

LITTER AMENDMENT BILL 2011

Second Reading

Resumed from an earlier stage of the sitting.

MR A.J. WADDELL (Forrestfield) [2.52 pm]: Before question time I was discussing how I believe there needs to be a multi-pronged approach to dealing with litter in Western Australia; I particularly need to outline four possible approaches. There is disincentive, and I think this bill is obviously trying to —

The SPEAKER: Members, there are a lot of conversations going on at the moment. I would like to hear the member for Forrestfield; I know other people in here would as well. If members have a conversation with a member next to them—for example, the member for Mindarie—I would suggest that they take it outside of this place.

Mr A.J. WADDELL: There are four items of disincentive. Obviously this bill, which seeks to increase penalties and to provide greater opportunity to enforce those penalties, forms that particular prong of the approach. That is probably the only element of the four items that is contemplated in this bill, and that is why I say that it is a missed opportunity.

Another prong of course is education. I am perhaps now old enough to remember the Keep Australia Beautiful campaigns of the 1970s and the 1980s. They were perhaps some of the most successful social engineering commercials ever played out in Australia—probably next to the Slip! Slop! Slap! campaign. I say that simply because I have a very clear recollection of the sort of litter that infested our streets prior to that particular campaign. It seems to me, as a child of the 1970s, that it was very ordinary and normal behaviour to litter; I do not think many people thought twice about it. Now I would say honestly that there is a fair amount of stigma attached to the idea of littering. In fact, I would go so far as to say that a lot of littering probably occurs in a very solitary way, with people littering without anyone around them because they fear being caught. I think we need to ramp up those education programs and perhaps aim them at a new generation—a generation that did not see those earlier campaigns. We need to show them the consequences of littering quite graphically. Those of us who have the opportunity to travel overseas often come home and remind ourselves of just how clean our streets are compared with other places in the world.

The third prong is opportunity. Opportunity to litter presents itself at every turn. The opportunity that I speak of here is the opportunity not to litter. Many a time I have found myself out with my family in a park or in an area where we have tried to dispose of some litter and found no receptacles available. We wrap it up and take it home. I suspect that is what the majority of people do. The fact that those receptacles are not there would create an incentive for some people to simply dispose of their litter wherever they are. There may be a range of reasons why there are no receptacles. I have worked with the local governments within my electorate—both the City of Gosnells and the Shire of Kalamunda—trying to get a greater number of bins placed in some of the park areas to encourage people to use them. It is a case of build it and they will come. When we see these bins installed, we notice people using them and it does clean up the area that little bit more. It comes down to opportunity. We need to work with local government and provide them with the ability to do these things. I have spent many a day driving through the streets of Perth and have seen rubbish bins that have been vandalised and attacked. No doubt that is a cost that is being borne by local governments, and they need to be supported. The member for Nollamara spoke about hypothecating the money that comes out of any fines that are associated with this bill and pouring them back into this program. That is an excellent idea—the idea of taking any fines that are raised through litter, adding it to an education campaign and adding it to a fund that can be accessed by local government and other community groups that want to put in measures to provide receptacles for people to dispose of their litter.

The final leg that I would like to look at is that of incentive. What is the incentive not to litter? The greatest incentive is to live in a clean environment. There is no doubt at all about that. The greatest incentive is to live in harmony with everyone around us. Those are no doubt high incentives. There is also the financial incentive. Once again, we return to the idea of a container deposit scheme. Having organised a couple of Clean Up Australia Day events, I can say that the majority of litter we come across are containers. There is no doubt about it. We find discarded beer bottles, soft drink cans and juice boxes. Liquid containers are largely what people are dropping, which are littering some of our sites. If we were to adopt a container deposit scheme, we would incentivise those people who are currently discarding them to keep them and return them to some place where they can get a refund. I think there is a different community group that we could incentivise to go out and clean up our streets—that is, those people who are seeking to raise some funds. I recall that when we last debated a container deposit scheme, which was shamefully voted down by this Parliament, I spoke about how during my younger years we used to collect bottles of soft drink and take them down to a recycling depot for 5c each. That is how many of the children in our street raised a bit of spending money. During my years with the boy scouts

we often collected aluminium cans and so forth in order to recycle them to raise some funds for the scouting community.

Ms M.M. Quirk interjected.

Mr A.J. WADDELL: No—“dyb, dyb, dob” is cubs.

These are the sorts of groups that would be very attracted to a container deposit scheme. It is the sort of group that would not only benefit the community, which is part of its general cause anyway, but it would have the opportunity to raise some very much needed funds. We need only look at the kind of people who are opposing a container deposit scheme. It seems to me that it is the answer to why we should implement it. The people who oppose the container deposit scheme are the large multinational corporations that simply seek to increase their profits without any concern whatsoever for the environment or the community. We are talking about the Coca-Cola Amatis in the world that want to charge \$2.50 for a plastic container of water that has no higher value of minerals whatsoever than what is coming out of our taps. These are people who are not necessarily behaving in the most ethical way; they are about marketing, about spin and about their bottom line. It seems to me that we should turn a blind eye and a deaf ear to their complaints that it will somehow affect their profits or the bottom line of the family budget. That simply will not happen. A container deposit scheme would be self-funding—10c in and 10c out. If we spend an extra \$2 for our container of water or case of Coke or whatever we purchase, the incentive would be simply to maintain the containers and return them and we would get that money back. It would not affect their bottom line. We have heard in previous debates that a percentage of people would probably choose not to avail themselves of that, and a percentage of all containers would continue to end up in the refuse. That would leave some excess in the fund and, therefore, the fund would be self-funding in that sense. We would not have to worry about a subsidy from government or anything like that. We would have a self-sustaining fund that would provide money to community groups; a self-sustaining fund that would create incentives for people to clean up our waterways and parks and a fund that would allow people who may not necessarily have the greatest financial resources to make a little more money. We would have a system that would make people think twice before they threw something in the bin, be it the recycle bin or ordinary refuse. We have to ask ourselves: if that is not a win-win-win scenario at zero cost to government, what is a better scheme? As I said, it is an absolute disgrace that this Parliament chose to not go down that path. I suspect we will regret that in the short term and we will have to revisit that in the longer term.

