spent on consultants from State Government agencies;
 - (b) how much of the total funding has been spent on feasibility studies;
 - (c) how much funding made it on the ground in the form of physical delivery by way of construction of the projects; and
 - (d) specifically, how many projects have been successfully completed, with positive environmental impacts, returning arable land to farmers? Please name them.
- (5) Recently, Federal funding has been made available for the Yilgarn Lakes project to be auspiced by the Avon Catchment Council. Why is it that the farmer group, that should benefit from this project, have withdrawn their support for the project being handled by the Avon Catchment Council?
- (6) Why is it that highly expensive feasibility studies are undertaken instead of Engineer's Reports to access and implement salinity reclamation projects?

Mr M.P. WHITELEY replied:

The Bilateral Agreement between the Commonwealth of Australia and the State of Western Australia to Deliver the Natural Heritage Trust was signed on the 17 December 2002. Under this agreement both Governments are committed to jointly investing in natural resource management, with community and other stakeholders, and function within the institutional and statutory frameworks that operate in Western Australia. This agreement is valid for the period between 2003 - 2008. The Australian Government is committed to contributing \$100M under this program. The State's contribution is \$100M matching existing expenditure programs alongside Australian Government expenditure.

The Bilateral Agreement between the Commonwealth of Australia and the State of Western Australia for the Implementation of the Intergovernmental Agreement on a National Action Plan for Salinity and Water Quality was signed on the 11 September 2003. Under this agreement, both Governments are committed to jointly investing \$158M each in natural resource management and function within the institutional and statutory frameworks that operate in Western Australia.

The implementation of both bilateral agreements is through the regional delivery model and undertaken by the six regional NRM groups.

The six regional NRM groups are incorporated bodies independent of Government. As such, Government is not privy to some of the information requested by the member. The information presented is based on the current funding round of NHT and NAP which commenced on the 17 December 2002 and the 11 September 2003 respectively.

- (1) Under the bilateral agreement for NAP, the State Government's expenditure as of the 27 September 2006 was \$60,774,857. The State's contribution under the NHT bilateral agreement is in-kind in recognition of the State contributing over \$250M per year or around 80% overall expenditure in NRM in WA through State agencies.
- (2) Under the bilateral agreement for NAP, the Australian Government's expenditure as of the 27 September 2006 was \$52,682,982. For NHT, their contribution was \$92,322,846.

The Australian Government has an additional national program called the National LandCare Program (NLP) which is aimed at increasing the profitability, competitiveness and sustainability of Australian primary industries. The State accesses these funds through a competitive bid, and the Australian Government direct funds to the successful regional NRM group. The State is not required to match these funds. From 2002/2003 to 2003/04, the Australian Government has contributed \$11,882,182.

- (3) The five NAP regional NRM groups have contracted over 320 NAP projects aimed at achieving resource condition targets identified in their regional strategies. Most of these projects have been in place for less than one year and are not due to be completed until June 2008. It is too early to measure tangible outcomes in most projects. Changing resource condition is a long term process and in many cases positive environmental outcomes will not be evident for many years. In the meantime, monitoring is being undertaken to assess the environmental impacts arising from the projects for all land managers including farmers. A copy of the ACC's Investment Plan 2 that has been signed off by the Australian Government and State Government Ministers for Environment and Agriculture is tabled for your information. Further information can be provided if the member has any further questions about a particular project.
- (4) The Avon Catchment Council (ACC) has been in receipt of funding from the NAP since July 2005. All ACC projects commenced in November/December 2005 and are continuing. Please see project summary attached for project details and achievements to date.
 - (a) No funding is spent on consultants from State Government Departments. State Government Departments have competitively tendered to deliver ACC projects and in some cases have been successful in delivering projects in their entirety, including all on ground components. The capacity to deliver large scale asset based regional projects was accurately identified through the ACC tender process and consulting organisations, NGOs, Local Government and State Government have all had a level of success in tendering to deliver ACC projects. The attached project summary provides information on delivery organisations.
 - (b) No feasibility studies have been funded by the ACC to date.
 - (c) The ACC has invested:
 - * 2005/06 51% of funds in on ground activities, 13% on development of management plans, 28% in Resource Assessment to determine the magnitude of issues and 8% in Capacity Building.
 - * 2006-2008 59% of funds in on ground activities, 12% on development of management plans, 15% in Resource Assessment to determine the magnitude of issues and 14% in Capacity Building.
 - * This allocation is consistent with full lifecycle planning of projects and reflects the need to both increasingly carry out on ground work over the life of the projects and to also ensure adequate planning and community capacity is in place to ensure project actions are carried out by a range of stakeholders, including individual farmers.
 - (d) The ACC has been functioning with funding from NAP (and NHT) since July 2005. However, due to the time associated with carrying out a competitive tendering process, ACC projects generally commenced in November/December 2005. The majority of these projects are scoped for 3 years and hence have been functioning for a period of less than 12 months. Due to the magnitude of the salinity problem in the Avon and resource condition change being a long term process, environmental improvements may require some time before becoming evident. It also needs to be appreciated that the Avon is also implementing an asset based approach (both built and natural environments) as described in bilateral agreements, which makes it extremely difficult to provide direct individual benefits to farmers for salinity mitigation. Monitoring is being undertaken to assess the environmental impacts arising from the projects for all land managers.

