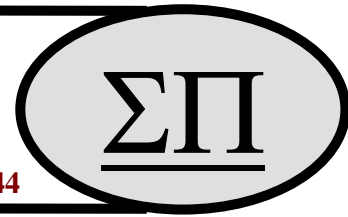


# SMITHSON PLANNING

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## The RAINBOW 2000<sup>©</sup> PROJECT.

(Incorporating Albany Anzac 2014-18<sup>®</sup> Re-enactment and Albany Bicentennial 2026-27<sup>®</sup>)

- a Regional Planning Strategy for Albany and the Great Southern.

### *Manypeaks Governance Model*

*The Rainbow 2000<sup>®</sup> Project is a doctoral research & corporate investment program analysing the relationship between planning and politics in Economic Development in Australia, and more particularly a case study of Albany & the Great Southern Region of Western Australia – thesis : Is planning the antithesis of politics?*

The following is a proposed model for regional governance evolution embracing Federal, State, Regional and Local transitional arrangements for a period of four years from proclamation (open elections thereafter).

#### **BEFORE (Western Australia)**

**Federal Member for O'Connor (Tuckey)**  
**Senators for Western Australia (12)**

**3 Members of Legislative Assembly**  
Member for Albany (Watson)  
Member for Blackwood-Stirling (Redman)  
Member for Wagin (Waldron)

**3 Members of Legislative Council**  
Member for South-west (McSweeney)  
Member for South-west (Holt)  
Member for Agricultural (Benson)

**Great Southern Development Commission**  
Chairman GSDC (Rundle)

**Southern Aboriginal Corporation**  
Noongar Elder (Penny)

**14 LGAs of the Great Southern**  
Mayor, City of Albany  
Deputy Mayor, City of Albany  
President, Shire of Denmark  
President, Shire of Plantagenet  
President, Shire of Cranbrook  
President, Shire of Kojonup  
President, Shire of Broomehill / Tambellup  
President, Shire of Gnowangerup  
President, Shire of Jerramungup  
President, Shire of Woodanilling  
President, Shire of Katanning  
President, Shire of Kent  
President, Shire of Wagin  
President, Shire of Dumbleyung  
President, Shire of Lake Grace

#### **AFTER (Manypeaks)**

**Federal Member for Manypeaks (TBA)**  
**Senator for Manypeaks (1)**

**3 Members of Legislative Council**  
Member for Albany  
Member for Stirling  
Member for Piesse

**3 Members of Legislative Council**  
Member for Great Southern  
Member for Great Southern  
Member for Great Southern

**1 Member of Legislative Council**  
Member for Great Southern

**1 Member of Legislative Council**  
Member for Noongars

**15 Members of Legislative Assembly**  
Member for Frederickstown  
Member for Vancouver  
Member for Denmark  
Member for Plantagenet  
Member for Cranbrook  
Member for Kojonup  
Member for Broomehill Tambellup  
Member for Gnowangerup  
Member for Jerramungup  
Member for Woodanilling  
Member for Katanning  
Member for Kent  
Member for Wagin  
Member for Dumbleyung  
Member for Lake Grace

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## The Western Australian Constitution and Federation - 1901

In 1890 Western Australia gained representative government and its own [constitution](#). The *Western Australian Constitution Act 1889* - based on Imperial legislation enacted in the House of Commons in London - was passed by the non-democratic Legislative Council. The Act set out the form of representative parliamentary self-government to be adopted by the colony.

Since then the Act has been amended and altered many times by the Western Australian Parliament. The State's Constitution actually consists of those parts of the original Act which have not been repealed and all the subsequent amendments, most of which are embodied in another Act, the *Constitution Acts Amendment Act 1899*. Because the Commonwealth Constitution was adopted in 1901, the Western Australian Constitution makes no reference to the role of a national government, nor to the relationship between the State and Commonwealth.



Responsible government established, 1890

The Australian Constitution was written with the intention of defining the limited powers of a federal government. The main responsibilities given to the Commonwealth under section 51 of the Constitution related to defence and external affairs, navigation, immigration, international and interstate trade and commerce, currency, conciliation and arbitration, postal and telecommunications services, and invalid and old age pensions. [The States](#) were left with responsibility for everything else. However, over the years changes to the Constitution and changes to its interpretation have altered Commonwealth/State relations.

As the Western Australian Premier, Richard Court complained in *Rebuilding the Nation: An Audit and History of State Powers and Responsibilities Usurped by the Commonwealth in the Years Since Federation (1994)*

*"the Founders intended to establish a Commonwealth Government with limited and defined powers, while leaving the States with their general plenary powers to regulate and the responsibility for the major social, economic and political concerns of Australia.*

*"This balance of power, which was the essence of the Federation, was seen as critical in ensuring that both the national interests as well as the interests of the people living in the regions of Australia were served ....*

*"I have become deeply concerned about the weakening of the Federal system of Government in Australia caused by a growing concentration of both political and financial power in the Commonwealth Government." (pp. 4-5)*

While the Australian Constitution is only open to alteration through referenda which must be passed by a majority of people in a majority of States, the [interpretation](#) given to it by the High Court has changed over the years, with rulings generally favouring the Commonwealth.

Western Australian Constitution Act 1889 – Section 61 – Separation of the Colony :

Nothing in this Act contained shall prevent Her Majesty from dividing the Colony of Western Australia as she may from time to time think fit, by separating therefrom any portion thereof, and either erecting the same or any part thereof into a separate Colony or Colonies under such form of Government as she may think fit, or from subdividing any Colony so created, or from re-uniting to the Colony of Western Australia any part of any Colony so created.

**RAPI 1998 – Embracing change :** “It has been brought to my attention that the Albany Chamber of Commerce (& Industry) is listed to deliver a paper on ‘A New Look at Regional Centres’ at the Royal Australian Planning Institute’s 1998 National Congress in Brisbane on the 9<sup>th</sup> July 1998. The Town of Albany is a member of the Chamber and it has come as a surprise to me and my fellow Commissioners that the Chamber would become involved in the presentation of a paper at a conference of this nature. All the other presenters, without exception, are town planning professionals or consultants working in that field. Can you please explain to the Town of Albany why the Chamber has registered an interest in delivering the paper?”

“The second issue that then arises out of the commitment to deliver a paper is the message that will be delivered. As you will appreciate, the City of Albany is to come into existence on the 1<sup>st</sup> July, 1998. The Town and Shire of Albany have both contributed considerable time and resources to launch and promote the event and to unite Albany into a single community prior to democratically elected Council taking over the City’s operations in May, 1999. Considerable media attention will be focussed on Albany over that period and it is vitally important from Council’s perspective that a positive image is projected of the City and the amalgamation process.”

“As no attempt has been made to contact staff at either the Town or the Shire to provide information for the paper, or to assist in its delivery, I am concerned that a distorted message may be projected on planning Albany’s future. Staff at both Councils, together with previous elected members, have worked diligently behind the scenes for more than twelve months developing a vision for Albany. Unlike Smithson Planning’s ‘Rainbow 2000’ concept which will have no legal basis but has received considerable press in recent months, the work of those officers will become the legitimate and adopted Town Plan for the City of Albany : Private investment and planning decisions will be judged and approvals will be issued on this plan only.”

“Similarly, the Great Southern Development Commission and the Albany Economic Development Unit have been working to secure investment in the region and I have been advised that the Chamber has made no contact with either body. These greatly concern me. The messages and the images that are projected of Albany over the next twelve months by peak organisations such as the Chamber will be critical to the future marketing of Albany as an investment and visitation centre. I simply ask that the message you deliver at the forthcoming conference is a positive and factual statement of Albany, both present and future.”

**Dr. Ken Michael AC, Chairman of Commissioners, Town & Shire of Albany Letter : 28 May 1998**

*Following up – Dr Ken Michael AC was appointed Governor of Western Australia on 18 Jan 2006 – and as of January 2009, there still isn’t a consolidated Local Planning Scheme for the City of Albany, contrary to the provisions of the WA Planning and Development Act 2005.*

**Whole of government planning :** “The cooperative approach you have described between business and the community of Albany in developing a proposal to present to the Albany City Council and the WA State Government highlights the capacity of local communities to respond to local problems. Real solutions will only emerge if governments work in partnership with communities and business groups to find them. At the Regional Australia Summit in October 1999, the Prime Minister spoke about the notion of social coalition. The Prime Minister’s address recognised that in a country such as Australia, governments cannot solve every problem, however, by acting in coalition or in partnerships the Australian community can solve many of the nation’s problems together. This collaborative effort and commitment is at the fore of the notion of the social coalition.”

“The recently released interim report of the Reference Group on **Welfare Reform Participation Support for a More Equitable Society** stressed the need for social partnerships and that governments, businesses, communities all have a role to play. Further, it states a strong and positive community takes action to identify and tackle its own problems through building economic and social coalitions at the local level. Federal, State and territory regional Ministers and the Australian Local Government Association met in March this year to discuss the recommendations from last year’s Regional Australia Summit. At the Summit, lack of coordination between the three levels of government was identified as a hindrance to greater economic and social prosperity in rural and regional Australia. The Hon. John Anderson MP, Deputy Prime Minister and Minister for Transport and Regional Services, expressed the hope that he would be able to ‘determine how all levels of government can work together as partners and develop an agreement that will better coordinate government activities in regional Australia.’”

**The Hon. Larry Anthony MHR (Richmond, NSW), Minister for Community Services Letter : 23 Jun 2000**

**ALGA launches campaign to protect community from open slather planning :** “Local government leaders from across the country have resolved to launch a vigorous campaign to protect the critical regulatory role of councils in the planning process and prevent developers from by-passing democratically elected local community representatives. The Executive of the Australian Local Government Association (representing every state and territory) meeting in Hobart have resolved to launch a campaign to defend council planning functions following the release of a model development assessment process for public consultation. ALGA President, Cr Mike Montgomery, said the model seeks to remove the power of councillors to make decisions on planning applications and stop third party appeals. It is an assault on the democratic right of communities to control the planning process, he said. The model has been developed under the auspices of – but is not endorsed by – the Development Assessment Forum (DAF), a body that reports to the Local Government and Planning Ministerial Council. The Ministerial Council recently agreed to release the model for public consultation.”

“ALGA will not accept the so-called ‘separation of roles’ and ‘defined third party appeals’ proposals in the model and takes strong exception to local government being labelled a stakeholder in this process when in fact it is the planning authority and decision-maker, Cr Montgomery said. The model must be immediately amended to recognise and entrench the authority of local government in the determination of development applications. Councils make planning policy but usually delegate planning decision powers to planning officers. In controversial cases, councillors will step in and make the necessary decision themselves, as the community demands and expects. ALGA calls on the Chairman and members of DAF and the State Planning Ministers to reject the proposed ‘separation of roles’ and defined third party appeals’ practices. The DAF model is not only daft, it is

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dangerous. There is no way local government will accept moves to dilute the powers of councils and communities to regulate the planning process. Local government is keen to improve the planning process, but we are not going to allow developers open slather on planning issues, Cr Montgomery said.”

*Cr Mike Montgomery, ALGA President Media Statement : 27 Feb 2004*

*Yes Minister – WAPC determines State planning policy* : “Yours is a visionary proposal but on examination it is clear that it is not a proposal the Commission would support. I hope you’ll understand that we are unable to include the matter on a meeting of the Commission. I appreciate your interest in the development of Albany’s future.”

*Jeremy Dawkins, Chairman, Western Australian Planning Commission Letter : 29 Apr 2004*

*The 10th Anniversary Rainbow 2000 Project Evaluation* : “What we are currently witnessing is the systemic failure of governance expressed through elected representation, public administration and legislation across all four levels – local, regional, state and federal, premised mainly on the division of equity / inequality in Australian society (Core KRAs).”

*Neil Smithson, Managing Director, Smithson Planning Statement : 12 Nov 2006*

*Fix the supply lines* : “The nation’s supply lines are not up to the task of meeting its growth opportunities. We are failing to make this boom pay. Australia’s infrastructure for basic services – such as power, water, roads, rail, telecommunications and land development – are not up to scratch. State governments have failed to deliver a truly national market for energy. Broadband is failing because of the monopoly power of the dominant telco incumbent. Rail investment has been wasted on ‘nation building’ conceits such as the Adelaide-to-Darwin link. Go-slow regulatory bodies have produced bottlenecks in our bulk commodity ports. Government monopolies and a lack of price signals have produced Soviet-style rationing that outlaw kids from playing under sprinklers as they water the suburban garden.”

“And, where business is allowed in, episodes such as the disastrously designed contract for Sydney’s Cross City Tunnel give private infrastructure a bad name. Fundamentally, this is due to a grand failure of government, most clearly in our dysfunctional federal-state arrangements. The Council of Australian Governments is paralysed by political game-playing and *Yes, Minister* bureaucracies. No one is clearly in charge and no one is taking responsibility. Accountable government needs to harness business innovation to fix our infrastructure crisis.”

*Editorial : The Weekend Australian (Page 18), 31 Mar 2007*

*Business ethics under question in big takeover adventures* : “Alinta is now headed for an uncertain future with confirmation yesterday that it has had a takeover offer from Macquarie Bank, as an alternative to one from the consortium that includes Babcock & Brown (*and Singapore Power*). But the more worrying general issue is the evidence that emerged of blindness to ethical issues of potential conflicts of interests by highly placed business people.”

“Mr Costello (*the Federal Treasurer*) yesterday stopped short of rebuking the Qantas board, though he made it clear that it should now look to the interests of shareholders. However, he should now also look at a wider emerging problem of diminishing public confidence in business ethics, especially when board members of big companies seem to confuse their own interests with those of shareholders generally. He should tell them in no uncertain terms that their overriding obligation is to honour the trust of the shareholders.”

*Paul Armstrong, Editor, The West Australian Editorial : West Australian (Page 16), 08 May 2007*

*Bastardy in MacTiernan’s port stratagem* : “Mr Buckeridge’s consortium signed a contract with the previous coalition government and got environmental approval for stage one of its project after seven years. So that proposal is already afoot, but is apparently about to be directed into an ideological dead-end because the Government has its own plans, one of which, Mr Buckeridge says, would block access to his proposed port. He has good reason to be angry. It looks very much as if the Government is bent on using the authority entrusted to it by the people to ride over the top of a private developer – and one who has been widely regarded over the years as being an enemy of Labor at that.”

“Ms MacTiernan is on record as saying a new container and cargo port is too important to the WA economy to be delivered to private control. The irony will not be lost on West Australians of that remark coming from a member of a government under constant siege for its inability to run just about anything effectively, from a crumbling public health system to schools that can’t even be staffed properly. Ms MacTiernan has put the integrity of WA’s planning procedures under question and is jeopardising the State’s reputation as a place in which to do business and invest. She should focus on her obligation to serve the public interest rather than on threadbare ideology and archaic ideas of class warfare.”

*Paul Armstrong, Editor, The West Australian Editorial : West Australian (Page 16), 09 Jul 2007*

*We disagree* : “With reference to the Albany Waterfront and our new Entertainment Centre, thank you to Messes Nicholls of Dongara (Absurd ‘copy’) and Williams of Guildford (Think again) for their opinions (West 27 July 2007), but mind your own business. In 1997, before the canola crushing plant, the plantation timber industry, the grain storage expansion, the proposed iron ore export opportunity, and before oil and gas exploration in the Bremer Basin (and other future port development projects), the Albany Port Authority was offered a cost neutral relocation strategy (like Oakajee) to an area of land ten times larger in land-backed capacity, direct access to deep water berths in King George Sound, more berths in Princess Royal Harbour not affected by the city waterfront development, together with unrestricted road and rail access to a true Albany ring road that was grade separate and electrified like Perth’s expensive new urban rail network.”

“The Minister for Planning & Infrastructure, Alannah MacTiernan, together with the Albany Port Authority, the City of Albany, the Great Southern Development Commission, and our Federal government all said no – we don’t want to know about planning for the future. Private enterprise wasn’t willing to negotiate either, and so they are stuck with their commercial choice and must face up to the reality of limited access as a function of city growth based on the forthcoming Albany Anzac 2014-18 years, and the Western Bicentennial 2026-27. Albany has a fabulous future ahead, and our waterfront precinct with entertainment centre is a significant step forward in that regard.”

(Not published – If you want to know more [www.smithsonplanning.com.au](http://www.smithsonplanning.com.au), and explore the Rainbow 2000<sup>®</sup> Project.)

*Neil Smithson, Managing Director, Smithson Planning Extract : West Australian (Page 15), 30 July 2007*

*Following up – The significance of this published letter to the Editor is that it is the first and only such publication in ten years by the State’s #1 newspaper, and there was no subsequent investigative report as to the assertions or actions of the parties concerned. Caste your eye over the major shareholders and board members of WA Newspaper Holdings Ltd, and you can see why!*

**The Constitution of the Commonwealth of Australia : “Chapter V – The States :** <sup>S.111.</sup> The Parliament of a State may surrender any part of the State to the Commonwealth; and upon such surrender, and the acceptance thereof by the Commonwealth, such part of the State shall become subject to the exclusive jurisdiction of the Commonwealth.”

**The Constitution of the Commonwealth of Australia : “Chapter VI – New States :** <sup>S.121.</sup> The Parliament may admit to the Commonwealth or establish new States, and may upon such admission or establishment make or impose such terms and conditions, including the extent of representation in either House of the Parliament, as it thinks fit.

<sup>S.122.</sup> The Parliament may make laws for the government of any territory surrendered by any State to and accepted by the Commonwealth, or of any territory placed by the Queen under the authority of and accepted by the Commonwealth, or otherwise acquired by the Commonwealth, and may allow the representation of such territory in either House of the Parliament to the extent and on the terms which it thinks fit.

<sup>S.123.</sup> The Parliament of the Commonwealth may, with the consent of the Parliament of a State, and the approval of the majority of the electors of the State voting upon the question, increase, diminish, or otherwise alter the limits of the State, upon such terms and conditions as may be agreed on, and may, with the like consent, make provision respecting the effect and operation of any increase or diminution or alteration of territory in relation to any State affected.

<sup>S.124.</sup> A new State may be formed by separation of territory from a State, but only with the consent of the Parliament thereof, and a new State may be formed by the union of two or more States or parts of States, but only with the consent of the Parliaments of the States affected.”

*Dr Margaret R.L.L. Kelly, Macquarie University Extract : ABC Difference of Opinion (Feds. vs. States), 30 Aug 2007*

“The vision thing scarce in politics – The boldest plan for our future comes from the BCA : It is a sad indictment of the poverty of ideas in Australian politics that the most comprehensive vision articulated for Australia over the next three years comes not from a political party but the Business Council of Australia, which has set the goal for Australia to rank among the top five OECD economies in living standards by 2012. This is a bold target and it is achievable but only if governments are prepared to grasp the nettle of reform. To the extent that infrastructure is on the federal election agenda we have been treated by both sides of politics to their version of the blame game. The federal government points out that responsibility for most infrastructure lies with state governments. True, but one of the biggest obstacles to business investment is the absence of effective national infrastructure markets with uniform regulation and this can only be achieved by the federal and state governments working together.”

“Everywhere we look we see evidence of an economy that is being held back by our creaking infrastructure : decrepit railway with archaic signal boxes, queues of ships at coal ports, inadequate highways, congested roads, crowded public transport, rural and urban water shortages, electricity black-outs in peak demand periods. Yet private-sector investment and effective competition are being stymied by unions and spineless or lazy governments. The Australian has consistently called for federal and state governments to take up the reform mantle that the Hawke-Keating governments drove in the 1980s and 90s, and which has languished since then. Sadly, it seems it may be only when Australia is in recession, as it was in 1983 and again in 1990, that governments are driven to make the hard but necessary decisions. It would be a tragedy if the prosperity the country is enjoying at the moment were frittered away rather than invested in giving us the infrastructure we need to meet the challenges of the 21<sup>st</sup> century.”

*Editorial : The Weekend Australian (Page 18), 06 Oct 2007*

**Enabling the Spirit – Small government is needed, not small targets :** “The highest patriotism and philanthropy consist, not so much in altering laws and modifying institutions, as in helping and stimulating men to elevate and improve themselves by their own free and independent individual action. The power of governments to improve the life of the nation is generally overrated, particularly by prime ministerial candidates facing an election. The shared premise at tomorrow night’s election debate will be that by changing the government you change the nation. As always, the alternative prime minister will argue that change is for the better, the incumbent that change will be for the worse. It is a convenient fiction for which journalists, commentators and ultimately voters usually fall.”

“As the Scottish engineer and social reformer Samuel Smiles observed, people have always been prone to believe that their happiness and well-being are secured by means of institutions rather than their own conduct. But everything we have observed about the nature of government shows the most effective are those that enable rather than restrict. Where people are subjected to over-guidance and over-governance, the inevitable tendency is to render them comparatively helpless. The lesson of the great

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socialist experiments of the 20<sup>th</sup> century is that demand economies are more effective than command economies. The invisible hand of the market advances the human condition more effectively than the heavy hand of bureaucracy. No where is that illustrated more starkly than in China, the driver for much of the prosperity we now enjoy. Compare the results of Chairman Mao Zedong's second five-year plan of 1958, perversely known as *The Great Leap Forward*, with his successor Deng Xiaoping's *Four Modernisations* 20 years later. The former led to the crippling of agriculture and industry, mass starvation, repression and the death of millions (*not to omit two wars*). The latter unleashed the power of the free market in the world's most populous nation, lifting hundreds of millions out of poverty."