Within the seat of Forrestfield, there are a number of waterways and a number of specific paths. There is one out in High Wycombe called the Ollie Worrell, which is behind the Hillview Lifestyle Village next to the Matthew Gibney Catholic Primary School. It is a ground that is run by the local government, the Shire of Kalamunda. It has a sort of waterway running around it that is the responsibility of the Water Corporation. It is one of those difficult issues, because it is also used by the school as its sporting field, so there is a private school playing there; the Water Corporation is responsible for the waterways; and the local government is responsible for the grounds. So we can appreciate that when it comes to the question of who is responsible for keeping it clean, it gets a little complicated. I have to say in that respect that a couple of years ago I was able to call a meeting of all the different groups, and we were able to reach a satisfactory conclusion and the site was cleaned up. It was fairly messy; the waterway was full of rubbish and things like that, so it was becoming a bit of a health hazard. Since then, a group has been formed called the Friends of Ollie Worrell Reserve, and I would like to congratulate it for maintaining the reserve in an excellent state since that clean-up occurred. That group is made up of many people from the Hillview Lifestyle Village.

Woodlupine Creek, however, is a waterway that goes through the Forrestfield portion of the electorate. It meanders its way into areas of Wattle Grove, through Forrestfield. The creek is quite long and it tends to capture an awful lot of rubbish. We have run a number of Clean Up Australia Day events and large numbers of the community have come out to clean it up. Last time I was out there, I saw an awful lot of containers, and strangely enough the other items I noticed were balloons. We all need to be responsible about balloons.

Mr W.R. Marmion: Balloons?

Mr A.J. WADDELL: Many of us use balloons to promote ourselves at community fairs and so forth, and sometimes we go a little further and splash out on helium for them. Each time I use helium balloons, I watch a few of them float up into the sky as every so often some poor child loses control of them. I do not think we often pause to think about what happens to those balloons. They do not continue to go up and up; they eventually pop, fall down and disintegrate. However, they do not disintegrate overnight; they take some time to break down and they can end up in a waterway or somewhere like that and can interfere with local fauna and present an eyesore. I remind members to think about that, because it could be their name and their face that is littering these waterways. I mention that because when I was at Woodlupine Creek I noticed a number of balloons. Yes, they were balloons and not something else that may have looked like a balloon! I can report quite happily that those balloons did not have my name on them, but it certainly gave me cause to think. The Woodlupine Creek area has

a number of volunteers who constantly go down there to try to clean it up. They live locally and use this area for their exercise, and it is a battle for them to keep the area clean. They have been on my case to get the local government on board to do a periodic clean-up, and we have managed to keep the area relatively clean.

The final area I need to mention is the Brixton Street wetlands. If any member has made it out to the wetlands, a small group of people there do a phenomenal job of maintaining those wetlands. Unfortunately, when the waste avoidance and resource recovery levies were introduced on bulk waste, the Brixton Street wetlands became a target for people to drop off all sorts of bulk waste. I remember going there and being shown how the group was preserving these unique plants and trying to bring back to life this delicate area and seeing a fridge that had been dropped into the middle of the area, near a dirt track where people had been riding dirt bikes. I could see the commitment from the Friends of Brixton Street Wetlands to bring this small piece of nature back to life, and it was heartbreaking to see how a piece of legislation like the Waste Avoidance and Resource Recovery Act affected their work. Again, that requires a multi-pronged approach. We cannot simply say that we are going to fine people for dumping; we need to think about the consequences of everything we do. That was an appalling piece of legislation that ultimately did more damage than good.

I am happy to support the Litter Amendment Bill 2011. I doubt anybody would oppose the idea of trying to keep our streets clean; however, I am very concerned about the mechanisms associated with allowing the appointment of these authorised officers. I would be interested to know what level of training they will have, what level of evidence they will need to demonstrate in order for there to be a successful prosecution, and what safeguards we will have from somebody simply getting annoyed with somebody and saying, “I’m going to do you for littering, and what can you do? It will be my word against yours!” The other provision I ask the minister to address is the deeming provision to do with vehicles. I appreciate that right now I could be driving my vehicle down the road and I could run over a chip packet and somebody could say that the chip packet was thrown out of my window, but this bill adds an extra layer of complexity simply because, presumably, if I threw out a chip packet, I would throw it out of the driver’s window—not that I have ever done that—and that is where it would come from. In this situation, if we deem that any litter that comes from the vehicle is the responsibility of the driver, it could come from any side of the car. If a driver simply comes across some litter that is flying in the air—I am sure we have all seen circumstances in which that has happened—what is to stop that driver having to do a “please explain” and having to spend his time denying that he had anything to do with disposing that litter? I am very keen to hear the Minister for Environment’s comments about that aspect. With that, I commend the bill to the house.

MR A.P. O’GORMAN (Joondalup) [3.10 pm]: I also rise to speak on the Litter Amendment Bill 2011. Instead of taking a holistic approach to deal with this problem, the government is using a big-stick approach without looking at it in any other manner. One thing that could be done to address the problem, which has been mentioned by many of my colleagues, is to implement container deposit legislation. We all know that it is good legislation. It has worked in the past and it will work in the future. It is a mechanism that not only gets litter off our streets, but also funds organisations such as scouts, girl guides, youth groups and other such organisations. During my many years as a scout leader, we would collect cans and bottles on a regular basis. It provided for our tents and camping equipment. Nowadays, scouts have to approach different organisations because they are not recognised individually as groups by Lotterywest. They have to go through headquarters to apply for a global amount, which makes it difficult for small organisations such as the Joondalup, Beldon, Mullaloo and Kinross Scouts to raise funds independently. They are locked into doing sausage sizzles outside the likes of Bunnings. Demand for such space is at a premium in the northern suburbs. I ask the Minister for Environment whether, when the bill was being drafted, any consideration was given to implementing container deposit legislation, which would help to not only keep our streets clean, but also fund volunteer organisations such as scouts and girl guides.