The asterixed projects listed in Attachment 1: ACC Project Summaries May 2005, have direct salinity management outcomes and seek to involve farmers in their delivery. The projects listed in this table are only from the ACC's investment plan 1. Further investment in salinity management will occur through the implementation of the ACC's investment plan 2, which was endorsed by Australian and State Government Ministers for Agriculture and Environment in September 2006. Attachment 2: Salinity Outcomes, outlines all salinity projects in the ACC and outlines specifically what salinity outcomes and salinity management techniques are being used in each project, the funding source and funding amount for each project.

- (5) Yilgarn Salinity Engineering Design Plan Project was initiated by the Australian Government, and is managed by the Avon Catchment Council in partnership with the Wheatbelt Channel Management Group (WCMG). This approach is consistent with the regional delivery framework adopted nationally for the NAP and NHT. The Wheatbelt Channel Management Group, which represents the farmers in the project area, is a key partner with the Avon Catchment Council in the project. The Minister is aware of the concerns the WCMG have.
- (6) Engineer's reports are just one component of a feasibility study for a salinity project. Many other aspects of a salinity project also need to be considered including biophysical impacts especially on receiving water bodies, legal and governance requirements, cost sharing arrangements etc. It is prudent for feasibility studies to be conducted to minimise risk and optimise outcomes prior to the investment of millions of dollars of public and private funds.

Attachments:

Attachment 1: ACC Project Summaries May 2005 [See paper 2143.]

Attachment 2: ACC Salinity Outcomes [See paper 2144.]

TRANSWA COACHES AND THE AUSTRALIND - TICKETING FACILITIES

1504. Mr G.M. Castrilli to the Minister for Planning and Infrastructure

- (1) Why has the Public Transport Authority no longer made provisions for people to purchase tickets for Transwa coaches or the Australind from the Bunbury Visitor Information Centre?
- (2) What is the reason why the Bunbury Visitor Information Centre is no longer able to carry out this function/service?
- (3) Can the Minister confirm that the only ticketing facility for Transwa Coaches or the Australind train is at the Bunbury Train Station?
- (4) Is the Minister aware that the Bunbury Train Station is not situated in the Bunbury CBD and that public transport to the Bunbury Train Station is limited making purchasing of tickets extremely difficult for many would-be patrons?
- (5) Has the Minister attempted to arrange for another booking agency within the Bunbury CBD?
 - (i) If not, why not?
- (6) Does the Public Transport Authority provide multi-rider tickets for patrons on the Australind?
- (7) If so, how does the Public Transport Authority promote this to the public?
- (8) Does the Public Transport Authority provide family tickets for patrons on the Australind?
- (9) If so, how does the Public Transport Authority promote this?
- (10) If not, does the Public Transport Authority propose to introduce a family ticket?
- (11) If not, will the Public Transport Authority introduce a family ticket for special events such as the Perth Royal Show?