"The extent to which Kevin Rudd is, as he claims, an economic conservative is therefore of some consequence. In *The Weekend Australian* today, Paul Kerin argues that in his published works, Mr Rudd confuses values and means. The market is neither virtuous nor evil, it simply creates the means whereby values can be applied. For his part, John Howard, with a record of heavy middle-class welfare spending, hardly enters this election as a champion of small government. With the worm now banished from tomorrow's TV debate, *The Weekend Australian* proposes another measure by which Mr Howard and Mr Rudd's rhetoric should be judged, the principles set out in the introduction to Smile's tract quoted at the top of these columns. We look for policies that enable the spirit of self-help, which constitutes the true source of national vigour and strength, rather than policies that restrict and enfeeble."

*On Scottish engineer Samuel Smiles, Self Help (1859) Editorial : Weekend Australian (Page 18), 20 Oct 2007*

*The forgotten crisis* : "I have just finished reading through the 2020 Summit summary. I had reached the end of the 38 pages on the 2020 website and found myself looking for the rest of it – specifically the part that deals with the desperately urgent problems facing Australia right now and how we are going to deal with them. I was shocked to find that the most desperately urgent problem facing us today, the unfolding energy crisis due to skyrocketing world oil prices, did not even rate a specific mention. Could that be due to the fact that many of the 2020 participants have government and company cars and do not pay for their own fuel and are subsequently unaware or unconcerned about this threat?"

"Every aspect of our lives revolves around oil; our modern civilisation has been built on and runs on oil. Our civilisation as it is structured would collapse without oil. And yet here we are, with dwindling world oil reserves and rapidly spiralling prices, and our best and brightest are preoccupied with ideas of republics and carbon footprints. We are already seeing the immediate effect of this energy crisis in world grain prices. Families are going hungry because we, the developed nations, are using it to make bio-fuels to power our cars. Average Australians are now starting to feel the pain from spiralling oil and grocery prices and it will only get worse until the cost of oil is such that it threatens the very fabric of our way of life."

"It is no longer a matter of if but when. I am frightened at how quickly the oil price is rising and the lack of concern from our Federal Government. Its complacency borders on the criminally negligent in my opinion and I fear for my children's future when I see the short-sightedness of our leaders. I fear Kevo (*the Hon. Kevin Rudd MHR, Australia's Prime Minister*) is fiddling as Rome burns. Unless the Rudd Government wakes up to the immediacy of this worldwide threat the only carbon footprints we will be leaving in the future will be those from our bare feet to our humpies (*a traditional Aboriginal shelter*). What our elected leadership also needs to keep in mind is that if civilisation does collapse due to this stupidity, and we are forced to resort to cannibalism, it will be the soft and tender slow-moving bureaucrats who will be eaten first. Now there's an incentive scheme!"

*Tim Ciovica, Glen Forrest Resident & Taxpayer Extract : West Australian (Page 22), 30 Apr 2008*

*"Scandals make snap election vital* : We need to put an end to this dysfunction and start with a clean slate, and I believe that an election is the only way to achieve this, Mr Grylls said. He was speaking as Labor MP John Hyde (Perth MLA) launched an extraordinary attack on State Parliament, describing it as 'unproductive' and 'slothful' and calling for a major overhaul of the centuries-old procedures he said made it the most time-wasting work-place in Western Australia. Mr Grylls said Parliament had become a 'venomous' place because of the internal bickering within both the Liberal and Labor parties."

"I urge members of Parliament to support this call ... so that whoever is elected can get on with the job of governing Western Australia in the best interests of Western Australia rather than seeing our reputation as a State dragged through the dirt day in, day out. The internal power plays within the Labor Party are distracting not only the Premier, but his Ministers as well from carrying out their duty to the people of Western Australia. The internal power plays within the Liberal Party have rendered it an ineffective and scorned Opposition. Members of the West Australian Parliament are going out of their way maliciously to bring down the Premier, Government Ministers, the Leader of the Opposition and their own party members."

*The Hon. Brendon Grylls MLA, Leader of the WA Nationals Extract : West Australian (Page 1), 16 May 2008*

*"My solution* : An excellent editorial in *The West Australian* (17/5) about the parlous state of WA politics reflected the views of most thinking West Australians but it should have gone further and outlined two ways we can rectify the situation. The first is to never give them a chance to short-change us in the first place by not voting for a party politician, most of whom are no more than yes men who represent a self-serving dictatorial organisation. The second is to radically change the way we manage this State. The current archaic system we use is an out-dated, outmoded and completely out-of-touch throw-back from the 17<sup>th</sup> century that masquerades as democracy and is well overdue for an overhaul."

*Jeff Butler, Erskine Resident & Taxpayer Extract : West Australian (Page 22), 20 May 2008*

*Behind Closed Doors* : "The Mayor confirmed that all Councillors in attendance were present prior to discussing and making the following resolution ... that the minutes of the CEO Performance Review Committee conducted on 30 April 2008 be received and the following recommendations be adopted – that Council :

- (1) Recognizes and commends the CEO (*Andrew Hammond*) on a good years work - the majority of Councillors completing the documentation found his performance had 'Exceeded Expectations' in all areas;
- (2) Request the CEO to submit 4/5 Key Performance Indicators based upon priority projects driven by the goals of Albany Insight Beyond 2020;
- (3) Approve of total remuneration package of \$225,000 effective from 1 January 2008. Motion : Carried : 12-0."

*Moved Cr. Evans (Mayor), 2<sup>nd</sup> Cr. Wolfe (Deputy Mayor), City of Albany Minutes (Item 19.1) : 20 May 2008*

*Following up – Notwithstanding the City of Albany losses incurred under the US Sub-Prime Mortgage crisis estimated at between \$1.7-2.0 million, there is also the independent financial review undertaken by Fiscal Star which rated Albany as vulnerable (27 May 2008).*

*WA councils on brink of financial oblivion : "A local government ratings agency says several of the State's councils are unsustainable or on the brink of financial oblivion. Adelaide-based Fiscal Star rated 35 councils around WA based on figures from the last two financial years, finding Esperance, Canning, and Geraldton had unsustainable levels of underlying operating deficit, liabilities and infrastructure backlogs. But the councils have disputed Fiscal Star's methodology, which Canning mayor Mick Lekias said distorted the results and did not accurately portray the financial position or sustainability of many of the councils (there are 142 local government authorities in Western Australia)."*

*"Fiscal Star principal analyst Alan Tregilgas said generally WA councils with revenues from their own sources greater than \$10 million appeared sustainable compared with those in other State, including NSW, where only one-third were rated as sustainable. Five-star ratings were given to Belmont and Nedlands councils, while 16 councils got a 4½-star rating, including Perth, Subiaco, Fremantle, Cockburn, Stirling, Melville, Victoria Park, Gosnells, Swan, Mandurah and Armadale. Those councils listed as 'vulnerable' were Mundaring, Bayswater, Albany and Cambridge."*

*"A spokesman for the Shire of Esperance said Fiscal Star's methodology was flawed because it did not pick up on alternative revenue streams and long-term planning (Bandy Creek - no pun intended). He said in the shire's case it had a large land bank that it could subdivide for income, as demand was great, and which would also provide income in the form of rates. Fiscal Star gave (the councils of) Augusta-Margaret River, Harvey, Kwinana and Port Hedland 0-star ratings because they did not disclose their financial information on their websites."*

*Alan Tregilgas, Principal Analyst, Fiscal Star Extract : West Australian (Page 12), 27 May 2008*

*A new system : "The petty point-scoring in Parliament, on both sides of politics, clearly demonstrates that modern democracies are in self-destruct mode. To win and hold power all parties are now hostage to the most powerful pressure groups in the electorate. Decisions are made, not in the best interest of the country, but in the self-interest of political survival. We live in dangerous times – peak oil, the end of cheap energy, global warming, acidification of oceans, inflation, slowing of growth, the rise in food costs, population expansion; while at the same time we still expect things to go on as they always have."*

*"How can a brave, honest leader, who can tell us the bad news and ask for sacrifices so that future generations may have a chance possibly emerge in our current political set-up? We, the electorate, must carry some blame as we seek our own individual interests above all else, and elect the leader who will supply them. Does anyone have any idea of how we might be better served by a new system of democracy before we destroy everything in the name of self interest."*

*Vicki Payne, Cottesloe Resident & Taxpayer Extract : West Australian (Page 22), 30 May 2008*

*Local government push derided : "Cambridge councillors believe a national push for constitutional recognition of local government is a waste of money and resources, and unwanted by ratepayers. Cr David Berry said the campaign was 'bollocks', as ratepayers wanted little more from councils than their roads fixed and park lawns mown. Local government is full of burgeoning bureaucracies, people scurrying around seeking a reason for being – who need to get a grip."*

*"The Australian Local Government Association is consulting every council, before tackling the issue at a special national general assembly in December 2008. President Paul Bell believes local governments must agree on the type of recognition desired, before it is taken out of their hands by higher tiers of government. Recognition could be symbolic or deliver constitutional powers, such as the right to impose taxes, or oppose State intervention."*

*"State and Federal Labor are united in support for constitutional recognition, as part of cooperative federalism, according to Local Government Minister Ljiljanna Ravlich. Constitutional recognition will strengthen local government's role in working equally with the states and the Federal Government. A third (tier government) referendum was one of Kevin Rudd's election promises, however, previous attempts failed with WA voters, second only to Tasmania, in saying an overwhelming 'no' to it. Over half of West Australians voted against a constitutional amendment enabling direct federal funding of local government, rather than using the State as the middle man in 1977. Then in 1988, 70.24% of West Australians voted down an amendment which would compel state governments to establish and oversee local governments."*

*Cr David Berry, Town of Cambridge Extract : Western Suburbs Weekly (Page 6), 03 Jun 2008*

*Councils face extinction – WALGA : "Cottesloe mayor Kevin Morgan has waved a red warning flag that local councils could disappear. He told Monday's council meeting that Councillors should take very seriously the findings of a study which found that 58% of Western Australia's local councils were unsustainable. Unless councils took to heart the message of the report and took action, councils were 'likely to be amalgamated and perish' ... the report has put the writing on the wall."*

*Kevin Morgan, Mayor, Town of Cottesloe Extract : Subiaco Post (Page 9), 07 Jun 2008*

Written & Authorised by Neil Smithson of 364 Middleton Road, Albany, Western Australia 6330

**Rudd Pacific solution has work-based mutual gains** : “Perth-based think tank Future Directions International released a study this week calling on the Government not to overlook the strategic benefit to the country of its offshore territories. The Prime Minister must elevate the importance of its external territories if it is to protect its fish stocks and mineral resources into the future and develop a comprehensive defence policy, the report said. Australians have long conceived of their nation as composed of six States and two Territories in a well-defined, cohesive, geographic area, the study’s author said.”

“The reality is that Australia has a number of territories which are positioned far beyond its traditional mainland borders. In the future, external territories will be the leading geopolitical edge of Australia’s presence in its region. As the Indian Ocean becomes a strategically significant area of international activity and competition, and the Pacific Ocean sees a renewal of its importance, Australia may have to expand its strategic focus to consider additional areas of the nation which were previously considered secure, often due to their accessibility.”

“Australia’s external territories reviewed by the research institute include Christmas Island, Cocos Island, Norfolk Island, Australian Antarctic Territory, Ashmore & Cartier Islands, the Coral Sea Islands, Heard and McDonald Islands (*et al*). The report highlights that while there exists no current threat to the security of these territories, a rapidly changing global and regional security environment means that the Government has to review its ability to respond to unforeseen security developments that could impact on Australia’s sovereignty over them.”

**Barry Patterson, Consultant, Future Directions International Extract : West Australian (Page 21), 13 Jun 2008**

**Republic would put stability at risk** : “Governor-General Michael Jeffery says a directly elected President would be a risk to political stability and may lead to friction between the head of state and Prime Minister. Major-General Jeffery broke his five-year silence on the republic debate by warning the community not to take for granted the structure that has worked for 100 years. After the failure of the 1999 republic referendum, which offered voters a president appointed by Parliament, observers believe the option most likely to be put to voters next time will be the direct-election model.”

Major-General Jeffery, who will retire as Governor-General on 5 September 2008, is one of the most experienced viceroys in Australia’s history, having served seven years as WA Governor before his five at Yarralumla (*Government House, Canberra*). I think the beauty about our present system is that governors and governor-generals are not elected and therefore are bound to act on the advice of ministers, provided that advice is constitutionally correct and legal. We should always look at ways of improving our system of government in the same way we do with business and academia. But you’ve got to have a foundation and a basis of knowledge from which to make those decisions.”

**Major-General Michael Jeffery AC, Australia’s 24<sup>th</sup> Governor-General Extract : West Australian (Page 1), 14 Jun 2008**

**Following up** – Australia may well have democratically changed its federal government in 2007, but the electorate would seem far from satisfied with past and potential future performance of all political parties. The Liberal National Coalition were handed a comprehensive defeat after eleven years, and the Australian Democrats were resoundingly sent a message replaced by Greens and Independents in the Senate (due to sit for the first time in July 2008 with the balance of power). The Federal Cabinet is now confronted with a myriad of ‘new challenges’ associated with Peak Oil and Global Warming, and the consequent impact on Economy, Ecology & Sociology.

In State politics (the Western Australian Court Coalition Government of 2000 was the last conservative government in Australia), with ‘wall-to-wall’ Labor Governments, there are crises across Australia of energy, water supply, infrastructure, education, health, welfare, community care, law & order, equity in society, and probity of governance expressed as ministerial accountability. Regional governance arrangement is put in place by State ministerial appointment and community nomination (again at the discretion of the State), but there is no electoral mandate for regional governance and little in the way of political leadership and accountability for strategic investment.

In Local politics, there has been Australia-wide reform as a function of amalgamation / subdivision of local government authorities. Western Australia, case in point, there are 142 State sanctioned monopolies that are both anti-competitive and unproductive. The average participation rate by electors at elections is generally less than 50%. More than two-thirds of those councils are currently deemed unsustainable, which translates to technically insolvent and financially bankrupt. If there weren’t legislation compelling ratepayers to pay annual rates and charges, it would be very interesting to see how many customers would voluntarily pay for that level of service. In elected representation, there is a paucity of vision, leadership and decision-making, and the executive administration has vicariously been described as dictatorial, incompetent, negligent, deficient, inconsistent, conspiratorial, and in a few instances, corrupt.

But hey, after 100 years, why change now?

This analysis doesn’t canvass ASEAN, APEC, IAEA, OPEC, Commonwealth and United Nations associations with Australia.

**Regions lose** : “The past fortnight has given us all a preview of the level of support we can expect in regional Australia under coast to coast Labor. The axing of the Regional Partnerships Program by the Rudd Federal Government and the threatened withdrawal of around \$4 million from the Great Southern should give us all cause for concern. This program, initiated by our Federal MP Wilson Tuckey (*MHR O’Connor*), has focussed on vital projects in regional communities. Albany MLA Peter Watson has in the past taken every opportunity to attack the previous Howard Government and Wilson Tuckey. For six months now he has known that his Labor mates in Canberra were looking to abolish Regional Partnerships and it appears as though he has done little to convince them otherwise. With State Labor abolishing six country seats (supported by Mr Watson) at the next State election (*One Vote One Value electoral reform legislation*) and a Federal government which has already given a clear indication of how it intends to treat regional WA, heaven help us in the Great Southern.”

**Andrew Partington, Liberal MLA Candidate, Albany Extract : Albany Advertiser (Page 8), 17 Jun 2008**

**State infrastructure strategy finalised** : “More than 2 ½ years after kicking off the process, the state government has finally been handed a final report on its infrastructure strategy. The chairman of State Infrastructure Strategy Industry Reference Group, former Clough chief executive Brian Hewitt, handed the final report to Deputy Premier (*and Treasurer*) Eric Ripper last week,

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who will take it to cabinet shortly. The document outlines a 20-year plan for managing Western Australia's infrastructure, with a view to providing more transparency and clarity. Preparation of the strategy has been welcomed by business groups, though they have been frustrated by the long time involved and are reserving judgement on whether it will actually improve infrastructure planning."

*Brian Hewitt, Chairman, State Infrastructure Strategy WA Extract : WA Business News (Page 3), 26 Jun 2008*

**Lack of long-term vision hampers state :** "We've had no vision since Charlie Court ruled here. That was the message one representative of Perth's mining and resources sector gave to WA Business News' recent mining services and mining technology forum. Using the forum to air his gripe with the State government's handling of the state's future, Bernard Ridgway, managing director of Perth-based drilling services company Index, said Western Australia needed decision makers with integrity, something that had been lacking since Sir Charles Court became Premier in 1974."

*Bernard Ridgway, Managing Director, Index Extract : WA Business News (Page 24), 26 Jun 2008*

**Lack of long-term vision hampers state :** "A key issue raised at the forum was what the mining sector perceived to be a lack of long-term vision from the State government. Managing director of construction and engineering company Modern Industries, Andrew White, said the federal government's 2020 vision was a start, but wasn't forward thinking enough. Back 50 or 100 years ago we used to plan projects that had a 100-year look ahead. That's where we should be looking to."

*Andrew White, Managing Director, Modern Industries Extract : WA Business News (Page 24), 26 Jun 2008*

**Lack of long-term vision hampers state :** "Maptek manager of technical services, Claudia Monreal, said although WA was an isolated state, the government needed to think big when planning for the future. Ms Monreal agreed with the forum that the government needed to plan further down the track with at least a 30-year vision"

*Claudia Monreal, Manager Technical Services, Maptek Extract : WA Business News (Page 24), 26 Jun 2008*

**Lack of long-term vision hampers state :** "According to ISS Group general manager Frank Zenke, Australia was once renowned for being 'the smart country' but it had somehow lost its way. He said government leaders had minimal knowledge of how to run a business and seldom looked beyond their next term of government. Had previous state governments had a long-term vision, mining towns such as Karratha and Port Hedland would now be more vibrant with substantial permanent population bases. The government needs to put infrastructure in place to make living in these country towns more attractive, instead of having this fly-in, fly-out culture."

*Frank Zenke, General Manager, ISS Group Extract : WA Business News (Page 24), 26 Jun 2008*

**Lack of long-term vision hampers state :** "Australian Mine Services managing director Ian Massara said government leaders at both national and state levels had to plan on a larger scale and think with more of a business sense. The people we have in government are not the right people; if you're a smart businessman you wouldn't go into government, would you."

*Ian Massara, Managing Director, Australian Mine Services Extract : WA Business News (Page 24), 26 Jun 2008*

**Lack of long-term vision hampers state :** "Nic Pollock, Gemcom Australia's managing director, also called on the government to boost infrastructure programs that would facilitate the mining and resources sector. Let's invest in major infrastructure projects, let's pay our teachers (well) and let's bring the best people here to work and stand out so we can lead the world."

*Nic Pollock, Managing Director, Gemcom Australia Extract : WA Business News (Page 24), 26 Jun 2008*

**Lack of long-term vision hampers state :** "While acknowledging the government's role in developing infrastructure projects, Immersive Technologies chief executive Peter Salfinger called for substantial tax breaks along with research and development tax concessions. Couple it up with incentives for exports, so if a company brings in some gain (to Australia) you get a tax break because you're creating wealth for the country."

*Peter Salfinger, CEO Immersive Technologies Extract : WA Business News (Page 24), 26 Jun 2008*

**Albany marks 10 years as a city :** "Tuesday July 1 marks 10 years since the City of Albany was formed by the amalgamation of the former Town and Shire municipalities. Mayor Milton Evans said a decade after its amalgamation in 1998, Albany stood as a benchmark for councils contemplating mergers. Much has been achieved over the past 10 years. The City has greater openness, transparency and accountability and there is no doubt the formation of the City of Albany was a great positive for our community."

"I pay tribute to the elected members who have contributed to the first decade of Albany as a City. I also acknowledge that we have had the right team on board to manage the amalgamation successfully. It is essential for any merging councils to have good management in place and the City of Albany has been well served by its staff. The milestone will be marked by the Mayor, Councillors and invited guests at a ceremony on Tuesday."

*Mayor Milton Evans, City of Albany Advert : AGS Weekender (Page 6), 26 Jun 2008*

**Following up –** It is also eight years since the Council resolved to prepare a new district planning scheme. The two operative planning schemes now date back to 1980 (Shire TPS #3) and 1983 (Town TPS #1A). Notwithstanding her comments in relation to the Town of Cottesloe, the Minister Alannah MacTiernan and State Government have elected not to intervene in breach of the legislation.

**Another pillar of democracy – the judiciary is now dysfunctional :** "The judicial system is no longer the cornerstone of our democracy. It has become dysfunctional and destroyed the safe lives we once lived. Justices with liberal beliefs have made many

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law-changing judgments and our society is now as they would have it. Getting convictions and for police to even present evidence are difficult. Courts are a triangle of lawyers; the judge, promoted often through political favour, the prosecutor and the defence counsel who represent the law legislated through the influence of ever-increasing numbers of lawyers in government.”

“These changes originate from lawyer associations that complain, press and lobby for amendments to legislation to favour the accused. Their colleagues in government, sensitive to their contemporaries, endorse the changes. Gaggles of lawyers in Cabinets then stifle debate and States’ attorneys-general legislate against the good of the community, providing defence counsel with technicalities for dismissal of charges and the over-turning of convictions. The accused, through defence counsel, often present stories at great divergence but in clever defence to the prosecution’s evidence. One side is lying, but only one side can be investigated as communication between defence counsel and client is privileged, thus protecting any misconduct.”