Something else that has been left out of the legislation is the responsibility of organisations. I participate in Clean Up Australia Day every year. It falls on the March long weekend, which is unfortunate for us in Western Australia, but, regardless, people can do it any time of the year—this month, next month or whenever takes their fancy. The Connolly Residents Association does a clean-up Connolly day in September under the auspices of Clean Up Australia Day. It does a great job in its suburb. I have done it many times in Edgewater, Heathridge, Joondalup, Craigie and Beldon, and each time I have managed to get 25 to 30 local residents to assist me in the clean-up of their area. People are proud of the areas they live in. What bothers them is the amount of beer bottles, soft drinks cans and alcohol cans that are disposed of. Quite often such rubbish is thrown out of a person’s car at the end of a cul-de-sac and is left for the locals to clean-up.

During our clean-ups, we also find McDonald’s fast-food packaging. I have seen this in Beldon. The year before last we did a clean-up in Eddystone park in Heathridge, and the bulk of the rubbish that we picked up was packaging from McDonald’s. I know that McDonald’s gets behind Clean Up Australia Day; indeed, it is one of its sponsors. Some people say that is good corporate citizenship; however, I think it represents a guilty

corporation. It knows it causes problems in the same way it knows that it causes obesity in many of our young people. That is the truth of it. McDonald’s food provides very bad dietary outcomes for our young people, who often eat too much of it and then throw the packaging around. That can be seen at any such fast-food outlets. McDonald’s is not a good corporate citizen in that respect; rather, it is a guilty corporate citizen that is trying to make out that it is good for the community.

The other organisations that we should take a good swipe at are the department stores that provide shopping trolleys. The Litter Amendment Bill 2011 makes no mention of shopping trolleys or the littering they cause. Over the years I think we have probably done 10 clean-ups, and I can guarantee that during every one of those clean-ups we have picked up at least one, if not more, shopping trolleys. They litter our suburbs. I know Coles, Woolworths, Target and all those places do not walk out with their shopping trolleys and they are not particularly happy to lose them, but they point-blank refuse to do anything to keep them locked within the shopping centre precincts. I have seen what happens at Lakeside Joondalup where there are loads of shopping trolleys; a new shipment comes in, they all get shuffled out to the back of the Coles or Woolies or Target stores, and they actually remove the coin-operated system on them and send them back to the eastern states, because local governments in the eastern states will not accept that shopping trolleys can be taken out of shopping centres and discarded around the streets. I would have liked to have seen the minister go a bit further with this piece of legislation and actually insist that the owners of shopping trolleys do something to keep them within the confines of the shopping centre they belong to.

Mr M.W. Sutherland: Hear, hear! Deposits.

Mr J.E. McGrath: How can they do it?

Mr A.P. O’GORMAN: How can they do it? Of course they can do it. It costs them \$40 to put a coin-operated slot in there; if they do that, the majority of people will bring the trolley back.

Mr J.E. McGrath: And disadvantage every person who goes to a shopping centre!

Mr A.P. O’GORMAN: The average person brings it back.

Mr J.E. McGrath: If you go shopping, you want to get to your car and get home; you do not want to be taking the thing back and —

Mr A.P. O’GORMAN: So the member for South Perth is one of these people who abandons the shopping trolley anywhere in the car park?

Mr J.E. McGrath: No, no, you take them back to the spot.

Several members interjected.

Mr A.P. O’GORMAN: All we are doing is enforcing good behaviour. If someone is lazy and does not want to walk the 20 feet or 20 metres over to where the shopping trolleys should be left, then a young person looking for a few extra dollars will grab that trolley, walk it over, stick it in, and take out the \$2. It is very simple. If we want to be a bit more high-tech about it, there are actually other systems around that as soon as —

Mr J.E. McGrath: Most people take their shopping trolleys back.

Dr A.D. Buti: What’s your problem then?

Mr A.P. O’GORMAN: Most people do—lots of people do not.

Mr A.P. Jacob: What about the students who are employed to do that?

Mr A.P. O’GORMAN: They do not go around the suburbs picking up the trolleys.

Mr A.P. Jacob: They do in shopping centres.

Mr A.P. O’GORMAN: What a ridiculous argument! They do not go around the suburbs and pick up the trolleys!

Mr A.P. Jacob: Yes they do! They do in Joondalup!

Mr A.P. O’GORMAN: They do not. If they did, I would not be picking them up every night of the week; every night of the week I can pick up 10 trolleys around the central business district of Joondalup that are not picked up by students, Coles, Woolworths or IGA, or any of those other supermarkets or chain stores that have trolleys; very few of them actually send people out into the suburbs to pick up the trolleys. We find them in our waterways, roads and suburbs, and it should not be allowed. The minister did not go far enough in this piece of legislation when he had the opportunity. The City of Joondalup tried it and it was disallowed. I have to say I supported what the Joint Standing Committee on Delegated Legislation did; it said that the City of Joondalup was overstepping its mark because it was putting a price of about \$500 or \$600 on a first offence, if I remember

correctly, and that was regardless of whether the trolley had been reported to the owners or not. But we can do something about shopping trolleys, and we should have been putting restrictions on the owners of shopping trolleys by not allowing them to be taken outside the shopping precinct they are involved with. It is not that expensive.

Mr J.E. McGrath: How do you stop people pinching cars? I mean, please!

Mr A.P. O’GORMAN: We stopped people pinching cars —

Mr J.E. McGrath: We did not really.