Ms A.J.G. MacTIERNAN replied:

- (1) It was the Bunbury Visitors' Centre's decision to no longer sell Transwa tickets and we were disappointed by that decision.
- (2) The member should direct his question to the Bunbury Visitors' Centre. We understand they may have had problems with the demographical profile of our customers.
- (3) Within the Bunbury region, tickets can also be purchased at the Australind Travel Shop at 23 Mulgari Street Australind. In addition bookings can be made on line at www.transwa.wa.gov.au or telephoning 1300 662 205.
- (4) I am aware of the location of the Bunbury station, however the availability of both internet and phone bookings makes it easy for Transwa customers to make their reservation.
- (5) PTA advises they have made such an attempt.
 - (i) Not applicable.
- (6) Yes. MultiRiders on the Australind provide a 42% discount on standard and concessional fares. This is over and above the already high level of subsidy for public transport in country WA.
- (7) While the availability of MultiRider tickets is widely advertised by the Public Transport Authority, Transwa will also be highlighting their availability as part of a marketing campaign it has recently commenced for the Australind service.

- (8) No, however the Public Transport Authority does provide a day return fare which offers a 25% discount on the standard fare and concessional fare.
- (9) Not applicable.
- (10) No. Given the high level of subsidy already available on country services, there are no plans to increase the subsidy.
- (11) No.

KWINANA DESALINATION PLANT - DISCHARGE OF HYPERSALINE WATER

1510. Mr J.H.D. Day to the Minister for Water Resources

With reference to the Kwinana desalination plant, currently under construction, I ask –

- (1) Has Environmental Protection Authority approval been granted for the discharge of hypersaline water into Cockburn Sound?
- (2) If so, how will such water be discharged and what conditions have been imposed by the Environmental Protection Authority?
- (3) If not, when is approval expected?

Mr J.C. KOBELKE replied:

- (1) Yes. In 2004 the Minister for the Environment approved the 45 Gigalitres per year for the Perth Seawater Desalination Plant and its discharge to Cockburn Sound (refer Ministerial Conditions Statement 655).
- (2) The brine from the desalination plant will be discharged to Cockburn Sound via a 160 metre long diffuser having forty ports. This will ensure that the discharge is rapidly mixed and that the salinity is within a few percent of background values within 50 metres of the diffuser. The specific requirements for the desalination plant discharge are too detailed to list here but are specified in two publicly available documents - Ministerial Conditions Statement 655 and the Operating Licence Number 8108/1.
- (3) Not applicable.

RENEWABLE ENERGY CERTIFICATES - VALUE

1511. Mr J.H.D. Day to the Minister for Energy

- (1) What is the value of renewable energy certificates in –
 - (a) Western Australia; and
 - (b) each other Australian state and territory?
- (2) If there is a difference in the value between Western Australia and elsewhere, what is the reason?

Mr F.M. LOGAN replied:

The Minister for Energy has provided the following response:

- (1) (a)-(b) The spot market value for renewable energy certificates as of 19 September was \$17.50. However, most sales of certificates are through bilateral contracts. The value of certificates traded through bilateral contracts could be different to that of the spot market
- (2) The spot market value of renewable energy certificates is the same as they are a nationally tradable commodity.

CHILDREN IN CARE - ALLEGATIONS OF ABUSE

1513. Dr E. Constable to the Minister for Community Development

With reference to the answer to Question on Notice No. 1435 –

- (1) What criteria were included in the definition of abuse in care allegations prior to 2003-2004?
- (2) What criteria have been included in the definition of abuse in care allegations since 2003-2004?
- (3) Why were changes made to the criteria?

Mr D.A. TEMPLEMAN replied:

- (1) The criteria for classification as "abuse in care" were that the person who allegedly caused the harm to a child was either a departmental employee or a foster carer.

- (2) The first instruction that clearly defined an allegation of abuse in care as any alleged maltreatment of a child, irrespective of who may have caused the harm, was first introduced in 2002.
- The criteria that was in effect expanded to include allegations of harm including those by the child's parents, other relatives of the child and other children in placement as well as alleged abuse by foster carers and departmental employees.
- In 2003 a review of existing notifications of abuse in care established that most still related to abuse by foster carers or departmental employees.
- A revised instruction was introduced in 2004 that gave greater emphasis to the expanded criteria. This was implemented along with training to staff at all District offices.
- (3) The strengthening of the criteria occurred to ensure that the Department fully complied to its legal responsibility to children in care. The changes supported the quality assurance role of the newly created Duty of Care Unit, the implementation of the Register and was accompanied by a new Director General Instruction and extensive training to field staff clarifying and reinforcing the need to notify all allegations of abuse in care.
-