“When a conviction is recorded, social workers, psychiatrists and psychologists offer a rationale for inadequate penalties that satisfies the judiciary’s concern for social justice. Social justice is a politically correct feel-good modifying of penalties that compensates criminals for their alleged sad stories and excuses lack of justice for the victim and the community. The judiciary, the supreme power in our society, was once the cornerstone of our democracy and endowed us with justice; now it ignores the cries of anguish of our citizens and its dysfunction has removed it far from the community. Its law prevails and justice suffers.”

*Kevin Moran, Hillarys Resident & Taxpayer Extract : West Australian (Page 22), 27 Jun 2008*

**COAG must put differences aside :** “The nation’s peak business body is urging the federal and state governments to put aside parochial differences, or risk the country being stuck in the 19<sup>th</sup> century. In an open letter to the Council of Australian Governments (COAG), Business Council of Australia president Greig Gailey said tomorrow’s meeting in Sydney represents a critical opportunity to progress a reform agenda to bring the nation into the 21<sup>st</sup> century. A seamless national economy will improve efficiency, lower costs and lift productivity. It will facilitate better investments in road, rail, water and improved health and education outcomes that are badly needed if we are to reap the full benefits of strong global demand for Australia’s resources. These issues transcend federal-state boundaries and require a national response.”

“Mr Gailey congratulated political leaders on the ‘reinvigorated’ COAG agenda and the ambitious targets they had set themselves. He said expectations were high that they would deliver on their commitments. What COAG achieves in this watershed year will set the framework for Australia’s future prosperity. Failure to achieve the promised reforms will leave us locked in a state-based approach more suited to the 19<sup>th</sup> century. Delivery of the reforms will set us on the path to achieving the Australia 2020 Summit vision of making Australia the best place in which to live and do business.”

*Greg Gailey, President, Business Council of Australia E-media : WA Business News, 02 Jul 2008*

**Decentralise :** “The centralist policies of our State Government are astounding, reinforced by the announcement that a new hospital to be built in Perth will cost hundreds of millions of dollars. Sure, it says hospitals in Rockingham and Joondalup (in the Perth metropolitan area) will be upgraded, but what about regional WA? It would be better to construct facilities providing best practice treatments in places such as Albany, Bunbury, Busselton, Mandurah, Manjimup, Geraldton, Kalgoorlie, Meekatharra, Kununurra, Broome and Halls Creek (and Carnarvon, Newman, Pt. Hedland & Karratha).”

“I’m sure the people in health care in these places would love a few million spent recruiting health-care professionals and building better facilities in their towns and cities. The cost of travel, access to specialised medical help for our fellow West Aussies and the time in responding to accidents by medical staff would surely make decentralising our health-care system (even in the metropolitan area) more effective and efficient. Building a new teaching hospital has my vote, but putting all our eggs in one basket just doesn’t cut the mustard.”

*Mal McFetridge, Safety Bay Resident & Taxpayer Article : West Australian (Page 22), 08 Jul 2008*

**A depression or just depressing :** “I am not an economist, nor was I around in the 1930s, but there is absolutely no doubt in my mind that the world is headed for not just a recession, but a depression greater than that of the 1930s. This will happen within the next few years. Already the signs are there – three US banks have failed; petrol prices are rising to such an extent that soon that commodity will be beyond the reach of working people; consumer confidence is falling rapidly; the cost of living is going through the roof; inflation and interest rates are rising again; thousands are at risk of losing their homes in the US; and it is only a matter of time before we start to see the same thing happening here.”

“This depression will be greater than its predecessor because today we are much more reliant on oil than was the case 80 years ago. Just about everything in our everyday lives depends on it. As well, 80 years ago there was not such a wide range of consumer goods as now. Most people were in the same boat and the crime rate was low. Once this depression hits, the crime rate will rise rapidly as people who are so used to having all the creature comforts suddenly find that they can no longer afford them. I am in my 60s and have had a relatively comfortable life, but I feel for the younger people of today who are going to have to go without their cars, their alcohol, and their visits to restaurants. They are the ones who will feel it the most. The Wall Street stock market is going to collapse, just like it did in 1929, and governments will be floundering as they search for solutions. God help us all.”

*Bob Stephen, Hillarys Resident & Taxpayer Extract : West Australian (Page 23), 19 Jul 2008*

*Following up – There is nothing to fear but fear itself – President Franklin D. Roosevelt, United States of America (04 Mar 1933).*



American Rhetoric.com

**Councils consider compulsory voting** : “Ratepayers would be forced to vote in council elections under a plan being considered by the WA Local Government Association. The association is polling the State’s 141 councils to gauge support for the idea, which immediately sparked warnings the change would allow political parties to take over councils. Association president Bill Mitchell said the State Government had replaced first-past-the-post with proportional preferential voting from last October’s council elections to bring local government into line with State and Federal polls, and compulsory voting was an extension of that which ensured councils had a mandate. Official figures say there was a 38% voter turnout in October but there was a wide variance across the State, with some councils getting turnout figures in the low teens, he said. So, if we’re to be a legitimate third sphere of government, we really need to look at it.”

“But Armadale Mayor Linton Reynolds said compulsory voting would leave WA with factionalised council chambers run from party headquarters similar to New South Wales and Queensland. You may as well roll over and let the party machines come in over the top of us, he said. I’ve experienced this myself in Townsville – half the people on council are literally an opposition and they can get nothing for their section of the community as they’re outvoted on every issue. Mr Mitchell said the experience in other states was not comparable because candidates there had to be nominated by a party to run for election and those who failed (to gain endorsement) stood as independents, which was not part of the proposal for WA.”

*Bill Mitchell, President, WA Local Government Association Extract : West Australian (Page 46), 24 Jul 2008*

**Councils consider compulsory voting** : “Also being considered are full-council elections every four years, rather than half-council elections every two years. Wanneroo Mayor Jon Kelly (now the endorsed Labor candidate for the 2010 federal election in the seat of Cowan) said there was a need to improve the ‘talent’ on councils, which compulsory voting would achieve. Perth Lord Mayor Lisa Scaffidi backed the idea but said her council needed a system which allowed business operators and other stakeholders to vote as well as residents. Albany Mayor Milton Evans said voluntary voting was a fairer reflection of community will because people voted for individuals, not parties. Local Government Minister Ljiljana Ravlich also opposed the move.”

*Mayor Milton Evans, City of Albany Extract : West Australian (Page 46), 24 Jul 2008*

**Political heavyweights listen to regional Australia** : “Senior representatives of Federal Parliament, both Labor and Coalition will be in Albany to attend the Sustainable Economic Growth for Regional Australia Conference (SEGRA) 18-20 August. The sustainable development of Australia’s regions is everyone’s business. No one organisation, business or government can make it happen in isolation said The Hon Gary Gray, AO MP Parliamentary Secretary for Regional Development and Northern Australia when speaking about his attendance at SEGRA. I am really looking forward to taking part at the SEGRA conference this August in Albany, a proud regional city. The Rudd Government’s vision for regional development is about working together strategically, cutting through the old barriers and integrating planning across all levels of government and the community.”

“Organisations like SEGRA also play a key role in bringing us all together. The discussion is sure to be stimulating – the conference theme of Creative Solutions : expect them to be different will challenge us to look at the issues facing regional Australia in a new light, and to work innovatively to meet these challenges. In addition to the keynote opening addresses from the Hon. Gary Gray AO MP, the Hon. John Cobb MP, Shadow Minister for Regional Development & Water Security will be delivering a SEGRA business breakfast, and the Hon. Warren Truss MP, Leader of the National Party will be attending the opening Sunday evening function. SEGRA 2008 will be an excellent opportunity for delegates to advocate on behalf of their regions directly to the policymakers, said Kate Charters, Convenor of SEGRA.”

*Hon. Gary Gray MHR, Federal Minister for Regional Development Promo : SEGRA Secretariat, 28 Jul 2008*

**Water Corporation is top performer but Verve fails** : “The Western Australian Water Corporation is the nation’s most profitable government-owned water utility but WA’s Verve Energy is one of the country’s biggest financial losers, a report from the Australian Productivity Commission has found. The commission examined the books of 86 State and Federal government trading enterprises (GTEs) which accounted for 1.7% of Australian GDP, with the Water Corporation’s \$732 million pre-tax profit for 2006-07 among the best returns of any entity. It was only out-performed by the former Queensland Government power companies Ergon (\$1.3 billion pre-tax profit) and Energex (\$1.7 billion). In comparison, Australia Post generated a pre-tax profit of \$562 million. Of the Water Corporation’s \$732 million in pre-tax profits, \$356 million went back to the State Government as dividends.”

“The report was published only days after the corporation objected to the recommendations of the WA economic Regulatory Authority, which called for a major overhaul of water supply arrangements to encourage private investors into the market as a means of lowering costs. But while WA produced one of the most profitable government enterprises, it also had one of the worst performed. Verve Energy’s pre-tax loss of \$76 million for the 2006-07 financial year was one of the worst of any government enterprise. Only NT Power and Water, which had cost blowouts in its water and sewerage sector, delivered a bigger loss, of almost \$100 million. The WA Public Transport Authority delivered one of the worst operating profit margins because it relies so heavily on State Government funding, although it has dramatically cut its debt-to-equity and debt-to-assets ratios in recent years.”

“WA is home to the biggest number of Australian port authorities (Broome, Port Hedland, Dampier, Geraldton, Fremantle, Bunbury, Albany, Esperance), all of which delivered pre-tax profits through the year. The best performer was the Geraldton

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authority, which racked up a pre-tax profit of \$8.6 million with an operating profit margin of 40%. The Fremantle port delivered a \$17.3 million pre-tax profit but had a 17.5% operating profit margin. But these results paled against the Port of Brisbane Corporation's \$170 million pre-tax profit, where the company also has a 37% share in Brisbane airport (*like Cairns, Mackay and Hobart*). Other top port performers included the Sydney Ports Corporation (\$478.5 million), Port of Melbourne Corporation (\$32 million), and the Central Queensland Ports Authority - *now Gladstone Ports Corporation* (\$39 million)."

**Australian Productivity Commission Extract : West Australian (Page 14), 31 Jul 2008**

*Report ISBN 978-1-74037-258-9 – The Financial Performance of Government Trading Enterprises 2004-05 to 2006-07 – examined electricity, water [supply, sewerage, drainage & irrigation], urban transport, rail, ports and forestry et.al). Government trading enterprises are government-owned or government-controlled entities that produce goods and services on a commercial basis by substantially or fully covering their costs. They are outside the general government sector and are separate from government financial enterprises in banking, insurance and related sectors. The monitored GTEs represent the majority, but not all, of the GTEs currently operating in their respective sectors. Data for GTEs monitored in previous reports are not included in this report if the GTE was not operating in 2006-07. These GTEs have generally been privatised or had their assets and operations transferred to other GTEs or new entities.*

**Premiers shifting into realms of irrelevance :** "It use to be that the States had considerable powers over our lives and welfare. They once collected income tax, controlled industrial relations, and oversaw taxation on alcohol, petrol and tobacco. The Federation (*of Australia*) has indeed changed a lot since the days of Edmund Barton when the 1<sup>st</sup> Prime Minister (1901) had less power and influence than his State counterparts (*the six Premiers*). Decades of erosion of State powers, High Court verification of Commonwealth supremacy and opportunistic incursions on the Federal-State balance have slowly but inexorably been shifting States and Premiers into the realms of irrelevance."

"So much so that former NSW Labor premier Bob Carr reckons that within 20 years, State parliaments will be nothing more than county councils responsible for little more than policing and planning decisions. Without a revival of federalism, Mr Carr warns, State governments would have to be scaled down to reflect the diminution and contraction of responsibilities. In any Federal system there's a gradual accretion of power by the centre at the expense of the States but in no other system has it happened as decisively as it has in Australia. If we face another two decades in which the Commonwealth wins every argument and there's a leaching of more and more powers to Canberra and States end up with only police and some of the bigger land use responsibilities, effectively they're becoming county councils."

**Hon. Bob Carr, Ex-Premier of New South Wales Extract : West Australian (Page 21), 08 Aug 2008**

*Following up – The provincial Peoples Republic of China hosts the Beijing XXIX<sup>th</sup> Olympiad attended by 204 nations of the world, including Hong Kong & Chinese Taipei, the former states of the Union of Soviet Socialist Republics, the combined states of the unified German Democratic Republic and the Socialist Republic of Vietnam, Israel & Palestine, India & Pakistan, North & South Korea; former states of the Yugoslav Republics, the democratic republics of the Congo, Timor Leste and the Marshall Islands.*

**Give us enlightened leadership :** "The elevation of Colin Barnett and the calling of an early State election by Alan Carpenter, not to mention the leadership positioning on the Opposition Federal scene, exemplifies the difficulties faced by anyone aspiring to lead us in these uncertain times. Democracy works in a tension of unity and dissent, majority rule and minority rights. But some underlying consensus about common direction is necessary. Our social and economic situation is stretching our social fibres to the limit. We are losing the shared purpose which provides the balance between individual desires and the general well-being. We have high mobility, erosion of communities, cultural exclusion of the aged, racial tensions and inward turning of personal goals resulting from a sense of powerlessness in a mass society, the growth of interest-group politics, changing family forms and once again growing unemployment – or more precisely lack of economic competitiveness and participation."

"Few countries seem to be so well endowed as Australia to face the future. Australia seems to have everything, but can it summon the will to succeed? Perhaps we should recall and elevate an Australian tradition that seems to have gone out of style – striving. It was striving that turned a penal colony into a paradise, arid wilderness into bountiful sheep and cattle stations. We have to encourage strivers and striving. Our leaders must apply imagination rather than tired formulas to the shifting economic contours of the nation. We need the private as well as the public sector orchestrated and working together to raise the achievement levels, the productive output and the quality of life."

"Where we go from here depends on many people and things, but mostly on people. Each individual's personal commitment to an idea and to change is a critical factor. Above all it depends on enlightened leadership at the institutional, community, State and national levels. These men and women will not have an easy task because there are few things more difficult to explain, more perilous to conduct or more doubtful to achieve than the introduction of something different. Yet unless we seek a different concept – one that both reflects and contributes to a bigger vision of the future quality of life – then our society will promote the march of mediocrity and allow it and its systems to capitulate to chaos."

**Michael Detiuk, Perth Resident & Taxpayer Extract : West Australian (Page 22), 09 Aug 2008**

**Headline – the hypocrisy of Labor's early election :** "The Government proposes to fix a usual election date (so) ... the premier of the day cannot make political mileage out of calling an election merely to suit the convenience of the Government of the day (*from a comment made by WA's Attorney-General on 29 October 2003*)."

**The Hon. Jim McGinty MLA, Attorney-General WA Extract : West Australian (Page 1), 12 Aug 2008**

**Gutless – Watson attacks decision which may cost him his seat :** "Albany MLA Peter Watson is now battling for his political life. He has labelled a decision by the Nationals to preference the Liberals as 'gutless'. It is a decision which is a coup for Liberal candidate Andrew Partington, and political analysts say it almost guarantees him the marginal seat. Mr Watson, who said he was not surprised by the Nationals announcement, still branded it as 'fraudulent, lacking character'. He also said it belied the party's

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claims of independence. I think the National Party are frauds, they come out and say they want to look after regional WA and they want all this money going into regional WA, but we have a Labor government that is doing exactly that for Albany for the first time, something the Liberals have never done. We have poured millions into this area and it counts for nothing according to the National Party. We knew all along this rhetoric they have been putting out about being independent was a joke. The fact is they are lap dogs for the Liberal Party, when things get tough they go running back to the Liberal Party, they always have done and they always will do.”

*Hon. Peter Watson MLA, Member for Albany; PS Great Southern Extract : Albany Advertiser (Page 1), 21 Aug 2008*

**Wanted – A party with vision : Lobby groups decry short election that left little time to explore important issues.**

**Wanted – A party with vision :** “After almost eight years and three election campaigns, the promises keep coming thick and fast but many of the problems plaguing our health system are unchanged and the public is sick of waiting for remedies. Overcrowding in our big hospitals has deteriorated over the past eight years and is now the worst in Australia and hundreds of important medical appliances are dangerously dysfunctional and should be replaced. We also need improvement of services for those who live outside the metropolitan area by providing infrastructure and incentives to maintain our rural medical workforce. A new State government should work with the Federal government to promote better primary care, preventative medicine, indigenous health, and aged-care facilities. If either party can deliver a comprehensive policy addressing these issues they would get overwhelming support from voters as well as health-care professionals.”

*Gary Geelhoed, President, Australian Medical Assoc. WA Extract : West Australian (Election 08 Page 9), 05 Sep 2008*

**Wanted – A party with vision :** “This election campaign has not delivered a clear vision for the State for voters because too much focus has been given to funding initiatives in marginal seats. Perhaps the most important outcome from the election will be the eventual composition of the Legislative Council which will dictate the terms under which a winning party will be able to pass legislation. The Greens in particular will have a significant impact on the policy agenda for the State for the next four years.”

*Peter Fitzpatrick, CEO, Motor Trade Assoc.. WA Extract : West Australian (Election 08 Page 9), 05 Sep 2008*

**Wanted – A party with vision :** “Disappointingly, because of the short election campaign and recent changes in party leaders, agriculture has struggled to get many supportive and progressive policies from both major parties over the past month. On the eve of the election being called, Labor called for tenders for the Muechea saleyards. This drawn-out announcement was welcomed by industry. However, industry is looking for further commitment for the State’s regional saleyard strategy that would see money directed from the sale of the Midland saleyards to other regional sale facilities (including Mt. Barker). Much has been made by Liberal and Labor about education, health, and police, yet the detail has, unfortunately, been less forthcoming on how rural WA will benefit. WA Farmers is pleased that some key issues it highlighted during the election have been addressed. But issues such as rising farm input costs, agricultural terms of trade, local climate change research and development, and the Department of Agriculture and Food funding appear to have been ignored.”

*Mike Norton, President, WA Farmers Extract : West Australian (Election 08 Page 9), 05 Sep 2008*

**Wanted – A party with vision :** “There have been worrying signs throughout the election campaign that WA’s political leaders take the State’s prosperity for granted. The State faces challenges, including chronic labour shortages, threats to energy security, high taxation and excessive regulation and red tape. These issues will have to be dealt with as a priority by the next State government. We need a government which understands and responds to the needs of business and industry, and which does not let ideology or special interest groups get in the way of sound policies to encourage investment and competition. During the campaign, CCIWA released the Strategies for Growth paper which sets out the action needed by the next State government to maximise economic growth and business investment, and make WA a better place to work and live.”

*James Pearson, CEO, Chamber Commerce & Industry WA Extract : West Australian (Election 08 Page 9), 05 Sep 2008*

**Wanted – A party with vision :** “The debate on significant policy areas has been somewhat light-on. Never-the-less, I am black and white on what this election means for workers and families. There is a deafening silence from the Liberals on industrial relations and rights at work. This should strike terror into the hearts of all of us knowing that the same strategy was used by the Federal Liberals before they imposed their much-discredited WorkChoices laws on us. On the positive side, Labor’s agenda has been to clearly say no to privatisation, contracting out and individual contracts. And there are good, new initiatives on solar power and renewable energies, with families being subsidised to generate their own power; significant investment in public transport; improved shared equity for first-home buyers and more assistance to pensioners. We think that’s a better way forward for families.”

*Dave Robinson, Secretary, Unions WA Extract : West Australian (Election 08 Page 9), 05 Sep 2008*

**Wanted – A party with vision :** “The campaigns of both the major parties have several things in common – no substance, no long-term vision for the State, and worse, a clear lack of leadership. The Property Council provided both parties with a clear, straight-forward, three-point plan that would assist in sustaining our economic performance and at the same time grasping the opportunity handed to us by such a strong economy. The issues were liberalisation of retail trading hours; development approvals made easy by introducing independent assessment panels; and capping land tax increases to the consumer price index. What have we heard on these vital business reforms is either confusion or an uninspiring collection of ramblings from both parties trying to score points through negativity.”

*Joe Lenzo, Executive Director, Property Council WA Extract : West Australian (Election 08 Page 9), 05 Sep 2008*

Written & Authorised by Neil Smithson of 364 Middleton Road, Albany, Western Australia 6330

**Wanted – A party with vision** : “Polling demonstrates the environment is a high priority for voters, however, we have had to wait for the last days of the campaign before it has come to the fore. As can be expected, the Greens continue to offer a robust set of environment policies but their campaign has had limited cut-through in the media. The past few days has seen strong policies released by Labor to protect the Great Western Woodlands, establish marine reserves and to protect the Kimberley from ad-hoc industrial development. The policy on the woodlands alone represents a significant gain because it would create a conservation reserve system bigger than Tasmania. The Liberal Party has clearly struggled with the environment during this campaign, with its policies to support uranium mining and GM crops drawing heavy criticism from environment groups. There is no need for WA to take the risk of these dangerous industries at a time when we should be building clean and green industries.”

*Piers Versteegen, Director, Conservation Council WA Extract : West Australian (Election 08 Page 9), 05 Sep 2008*

**Forget people, it's all about power** : “When this election is over, my blood pressure will drop! The promises, the misleading statements, the patronising of the voters, and the sheer scale of Labor’s and Liberal’s ability to talk up short-to-medium term budget issues that half a dozen ‘ordinary’ family householders could solve in minutes give me cause for concern that today’s election is not going to provide anything like a way forward for WA. The visions of the main parties are seriously delinquent. Take for example, public transport infrastructure. Of course new rail lines are needed, but has anyone mentioned a rapid transit system to include Perth’s dilapidated airport? To improve the link between the busiest traveller hub and Perth city ought to be integral with plans for expanding the existing network.”