Mr A.P. O’GORMAN: — and if I remember rightly it was either the Court government or the government before that that actually insisted on the immobiliser legislation. That stopped cars being stolen for a long time. We now have the unfortunate situation of people breaking into houses and taking the keys because they cannot start the car without them, but we will find a solution for that as well. We are not silly. We are quite a clever nation; we will come up with a solution to that as well.

A shopping trolley, which is not motorised, seems to defy us, and it only defies us because those large organisations refuse point-blank to do anything. I know, because I have had them in my office telling me that under no circumstances would they do it, yet they ship them from the eastern states—I see them at Lakeside Joondalup shopping centre—and they remove the coin-operated apparatus that encourages people to bring their trolleys back. There are ways and means of doing it; all we have to do is make it economically viable for these organisations. It is not expensive to buy the part.

However, because there is no penalty on them once it goes out of their jurisdiction, they are not fined; they do not care. They let it go and lose the trolley. It is a blight on our environment. The member for Mount Lawley knows it; I know he agrees with me on this. We see them everywhere. It can be done. It is container deposit legislation, if you like. The \$2 coin goes in the slot, and people bring back the trolley. It works. I have seen it work overseas. It works over east. There is no reason we cannot take it up here. It would help a lot of people.

The member for Ocean Reef spoke about university or school students going around the streets and picking them up. They do not do it in the CBD of Joondalup. I have gone around with a trailer or a van on numerous occasions and picked up a minimum of 10 trolleys at a time.

Mr A.P. Jacob: The local law you just dissed would have resolved that.

Mr A.P. O’GORMAN: I did not diss the law. I said it was knocked back because it was actually not fair. It was overstepping what the council had authority to do. That is what the Joint Standing Committee on Delegated Legislation said it did: it overstepped the authority councils had, and that is why it got knocked down. Also, the penalty was too severe in a first instance if the organisation had not had it reported to them.

We can and should do something about it, and members opposite have missed the opportunity here, as they have missed the opportunity for container deposit legislation and as they have missed the opportunity to get to the organisations that caused the rubbish in the first place. It is a small incentive and a large education campaign for our young people as well. Our young people learn it in their schools. I think the member for Nollamara said earlier that members can go to any one of our schools in the state and see that the grounds are immaculate. They have great gardeners. The kids are all involved. Schools in Joondalup such as Beldon Primary School have started a Stephanie Alexander kitchen garden. They are learning the benefits of good nutrition. They are growing the vegetables and cooking them in their own kitchen at Beldon Primary School, and they are starting to realise, “Hey, it is not good to rock down to McDonald’s every night of the week and have a hamburger.” Once or twice as an occasional treat, that is fine.

Realistically, our young people know that it is not right to litter. They keep their own school grounds clean. Many of them do yard duty. Beldon Primary School, Joondalup Primary School and just about all the primary schools in my electorate are very aware of their environment. I have been talking to them for 11 years now about planting trees at those schools. They are well aware of how to look after their environment, and they protect the bushland and parkland areas around their schools and clean it up. I challenge members to walk through Joondalup on any night of the week, through the park near Blue Mountain Drive, which is right beside the primary school, and find a piece of litter, because all of those young people know and they keep it clean.

The places I see are opposite Hungry Jack’s in Lakeside, opposite McDonald’s in Currambine and opposite McDonald’s in Belridge. That is where the rubbish is coming from. We need to impress upon them that they need to look at different options they can use for delivering fast food to people in the community. We need to give an encouragement that, if people buy a soft drink at McDonald’s or anywhere like that, they can take it back and get their 5c or 10c deposit. We know it is a self-sustaining scheme and it will help those organisations. It will keep rubbish off our streets.

I also encourage every member in this place to get involved in Clean Up Australia Day. It is a great way of getting the community involved. It costs nothing, because if members go to the local IGA, Coles or Woollies—even though I have just bagged them all—every one of them will come on board. They support us with sausages and bread buns and all those things.

Mr J.E. McGrath: Junk food!

Mr A.P. O’GORMAN: It is not necessarily junk food. I am sure all members cook it at home. It is a small return for people who show up on the day. I never provide soft drinks to anybody who shows up to one of my Clean Up Australia Days. I am happy to provide water, but I do not provide disposable, throwaway plastic bottles. I provide a container that they can take it out of, and we gather up all the paper cups afterwards.

The minister has missed an opportunity, I am sorry to say. I wish he had done more. I wish he had done stuff about the shopping trolleys. I wish he had pushed it onto the big rubbish creators, not just McDonald’s, but all fast-food outlets. I wish he had taken the opportunity to introduce container deposit legislation. A lot of people would have been better off.

MR M.W. SUTHERLAND (Mount Lawley — Deputy Speaker) [3.24 pm]: It is not often that I agree with the member for Nollamara, who is so far left that she is coming right again! In this instance I agree with her, because her stomping ground and mine overlap. The point that the member for Nollamara made about the very poor state of the verges on our main roads is quite disturbing. I find it very interesting that councils now have a propensity to create jumbo median strips on main roads and plant trees and flowers in middle of the street and then have to maintain them, but these verges are very poorly maintained. I do not think the City of Stirling has been out to the area behind the Dress Circle estate in Dianella in the member for Nollamara’s seat to clean up the verge in 10 years. There is litter and bottles and whatnot. Just to make the member for Nollamara feel better, there are littering problems all over the place. Not only is there litter on empty blocks, but also because the City of Stirling has a verge collection from time to time, which I am sure we have all read about in the newspaper—people complain about rubbish being left on the verge for weeks at a time—people think they can throw out their rubbish whenever they want. They throw out these pitiful articles of furniture maybe in the hope that somebody will take them, but I often wonder where they store this rubbish that they put out on the verge. This is what we are living with and it is getting worse. People drive around and throw bottles out of car windows or open their car doors and put the stuff on the ground.