“Journalists, too, are really asking the wrong questions when it comes to nuclear issues. Instead of asking about which roads, suburbs and ports will be used for transporting nuclear materials, they should be asking about which roads, suburbs and ports are currently used for transporting nuclear materials. If the anti-nuclear lobby wants to bury its collective head in the sand, then fine, but don’t rely on journalists to dig you out! And don’t pretend it isn’t happening. As an example, our health system would be in an even worse state without the nuclear option. It also saddens me that as a State we can dictate the restrictive use of power generation to overseas communities desperate to raise their standards of living, let alone by doing so with a will to minimise carbon emissions. Obviously, I believe that nuclear power generation is an essential element of a future mix of energy sources, and there are many compelling reasons why that should be so.”

“This election is not about leadership, vision, taking the tough decisions or planning for the long-term interests of the community. There was little thought directed to the kind of lifestyles our grandchildren might enjoy. And, yes, their future does need to be planned now. This election is simply about gaining political power. Essential services including education, law enforcement, fire and safety, and health are in a mess. Governments are not powerless to shape a future that we can look forward to, want to identify with, and most importantly, feel that we have earned. After all, we are funding it.”

*Brian Embleton, City Beach Resident & Taxpayer Extract : West Australian (Page 23), 06 Sep 2008*

**Welcome to the best little whorehouse in Western Australia – State Parliament** : “State may lose iconic projects to fund the Nationals’ \$700m demand for regions; Labor, which axed disgraced John Bowler, may now accept his help to form government; Mr Bowler says he has been approached by the Liberals about being the Speaker; Nationals prepared to ditch some of their policies as part of any deal with major parties. Major iconic projects such as WA’s proposed outdoor stadium, the new museum at East Perth and the Ellenbrook railway line announced during the election campaign are under threat from the National Party’s demands that 25% of the State’s mining royalties be spent in country regions, Treasury sources warned yesterday. While the major parties scramble to meet the Nationals’ demands, The West Australian understands that the pledge will put enormous pressure on whoever eventually takes power to scrap at least one major project.”

*Robert Taylor, The West Australian Newspaper Extract : West Australian (Page 1), 09 Sep 2008*

**Shameful deal** : “The people of WA have spoken with such a clear voice that anyone or any party who even for a moment thinks of doing a deal with the now discredited Carpenter Government should be thoroughly ashamed of themselves. For this is not merely a matter of sorting out a narrow defeat, but of Premier Alan Carpenter’s failure to concede that, suffering a massive defeat involving a 6.5% swing against the Government and a probable loss of at least nine seats in the Legislative Assembly, he has truly lost the right to govern. And, more seriously, by continuing to hold out blandishments to people and parties to join him in what would plainly be an insult to our parliamentary system, the Premier is not only thwarting the will of the people but in the process deliberately corrupting the very basis of representative government in WA. What makes it even worse is that should the Premier continue on his present course he will inevitably be asking the Governor of WA in effect to legitimise what amounts to be a fraud against the will of the people.”

*Martyn Webb, Dalkeith Resident & Taxpayer Article : West Australian (Page 22), 10 Sep 2008*

**Bad election campaign?** : “If I needed any further evidence of this State Labor Government’s total lack of understanding of how its performance has been rated by the electorate, it was provided to me by their State President and three other sitting members in TV interviews amid the turmoil of Monday’s reality shock. They all blamed the fact that the party ran a bad campaign. For heaven’s sake, Labor Party, get it clear. An election campaign is nothing more than a sales pitch. The public is sick of sales pitches. You have been punished for your inept inactivity in providing sustainable, long-term solutions to issues like law and order, health, education and the provision of water, power and other key infrastructure facilities.”

“The fact that many of your foundation front bench has subsequently had to resign, or be dismissed as a consequence of corruption matters, is another minor issue which you should also consider in your election post-mortem. Bad election campaign indeed! You total inability for honest self-appraisal is staggering and just reinforces why you will now be dispatched to the opposition benches for the foreseeable future.”

Written & Authorised by Neil Smithson of 364 Middleton Road, Albany, Western Australia 6330

*Murray Martin, Warnbro Resident & Taxpayer Article : West Australian (Page 23), 12 Sep 2008*

*Defending the States – Federalism is a shambles ... but the best way to govern :* “Almost single-handedly, the appalling rabble that is running the NSW Government has reignited the debate about the future of federalism. Public administration in that state is now so bad that reforming the Federation has taken on an air of urgency. Kevin Rudd is pushing hard for a new vision of cooperative federalism and academics are publishing entire law journals devoted to the question of how to fix the irrational allocation of responsibilities within the federation. There is much more important reason for retaining the states. At its root, federalism is all about dividing power. It is about hobbling politicians and preventing them from gaining too much authority over the lives of the people they are supposed to serve.”

“In geographically large nations – such as Australia, Canada and the United States of America – federalism also ensures that the democratic process does not become too remote from the people it is designed to serve. Does anyone really want Perth’s bus timetables to become the ultimate responsibility of someone in Canberra? Federations, far more than unitary states, are systems of government that are profoundly distrustful of political power. They are, in other words, systems of government that are perfectly aligned with our national character and popular sentiment. Federalism and democracy are by no means the most efficient methods of running things, but they are the systems that have delivered more than a century of domestic peace and prosperity. The challenge for all levels of government is to make them work.”

*Editorial : The Weekend Australian (Page 18), 13 Sep 2008*

*Chamber views – Fremantle development :* “I would like to thank Dr Ian Alexander for his contribution in last week’s paper and felt it appropriate to use this opportunity to indicate the support of the Fremantle Chamber of Commerce for his point, if not for his tone and manner of expression (*‘Circling Sharks’, MCH 20/09*). Though I would prefer that public debate remain clear, coherent, and fact-based, I respect that his hyperbole was a reflection of his genuine discomfort. The chamber agrees local planning should be the purview of the local community through its representatives, the council and officers of the City (*of Fremantle*). This assumes of course that the planning process operates in a balanced and efficient manner, with due process, and under the direction of a positive, forward-looking vision for the future of Fremantle. Without these elements, the future might be scary indeed, but one characterised by stagnation as opposed to the one Dr Alexander has attempted to portray. As the largest and most broadly representative community organisation in Fremantle, the chamber is consulting with stakeholders at every level to help resolve a vision and create a positive framework for future planning. We believe in Fremantle; we believe in its potential; and we believe the community can rise to the challenge and articulate a vision of vibrancy and prosperity for our children, and our children’s children. It is time to look to the future, as well as pay respect to the glories of our past.”

*Peter Nolin, CEO, Fremantle Chamber of Commerce Article : Melville City Herald (Page 6), 27 Sep 2008*

*COAG fast-tracks infrastructure projects :* “Australia’s political leaders have moved to fast-track big-ticket infrastructure spending to help shield the economy from continuing global financial turmoil. Prime Minister Kevin Rudd met with state and territory leaders in Perth today, where he agreed to speed up a federal audit of the country’s infrastructure needs. We believe this is important because of the outstanding infrastructure needs of our nation, both in our cities and our rural and regional areas, Mr Rudd said after the Council of Australian Governments (COAG) meeting. And we intend to get on with the job.”

*The Hon. Kevin Rudd MHR, Prime Minister of Australia e-News : WA Business News, 02 Oct 2008*

*COAG fast-tracks infrastructure projects :* “Infrastructure Australia will now present its audit and priority list by December, a move applauded by Victorian Premier John Brumby. That commitment will enable the Commonwealth and the States to work together to bring major infrastructure projects on line earlier than would otherwise have been the case, Mr Brumby said. COAG also agreed on a timeline to put in place nationally consistent guidelines for public-private partnerships.”

*The Hon. John Brumby MLA, Premier of Victoria e-News : WA Business News, 02 Oct 2008*

*COAG fast-tracks infrastructure projects :* “South Australian Premier Mike Rann, who has attended COAG meetings for more than six years, said the previous Howard government wasn’t in the game of infrastructure. We welcome the fact that we’re going to get a report by the end of this year so that we can get cracking Mr Rann told reporters. It’s in stark contrast to what we’ve had over the last six and a half years, the last 12 years, where infrastructure couldn’t even be discussed. The federal government promised in this year’s budget to set up a \$20 billion Building Australia Fund to help pay for big infrastructure projects. During their meeting, the leaders also acknowledged the nation could not fully insulate itself from the global financial crisis, and that a prolonged downturn could seriously affect the economy.”

*The Hon. Mike Rann MLA, Premier of South Australia e-News : WA Business News, 02 Oct 2008*

*WA’s risky status no surprise :* “The state’s ranking as the nation’s riskiest territory for mining investment comes as ‘no surprise’, the Chamber of Minerals and Energy (CME) said. In a survey by publication *‘RESOURCE STOCKS’*, Western Australia was ranked behind other states and territories, with companies increasingly frustrated by issues such as land access, green and red tape, land claims and labour relations. WA was ranked 12, while South Australia came in second place and the Northern Territory was ranked number 5. New South Wales came in at sixth, Tasmania ranked seventh, Queensland came in at 10 and Victoria was 11. The rankings are out of 74 countries and regions.”

“CME chief executive Reg Howard-Smith said, while WA’s ranking comes as no surprise, it reinforced the need for ‘deep approvals reform’ in the state. This is an opportunity for the new State Government to demonstrate strong leadership and prioritise the deep approvals reforms needed to streamline exploration and development approvals. The CME continues to advocate for a risk-based approach, reducing duplication of approvals at state and national level and ensuring state government

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agencies are well resourced to manage these issues. This approvals reform is necessary to underpin future investment in exploration and development that will guarantee the future prosperity of the State.”

*Reg Howard-Smith, Chief Executive, WA Chamber of Minerals & Energy e-News : WA Business News, 07 Oct 2008*

**Planning Instruments of Western Australia** : “The reality is that the State Planning Strategy is now more than ten years old, and sadly in need of review given significant changes in key issues. While the new legislation clearly provides for cooperative regional planning, of the ten recognised regions of Western Australia, only three have statutory region schemes, and there are glaring omissions for the Gascoyne, Goldfields, Great Southern, Kimberley, Mid-West, Pilbara, South-West and Wheatbelt regions. The average age of Local Planning Schemes across Western Australia is now more than 10 years, and the statistics get worse when you isolate the averages for those councils in the various regions mentioned (particularly rural and remote areas). It is professionally embarrassing when you know that some local authorities have never had a District (ie. Municipality) Town Planning Scheme during the life of the WA Town Planning & Development Act 1928 – local authorities such as the Shires of Derby-West Kimberley, Murchison, Ngaanyatjarraku, Nungarin, Trayning, Upper Gascoyne, Westonia, Wyndham-East Kimberley.”

*Neil Smithson, Managing Director, Smithson Planning Report : 14 Oct 2008*

**Debate rages over WA regional funding** : “The state's royalties for regions policy remained in the spotlight today as questions arise over the interpretation of the election pledge that underpins the Liberal-National government. Today Premier Colin Barnett restated there was no disagreement between his and Nationals leader Brendon Grylls' interpretation of the policy, where the Liberal Party promised to set aside 25 per cent of mining royalties for regional areas. The clash centres on whether the 25 per cent of revenue from royalties includes forward estimates, or budgeted amounts, from the previous Labor government. At the end of the day we will honour the royalties for regions program, Mr Barnett said today. Twenty five per cent of mining royalties will be spent in country areas, over and above what would otherwise happen.”

“The Premier refused to say whether funding allocated in the forward estimates will be included in the royalties policy, saying he will not commit to previous Labor programs. As part of the Nationals election campaign, Mr Grylls pledged that 25 per cent of royalties for regional projects will be over and above existing and budgeted expenditure. Mr Barnett rejected claims that he misled Mr Grylls in the Liberals' courting of the Nationals in the week after the election, despite a letter from the Premier to the Nationals leader last month that indicates otherwise. The projects and expenditure will be over and above those currently funded in the regions by State Government..., Mr Barnett said in a letter dated September 12. Today Mr Barnett said he believes his and Mr Grylls' interpretation of the funding program is similar.”

“Shadow Minister for Regional Development Alannah MacTiernan is calling for the Liberals to honour the written offer. This so-called alliance government has clearly been built on a very shaky foundation. It is now clear the three most senior figures in Cabinet do not agree on the essence of the offer or what is going to be delivered to Western Australians living in the regions. Ms MacTiernan said it was unacceptable that Mr Barnett, Mr Buswell and Mr Grylls were contradicting each other and contradicting themselves on a daily basis. There has been weeks of confusion over what the royalties for regions scheme will actually deliver. It's a case of different day, different deal, Ms MacTiernan said. Either this is complete incompetence or complete arrogance.”

*Hon. Alannah MacTiernan MLA, Shadow Minister for Infrastructure e-News : WA Business News, 20 Oct 2008*

*Following up – This from the former Minister for Planning & Infrastructure under the Gallop and then Carpenter Labor State governments, who refused to be briefed on the Rainbow 2000<sup>®</sup> Project, and presided over the systemic failure of strategic planning for state, regional and local governance – now this would funny if it weren't tragic for Australian industry and international relations.*

**Share the wealth or secession movement will thrive** : “The case for a revitalised secessionist movement in WA will be strengthened if the Commonwealth continue to exploit the State's resource-rich economy and fails to share the prosperity evenly, former premier Richard Court said yesterday. In a rare public address since leaving politics in 2001, Mr Court said WA's booming economy, which accounted for 35% of the nation's export income, had been used to strengthen the 'financial muscle growing in Canberra.' Quoting former Liberal prime minister Alfred Deakin (1903-04, 1905-08, & 1909-10), who declared that the States were 'financially bound to the chariot wheels of the Commonwealth', Mr Court said it was critical that no one level of government within our federation has too much power.”

“If the current path of our Federation continues, in the year 2020 Western Australia will be receiving just a 5% share of what is being redistributed by the Commonwealth Grants Commission with over 10% of the population. We will be penalised for our success. The time has now come for there to be a re-assessment of the formula by which the Grants Commission distributes funds to the States. A new assessment of the special requirements in such a large State that has the runs on the board in delivering economic success to our national economy is long overdue. Mr Court said he was not advocating secession but warned the case for the movement could strengthen if financial imbalance between the States and Commonwealth continued.”

*Hon. Richard Court AC Extract : West Australian (Page 7), 23 Oct 2008*

**MacTiernan puzzled by Oakajee funds plan** : “I am very happy that (Premier) Colin Barnett has gone into bat for the port at Oakajee. I believe that (Australian) infrastructure should never become the property of foreign countries. This was about to happen under the (Carpenter) Labor with the Chinese Government being the major stakeholder. Geraldton has waited many years to have a decent port installed but previous governments have stalled that decision. We have a 'micky mouse' port (as described by the Hon. Wilson Tuckey, O'Connor MHR) in Geraldton that can only handle small shipping. Well done Colin and not before time. This will open up the Mid-West and encourage further investment in this region producing royalties for the State over a long period of time, something the Mandurah Rail will never do.”

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*Kevin Giudice, Geraldton Advocate, Resident & Taxpayer e-News : WA Business News, 30 Oct 2008*

**CEO appointment plans in disarray** : “Plans to confirm the new City of Albany Chief Executive Officer were thrown into disarray yesterday. The Albany City Council was to meet behind closed doors last night to consider a recommendation for the appointment of a new CEO. A panel including Mayor Milton Evans and four councillors met in Perth last week to interview six short-listed candidates from around Australia. They had recommended Ravensthorpe CEO Paul Richards be appointed to the \$250,000 per annum posting. The plan was derailed yesterday when independent enquiries raised doubts about Mr Richards’ suitability. Mr Richards resigned as *the* Superintendent of the WA Police’s State Intelligence Division in February 2008 – he had been in *that* role for 15 months.”

“Mr Richards previously had a lengthy and distinguished career in Britain. Mr Richards took up the three-year contract at *the* Shire of Ravensthorpe in April 2008, but his tenure has been marked by a long list of staff resignations. The *Weekender* understands, as many as 16 of the Shire’s staff of about 30 have resigned. He had been granted leave of absence to pursue the Albany role. Ravensthorpe Deputy Shire President Don Lansdown said Mr Richards had signalled his intention to look further afield. To my knowledge he had mentioned he was looking around, but I wasn’t aware of where he was going, Cr Lansdown said. We’ve had some problems because he wasn’t from local government. He had to learn and pick up on the local government way of doing things.”

“It is understood Mr Richards was second choice for the position, but the preferred Victorian candidate passed up the Albany role. Albany City Councillors were preparing counter-motions yesterday to have any appointment delayed. My intention would be to get this motion delayed until we do some more reference checks, said Cr Daniel Wiseman. This is the most important job in Albany, so it’s best that we make sure we get the right candidate. Albany Chamber of Commerce CEO Graham Harvey urged the City to take more time to find a new CEO to replace Andrew Hammond who left to take up a role (*CEO*) with the City of Rockingham. At this time in Albany’s history, it is crucial that the City takes the necessary time to appoint the right person for this extremely important role, Mr Harvey said. The person would need to have extensive local government experience and commercial experience – a person of leadership and vision. Albany’s future is too important to put at risk.”

“Mayor Milton Evans was angry the decision-making process had been compromised. At considerable expense, we have employed Nicholas Crawley from Beilbey’s (*Beilby Executive Recruitment*) to facilitate this recruitment process, he said. The reference and cross-reference process is sound. This man (*Paul Richards?*) sets foot into Albany and is already fighting a rear-guard action because people can’t abide by the process.”

**Mayor Milton Evans, City of Albany Extract : AGS Weekender (Page 1), 06 Nov 2008**

*Following up – Beilby knows people: finding the right person, first time, every time. We are so confident in our ability to achieve outstanding results that we provide a two-year candidate performance guarantee for all executive placements that use our full assignment-based recruitment process. As a mandatory part of the process, exhaustive reference checks are conducted. These aim to identify reasons why candidates should be eliminated from consideration, rather than justification for giving them the job.*

**Appoint administrator to run state** : “Kevin Rudd has been urged to treat New South Wales like a local council and appoint an administrator to fix its economic mess, after incompetent management by Labor Premier Nathan Rees and his ministers. Influential business leader Heather Ridout said yesterday the NSW economy was lagging so badly it had become a national issue that needed separate attention. Ms Ridout, chief executive officer of the Australian Industry Group, urged the Prime Minister to take NSW out of normal federal-state funding arrangements and provide an extra burst of investment to encourage growth. I think Kevin Rudd needs to take NSW aside from the (Council of Australian Governments - *COAG*) process and work out what we need to fix this state, and what conditions need to be put on it, Ms Ridout said. A bit like an administrator going into a local council and saying, let’s have a look at the books, let’s have a really good look at what’s going on here and fix it.”

“Mr Rees was quick to hit back, telling the business chief to butt out. There are two people with responsibility for the State’s budget – myself and Treasurer (Eric) Roozendaal. None of the commentators are. It’s easy for them to have a bob each way (*a bet*) in what they think should or shouldn’t happen, but at the end of the day, the buck stops with us. NSW, which accounts for a third of the nation’s economy, has fallen behind national growth for seven years in a row. It was the only state to grow less than 3% in the past financial year. Mr Rudd issued a blunt warning to Mr Rees a fortnight ago, saying ‘I will say in loud and clear terms – the Government of NSW has to radically lift its game’.”

“Any federal move to take over the financial affairs of NSW would be constitutionally fraught and unlikely without cooperation, unless the Commonwealth tried to attach conditions to *federal* funding. Ms Ridout’s proposal yesterday comes after the NSW Government appointed administrators for nine local councils in the past few years because of incompetence or corruption. Speaking on the Ten Network’s *Meet the Press*, Ms Ridout, who is close to the Prime Minister and considered by some to be an unofficial member of his cabinet, said the NSW mini-budget (*released last week*) defied reason by putting up taxes and deferring infrastructure spending at a time of economic downturn. She said arguments about protecting the state’s budget deficit were silly and a political issue linked to protecting the state’s AAA credit rating.”

**Heather Ridout, CEO, Australian Industry Group Article : The Australian (Page 5), 17 Nov 2008**

*Following up – Western Australia is currently the only conservative government in Australia (a minority alliance with independents formerly attached to the opposition), and the Treasurers of each of the other Australian Labor states and territories determined that the Hon. Troy Buswell MLA – Treasurer WA, should be excluded from their strategic discussions in preparation for the November meeting of COAG.*

**Push for unelected in Cabinet** : “Unelected members of the public should be allowed to sit in Cabinet to expand the talent pool available to the State Government, according to former Labor State secretary Bill Johnston. But leading political expert Harry Phillips said though the proposal was possible without changes to Western Australia’s Constitution, it would need stringent

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checks to ensure it did not undermine the power of the Parliament. Under existing laws, only one member of cabinet needs to be a member of parliament – technically the rest can be selected from the broader community.”

“Mr Johnston raised the proposal in his maiden speech as the new member for Cannington. He was not advocating a US-style system where Cabinet is selected by the president and not the houses of Congress. Unelected Cabinet members would still sit in Parliament and parties would have to nominate who would (be potential ministers) before an election, Mr Johnston said last week. Mr Johnston’s call came as Bassendean MLA Martin Whitely launched a blistering attack against branch stacking in Parliament. Mr Whitely raised a proposal to have the WA Electoral Commission conduct the pre-selection ballots of all political parties to guarantee their integrity.”

*Bill Johnston MLA, Labor Member for Cannington Extract : West Australian (Page 50), 19 Nov 2008*

**I object – CCC and the PI :** “George Phillips’ assertions that ‘the head of the Corruption and Crime Commission would like to be subject to as little scrutiny and oversight as possible’ and that I am ‘reluctant’ to accept the authority of the CCC Parliamentary Inspector (Letters, 20/11) are completely contrary to the actual position which I have consistently maintained. Had Mr Phillips been at the public hearing of the Commonwealth Joint Parliamentary Committee for the Australian Commission for Law Enforcement Integrity on Monday, he would have heard me emphatically repeat the position I have expressed from the outset. It is that I consider the role of the Parliamentary Inspector to be absolutely necessary and critical to the operation of the legislative scheme. The external and independent monitoring so afforded to ensure the commission’s operations are conducted in accordance with its own Act and other laws, and that its procedures are effective and appropriate gives the Parliament, the community and the commission itself the confidence that the exercise of the commission’s extensive powers is appropriately subject to Parliamentary scrutiny and ultimate legislative control. I was in fact arguing that the Commonwealth agency should have a Parliamentary Inspector with powers similar to that office in Western Australia. Mr Phillips need not be trouble. I am not ‘reluctant’ to accept the authority of the Parliamentary Inspector – indeed, I consider it essential.”

*L.W. Roberts-Smith, Commissioner, Corruption & Crime Commission Extract : West Australian (Page 22), 21 Nov 2008*

**Following up – Malcolm McCusker QC,** Parliamentary Inspector for the WA Corruption & Crime Commission tended his resignation today – this same day, that the “CCC has argued that Mr McCusker over-stepped the mark when he produced reports clearing public servants Mike Allen and Paul Frewer (WA Dept P&I) of misconduct in the Smiths Beach (Busselton SC) affair in contrast to the findings of the commission.”

**Council does a backflip – again :** “It’s Earl Street déjà vu. Albany City Council makes a decision; wants to change a decision, and councillors start throwing around claims of how negative each other is. The Earl Street apartment project died in a morass of council red tape and indecision, and now the \$1.5 million Great Southern Seafoods’ project for a new premises could be headed the same way. Seven days ago council approved the Hercules Street (sic *Crescent*) proposal. Now it has called a special meeting to consider rescinding the decision. The meeting will be held without Cr Nicolette Williams, who resigned last Friday. Cr Williams accused three other councillors of spearheading a campaign ‘dogging, rumour mongering, generating scare tactics and bullying’ other councillors to change their votes. Cr Williams said she was disgusted and disappointed in the behaviour of other councillors. They have been banging on doors of homes and phoning repeatedly. I now know that honesty, respect and diligence are in short supply and I have no alternative but to stand down.”

*Cr Nicolette Williams, West Ward, City of Albany Extract : Albany Advertiser (Page 3), 25 Nov 2008*

**Council does a backflip – again :** “Great Southern Seafoods’ Margaret Soumelides said council was looking silly. All we have ever done is be guided by City staff. We live in a democratic society and to have councillors twisting each other’s arms about this is really disappointing. Harley Survey Group senior planning consultant Roy Winslow has advised the Soumelides’ on planning issues. What’s the point in having a council? Developers will start to wonder whether it’s worth doing business in the City of Albany, and Albany will suffer.”

*Roy Winslow, Senior Planner, Harley Survey Group Extract : Albany Advertiser (Page 3), 25 Nov 2008*

**Council does a backflip – again :** “Deputy Mayor Des Wolfe, who had been in favour of the application but voted against it in a surprise move last Tuesday, denied Cr Williams’ suggestion the council was copping out by allowing the State Administrative Tribunal to make the final decision on the factory and absolving the City of any accountability. My reason for voting against the proposal this month is based on planning, Cr Wolfe said. I don’t think approving the factory is good future planning.”

*Deputy Mayor Des Wolfe, West Ward, City of Albany Extract : Albany Advertiser (Page 3), 25 Nov 2008*

**Council does a backflip – again :** “But Albany Chamber of Commerce and Industry chief executive Graham Harvey blasted the council’s lack of vision. The Shire and Town of Albany amalgamated more than 10 years ago, and there is still no comprehensive City Plan in place – the old Shire Scheme 3 was gazetted in 1980 and Town Scheme 1A in 1983, Mr Harvey said. The question we are asking is how can any business operate or city function using tools 25 and 28 years old respectively. Mr Harvey said council was making policy on the run and the possibility of last week’s planning decision being rescinded this week was symptomatic of a town with no plan. We have ended up with a series of policies in conflict with one another, which makes decision-making impossible. Businesses and residents require certainty, which is not possible when yes means no.”

*Graham Harvey, CEO Albany Chamber of Commerce & Industry Extract : Albany Advertiser (Page 3), 25 Nov 2008*

**Following up –** With two vacancies and the apologies of the Mayor, following the defeat of a procedural motion (7-3) to suspend standing orders so that all Councillors might speak to the agenda item, the rescission motion was carried (6-4). However, it failed to attract an absolute majority (7 or more of 13 members) required under the Local Government Act, which means the previous determination of the City of Albany to issue a planning scheme consent stands.

Written & Authorised by Neil Smithson of 364 Middleton Road, Albany, Western Australia 6330

*Following up – Our thanks to Graham Harvey – imitation (in this case plagiarism) is the sincerest form of flattery.*

**Lights on but no-one's home** : “I drove down North Road (*Albany*) last week at night and found that the lights were on in the Council offices. Initially, I took great comfort in thinking that both our elected and paid leaders were toiling over the affairs of our City. I then realised that our Mayor (*Milton Evans*) is in France (*Peronne, Somme Region*) and then taking an extended European holiday, we don't have a CEO, we await the arrival in the new year of an executive director of works and services, we also await the by-election for a councillor in the Frederickstown ward and must be concerned about our City's investments (*Lehman Brothers*) in the current financial climate. I am also wondering who was pleading our case for more funding opportunities in Canberra at the (*Prime Minister's*) local government summit. This has to be the classic case of ‘the lights are on but no one is at home’. Hopefully, through the by-election, we can start to alter this perception.”

**Michael Pemberton, Mira Mar Resident & Taxpayer** Extract : *Albany Advertiser* (Page 8), 27 Nov 2008

*Following up – Michael Pemberton is a Past-President of the Albany Chamber of Commerce & Industry (1998-2002), and an unsuccessful mayoral candidate for the City of Albany (2003). Cr Nicolette Williams representing the West Ward resigned on 21 Nov 2008, so there will actually be two causal vacancies filled at the 28 Feb 2009 extraordinary election (term of office until ordinary elections Oct 2009).*

**No plan, says ACCI** : “Indecision by Council has confused Albany ratepayers and businesses, according to Chamber of Commerce and Industry CEO Graham Harvey. Mr Harvey blamed 25-year old planning schemes developed by the Town and Shire which are still being interpreted by the City. The Town and Shire amalgamated 10 years ago, surely that's enough time for them to put together a comprehensive plan, Mr Harvey said. You have a hotch-potch of residential intertwined with light industrial and general industrial – there is no plan for the city. Mr Harvey said he did not envy councillors trying to make planning decisions. Where there is one policy it conflicts with another policy, he said. It's no wonder councillors themselves are in a state of confusion, because they are trying to base decisions on either outdated plans or on policies which are conflicting. This rescission motion (*Great Southern Seafoods*) has not been based on new information coming to hand. It is simply because a couple of councillors had their noses put out of joint because they didn't get their own way.”

**Graham Harvey, CEO, Albany Chamber of Commerce & Industry** Extract : *AGS Weekender* (Page 3), 27 Nov 2008

**Councillors may be paid to work full-time** : “Local government councillors would be paid, full-time workers who were elected in a first-past-the-post system under a radical plan being considered by the State Government. Local Government Minister John Castrilli confirmed yesterday that he was studying a proposal from the WA Local Government Association for councillors to paid annual salaries set by the Salaries and Allowances Tribunal, as they are for local government chief executives. WALGA said the plan could see some of the State's 139 local governments have part-time councillors in return for a better-trained ‘professional outfit’ but some of the bigger councils may comprise all full-time members. The changes could also lead to the electoral system, which uses a proportionate preferential system similar to that in the WA Upper House, being replaced with a first-past-the-post system. But analysts warn the move could leave councils open to being politicised by the major parties, which would use them as a training ground for candidates before they entered State and Federal politics.”

“There are only a handful of full-time mayors in WA, with councillors working for no pay, though they are reimbursed through allowances for expenses. Mr Castrilli said while he was not totally convinced that higher pay would attract better candidates, he was considering the proposal. WA Local Government Association president Bill Mitchell said that to limit the cost of paying councillors a salary, there would be fewer elected members on some councils. He said there were nine salary bands that applied to local government chief executive positions and he wanted a similar system for councillors. I don't think it's a one size fits all *situation* but there may be some councils that because of their workload, people are putting in equivalent 38-hour weeks anyway. Mr Mitchell said politicisation of local councils was happening anyway, with about one-third of State MPs previously on a council. Armadale mayor Linton Reynolds said a council was a complex business and needed to be managed accordingly. A survey of WALGA members found more than 97% preferred the old *first-past-the-post* voting system.”

**Bill Mitchell, President, WA Local Government Association** Extract : *West Australian* (Page 1), 17 Dec 2008

**Professional standards in a changing regulatory environment** : “When one takes on the role of a regulator, they take on an obligation to act in good faith. Acting in good faith involves :

- ❖ Making decisions based on reason and justice not private opinion
- ❖ Acting according to law not humour
- ❖ Performing within the limits to which an honest person competent to discharge the duties of office should confine themselves; and
- ❖ Operating within the scope of and for the purpose of the enabling act or regulation.”

“Taking on a quasi judicial role means *performing* functions that involve exercising discretion as a part of the decision making process, *that* need to be conducted in a judicial manner. A quasi judicial role requires the application of the relevant facts to the appropriate statutory regime and is subject to the principles of natural justice and administrative law. When acting in a quasi judicial role you recognise that this is a decision making function and not an information gathering function. You make each decision based on the relevant information before you and only relevant information. If you consider that you do not have enough information to make an informed decision then you should ask for any further information that you may require through the correct processes.”

“In the context of town planning law and the application of sound town planning principles, it is now well-established that a responsible authority, whether at the local or State level, when charged with the duty of deciding whether or not a discretionary

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use should be permitted, should first establish the need for the proposed use and then balance the projected benefits against possible cost to the community by way of loss of amenity or other disadvantages. It is clear from recent court and tribunal decisions that the need is looked at from the general standpoint of the community rather than of the residents or ratepayers of a particular locality alone, or from just the applicant's perspective."

"In the context of town planning law and the application of sound town planning principles, it is now well-established that a responsible authority, whether at the local or State level, when charged with the duty of deciding whether or not a discretionary use should be permitted, should first establish the need for the proposed use and then balance the projected benefits against possible cost to the community by way of loss of amenity or other disadvantages. It is clear from recent court and tribunal decisions that the need is looked at from the general standpoint of the community rather than of the residents or ratepayers of a particular locality alone, or from just the applicant's perspective. As regulators, we have a duty to weigh the benefits of satisfaction of need on the one hand and consideration of amenity on the other – particularly in the case of residents' submissions. When making decisions about such matters the regulator is acting as a quasi judicial body and must act according to proper established planning principles and considerations, especially those set out in a Town Planning Scheme."

"Those principles involve acting always in the public interest. What is of public interest is that town planning schemes in general should be regarded not from the point of view of advantages that ought to accrue to individuals but from the point of view of what is desirable for the community in accord with sound town planning principles. They (*Community Planning Schemes under the WA Planning & Development Act 2005*) must be in the interests of the community as a whole, and must have regard to ALL the elements of the case before it with the onus on the applicant – prima facie or by first instance, to demonstrate the benefit to the community. When a regulator is hearing the representations of an applicant and objectors, the 'right to be heard' transcends all other considerations and imposes a clear and unqualified duty upon the authority to ensure that where opposing views are presented, both sides are given the right to present their arguments, preferably in the presence of each other. The regulator's preliminary investigations and all subsequent proceedings should be conducted in a judicial manner, with fairness to all parties concerned. And underlying these principles are the principles of natural justice. These are *Bias; Unreasonableness; Right to be heard; Abuse of power; Uncertainty; Improper purpose; and, No evidence.*"

"Failure to follow any or all of these principles would likely lead to issues of appeal, or at worst, charges by the Crime and Corruption Commission of official corruption or serious improper conduct. Official corruption includes any abuse by a public official of his or her position without reasonable excuse. For the CCC to become involved, the corruption must involve corrupt conduct or fall within a range of criminal offences under the Criminal Code including abuse of office. Corruption usually involves the calculated, often continuing, covert and wrongful exercise of public duty or function. Official corruption can have many forms. For example, the taking or offering of bribes, fraud, conflict of interest, acting upon 'insider' information or abuse of power or functions, so as to obtain or confer or cause a detriment to any person. Serious improper conduct includes conduct by a public officer, and this includes Councillors and Commissioners, of a kind serious enough to warrant dismissal of a public officer whether or not the person could legally be dismissed. For example, it could include breach of public trust, neglect of duty, function or power, telling lies, favouritism, bias and breach of public sector standards. No list can be exhaustive."

*Eric Lumsden, Director General, WA Dept Planning & Infrastructure Article : Western Planner (Page 11), Dec 2008*

*Business After Hours – enterprise government style or just duplication of bureaucracy & division of community aspiration :* the "South Coast Natural Resource Management Inc. is the peak regional group in the South Coast Region of Western Australia (*Augusta – Eucla*) working with the community to manage, protect and preserve our land, our coastline, our rivers and waterways, our forests and bushland and our backyard. As one of 56 regional groups around Australia, the South Coast NRM Inc. is committed to the long-term management of our natural environment. A major function of our organisation is to coordinate and administer funding for NRM activity that has been allocated from the Australian Federal Government and the Government of Western Australia; previously through the Joint National Action Plan for Salinity and Water Quality (NAP) program and the Natural Heritage Trust (NHT), and now through the Australian Government's 'Caring for Our Country' program."

*Rob Edkins, Chief Executive Officer, SCNRM Flyer : Albany Chamber of Commerce & Industry, 05 Jan 2009*

*Following up – and from its 2008 Annual Report, the South Coast NRM Inc. is in the process of changing banks to Bendigo Bank. \$1 million has been deposited within a term deposit. A good relationship is developing with Bendigo Bank with a number of commercial negotiations being explored through community sector banking – and the Chairman of the Bendigo Community Bank, Albany – Mayor Milton Evans.*

**No need for veto :** "While thanking *The West Australian* for reporting in some depth on important developments in the area of Aboriginal native title, the headline and introductory paragraph in your report were incorrect (Nyoongars seek land veto power, 10/1). The Nyoongar people are not seeking any 'land veto power' as was suggested by the headline. We are not seeking 'the right to veto developments planned for unallocated crown land' and we are not seeking 'fundamental change in the native title legislation'. The Nyoongar people wish to discuss with the State Government alternative ways of resolving native title claims for the South-West because the current system, through the courts, is wasteful of taxpayers' money, far too slow and unhelpful in reconciliation and 'closing the gap' on Aboriginal disadvantage."

"One alternative is the native title settlement framework currently being considered by the Victorian Cabinet, which would allow Aboriginal groups to withdraw their native title claims in exchange for mutually agreed outcomes. Successful negotiations have been achieved previously in the Kimberley and central desert areas of WA, and we are searching for a similar path to resolution. The Premier has made several statements about his desire to 'close the gap' on Aboriginal disadvantage, but as yet there's been no real acknowledgment in WA of the importance of the link between resolving native title and the wider issues of Aboriginal health, welfare and reconciliation. Let's face it, it's difficult to build a future in partnership with government if at the same time it (*that same government*) is working to ensure your people aren't recognised."

Written & Authorised by Neil Smithson of 364 Middleton Road, Albany, Western Australia 6330

**Glen Kelly, CEO, South-West Aboriginal Land & Sea Council Article : West Australian (Page 22), 22 Jan 2009**

“Western Australia’s Great Southern Area Consultative Committee Inc. (transitioning to Regional Development Australia Great Southern WA) is one of 54 not-for-profit organisations across Australia, supported by the Australian Government, and providing a conduit between the region and Australian Government programs that support regional economic and social opportunities. The Great Southern ACC is managed by a volunteer Board and has a small staff to assist the Board achieve its objectives under its Strategic Regional Plan and Annual Business Plans. Under changes being implemented by the Australian Government, Area Consultative Committees are transitioning to become Regional Development Australia committees, with a broader mandate to provide strategic advice to assist the Government in its regional development objectives.”

**John Vincent, Acting CEO, Great Southern ACC Advert : Albany Advertiser (Page 23), 27 Jan 2009**

**Beware fascism comeback :** “Kevin Rudd has warned that the world faces the return of the 1930s style fascism and communism if governments fail to overcome the global financial crisis, arguing that capitalism has to be saved from cannibalising itself. In an 8000-word essay, the Prime Minister argues that left of centre governments such as his own have the policies and belief in the state to deal with the turmoil that is plunging the globe into an economic downturn not seen since the Great Depression. Mr Rudd said the philosophy of neo-liberalism – characterised by deep tax cuts and the removal of government intervention from all aspects of the economy – was now a proved failure. He writes that social-democratic governments had to rise to the challenge of building a ‘practical policy response’ to the current crisis that included a new regulatory regime for financial markets, or they would risk the rise of extremist philosophies such as those that emerged during the Depression.”

**The Hon. Kevin Rudd MHR, Prime Minister of Australia Extract : West Australian (Page 7), 31 Jan 2009**

*Following up – and today, Kevin Rudd reportedly throws his support behind the Hopetoun-Bremer Bay Road through Fitzgerald River NP.*

**Local councils urged to reduce numbers :** “Local councils have up to six months to advise the state government of their amalgamation plans and intentions to reduce the number of elected members. Minister for Local Government John Castrilli today announced the strategies for local government reform based on a voluntary reduction in the number of individual councils. The Liberal-National government strategies aim to achieve greater capacity for local government to better plan, manage and implement services to their communities with a focus on social, environmental and economic sustainability. Mr Castrilli, who announced the strategies at a combined local government ward meeting in Exmouth, said he hoped future merged councils would also reduce their total number of elected members to between six and nine. I am inviting each of the 139 councils within Western Australia to embrace this opportunity to voluntarily amalgamate and to voluntarily reduce the total number of elected members for each council, he said.”

“Mr Castrilli’s comments were heavily criticised by the Western Australia Local Government Association president Bill Mitchell, who said the state government has broken its election promise. Councillor Mitchell said that prior to last year’s state election, WALGA had secured commitments from both the Liberal and National parties that there would be no forced amalgamations of councils. He also criticised the six month deadline announced by Mr Castrilli, who says it is enough time for each council to report amalgamation and reduction plans. There is nothing voluntary when you are given a six month deadline and told what the outcome has to be and that if you don’t volunteer it will be forced, Cr Mitchell said. He added that over the past four years, WALGA had research and consulted with the sector on achieving greater sustainability, with the final plan now being implemented by 135 out of 139 councils in the state. What this announcement has done is damage all work towards regional cooperation by Local Governments who will now be focused only on ensuring their own survival in an amalgamation process, Cr Mitchell said.”

“Mr Castrilli has also requested all local governments to form appropriate regional groupings of councils to assist with the efficient delivery of their services. This would be in line with proposed grants to local government, under the recently announced Country Local Government Fund which services individual councils and their regional organisations. The strategies I have announced today take the regional approach to decision making to another level for local governments within WA, he said. In October last year, I established the Local Government Sustainability Joint Steering Committee to review the West Australian Local Government Association Sustainability Study and develop an implementation strategy. After carefully considering its recommendations and additional research, I am convinced that local government in its current form is simply not sustainable. Mr Castrilli said there were 85 local councils in WA serving populations of less than 2,000 people. He also noted more than 50 councils had representation ratios of one councillor to less than 100 electors and this ratio fell as low as one to 20.”

“The benefits from amalgamations across the state, including metropolitan Perth, will be very significant, the Minister said. These include achieving greater economies of scale, elected members clearly focusing on governance and long-term strategic planning. Increased competition for staff positions within the sector will be a welcome change from the present situation. Mr Castrilli observed that fewer, yet larger, local governments would improve their State and Federal Government lobbying capacity, and this may lead to additional funding and partnerships from those levels of government and the private sector to further improve services to communities. To oversee and assist local governments with implementation of the strategies, the Minister is proposing to establish a Local Government Reform Steering Committee to include public and private sector representation and two elected members of the Local Government Advisory Board. Four working groups will report to the steering committee on a regular basis. I urge each local council to take every advantage of this opportunity for voluntary reform, Mr Castrilli said.”

**Hon. John Castrilli MLA, WA Minister for Local Government e-News : WA Business News, 05 Feb 2009**

**Brave stab at local council reform :** “Major reform of local councils has been an issue successive governments have been happy to avoid for decades. Some ministers have tinkered with it but mostly it has been kept in the bottom drawer, waiting until someone was brave enough to take it on. The Barnett Government has shown leadership by tackling the issue head-on with a

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serious package of reforms. Unfortunately those reforms bear no relation to promises made before the September 2008 election. Labor's voluntary amalgamations, hands-off approach failed dismally to offer real reform, with few councils taking up the offer. The Liberals, Labor and even the councils themselves agree local government is unsustainable and amalgamating inefficient authorities to create economies of scale has long been touted as a solution. It has worked with varied success in other States."