I agree; I think we have fallen down very badly on education and on education in schools. It has to be drummed into people that it is not okay just to throw their stuff wherever they want to or to dump their household furniture and whatnot out on the verge. It is a terrible impost on councils. I will make a point of getting copies of those documents from the member for Nollamara. I think our local councils—Stirling, Vincent and Bayswater—should take a much greater interest in maintaining verges on main roads through the suburbs. The point is that if the verges are not maintained, people throw their rubbish and dump their household litter on the verges. It is a huge problem.

My friend from South Perth has left the chamber, but the member for Joondalup again made the point about shopping trolleys. Shopping trolleys are a blight. In fact, people who take shopping trolleys from shopping centres are guilty of theft because it is not their property to take. People can be seen going home with one or two shopping bags or a big phial of water in a shopping trolley and it is just left outside. It is the same culprits all the time. I was very gratified to see that the shopping trolleys at the new Coventry Square Markets in my area have a coin-operated system. I have had fights with Woolworths and IGA at Centro Dianella about their lack of control over shopping trolleys, which are littered up and down Grand Promenade, Alexander Drive and elsewhere. I get very lame excuses from them for not ensuring that the shopping trolleys are brought back. The member for South Perth said that people are in a hurry and want to get home. If there was a \$2 fee payable on a shopping trolley, a lot of schoolchildren would take them back and get \$2. That would solve the problem. But there is another way of dealing with shopping trolleys. In the eastern states, certain shopping centres have a locking mechanism on the wheels, and if the trolleys are taken outside the driveway of the shopping centre, the wheels lock.

I think it is a very important issue. There is an impost on councils. People have to phone the council, such as the City of Stirling, to tell it that a shopping trolley is in the street. They have to read on the handle “Coles” or “IGA” or whatever. The council has to contact IGA and say, “You’ve got 48 hours to remove the shopping trolley. If you don’t, you’re going to get a fine of \$300.” There is a lot of administration work. I have asked why the council does not simply collect the trolleys and impound them. People at the council said, “If we impound them, they don’t come and collect them.” I would have thought the best thing to do would be to sell them because these trolleys are worth quite a lot of money—\$200 a trolley, or something like that; they are very expensive. That is a huge problem. I would also like to see people who dump beds, mattresses and TVs on the verge get a serious fine.

The main thing with kids is their education. We have fallen down badly. I do not see any drives with television advertising, which is an outstanding service, member for Nollamara; I do not see any adverts on television. When I go to schools, I encourage schoolchildren to ask their parents to phone the council and beautify the verges and get trees planted et cetera. Where there is a run-down verge, we usually find bottles and cans. Very often people are too lazy to even pick up a few items of litter outside their house, which is very disappointing. I have sent out surveys in Mt Lawley, and members will be surprised how many people complain about the unkempt state of verges in their street.

Another thing I would like to speak about is unwanted posters. People go out and just decide they are going to advertise for whatever live show or nightclub. They plaster whichever walls they can find with posters. A terrible example is the West Perth subway. I am on the state Graffiti Taskforce. I asked its members to make sure that the subway walls are clean. I am not having much success. People plaster subway walls and electricity boxes with posters. A bad place is on the corner of Walcott and Beaufort Streets. Posters are plastered wherever they can be, including empty buildings. They get away with it with impunity. I am told it is very hard to prosecute these people under the Litter Act, and they have to catch them. Again, that needs to be tightened up substantially. It is a blight. The West Perth subway is one of the main entries to the city and it is a disgrace. I brought it up at the last Graffiti Taskforce meeting, and I will bring it up at the next meeting. To me, it is a case of education, education, education of the young. Hopefully it will filter through again. But to those people who continually just dump stuff wherever they feel comfortable doing it, the big stick should come down on them. I support these initiatives. When I walk around at night-time, I have always got a bag in my hand picking up rubbish. I really think that it is a poor reflection on our society. When I came to Perth 25 years ago, I hardly ever saw people throwing bottles out of cars and that type of thing, or just stopping at the traffic lights and putting a beer bottle down on the median strip. It is a challenge for all of us on both sides of the house. We all agree with each other on this matter—councils cannot do everything. Councils can do more in certain areas by keeping main streets clean, but it is up to the community to be very particular on making sure we have a litter-free environment.

DR A.D. BUTI (Armadale) [3.34 pm]: I rise to also make some comments on the Litter Amendment Bill 2011. I agree with the member for Mount Lawley that education, education, education is the thing that we should be focusing on, but there does not seem to be education, education, education in this bill. As is typical of the way this Minister for Environment and often this government approaches problems, it always has a very narrow approach and often it comes down to the “stick”. Of course, the stick is very important but it should only be one element. In his second reading speech the minister said —

Unfortunately, Western Australians are among the country’s worst litterbugs.

But why? What research has the minister done so that he can tell us why Western Australians are among some of the worst litterbugs? Did the minister do any research before he brought in legislation to try to solve the issue? With the minister’s scientific background, surely he would believe in empirical evidence to support any action. I would like to know where the minister’s evidence is that we are among the worst litterbugs in Australia. I do not doubt that is probably the case, but what is the reason behind it? Will this bill that the minister has brought to this house solve that? Will the imposition of fines of \$5 000 for an individual and \$10 000 for a corporation deter people from littering?

The member for Nollamara talked about behavioural economics studies. No doubt fines can alter behaviour, but to what degree? Here we have a \$5 000 fine for an individual, which is pretty hefty. I imagine it will deter some individuals. If not, they will be very poor very quickly if they are found and charged.

The other issue on which the minister has not persuaded the house is how he will implement this bill. The minister may have litterbug inspectors, but, really, where will they be? Will they roam the streets 24/7?

Mr W.R. Marmion: This bill is about changing the existing fines. The current system is there; we are only putting up the fines.