"There are 139 (*sic 141 local*) councils in WA – with 1300 elected members and 11,000 council workers and each is keen to protect its patch. So whether it works or not, Local Government Minister John Castrilli has just unleashed a State-wide turf war. There is no doubt the Liberal version of 'voluntary' amalgamation is a bit of a sham but the test for Mr Castrilli is what he does after the six-month deadline and whether the Government has the political will to reduce the number of councils in WA – not just in the country, but in metropolitan Perth as well. It won't be easy to get through Parliament when all the back-benchers are lobbied by their communities and councillors."

*Dan Hatch, Journalist, WAN Article : West Australian (Page 6), 06 Feb 2009*

**Industry calls for council mergers :** "Council inefficiencies are a major cause of delays and cost blowouts on developments and the State Government should fast-track local authority amalgamations immediately, according to the property industry and developers. Local Government Minister John Castrilli has given the State's 139 (*sic 141*) councils and the WA Local Government Association until August to decide their preferred amalgamation opportunities. He also announced a reduction in the number of councillors to between six and nine for each authority and the establishment of four new working groups looking into strategic planning, urban development, training and legislative reform."

"Property Council of Australia (WA) executive director Joe Lenzo said the reforms were urgently needed to stop delays and cost overruns caused by too much interference by elected members with the development approvals process. Unsustainable and generally smaller local governments are not able to deal efficiently with modern day planning and development issues and this is causing delays and higher costs. Elected members should be responsible for governance and strategy, including overall policy for development assessment. However, the assessment of individual development applications should be done by independent expert panels in the local authority."

*Joe Lenzo, Executive Director, Property Council WA Extract : West Australian (Page 58), 18 Feb 2009*

**CCC status again hit by clearance :** "In another blow to the credibility of the Corruption and Crime Commission, a senior State Government bureaucrat found by the CCC to have engaged in serious misconduct was cleared by the Public Sector Commission yesterday of any wrong-doing. The CCC found last October that Peter Millington, then acting chief executive of the Department of Fisheries, had engaged in serious misconduct for warning a retired commercial fisherman in April 2007 that he was being investigated for illegal crab fishing. Mr Millington was cleared yesterday by Public Sector Commissioner Mal Wauchope, who said it was not in the public interest to investigate the matter further, and that Mr Millington's actions had been an error of judgement. Mr Millington joins former top public servants Paul Frewer and Mike Allen (*WA Dept Planning & Infrastructure*) and Environmental Protection Authority head (*Chairman*) Dr Wally Cox on the list of bureaucrats who have been accused of misconduct by the CCC but were subsequently cleared by departmental inquiries. Mr Wauchope said yesterday Mr Millington had been counselled and trained in relation to use of official information. He also revealed that Mr Millington had been in the Department of Premier and Cabinet since last November and subsequently with the Public Sector Commission, assisting in its creation under Mr Wauchope."

*Mal Wauchope, Public Sector Service Commissioner Extract : West Australian (Page 4), 19 Feb 2009*

**Emotive rhetoric :** "The plea from S. Fardon (Say no to mergers, letters, 16/2) to Local Government Minister John Castrilli to 'talk to the older generations of managers and staff and ratepayers to gauge what is more viable' is the least defensible course of action when considering the matter of council amalgamations. Opinions from such people are often immersed in enmities as ancient as the boundaries which were drawn to create individual local authorities in the beginning. The notion that amalgamations would lead to the deconstruction of any valued community elements cannot be substantiated, given that Federal and State government boundaries are, by law, altered from time to time, with few significant disadvantages."

"Just like councils, the strength of representation for the electorate depends on the ability of the elected member to work cogently for the community. Contemporary sizable shifts in the growth of population density cannot be adequately addressed, given the nature of the historic boundaries now in place, and necessary flexibility will never be achieved while they remain. The role of local government has evolved from the original 'rates, roads and rubbish' mandate of years gone by. Today, there is a growing emphasis on strategic planning for the efficient and effective delivery of an enormous range of services, touching all residents in some way on a daily basis. The Commonwealth Government's new federalism highlights an insightfulness and trust in the capability of councils to get the job done, in many cases, bypassing State Government departments."

"The current campaign against amalgamations seems to rely on emotive protectionist rhetoric, citing community isolation and the loss of identity as the outcome of such a move. Analysis of the arguments fails to warrant that position."

*Cr Judy Jones, Bunbury City Council Extract : West Australian (Page 22), 20 Feb 2009*

**Outdated town plan is to blame :** "I attended last week's Nedlands council meeting and saw first-hand how our elected representatives deal with planning in the commercial precinct of Hampden Road. The particular proposal under consideration was for an office development on the corner of Hampden Road and Gordon Street, Nedlands. A majority of councillors described the proposed building as ghastly, cheap, out of character with the area and something that would be more likely found in Kwinana or Osborne Park (*Industrial Areas*). In short, they just didn't like the architecture and voted accordingly. What these councillors fail

to understand is the process that drives the sort of design they are so aghast at. The reality is that commercial design is driven by the criteria in the city's planning documents – ie. plot ratio, setbacks, height, number of car bays, etc.”

“Nedlands has a town plan that is well past its use-by date (adopted in 1982), but it still remains the only planning document available to guide developers. It is an absolute dereliction of their duty for councillors to allow this situation to continue. I suggest they stop complaining about the designs their outdated planning policies produce, and do the hard work of developing a new town plan. This would enable the community to move forward with a modern town planning scheme that gives clarity to the city's vision and hopefully encourages design innovation and appropriate responses to the changing environment.”

*Richard Harris, Nedlands Resident & Taxpayer Article : Mosman Cottesloe Post (Page 26), 07 Mar 2009*

**God save the Governor-General from controversial political tasks** : Just who does Quentin Bryce think she is? That question is not meant to be rude. But the still-new Governor-General has given Australians plenty of reasons to wonder how she sees her role. The Governor-General, as an unelected head of state, has to stay out of partisan politics for the position to hold any authority or public respect. Remember that the post has awesome reserve powers over an elected government that require absolute independence. The (ABC Television) 7.30 Report's Kerry O'Brien asked her (*the G-G*) about her personal agenda after she got the job. Can you be a quiet activist, Mr O'Brien asked. "Oh definitely", Ms Bryce replied. All this is manna from heaven for the constitutional monarchists who point out that if an activist governor-general with no mandate is problematic, what would be the potential for conflict with a popularly elected president?

**Her Excellency Ms Quentin Bryce AC, Governor-General of Australia Extract : West Australian (Page 21), 12 Mar 2009**

**MPs oppose council mergers** : “Two senior Federal Liberal MPs have opposed the Barnett State Government's plans for widespread amalgamations of the State's 139 (*sic 141*) local government authorities. Federal O'Connor MP Wilson Tuckey and Kalgoorlie MP Barry Haase said they were against forced mergers touted by Local Government Minister John Castrilli when he announced his plans last month. Their stand comes as interstate experts warned local government leaders at a WA Local Government Association forum yesterday that amalgamating councils to create cost savings was a furrphy which had failed in other Eastern States. Mr Tuckey, whose *wheat belt* electorate is made up of 50 councils (*including all 15 of those in the Great Southern*), said he was 'very strongly opposed' to forced amalgamations and joined WALGA president Bill Mitchell in claiming Mr Castrilli had released his plans without consulting the WA Liberal party room or State Cabinet.”

“Mr Tuckey said Mr Castrilli had failed to take into account the social impact of amalgamations in country areas. I can find no support for it, he said. Mr Haase, whose electorate has 34 councils, were already sharing resources and amalgamating where it was practical and appropriate. He said the State Government would be better placed providing resources in this capacity. It is understood the issue will be debated at the Liberal Party's State Conference on Saturday where the Laverton Branch is expected to move an urgency motion. Mr Castrilli has refused to repeat comments he would force inefficient councils to merge if they did not come up with voluntary plans, fuelling speculation he would not be able to get legislation through Parliament and lacks broader party support. The Labor Party has said it would oppose any bill, along with Independent Kalgoorlie MP John Bowler, that forced council mergers. The Nationals have a voluntary amalgamation policy.”

“Mr Castrilli said he had invited councils to put their solutions to him by August on a voluntary reform basis when he would decide 'which is the way forward'. He said he was confident they would adhere to his request. A key aspect of the voluntary reform process is community consultation, it is in that context that I welcome the input of my Federal Liberal colleagues, as I do all members of the community. Local Government Association of Queensland policy director Greg Hoffman said the sustainability of councils was determined by the policies implemented, not their size. He said 12 months after amalgamations in Queensland many Councils were struggling with significant costs, including a \$400,000 annual travel bill for the new Torres Strait super council to get councillors to meetings. Lead consultant on the South Australian council amalgamations in the late 1990s, Ian Dixon, said half of that State's councils were still unsustainable following reductions from 118 to 69, though sustainability had not been a motive for the mergers.”

**Hon. Wilson Tuckey MHR, Member for O'Connor Extract : West Australian (Page 16), 17 Mar 2009**

**Pilbara city poses question of statehood** : “Could a major metropolitan centre in the Pilbara be a precursor to statehood for the region? Travelling with people from elsewhere can have its benefits. They get an amateur tour guide, and you get pleasantly surprised by places you might otherwise have passed by. Another benefit is the innocent observation of the newly arrived. For instance, we had deviated off the main road to look at Port Samson (Roebourne), notably the iron ore loading facility nearby because they had not seen one – or a mine – despite our discussion about how much the Pilbara region contributes to the Australian economy and our national well being. As we drove back down the short peninsula, one of our foreign travelling companions asked the obvious question. Where are all the people? With so much happening here, why isn't there a big city?”

“Having only days earlier written a big story on the concept of Pilbara City, a metropolis of as many as one million people which businessman Ken Perry has envisioned, it was a timely question. It is also one that I have had cause to ponder for the last couple of weeks. Well, it may be heresy in WA to suggest this, but after my recent visit not only do I think building a really big north-west city is sensible, but I also wonder if it ought to be the capital of a new state which administers the region. Firstly, why do we need the city? The Pilbara and neighbouring Kimberley are more than Australia's major petroleum and minerals centre; they have vast tracts of land that could be used for agricultural, tourism and habitation purposes. The need for expertise to develop the region is an issue. Few people want to live in a sparsely populated place with few of the amenities of a large city.”

“Certainly, for many existing residents of the region, centres like Karratha, Newman, Port Hedland and Broome provide sufficient entertainment, shopping, health and education options. But they may not always represent what is needed to meet the north's existing requirements. Also, there is a long-term imperative to populate our north before some global issue such as climate

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change, over-population (elsewhere) or regional power plays causes another nation or group to eye the potential of our vast empty north. Furthermore, the north has specific issues, such as oil and gas production, large-scale iron mining, pastoral land care, environment, climate and a big indigenous population that may be better managed locally. Which neatly brings me to the question of statehood. I know this is all very hard to accept by those who don't like to take their hands off the reins and prefer management and power to be retained in Perth."

"There's no doubt that much of the WA capital's wealth and prestige comes from having administrative control of the north-west. But, we all know what it's like to be bossed and bullied by far off leadership. Just look at how we in the west view decision-making from Canberra. And there's Australia's own history. A century ago, I'm sure there were those in London who preferred to keep the old colonies on a tight lead rather than allow a new self-determining nation to be born. Yet, in hindsight, it is obvious we were better able to manage ourselves. Belatedly, and at great cost to Australian lives, we even realised we could run our army better than the British. There's no doubt in my mind that a self-administered region of the north-west would have greater incentive to develop both a big regional city as well as additional hard and soft infrastructure around the region."

*Mark Pownall, Editor-at-large, WABN Extract : WA Business News (Page 39), 30 Apr 2009*

*Following up – refer to Smithson Planning website for details of Manypeaks (WA), Goldfields Recherche (WA), Avon (WA), Batavia (WA), Pilbara Capricornia (WA), Kimberley Dreaming (WA), Arnhem (NT), Macdonell (NT), Cape York (Qld), Leichhardt (Qld), Barcoo Bulloo (Qld), Darling Downs (Qld NSW), Orana Blue (NSW), Hunter Oxley (NSW), Illawarra Highlands (NSW), Alpine (NSW Vic), Riverina (NSW Vic), Sunraysia (Vic NSW), Grampians (Vic), and Eyre (SA).*

**PPPs, works reforms to save \$280m** : "The state government expects to save \$280 million over four years from reforms to the capital works program including enhancing the use of public-private partnerships and moving thousands of public sector workers out of the city's government buildings. Treasurer Troy Buswell this morning outlined initiatives in the **Works Reform Business Solution Plan**, which include an overhaul of government office accommodation and the use of innovative procurement methods including public private partnerships. Mr Buswell said the state government, through Cabinet, has supported this reform agenda. We intend to take a far more strategic approach to asset planning and to business case development, and a much stronger hands-on role in project managing, he said. Fundamental to that reform is our capacity to engage with the private sector in the provision of public social and public economic infrastructure."

"Specific components of the plan include :

- ❖ **Better Planning** – Described by Mr Buswell as a 'fundamental building block to a sound set of planning outcomes', government agencies will be required to provide a 10-year strategic asset plan on an annual basis to the Department of Treasury and Finance.
- ❖ **New Forms of Procurement** – Mr Buswell said the government will be moving away from its traditional 'construct only' approach that has been used almost exclusively in the past for the delivery of government buildings and will seek to enhance the use of PPP's.
- ❖ **Building Standards and Design Practice** – With the appointment of Steve Woodland as government architect, there will be a greater focus and emphasis around design standards.
- ❖ **Risk Management** – Mr Buswell emphasised the need to effectively manage projects across the entire asset investment program via an enhancement to the Office of Strategic Projects.
- ❖ **Strategic Projects** – will continue to oversee existing major projects such as the Perth Arena and Fiona Stanley Hospital and also look after what are determined to be 'high risk' projects to government, such as the new children's hospital and new prisons and sports facilities.
- ❖ **Improve the Management of the Existing Portfolio of Government Buildings** – Improving the maintenance of the 4000 government buildings in WA via a whole of government approach to the planning of building maintenance.
- ❖ **Government Office Accommodation** – Mr Buswell said the government is developing a much more strategic approach to how government staff is accommodated in government offices."

*Hon. Troy Buswell MLA, Western Australian Treasurer e-News : WA Business News, 03 Jun 2009*

**Freedom of speech restricted** : "I am surprised Anthea cannon's article on the council's adoption of the new standing orders (AA, Tuesday 26 May 2009) has not elicited more public debate. What is at stake is freedom of speech, without which, as history reminds us, error, corruption and tyranny flourish. The stated objective of the standing orders is to bring about 'better decision-making' and 'more open and accountable local government'. Now the cornerstone of these objectives is freedom of speech. Yet when one looks at the content of the new standing orders, one finds freedom of speech is severely restricted. Thus, the standing orders reduce councillors' speaking time from five minutes to four minutes."

"They increase the discretion of the mayor to decide who gets to speak, and when. They deprive councillors of their hitherto-unencumbered freedom to draft, submit and move alternate motions. They expose the freedom of councillors to move alternate motions at anytime to the tyranny of the majority. They prohibit altogether alternate motions that differ significantly from the intent of officer recommendations unless they have been requested of staff within half a day of the agenda briefing session (*held one week in advance of the ordinary council meeting, and on the same day as the final agenda becomes available to the public*). And they do nothing to prevent the mayor from exercising his casting vote to deny freedom of speech to councillors."

Written & Authorised by Neil Smithson of 364 Middleton Road, Albany, Western Australia 6330

“I cannot see how this regime promotes better decision-making. It may speed up the process, but this is no guarantee that it will be better. ‘Better’ has a moral dimension that is absent from the concept of efficiency. These standing orders, once gazetted, will go before the (State) Parliamentary Standing Committee on Delegated Legislation. I hope they will be rejected. The liberty of councillors to express their opinions in debate and by way of alternate motions must be upheld in the interests of good, open and accountable government.”

*Cr. Roley Paver, Vancouver Ward, City of Albany Article : Albany Advertiser (Page 8), 16 Jun 2009*

**Regional Cabinet schedules meeting in Albany** : “Albany will host the first regional Cabinet of the new Liberal-National government next Monday. Community members who successfully applied to meet a Minister will have the opportunity to sit down with members of the 15-strong Cabinet on Sunday and discuss the issues that matter in the Great Southern. Premier Colin Barnett selected Albany as the first regional meeting of the new government because of its significance in the formative history of the State. This is an opportunity for local people to meet ministers and raise concerns both formally and informally, for the local government authority and regional development commission to inform Government of local issues, initiatives and challenges and for Ministers to visit sites and organisations directly related to their portfolios, Mr Barnett said. All of this is vital to ministers being in touch with regional issues. It is an opportunity to get a better understanding of the challenges faced in regional WA and appreciate that when making decisions in Perth, there are effects felt hundreds of kilometres away. The last cabinet meeting held in Albany was in September 2005 (*Premier Alan Carpenter*).”

*Hon. Colin Barnett MLA, Premier of Western Australia Extract : Albany Advertiser (Page 2), 23 Jun 2009*

**Corridors of power – Western Australia** : “The Western Australian Government has committed itself to a range of planning and development assessment reforms. At a Property Council event in June the Minister for Local Government, John Castrilli, said the government will amend the *Planning and Development Act* and table regulations to introduce regional development assessment panels. The Minister acknowledged the Property Council’s assertions that there is too much involvement by elected members with the development assessment process in local governments. The planning reforms will complement the government’s structural reform of the local government sector, including amalgamations of unsustainable local authorities. The Property Council is participating in the government’s Planning Reform Industry Reference Group, which is driving the planning reform process, and will use this opportunity to promote key *Development Assessment Forum* principles, including a more risk-based development assessment process and extensive use of development assessment panels.”

*Hon. John Castrilli MLA, Minister for Local Government Article : Property Australia (Page 48), 17 Jul 2009*

**\$100m blow pressures small councils to merge** : “The State Government raised the stakes in its drive to overhaul local government yesterday, saying it would withhold \$100 million a year from councils that did not merge as required for its reform process. Minister for Regional Development Brendon Grylls said he was reviewing grants from his Royalties for Regions country local government fund in favour of councils amalgamating in line with Government wishes. The Nationals leader made his position clear on the Government’s reform agenda for the first time yesterday, dashing the hopes of some that the Nationals might oppose the reforms and force the coalition Government to abandon the process.”

“There will be councils who seek to amalgamate. The local government fund will be used to reward those councils, he told delegates at WALGA’s Local Government Convention yesterday. Mr Grylls said he did not support the status quo of local government in WA and warned councils in country WA that change was inevitable. We will not support forced amalgamations of local government but we support reform very strongly, he said. It’s not about attempting to kill off local governments one by one, but encouraging you to band together for a greater economic outcome.”

*Hon. Brendon Grylls MLA, Minister for Regional Development Extract : West Australian (Page 10), 07 Aug 2009*

**Groups united over future strategies** : “A unique, coordinated effort involving 15 key local organisations could lead to a more positive outlook for Albany and the region. Business, government and education groups recently got to work on the Albany Futures Plan under the Working Together banner. Convened by the City of Albany, the group is working together to develop a positive plan for Albany’s future. Mayor Milton Evans said the group aimed to coordinate efforts on key strategic issues. Each of these organisations has a plan for positive change within its own field, Mr Evans said. Working Together aims to ensure that the separate plans of the many organisations are coordinated under a common high level strategy, the Albany Futures Plan.”

*Mayor Milton Evans, City of Albany Extract : AGS Weekender (Page 5), 10 Sep 2009*

**Groups united over future strategies** : “The Albany Futures Plan will establish objectives in areas such as reputation management, economic management and quality of life. Group members agreed on a need to enhance Albany’s reputation with commercial organisations and with State and Federal Government bodies. ACCI president Gary Cutler said the chamber would work with the stakeholders in the Albany Strategic Working Together Group to assist the ACCI deliver its objective of promoting industry, trade, commerce and economic development in the Albany and the Great Southern.”

*Gary Cutler, President, Albany Chamber of Commerce & Industry Extract : AGS Weekender (Page 5), 10 Sep 2009*

**Groups united over future strategies** : “GSDC chief executive Bruce Manning said the commission was pleased to partner other members of the group to explore future opportunities. The GSDC has a long tradition of working with a range of organisations and individuals to advance the economic and social development of the region, Mr Manning said.”

*Bruce Manning, CEO, Great Southern Development Commission Extract : AGS Weekender (Page 5), 10 Sep 2009*

*Groups united over future strategies* : “Albany Port Authority chief executive Brad Williamson said the Working Together group was about making things happen in Albany (*or else-where-ability as the GSDC would put it*). He said the port, had experienced growth and change with the community through good times and bad. We all know Albany is a great place to live so what can we do to make it a better place and improve our quality of life? Mr Williamson said. Albany Port makes a valuable contribution to a number of key industries in the region which benefits our community through employment opportunities.”

“We are keen to make a positive difference to the growth and development of Albany as a regional centre. Working together with agencies and our community is the key to success as there is always more that can be done to create greater opportunities for growth across all areas of our community. Other *Working Together* partners include Bendigo Bank, Departments of Health, Indigenous Affairs, Sport and Recreation, FESA, Great Southern TAFE, Perth International Arts Festival Great Southern, South West Aboriginal Land and Sea Council, South Coast NRM, UWA Albany Centre and WA Police.”