Dr A.D. BUTI: It is very, very limited. Why would the minister impose a \$5 000 fine for an individual but only a \$10 000 fine for a corporation? I imagine that the minister was working on the premise that a money penalty will change behaviour; otherwise it would be pointless to bring in this legislation. The minister would have come to that conclusion working on the premise that a financial penalty will result in a behavioural change. If that is the case, a corporation should have a fine greater than \$10 000 if the minister thinks that \$5 000 is necessary to change the behaviour of an individual. Generally, a corporation will have greater revenue base, so a \$10 000 fine may not be very much at all when a company’s turnover may be enormous, such as the turnover of a McDonald’s restaurant.

We had the usual contribution from the member for Jandakot who always wants to talk about conspiracies and left versus right and so forth. He has not changed. I thought he may have changed his usual debating techniques since his promotion to parliamentary secretary, but he has not. If McDonald’s and other fast-food outlets cause major problems with litter in our society, a \$10 000 fine will probably not be a major deterrent. If the minister is

working on the premise that a financial penalty will be a deterrent, he cannot equate a \$5 000 individual fine with a \$10 000 corporate fine. Whatever premise the minister is working on, it is a very limited approach to dealing with the problem of littering in WA. I challenge the minister to tell this house the research he has done that shows Western Australians are among the worst litterbugs in our society.

The member for Mount Lawley made a very worthwhile contribution on littering and education. The member for Joondalup also mentioned the issue of education. We have to educate our society that littering is bad. To purely impose penalties is insufficient. It may have some deterrent effect, but the orthodox position under behavioural economics is that people react to economic factors and, of course, a financial penalty is an economic factor that people need to consider when they decide whether to litter the streets. Surely, as the member for Mount Lawley, the minister’s colleague, has stated, we should look at education, education, education.

But let us go even further than that. Why is this government continuing to oppose the container deposit scheme? I have been to South Australia a number of times—the minister may disagree with this—and I think its system works very well. There cannot be an ideological reason. What ideological reason is there for the Liberal government of Western Australia to be opposed to a container deposit scheme? Is it something to do with the fact that corporations might suffer? The minister does not think that is the case; he is shaking his head. If corporations will not suffer, why is there opposition to —

Mr W.R. Marmion: You haven’t been reading my press releases.

Dr A.D. BUTI: What is your opposition then?

Mr W.R. Marmion: I will get to that. Everyone else has asked the same question.

Dr A.D. BUTI: The minister will get to that. Even though it would have a far greater effect on reducing the amount of rubbish on our streets, the minister will not take that measure forward. What he takes forward is a very limited behavioural science–economic approach. I am not sure where the minister’s empirical evidence is to support that. If the minister has it, I hope he will produce it.

We need to educate not only our kids, but also our communities. We need to educate them that, of course, we do not want to have dirty streets; we do not want to have rubbish on our streets. But we have to approach it from a position of individual respect and community respect. Therefore, we need to educate people in the community that it is respectful of each other to ensure that we have clean, not dirty, streets. In most cases people do not litter. Most people do not litter; and, if they do litter, often it is accidental; they did not mean to do it. We are talking about a small proportion of the population, but that small proportion of the population can, of course, have a very negative consequence for the rest of the well-behaved sections of society.

The issue of shopping trolleys is a major one. It was raised by the member for Joondalup, and the member for Mount Lawley also discussed the problem. I was amused by the interjection of the member for Ocean Reef when the member for Joondalup was on his feet. The member for Ocean Reef said, “Oh, if we try to solve that problem of shopping trolleys, we’re going to put university students out of employment.” Therefore, the member for Ocean Reef believes that one way of creating employment is to allow bad behaviour, so we should allow bad behaviour to occur because it is going to create employment for university students. Surely the minister does not agree with that, does he? The minister does not think that we should allow antisocial behaviour purely because it creates employment programs.

Mr W.R. Marmion: One thing I will say is that I have seen quite a few shopping trolleys around Armadale, so, yes, it —

Dr A.D. BUTI: Yes, it is a major problem.

Mr W.R. Marmion: Certainly when I lived there it was.

Dr A.D. BUTI: It still is, and it is worse. It is a major problem in my area, so we need to look at ways we can address that issue.

The member for Joondalup talked about a coin deposit scheme in regard to the trolleys. I think that is well worth an attempt. The member for Mount Lawley mentioned a system used in the eastern states and also, I think, in the United States whereby once a shopping trolley goes beyond a certain mileage from the shopping centre, the wheels on the trolley lock up. These are things that we need to consider. In his second reading speech the minister said that the purpose of this bill is to try to improve the environment of our community. To look purely at penalties is a very narrow measure. The minister should look at the container deposit scheme. He has not even addressed the issue of shopping trolleys and he has not looked at education.

For many people the issue of litter is a major concern. In another part of my electorate is the Champion Lakes estate near Champion Lakes Regatta Centre. It is a great residential estate that was initially developed under the ministerial responsibility of my predecessor in the seat of Armadale, Hon Alannah MacTiernan. There are people in that estate who take a bag with them and pick up rubbish when they walk around the lake. I encourage us as a

community to do that, but it is sad that we as a community should have to do that. We should not have to go around with a bag to collect rubbish, but unfortunately there is always an element of our society that will not do the right thing. The former Mayor of Armadale, Linton Reynolds, who lives in the Champion Lakes estate, every day when he goes for a walk takes a bag with him and usually has very little trouble filling it with rubbish, which is a really sad indictment of certain elements of our community. Therefore, I think the member for Ocean Reef needs to rethink what he said. I am glad that the member for Ocean Reef has walked back into the chamber. In his interjection to the member for Joondalup, the member for Ocean Reef seemed to encourage that we should allow bad behaviour because it creates employment for university students.