*Brad Williamson, CEO, Albany Port Authority Extract : AGS Weekender (Page 5), 10 Sep 2009*

*Implementing Development Assessment Panels in Western Australia* : “Development assessment panels typically consist of a mix of independent experts and elected representatives. The involvement of elected members is considered beneficial, as they provide the panel with valuable local knowledge of the area as well as knowledge of relevant local planning policy. This should ensure that local issues and context are given proper consideration in the determination of an application by a panel. In matters requiring specific technical expertise, the participation of appropriate experts in the determination of a development application will ensure that the aspects are given appropriate levels of consideration. Furthermore, if panel members have the appropriate technical expertise, it may also reduce the need to brief panel members on technical matters, which in turn will reduce the time and cost of the decision-making process.”

“The Western Australian Local Government Association’s Systematic Sustainability Study (SSS) recommended that local governments explore new ways to combine resources at a regional level in order to deliver and fund the functions and services demanded by the community. Joint development assessment panels can help to achieve this, by enabling local governments to pool their resources to support a joint panel, rather than establishing a panel for each individual council. Joint development assessment panels can help to alleviate resource pressures and improve decision making, through the participation of independent technical experts. The benefits of such an approach are illustrated by the regional development assessment panel model in South Australia.”

“The introduction of development assessment panels will not create a new approval system, as the development assessment process will continue to operate in the same way as it currently does. The only difference will be that a development assessment panel, instead of the local government or WAPC, will determine the application. So a single decision-maker will be created, which is focussed solely on determining development applications. This should assist local governments and the WAPC by allowing them to focus on the development of strategic planning instruments, rather than the administration of them. The development assessment panels will not undermine the decision making role of local governments as decisions by the development assessment panels will be determined within the local policy framework set by the local government. The local government views will essentially be represented by the development assessment panel members.”

“The range of expertise required of the specialist members appointed to the panel may include (but not be limited to) planning, architecture, urban design, engineering, landscape design, environment, law, property development or management. Specialist members will be appointed from a register of appropriately qualified and experienced individuals. The appropriate qualifications and experience for panel members will be detailed in selection criteria prescribed in the new regulations. The register will be created and maintained by the Minister following a call for expressions of interest published in local newspapers and appropriate websites. It is proposed that prospective specialist panel members will be initially screened against the prescribed criteria through a review of their curriculum vitae, reference checks and, where appropriate, formal interviews.”

“In addition, it is proposed that the Minister for Planning will have the power to ‘call in’ any application that is of a class prescribed in the regulations as being a project of State or regional significance. The effect of this declaration will be that any applications made in relation to that proposal will be assessed by the relevant development assessment panel but determined by the Minister. The development assessment panel will be prevented from determining any applications called in by the Minister. Therefore, if a development application has been provided to the relevant local or joint development assessment panel, the panel will review the application using the relevant State and local planning schemes and planning policies, and then prepare a report containing its advice and recommendations for the Minister. The Minister will take the panel’s advice into consideration when determining the application.”

*Hon. John Day MLA, Minister for Planning WAPC Discussion Paper (DAP), 11 Sep 2009*

*Law must draw line on corruption* : “Ms Archer (*the Hon. Shelley Archer MLC – former Labor Member for Mining & Pastoral Region*) was charged under Section 83 of the Criminal Code for passing on to her friend, lobbyist Brian Burke, a copy of a letter from the Shire of Broome to former planning minister Alannah MacTiernan (*MLA, currently the State Member for Armadale, but also a potential Federal Labor candidate for Canning MHR, or the Western Australian Senate Team*). In the interests of a full understanding of this perplexing situation, here is Section 83 (*of the WA Criminal Code Act Compilation Act 1913<sup>#</sup>*) :

“Any public officer who, without lawful authority or a reasonable excuse –

- a. Acts upon any knowledge or information obtained by reason of his office or employment;
- b. Acts in any matter, in the functions of his office or employment, in relation to which he has, directly or indirectly, any pecuniary interest; or

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c. Acts corruptly in the performance or discharge of the functions of his office or employment,

so as to gain a benefit, whether pecuniary or otherwise, for any person, or so as to cause a detriment, whether pecuniary or otherwise, to any person, is guilty of a crime and is liable to imprisonment for 7 years.”

“That section seems impossibly, even dangerously, broad in this era of rapid movement of information at the press of a computer key. Politicians work to the benefit of other people, principally their electors. Section (a) does not require the information to be confidential, just that which is gained as part of their work and which is useful to another person. What benefit, other than pecuniary, that may be derived from the passage of information could be deemed to be corrupt? Politicians deal in information. So do lobbyists (*as do public servants*). The law should explicitly define where the intersection creates corruption.”

**Paul Murray, Journalist, The West Australian Extract : West Australian (Page 21), 24 Sep 2009**

*Note # – WA Criminal Code Act Compilation Act 1913, [Section 83 inserted by No. 70 of 1988 s. 16; amended by No. 8 of 2002 s. 4.]*

**Following up** – *So the question arises, What would prompt the former Chief Commissioner of the City of Albany, who is now the Governor of Western Australia to act (or not act as the case may be) so as to preclude a comprehensive investigation of a matter formally referred to the Corruption and Crime Commission in respect to the actions of past and present planning officers of the City of Albany. Systemic corruption in any organisation can only exist with the support of the Executive Administration and the Elected Representation (be they Councillors, Mayors, Members of Parliament, Ministers, Premiers, or the Governor of the State of Western Australia).*

**Is reform already decided by Govt?** : “WA is starting to copy Queensland and the Northern territory with the same problems they had during their local government reforms, taking 156 shires back to 72 in Qld and NT going from 63 shires to 13. The WA Local Government Minister will already have a plan for this reform. The Qld Premier dangled the same carrot with not forcing amalgamations. Once the process failed, he stepped in and made forced amalgamations. This is where a lot of red-faced councillors ran around wishing they had picked partners. Most shires were (*re*)placed with regional shires who they didn’t want to be joined with. Councillors thought they were bigger than the state government and thought they could get the process stopped by ringing people in the National Party. I bet if you asked councillors in Qld today they would say they underestimated what was going to happen. Make no mistake; this government has already done a deal with all parties. If you don’t pick your partners now you will not have a second chance later. They have already called for management positions for the reform process. It is going to happen and you need to get on with representing your people and give them the whole story.”

**Glen Brigg, Tambellup Resident & Taxpayer Article : AGS Weekender (Page 8), 08 Oct 2009**

**It’s arrogance – Western Australian politics** : “I think that Mike Lanigan’s opinion (Letters, 23/10) that the WA National Party has no right to try to stop Colin Barnett from bypassing Parliament to bring in extended shopping hours because they don’t hold a seat in Perth and were elected by country people is typical of city people’s attitudes towards the bush and shows nothing but arrogance. WA is not about the city of Perth, it is about the whole of WA and all of WA voted in the last election (State Referendum – Trading Hours). Country-elected MPs have a right and an obligation to the people that voted for them to represent them and to vote on proposed Bills, That’s how democracy works. Perth takes royalties from the bush which would only be spent in Perth if it wasn’t for the Nationals and you are always telling the bush what we can or can’t do and then you have the nerve to tell us to stay out of the debate on extended trading hours. Why don’t you city clickers keep your noses out of the bush? Changing shopping hours via stealth and bypassing Parliament is undemocratic. Obviously you don’t care if small businesses will close and people will lose their jobs and prices will increase to cover costs. But that’s what separates the city from the bush – we still care. Personally I think that WA is just too big to be one State run from Perth and the sooner it is broken up into smaller States, such as North-West, South-West and Perth, the better the bush will be.”

**David Hickling, Northam Resident & Taxpayer Article : West Australian (Page 22), 22 Oct 2009**

**All WA benefits** : “The Regional Development Council is the main body responsible for coordinating the efforts of the regional development commissions, and taking every opportunity to see regional and remote WA meet its full potential, to promote regional development, policy proposals, and provide advice to the Minister for Regional Development. For over 40 years there has been an imbalance in spending in the Perth metropolitan area and the country, and infrastructure and services in the bush have dropped to the point where people have increasingly made the decision to relocate to Perth. This is not good for Perth and worse for the bush.”

“Royalties for Regions provides one of the tools required to see that situation reversed – not just for the good of those who live in the bush, but for the State and the nation. Thankfully, Brendon Grylls (*MLA – Leader of the WA Nationals and Minister for Regional Development; Assisting State Development & Transport*) had the guts to put everything on the line to see a significant new investment in the bush – and the bush endorsed it. The governance of the Royalties for Regions process is as thorough as any government process. As opposed to complaining about a lack of resources over time, we choose to look for the opportunities – that is the simple country outlook on life.”

**Graham Thomson, Chairman, WA Regional Development Council Article : West Australian (Page 22), 18 Nov 2009**

**Buckeridge attacks LandCorp inaction** : “Building magnate Len Buckeridge has launched a blistering attack on LandCorp, accusing the taxpayer-owned agency of ‘having its foot on the throats’ of WA home builders because its slow release of land was keeping suburban lot prices high. Mr Buckeridge, one of WA’s richest men, said yesterday he was also concerned about LandCorp’s role in thwarting major infrastructure projects through mismanagement of industrial land supply as well as its discouragement of development in the North-West, which was costing the State the chance to change the ‘fly-in-fly-out’ culture of the region. Mr Buckeridge’s foray into the WA land supply debate came after Labor spokesman Mark McGowan on Tuesday called on the State Government to intervene in a dispute between LandCorp and Malaga-based manufacturing firm Complete that

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may see the company axe 90 jobs and move off-shore to China. Complete says it cannot get land to build a new factory because of LandCorp's inaction."

"It also follows an attack two months ago by transport mogul Lindsay Fox's development arm, which called for LandCorp's 'monopoly' over industrial land supply to be broken because the State-owned agency was frustrating its expansion plans. Mr Buckeridge said yesterday he was most concerned about LandCorp's participation in private land subdivisions. You have a situation where LandCorp controls so much land that they (effectively) control the market, he said. They take so long to create land with services and the like, so the price of the house-and-land package goes up enormously. Mr Buckeridge said the situation in towns such as Port Hedland and Dampier was 'embarrassing' and holding back development of the North-West as well as costing families a chance to enjoy the lifestyle of the area. He called for the head of LandCorp, Ross Holt, to step down for 'failing' WA taxpayers."

"Lands Minister Brendon Grylls backed Mr Holt but said he would take Mr Buckeridge's criticism on board. Mr Grylls said while he had previously been a critic of LandCorp, its new board (*chaired by the former Court Government Agriculture Minister and National Party member for Stirling Monty House*) was 'heading in the right direction' in ensuring the agency stepped aside where private firms were willing to develop properties. Complete managing director Emanuel Dillon said that unless the Government intervened to force planning changes by tomorrow, his donga-manufacturing firm (*transportable temporary remote accommodation for construction workers*) would have to shift its operations to China. Planning Minister John Day said the matter was before the State Administrative Tribunal."

*Len Buckeridge, BGC Construction Group Pty Ltd Article : West Australian (Page 59), 19 Nov 2009*

**Sack the NSW Labor Executive before it's too late :** "There have been two sackings of governments in Australia, the first by NSW Governor Philip Game in 1932 and the second by Governor-General John Kerr in 1975. As one who was sacked in 1975, I have no desire to see that happen again. The Americans realized long ago that genuine democracy only exists if voters also have a say in who represents the political parties. Most important, the party base should be broadened to ensure a wider range of occupations are represented. Labor must widen its net to attract academics, scientists, engineers, small business people, ordinary workers and professionals. Some will ask : Why just NSW? The answer is that those in power do not surrender power lightly and any change will be vehemently resisted by powerbrokers. NSW Labor is facing oblivion, so they have nothing to lose. If the right people are put in place to bring about reform, other states will follow – if they do it now, while there is plenty of time to avert the train wreck they are facing."

*Hon. Barry Cohen, Ex-Robertson MHR (Labor) Extract : The Australian (Page 12), 05 Jan 2010*

**Western Australian Regional Cities Alliance Report – Executive Summary :** "The Cities of Albany, Bunbury, Geraldton-Greenough and Kalgoorlie-Boulder outline the case for a strategic approach to regional development within Western Australia. While making the case for decentralisation of future population growth away from the Perth Metropolitan Area, their priority is strategic investment in the infrastructure of regional cities. The report explores the economic contribution of regional Western Australia; the existing projections for population growth in the State; and, the likely distribution of that population in the absence of decisive policy interventions."

"It is considered highly likely that the projected growth of the Perth Metropolitan area will have serious adverse effects. The lack of a concerted approach to regional development and distribution of population growth to regional cities is viewed as a major strategic risk to the State's future prosperity. The report outlines concerns with recent State Government initiatives in the planning and approval processes for significant infrastructure developments and proposes a framework for ongoing engagement between participating Cities and both the State and Commonwealth Governments. The Cities propose Memorandums of Understanding between themselves and both the State and Commonwealth Governments as the foundation for a strategic dialogue on the state planning process. The process giving rise to the two draft Memorandums is outlined and copies are provided as appendices."

*John Barrington, MD, Barrington Consulting Group Extract : WARCA Report (Page 3), 13 Jan 2010*

**Reconciliation must come with the Republic :** "I want to talk about the hopes we have long harboured for reconciliation and an Australian republic. I hope for the day when Aboriginal children will have the same expectations of life as their fellow Australians – to develop their unique cultural, social and economic capital – secured by a new framework of Aboriginal rights and responsibilities, embraced in a national settlement. I also hope for the day when an Australian republic affirms that our country is built on two foundation stones: the indigenous heritage and the British heritage. A republic affirming our British heritage and the great migration success story that followed would recognise that which Was LONG denied: this continent was possessed of an ancient civilisation and still is. These two big ideas are usually talked about separately. Let my view be clear: we can have reconciliation without a republic, but we can't have a republic without reconciliation. Reconciliation is either a precedent or a complement to a republic. A republic not grounded in reconciliation would be both mean and meaningless."

"Our attempt a decade ago to move to a republic without reconciliation was wrong. What a thin achievement such a republic would have been. Not long after sweeping the confetti of national celebrations (*Australia's Centenary of Federation*) into the dustbins of constitutional history, the realisation of how utterly unfulfilling such a republic was would have become apparent. Instead of the House of Windsor it would now be an Australian head of state presiding over what has for too long been called the Aboriginal problem. A republic is a natural and inevitable development, but it should not preserve divisions or create new ones. It should unite our nation around a common understanding of our identity. The true meaning of symbolic reconciliation is not to repudiate our British but to bring our two foundation stones of our country together. A principled, and inclusive, argument for a republic must win over many of those who have opposed a republic perceived as a break with our heritage."

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"I believe a stable majority of Australians would support the idea that our country should not repudiate its British heritage but affirm it, not only as an historical fact, but as the basis for the continued development of our nation. The republican half of the electorate probably comprises a large number of people who oppose a repudiation of Australia's British heritage, but see themselves as republicans because an Australian head of state is of great importance to them. There are not just two models: the existing situation versus a repudiational republic. In reality there are three models: the one in the middle is the affirmational republic that does not repudiate the British heritage and indeed affirms the special place of the crown in our country. The reality that monarchists must face is this: the republican cause will regroup until a narrow majority carries a referendum. If the majority of people who have common ground in relation to the substantial issue – affirmation of our heritage – do not unite to define an affirmational republic, a tepid repudiational republic will eventuate at some point."

"It is not a long-term solution that the monarchists narrowly defeat the republicans in referendums. And yet it appears that the monarchists have no alternative strategy. So how do we do this? The 1967 referendum on Aboriginal citizenship was passed by 92% of the electorate. Our Constitution is one of the hardest in the world to change, because you need 'a majority of voters in a majority of the states'. That is, you need 80 to 90% of the country to support a referendum. To get this kind of support you need to convince rural, conservative and regional Australia – that is, National voters – of the need for change. It took 10 years of outstanding advocacy by leaders such as faith Bandler and Doug Nichols to build a groundswell for the 1967 referendum. Those who think reconciliation and the republic are exclusively a progressive cause need to think again. If you want reconciliation and a republic, conservative Australia must first be convinced."

"Simple majority strategies start from the progressive side and move to the Right. But it doesn't work with constitutional reform because you need a 'majority of voters in a majority of states'. This is why I seek common ground for progressive change with conservatives, because without them, we cannot get the necessary consensus around the progress that we seek. I say to you tonight, in the spirit of hope and progress, that an Australian republic that gives equal weight to Australia's past, present and future is within our potential: a republic that respects its British traditions through retention of the foundation stones of the Westminster political and legal systems; a republic that honours and recognises in law the rightful place of my people through national agreement on indigenous rights and responsibilities; a republic that can proudly turn its face to the modern world and show we are become a beacon of reconciliation in a world that sorely needs us to be."

**Noel Pearson, Director, Cape York Institute Policy & Leadership Extract : The Australian (Page 10), 14 Jan 2010**

**Dubai invites UN to relocate to the emirate** : "Dubai has offered to host the headquarters of the United Nations should the global organisation want to leave New York, a sign the Gulf emirate's ambitions remain high despite its debt problems. The Government of Dubai announces that it is fully prepared to host the UN headquarters on its territory in the event its officials take the decision to move from New York, the Dubai Government said. Dubai's offer comes days after an article by an academic and a real estate developer on the website of Forbes magazine called for the United Nations to relocate to Dubai. Bringing the United Nations to Dubai makes sense, wrote Joel Kotkin, a fellow in urban futures at Chapman University, and Robert Cristiano, the California university's 'real estate professional in residence'. New York gets rid of one of its worst welfare cheats, and Dubai finds new tenants to fill its vacant towers, they said, describing the UN headquarters as a 'pain in the butt'. It pays no taxes and annoys hard-working New Yorkers with its sloth, pretensions and cavalier disregard for traffic laws, they said."

**Joel Kotkin & Robert Cristiano, Chapman University, California, USA Extract : West Australian (Page 69), 16 Jan 2010**

**City parts company with senior staffer** : "The City of Albany has parted company with one of its long-standing senior executives. Development Services executive director Robert Fenn's contract was not renewed when the Albany City Council met on Tuesday night. Council deliberated behind closed doors before making the decision put forward by CEO Paul Richards. Mr Richards said Mr Fenn had served Albany for fifteen years in three five-year contracts and the decision not to renew his contract followed a comprehensive review of City processes. Mr Fenn was initially employed as the Manager Development Facilitation and Advice in the former Town of Albany. Following the amalgamation of the Town and Shire of Albany in 1998, he was appointed the Executive Director Development Services with the City and has worked with four CEOs in the last 15 years."

"It's time for a change – we are now going in a different direction."

**Paul Richards, CEO, City of Albany Extract : AGS Weekender (Page 1), 21 Jan 2010**

**Following up** – The four CEOs include Murray Jorgensen, Jim Kelly, Andrew Hammond and Paul Richards.

**City parts company with senior staffer** : "Albany Mayor Milton Evans said Mr Fenn had provided a dedicated and committed 15 years of service. Council is grateful for his long-standing service – Mr Fenn began working at the Town of Albany in 1994 and then with the City in 1998. With over a decade of service to regional planning, Mr Fenn had made an enormous contribution at a strategic level, Mayor Evans said. He has been an advocate for regional policy changes and instrumental in achieving major improvements to the City's emergency management planning. The job has often been challenging and the lives of most Albany residents have been affected in one way or another by Mr Fenn's advice and decisions. Mayor Evans said Mr Fenn took a lead role during the amalgamation of the Town and Shire and assisted his staff to adapt and move forward with the new structure."

**Mayor Milton Evans, City of Albany Extract : AGS Weekender (Page 1), 21 Jan 2010**

**Following up** – Following Council's resolution in April 2000, there still wasn't an endorsed Local Planning Strategy or a Draft Local Planning Scheme in January 2010 – for the purposes of the legislation "endorsed" means endorsed by the Minister for Planning following consideration by the WA Planning Commission.

*Following up* – In January 2010, the City of Albany determined that the services of Mr Robert Fenn FPIA, Executive Director Development Services, would not be required after 30 June 2010 – and at the same time, The West Australian decided that Mr Andrew Mole's services (Managing Editor, Albany Advertiser Group) were also no longer required.

**Push for COA probe thwarted** : “An attempt to investigate the treatment of City of Albany staff by councillors has been thwarted. A special Council meeting on Tuesday night failed to agree on how to address a response from Local Government Minister John Castrilli after he was asked to undertake an inquiry into the affairs of the City. Deputy Mayor Dennis Wellington filed a formal complaint last December, claiming there had been ‘inappropriate, recalcitrant and threatening behaviour by some elected members towards staff.’ The meeting had sought to reach an agreement on terms of reference for its own review into its procedures and the management of the Development Services department. However, some councillors considered the matter had been taken over by the Department of Local Government. Staff were accused of taking instructions from the Department of Local Government. Mr Castrilli had tabled a series of recommendations.”

“Cr Wellington said he found the situation facing Council as ‘absolutely extraordinary’. He said the Minister had replied to his letter with recommendations Council examine its own affairs. Two officers from the Department of Local Government had sat in on February’s Council meeting. We were charged with doing it and told to clean up our own mess, only to be put back to the department, Cr Wellington said. Cr Roland Paver said the dialogue between City staff and the Department had cut across the business of Council. Cr Jill Bostock said the meeting had been called for something specific, but what faced councillors was a different decision. Cr Robert Sutton said it was a concern how long a review team from the Department would take looking into Council’s affairs. Mayor Milton Evans said the meeting was to define appropriate terms of reference for a review into the City.”