Mr A.P. Jacob: Can I just explain that a bit better? The member for Joondalup knows where I was coming from on that. That revolved around the City of Joondalup local law that was introduced that he also referred to. So I was just more querying him about that because I got the impression he was saying he didn't support the local law, but the local law sought to more or less achieve the same outcome that we're trying to achieve here. But he said his dispute was more around the amount of the fines. I voted for that local law when I was a councillor.

Dr A.D. BUTI: I am glad I gave the member for Ocean Reef the opportunity to defend himself.

My colleague the member for Forrestfield mentioned the issue of balloons. We as parliamentarians often use hot air balloons to advertise our profile. I must say I have not, although I considered it because it is a very —

Mr W.R. Marmion: Only indoors.

Dr A.D. BUTI: Only indoors—all right. We would not want to put it in this place; there would be a lot of hot air to blow up balloons here, would there not?

Mr W.R. Marmion: Are you suggesting they wouldn't rise?

Dr A.D. BUTI: I think they would rise very quickly here! I have not used balloons, but I must say I was tempted. The member for Mandurah is not in the chamber, but I was told by his office that he opposes balloons because of the environmental issue, so I am glad that he was able to educate me on that.

Another way that we as politicians do not help the issue of rubbish is our campaigning material. We all have it, but we have to because we know that if we do not, our opponents are going to have it. I think it is appalling that on election day we hand out how-to-vote cards to everyone who comes to the polls. We try to collect them back if we can et cetera, but why do we not have a system in which there is one massive how-to-vote card in the ballot room? The law would need to be changed, obviously, because there cannot be certain political signage in the polling booths, but we could all have a how-to-vote sign in the polling booth for each candidate and there would be no need for us to hand out cards.

Dr K.D. Hames: I would rather have a box outside before you go in where everyone's got their stuff and then people take what they want.

Dr A.D. BUTI: Exactly—even that would make sense, but the problem is that we produce so much paper.

Mr W.R. Marmion: A lot of people do give them back to you, though, when they come out.

Dr A.D. BUTI: But it is not enough. It just seems such a —

Mr P. Abetz: We've got to educate them!

Dr A.D. BUTI: We have to educate —

Dr K.D. Hames: But none of us ever do it. We all talk about it, all of us in here think it's a good idea, but nobody ever does anything about it.

Dr A.D. BUTI: Yes, we never do anything. Also, many people, such as my mother, get very stressed when they walk up to the polling booth and everyone is trying to throw a how-to-vote card at them. On the day, we as politicians are very anxious and we want our party workers to make sure that people get our how-to-vote card and often first or last—not in between! I personally love the day; I find it very enjoyable. However, a lot of people do not. Also, there is such wastage. The Minister for Health, the Leader of the House, rightly said that we always talk about it but we do not do anything. Maybe the Minister for Environment might want to make a great name for himself in his portfolio and try to bring something before the house.

Mr W.R. Marmion: I might have to talk to the Minister for Electoral Affairs.

Dr K.D. Hames: Good idea!

Dr A.D. BUTI: Although, I must say, there would of course be a lot of businesspeople who live on the proceeds of election material who will not necessarily be very happy. But to me it just seems to be an absurd situation.

Mr W.R. Marmion: I think it's every four years!

Dr A.D. BUTI: Then we have the federal campaign.

Mr W.R. Marmion: The corflute signs are bigger, aren’t they? You see them being thrown in the skip afterwards.

Dr A.D. BUTI: Yes; it is the old adage: we know it might be wrong, but because the other side is doing it, we are going to do it because we do not want to be left out. It is something that I have long thought about, having worked on polling booths for more years than I care to remember. I must say, though, I much preferred working on a polling booth than being the candidate! I have been the candidate only once; it was much more relaxing being the booth captain than being the candidate, I can assure members! I always wanted to be the candidate but when the day came, it was actually not a very nice experience.

Dr K.D. Hames: Can I tell you what is most stressful? Being the candidate when you know things aren’t going well. That is stressful.

Dr A.D. BUTI: Yes, I imagine that would be a great stress, and I dearly hope it is something I do not have to experience for some time.

Dr K.D. Hames: Like 2001!

Dr A.D. BUTI: Yes, 2001—that is right!

[Member’s time extended.]

Dr A.D. BUTI: The contribution by the member for Gosnells, who led the debate for the opposition, outlined our concerns with the bill. It was quite disappointing that the member for Jandakot reacted in his usual manner, but we are getting used to that, so I suppose it was not a surprise. The members for Nollamara, Forrestfield and Joondalup also made some very interesting and worthwhile points for the Minister for Environment to consider, and, in many respects, the member for Mount Lawley reconfirmed many of the issues that the opposition raised. Yes, I think we can legitimately argue on behavioural economic grounds that penalties can change behaviour, but it is only part of the rubric.

Mr W.R. Marmion: I totally agree.

Dr A.D. BUTI: On that basis, I am a little confused as to why the minister would have a \$5 000 fine for an individual and only a \$10 000 fine for a corporation. I personally believe that a far lesser fine for an individual would likely change behaviour, but the minister may be able to explain —

Mr W.R. Marmion: Did you say a lesser fine?

Dr A.D. BUTI: Yes, I think so.

Mr W.R. Marmion: Five thousand is the maximum, if it goes through the courts. An infringement’s only \$200.

Dr A.D. BUTI: I would be interested to find out whether there is some evidence or whether some empirical research has been done to support the minister’s statement in his second reading speech that Western Australians are among the worst litterbugs in Australia.

Mr W.R. Marmion: That’s pretty easy. Even the member for Gosnells knows the figures on that.

Dr A.D. BUTI: Why is it, then?

Mr W.R. Marmion: There’s a national litter index.

Dr A.D. BUTI: Yes, but that does not tell us why. I am not denying that the minister has the evidence; I want to know why we are like that. I think that is important. If we are trying to bring in legislation to change behaviour —

Mr W.R. Marmion: I’m sure you aren’t, but obviously some sectors of the community are!

Dr A.D. BUTI: Yes, but I am trying to be serious here. We are trying to bring in legislation over time; obviously, as the minister says, this is only one piece of legislation and he will try to bring in other pieces of legislation and policies, but we really need to know why we are the worst offenders in Australia. Of course there are statistics to tell us that we are the worst, but what is the rationale for that? Why do we behave in this manner?

Mr W.R. Marmion: I’ve done some work on that, too; it’s in here.

Dr A.D. BUTI: The minister has done some work on that? Okay. As the member for Mount Lawley reiterated: education, education, education. There is a need for us to develop a sense of community respect for each other.

While I am on the subject of rubbish, graffiti is obviously rubbish, and I want to take some time to acknowledge an outstanding community volunteer in my electorate, Steve Aldersea, who has established a team of graffiti cleaners. Every Saturday and Sunday, they go around cleaning graffiti; it is a sad indictment on our society that

they have to do that, but unfortunately they do. The City of Armadale provides them with a van and the equipment they need to clean the graffiti, but they give of their labour on the weekends without any charge. Steve Aldersea and his team in Armadale should be congratulated for their outstanding community effort. If we are to fight the scourge of litterbugs, we as a society have to act as a community. Yes, there is a behavioural economics element to it, which this bill takes account of, but we have to try to develop an educational approach that will see people respect each other, respect their community and respect their environment so that litter will become something we need not worry about.

The member for Jandakot mentioned Singapore. Yes, it is a very clean society but I do not think it has the only clean environment in the world. We therefore do not necessarily need to follow the Singaporean approach to everything.

Mr R.H. Cook: It has democracy issues!

Dr A.D. BUTI: That is right, democracy!

Any member who has been to Switzerland would know that Switzerland is an incredibly clean society. Many cities on the continent of Europe are very clean. By and large, although the figures indicate that our country is one of the worst litterbugs, most of our environment is pretty clean. Having said that, though, there is a real problem with shopping trolleys and beer bottles. When I go on my morning run, especially on the weekend, I find beer bottles—empty bottles usually, I must say.

Dr K.D. Hames: Up north it is terrible too. If you go out of Karratha and head north up towards Roebourne, it is absolutely dreadful.

Dr A.D. BUTI: Yes, it is disgraceful. It is a difficult problem that we need to address and we therefore have to take a very nuanced and holistic approach to the issue. I do believe the minister needs to revisit the whole issue of the container deposit scheme. Penalties may work to a degree, but they are only part of the solution.

MR W.R. MARMION (Nedlands — Minister for Environment) [3.56 pm] — in reply: I have only four minutes and it will therefore be very difficult to get started on this reply. I begin by thanking all the members of the house who spoke on the Litter Amendment Bill 2011. In general everyone supports the bill. We heard from the members for Gosnells, Jandakot, Mandurah, Alfred Cove, Kingsley, Nollamara, Forrestfield, Joondalup, Mount Lawley and Armadale. I acknowledge their contributions.

Dr K.D. Hames: Can I just fill in a little bit of the space by telling you a story?

Mr W.R. MARMION: Sure. I would love to hear the Leader of the House’s interjection.

Dr K.D. Hames: When we were in government in 1997, we had a select committee on recycling and waste management that looked at all the issues around recycling. We travelled internationally and looked at the combustion of waste and at composting of waste. We considered the issue of a fee on bottles and collectively decided as a committee not to go down that path. We are the ones who preserved the Swan coastal plain from any further rubbish tips and we required strict conditions on rubbish tips, with double lining and extraction of gas. Interestingly, on that committee was Dr Judy Edwards, who went on to become the Labor Party’s Minister for the Environment. It was a unanimous decision about that container deposit legislation.

Mr R.H. Cook: What year was that?

Dr K.D. Hames: It was 1998 or 1999.

Mr R.H. Cook: That was last century!

Mr C.J. Tallentire: There have been interesting inquiries in Adelaide. Look at the South Australian model.

Dr K.D. Hames: I am not saying I disagree. We had very mixed feelings, I can tell you. We were very close to saying that we should do it, and there are reasons in our report as to why we didn’t. That was particularly so with glass, as the cost of petrol to cart glass was a greater energy producer and environmental polluter than the actual recycling of glass in the first place. But from a collection of waste point of view, we were tempted to go along that path.

Mr C.J. Tallentire: That would be done on energy levels.

Dr K.D. Hames: You need to read it. You should get it and read it. But I have to say that I wouldn’t be averse to changing our position. It is just an interesting anecdote that your Minister for the Environment was on a committee that recommended against that.

Mr C.J. Tallentire: She might have changed her view.

Dr K.D. Hames: She might have changed her mind, too.

Mr R.H. Cook: And they might have invented the wheel since then!

Dr K.D. Hames: I’ve almost used up the minister’s time!

Mr W.R. MARMION: I thank the Leader of the House for that important interjection.

Mr R.H. Cook: Now you have to finish up in one and a half minutes!

Mr W.R. MARMION: No, I will not be finishing up. I will come back because I have too much material to respond to from members to do it justice. Further to the interjections—there may be other interjections in response to my remarks—I think Judy Edwards started another review of the container deposit scheme and a report was produced in about 2007.

Mr C.J. Tallentire: She appointed the member for Perth to that committee. He led it, I believe, and it found conclusively that there was a very strong business case for a container deposit scheme to be introduced into Western Australia.

Mr W.R. MARMION: Can the member for Gosnells recall what the recommendation was?

Mr C.J. Tallentire: I think it was that a scheme be introduced similar to the South Australian one, but one where government had greater control than in South Australia. There is a difference there. It is a good model. The South Australian one does enable the beverage industry to have a fair degree of control.

Dr K.D. Hames: It would be interesting to have another look. I remember collecting bottles when I was a kid to get refunds.

Debate adjourned, pursuant to standing orders.