“Cr Dot Price said the Minister recommended the City not undergo a departmental investigation, but a separate independent review. She said she would be surprised if the Department of Local Government was acting in contradiction to what the Minister had recommended. Cr Joy Matla said the review would only be the beginning and would eventually go further into the City’s operations. It is believed two councillors and one former councillor are being investigated by the Department of Local Government for their actions towards City staff which were considered to have broken basic local government codes of conduct. One councillor in particular is alleged to have screamed at staff and used verbal abuse to get a point across. Another councillor is alleged to have been reported several times and been investigated by the department. Because of the continual harassment of individual staff members, recordings of conversations are believed to have been made. Cr Mervyn Leavesley said asking for a review of Council was something that had not been taken lightly. He said the councillors involved had been approached to modify their behaviour.”

**Cr Dennis Wellington, Deputy Mayor, City of Albany Extract : AGS Weekender (Page 1), 11 Mar 2010**

*Following up* – From a Smithson Planning communication to four State Cabinet Ministers on 26 February 2010 (including the Minister for Local Government) – there is unlikely to be a serious investigation into the City of Albany – all roads of inquiry must invariably lead to the actions of the Governor of Western Australia (as the former Chief Commissioner of the City of Albany), the Premier (as the former Minister for Resources Development and then Leader of the Opposition), and the WA Public Sector Commissioner (as the former Director-General of the Department of Premier & Cabinet) not to diminish the role of several other relevant decision making bodies / persons.

*Following up* – In 2009, Smithson Planning under the auspices of the Commonwealth Joint Standing Committee – Corporate & Financial Services review of the Agribusiness MIS failure of Great Southern Plantations and Timbertcorp concluded that a Royal Commission instigated by the Governor General of Australia was the only appropriate course of action to investigate the myriad of issues surrounding this matter.

**Grylls talks of swinging to ALP deal** : “King-Maker Brendon Grylls has not ruled out forming government with Labor at the next State election – declaring he is no conservative. The National Party leader told *The Sunday Times* yesterday that no one should assume he would do a deal with the Liberal Party to form government in 2013, just because he had agreed to a power-sharing arrangement with the conservatives in 2008. Nothing is a fait accompli with the Nationals, Mr Grylls said. We are an independent party. I don’t know where we will go (next election). In the 2008 election, Mr Grylls’ Nationals decided to partner with Colin Barnett in return for regional funding. Mr Grylls had wanted to form government with Alan carpenter’s Labor Party, but was opposed by senior members of his party. I don’t subscribe to being a conservative, Mr Grylls said. I am not a conservative. I don’t feel like a conservative. I am a member of parliament from regional Western Australia. There is a strong belief among WA Nationals that they can increase their five member representation in the Legislative Assembly (*and the Legislative Council*).”

**The Hon. Brendon Grylls MLA, Parliamentary Leader WA Nationals Extract : Sunday Times (Page 34), 21 Mar 2010**

*Following up* – subject to electoral review, prospectively the Nationals will target Albany, Geraldton, Pilbara, Kimberley, Kalgoorlie & Eyre – while endeavouring to hold onto Blackwood-Stirling, Wagin, Central Wheatbelt, Moore & North-West. The Nationals hold six of 36 seats in the Legislative Council – Agricultural (3), Mining & Pastoral (1), South-West (1), with no representation in the three metropolitan regions.

**Tax carrot urged to revive regions and save cities** : “Tax incentives to turn regional centres into new commerce hubs should be introduced to help ease the congestion choking major cities. The recommendation came from the National Farmers Federation, which said that developing population and tax policies to re-energise regional Australia was critical if the federal government hoped to tackle urban issues such as housing affordability and stretched services. We’re a nation of coast-huggers, said NFF president David Crombie. Unless we ... entice businesses and people to major regional cities as new commerce hubs, come 2050 36 million people will choke our cities to a dysfunctional standstill. Governments can’t make people move to regional areas, but by creating the case for businesses to start up or relocate operations off the back of innovative and worthwhile tax advantages, people will follow the employment opportunities for themselves and their families. The population projections have 14 million extra souls by 2050, and it beggars belief we aren’t thinking more positively about the role regional Australia can play, Mr Crombie said. We need a national plan for regionalisation.”

**David Crombie, President, National Farmers Federation Extract : The Australian (Page 2), 31 Mar 2010**

Written & Authorised by Neil Smithson of 364 Middleton Road, Albany, Western Australia 6330

*If you want more people we have to plan better* : “Recent contention about the optimum population for Australia, sparked by the release of the Intergenerational Report, is nothing new. We’ve been debating this since Federation. Long-term planning for the development of regions, towns and cities, catchments and natural resources will allow us to protect the environment while addressing the needs of a larger population. On one would deny there are challenges in a larger population. We are convinced, however, that managed growth is in Australians’ best interests and is necessary and achievable. The first step is for the federal government to take a leadership role and seek agreement with state and local governments on a national growth policy. The next step is for them to integrate planning of urban centres and infrastructure, including roads, public transport, water and electricity supply, as well as schools and hospitals. We must make better use of the infrastructure we have and speed up reforms already under way for our freight, road, water telecommunications and electricity sectors.”

*Graham Bradley, President, Business Council of Australia Extract : The Australian (Page 14), 31 Mar 2010*

*Suspend Council* : “Albany MP Peter Watson (*Australian Labor Party*) has taken the extraordinary step of demanding the (*Barnett Liberal National Alliance*) State Government step in and suspend the City of Albany council in a desperate bid to clean up the mess it has created. Mr Watson wrote to Local Government Minister John Castrilli on Tuesday recommending Mr Castrilli’s office take control of the City and bring caretakers (*Commissioners*) in to run it. He cited revelations in Tuesday’s Albany Advertiser about the 2008 appointment of City of Albany chief executive Paul Richards as the latest in a long list of reasons for the council to be suspended. Albany ratepayers could no longer tolerate the ‘hassle after hassle’ that came with the current administration.”

“I don’t know if it is leadership or what it is, but Albany is a city which is going ahead in leaps and bounds and I don’t think the council is on the same path, Mr Watson said. Unless you’ve got a very strong, vibrant council nothing will happen and Mr Castrilli needs to seriously consider bringing this in to sort all the problems out. Ministers have suspended councils in the past decade, including the City of Cockburn, the City of Wanneroo and the City of South Perth. A Department of Local Government spokesman said Mr Castrilli could suspend the council and bring in independent commissioners as caretakers if he recognised a ‘*serious systemic failure*’ during an investigation. The Department is already conducting a review of the City’s operations as a result of an earlier complaint from Deputy Mayor Dennis Wellington regarding the conduct of some councillors.”

*Hon. Peter Watson MLA, Member for Albany Extract : Albany Advertiser (Page 1), 01 Apr 2010*

*Following up – meanwhile, the City of Albany’s immediate past Chief Executive Officer, Andrew Hammond who moved on to the City of Rockingham after a glowing review from the City of Albany, is suing the current City of Albany in relation to allegations concerning the adequacy of business planning in preparation for the Albany Entertainment Centre.*

*Regional cities join in alliance* : “The City of Albany has signed an historic memorandum of understanding with Western Australia’s three other major regional local governments. Albany, Bunbury, Geraldton-Greenough and Kalgoorlie-Boulder signed the Regional Cities Alliance in Perth on Monday. The alliance, aimed to group together the four biggest regional councils, has been implemented as a pathway to lobbying the Government on regional issues. The alliance has also been described as a way of shifting the perceived ‘Perth-centric’ approach to thinking on State planning. City of Albany Deputy Mayor Dennis Wellington said the four councils had been working on the alliance for more than six months. Mr Wellington said the regional districts were becoming more and more important and this was a way of ‘having a bit of pull’. The alliance means we can work together to lobby the State Government for a bigger share of the pie, he said. WALGA president Bill Mitchell said that while this was not the first regional forum to be organised, he believed it would make a difference. Mr Mitchell said the alliance would come up with the issues it believed were important and WALGA would advocate on its behalf.”

*Mayor Milton Evans, City of Albany (Manypeaks) Article : Albany Advertiser (Page 4), 01 Apr 2010*

*Mayor David Smith, City of Bunbury (Leschenault) Article : Albany Advertiser (Page 4), 01 Apr 2010*

*Mayor Ian Carpenter, City of Geraldton-Greenough (Batavia) Article : Albany Advertiser (Page 4), 01 Apr 2010*

*Mayor Ron Yuryevich, City of Kalgoorlie-Boulder (Recherche Goldfields) Article : Albany Advertiser (Page 4), 01 Apr 2010*

*Following up – it would be the author’s contention that neither of the above statements is an April Fool’s joke. The City of Mandurah (Peel) opted not to be in the alliance, and it is our understanding that the Town of Port Hedland (Pilbara), the Shire of Roebourne (Karratha & Pilbara), the Shire of Busselton (Leeuwin Naturaliste), and the Shire of Broome (Kimberley Dreaming) were not canvassed.*

*Transport a big issue* : “In response to ‘*Airport plan not feasible*’ (AA 23 Mar 2010 p5) – not feasible in who’s assessment? In our recent submission to the federal government via Infrastructure Australia, I have suggested that the WA Government has systematically and comprehensively failed the people of Albany and the Great Southern over the past decade. But let’s face it – they had a lot of help from the City of Albany. How many Councillors is it that have now resigned? My company Smithson Planning represented one proposal to the City of Albany for a \$100 million foreign investment in five-star accommodation, and another proposal for a multi-billion dollar new city to the office of the then State Premier Alan Carpenter, again contingent on access to an international airport facility in Albany.”

“Perth and the rest of WA are growing at an exponential rate, but courtesy of the City of Albany, we still have a group of elected officials and executive administrators who are quite prepared to tell us all continually what can’t be done. The Albany waterfront project, after thirty-years of indecision, is now under construction. While the city’s anti-development groups, in association with the region’s port users, continue to make impassioned but ineffectual pleas to save that space for very different reasons, the fact is that no credible transport plan has emerged over the past decade. That implies that heavy-freight access to the port will be a recurring issue with no solution. Wilson Tuckey understood that in 2005 before the failure of the agribusiness managed investment schemes, and now the same prospect faces either Anthony Albanese or Warren Truss for the \$1.6 billion Grange

Written & Authorised by Neil Smithson of 364 Middleton Road, Albany, Western Australia 6330

Resources iron ore project. The question is why? Why would you if there was a far better opportunity to provide a long-term solution? And why wouldn't you? Politics, commercial competition, and market manipulation from Albany, Perth and Canberra."

*Neil Smithson, Managing Director, Smithson Planning Article : Albany Advertiser (Page 8), 08 Apr 2010*

**Growing support for abolishing states :** "Four in 10 voters favour abolishing state governments, seeing them as the least-effective level of government and increasingly looking to the federal government to fix health and other problems. The findings of a Newpoll survey conducted last month for Griffith University's federalism project and reported exclusively in *The Weekend Australian* today point what constitutional lawyer George Williams calls 'a crisis of confidence in state governments'. Federalism project director A.J. Brown, a professor of public law, says that unless the structure of government is addressed seriously, the inevitable result of current trends is that the states will continue withering away as effective partners in the federation. Support for abolishing state governments has jumped from 31% to 39% in two years, based on the system of government that people would like to see in 20 years. Disenchantment with the states runs so deep that only 17% of voters regard them as the most effective level of government. In NSW, that figure is down to 9% and in Tasmania 11%."

"The findings are a measure of voter unhappiness with state Labor governments in NSW, Queensland and Tasmania (*does this mean the voters were happy in South Australia, Victoria, Northern Territory, and Australian Capital Territory*). Confidence in the effectiveness of state governments was highest at 37% in Western Australia, the only state to have had a change in government in recent years (*the last decade actually*). Professor Brown said the results also suggested long-term structural problems with the federation. NSW and Queensland are the states that really struggle with administration because of their size, both in terms of geography and population and being forced to use big, cumbersome bureaucracies, he said. Figures for South Australia support the conclusion that more than short-term factors are in play. Despite the disillusionment with the Rann Labor state government that produced a swing against it in last month's election, 26% of South Australians still see the states as the most effective level of government, the second highest after Western Australia."

"Ninety-two per cent of voters like the idea of governments collaborating to solve problems, but only 39% think they do it well – a fall of 3% in two years. As well as showing the Rudd government's honeymoon is over, the results suggest a growing disenchantment with government generally. Although the current three-tier system of government still enjoys majority support, 35% say it does work well, up from 30% in 2008. Local government is the only level that has risen in voters' estimation in the past two years, with those seeing it as the most effective rising from 20% to 27% – but 38% would abolish it under a future restructuring of government. Overall, 75% favour reform of the present system – nine points up on 2008. Although there is no consensus on what should change, 42% are attracted to the idea of regional governments, which would be bigger than local councils but smaller than state governments. I think at some point we do need to embrace the idea of a community consultation process or even a convention on federalism, Professor Williams said."

*A.J. Brown, Professor of Public Law, Griffith University Extract : The Weekend Australian (Page 1), 10 Apr 2010*

*George Williams, Professor of Public Law, University of NSW Extract : The Weekend Australian (Page 1), 10 Apr 2010*

**Mayors to fight new level of planning :** "Capital city mayors will fight any move to establish new urban planning bodies, along the lines of Kevin Rudd's local area health boards, to manage population growth and development. A paper from Griffith University's Urban Research Program calls for independent planning commissions to assume power from councils. Staffed by state government or even council officials on secondment, the commissions could even collect their own rates. In due course, the commission could become a fully fledged metropolitan governance institution with responsibility for principal roads, public transport and major environmental assets, while local councils continue to provide local services, the paper states. The State parliament and its executive would remain the pre-eminent governance institution in each instance, retaining control of more than two-thirds of current budget programs. Graeme Sawyer, chair of the Council of Capital City Lord Mayors, said Australia needed better long-term planning and collaboration between federal, state and local government, not a new bureaucracy that would further disenfranchise ratepayers. If I was being polite, I'd say it was fairly close to insanity – if I was being less than polite, I'd say something worse, the Darwin Lord Mayor said."

*Cr Graeme Sawyer, Chairman, Council of Capital City Lord Mayors Extract : The Australian (Page 5), 19 Apr 2010*

**Mayors to fight new level of planning :** "The head of Australia's largest council, Brisbane Lord Mayor Campbell Newman, spoke to interstate colleagues about the paper on Friday and will campaign to ensure no government adopts its recommendation. I totally, firmly and utterly reject this anti-democratic and elitist view of the world, Mr Newman said. I will be deeply disturbed if this ends up being rolled into (*Prime Minister*) Kevin Rudd's (*Major*) cities program."

*Lord Mayor Campbell Newman, City of Brisbane Extract : The Australian (Page 5), 19 Apr 2010*

**Major Cities Unit :** "Communities across the globe are facing unprecedented population growth and urbanisation, changing age structures, structural shifts in economies, rapid technological innovation, climate change uncertainties, and resource limitations. Despite our vast continent, Australia is already one of the most urbanised countries in the world – with cities over 100,000 being home to 75% of our population. They also produce approximately 80% of the country's wealth. Cities are therefore the stage on which we must address a multiplicity of complex contemporary challenges. The Australian Government recognises the critical importance of cities to our future national prosperity and community well-being, and has committed to an active involvement in planning and investment in our cities. The Australian Government established *Infrastructure Australia* to provide advice on national infrastructure needs and policy reforms. It also established the *Major Cities Unit*, collocated with *Infrastructure Australia*, with a mandate to work across portfolios, and with all spheres of government, the private sector and the community to help transform our cities to be more sustainable, liveable and productive."

Written & Authorised by Neil Smithson of 364 Middleton Road, Albany, Western Australia 6330

“The *Major Cities Unit* has been researching established and emerging trends and issues in Australian cities, and working with stakeholders to develop a national urban policy for release later this year by the Hon. Anthony Albanese, Minister for Infrastructure, Transport, Regional Development and Local Government. Concurrently, the Council of Australian Governments (COAG) has taken a stronger interest in planning and cities. Whilst attention to the micro-economic reform agenda (which seeks greater efficiency in statutory planning processes) continues, the need for bigger picture strategic planning is now also gaining prominence. Of particular importance was the establishment of the COAG Cities Planning taskforce, which culminated in the COAG agreement on 07 December 2009, agreeing to a national objective and set of criteria for future strategic planning of capital cities. The objective is: *To ensure Australian cities are globally competitive, productive, sustainable, liveable and socially inclusive and are well placed to meet future challenges and growth.*”

“The catalyst behind the establishment of the COAG Cities Planning Taskforce was the lack of alignment within some jurisdictions between metropolitan land use plans and infrastructure proposals submitted for *Infrastructure Australia's* consideration. Within this context, and an acceptance that it is reasonable for the Australian Government to maximise outcomes for the Australian taxpayer, COAG agreed that by 01 January 2012 all States will have in place plans that meet the criteria, and noted that the Commonwealth will link future infrastructure funding decisions to meeting these criteria. These decisions constitute significant reform in urban policy and seek to secure better outcomes from the investments of all governments. It is expected they will also give greater certainty for private sector investors and strengthen public confidence in planning systems. The Australian Government's interest in the role of cities does not end with better metropolitan planning. Additional work is also being done to develop a clearer understanding of the roles cities can play in areas such as climate change mitigation and adaptation; innovation, workforce participation and productivity; the provision of more diverse, affordable and appropriate housing; and the pursuit of a fairer Australia.”

*Dorte Ekelund, Executive Director, Major Cities Unit Article : Urban Design Forum #89 (Page 1), 03 May 2010*

*Council mergers hard work for Castrilli :* “The state government's plan for local councils to merge with one another has proven to be a struggle with only a handful of the 139 councils agreeing to amalgamate and less than half prepared to consider the reform. Both the state opposition and the Chamber of Commerce and Industry WA have labelled the voluntary reform process a failure after Local Government Minister John Castrilli told parliament today that only 10 councils had so far agreed to merge, 14 months after the process was started. The state government had aimed to reduce the number of local councils from 139 to less than 100 by 2013, as part of a plan to reduce costs in the sector. In a statement today, Mr Castrilli pointed out that 22 local councils support the reform but were blocked from doing so due to a lack of support from neighbouring local governments. He also mentioned that five local councils in the south-east Avon region of the Wheatbelt have agreed to form a Regional Transition Group to investigate merger opportunities. The group, consisting of Beverley, Cunderdin, Quairading, Tammin, and York, is the biggest of the four groups of 11 local governments that have agreed to prepare regional business plans with a view to amalgamation in 2013.”

“Other local governments taking this step are Esperance and Ravensthorpe in the Goldfields-Esperance region; Brookton and Pingelly in the Wheatbelt; and Claremont and Cottesloe in the metropolitan area, Mr Castrilli said. This is in addition to the 10 local governments which have already decided to merge into four entities between 2011 and 2013. The minister said 16 local governments resolved to form Regional Collaborative Groups to explore the benefits of an extended shared service agreement. The State will experience unprecedented regional collaboration, as the local governments within the Kimberley, Pilbara, Gascoyne and parts of the Eastern Goldfields embrace the Regional Collaborative Group model, Mr Castrilli said. These local governments will now work in their respective regions to prepare long- term strategic plans, determine regional priorities and seek regional partnerships along with other benefits on behalf of their communities.”

“The decision is a very positive step in securing the long-term future of these communities. Six other local governments that were invited to form Regional Transition Groups have requested approval to form Regional Collaborative Groups. Local governments that have agreed to undertake reform will receive financial support from the State Government, Mr Castrilli said. Funding would be provided through the Country Local Government Fund to assist with the preparation of regional business plans. The Department of Local Government will provide additional capacity building and support to local governments undertaking reform, particularly in the areas of strategic planning and asset management. I will be considering the full report and recommendations of the Steering Committee over the coming weeks.”

“CCIWA today said it was disappointed that fewer than half of the state's 139 local councils had taken the opportunity to provide better services and value for money for their ratepayers by refusing to consider the reform. The State Government is now left with no option but to step-in and require unsustainable councils to amalgamate. This should be based on what's in the best interests of the State, including population and sustainable finances,” CCIWA chief officer membership and advocacy John Nicolaou said. In addition, council's should be required to undertake a detailed examination of their operations to give ratepayers, including businesses, confidence they are receiving value for money.”

*Hon. John Castrilli MLA, WA Minister for Local Government e-News : WA Business News, 05 May 2010*

*Mayor rejects Castrilli's attack on integrity :* “A confidential letter from City of Albany Mayor Milton Evans to Local Government Minister John Castrilli has labelled Mr Castrilli's judgements of the City as ‘offensive’. In an escalation of the stoush between the City and Mr Castrilli, the May 11 letter, a copy of which was obtained by the *Albany Advertiser*, responded to what Mr Evans claimed was Mr Castrilli's ‘judgemental’ and ‘adverse inferences’ regarding the City's original response to the Minister's questions. The letter was sent in response to Mr Castrilli's original rejection of the City's April 30 correspondence detailing its ‘way forward’. Mr Castrilli had given the City an ultimatum to indicate a way forward after attending a private

meeting with councillors on April 19. The meeting was called to address the controversies surrounding the exit of former chief executive officer Paul Richards, and other governance issues.”

“Mr Castrilli refused to comment on the leaked May 11 letter but told the *Albany Advertiser* on Tuesday the City’s original response was ‘inconsistent’ and he would respond once he received the new letter. The May 11 letter, which is signed by Mr Evans and expected to be received by Mr Castrilli’s office today, addressed the Minister’s concerns by highlighting the apparent divide between elected members. It beggars belief that you would bring the entire council to account for idiosyncratic responses and the behaviour of certain elected members who have made either no or minimal contribution to the formal responses, Mr Evans wrote. Your further suggestion that the answers to questions are at odds with statements made by certain elected members implies that council endorsed the veracity of all comments made at the meeting, which is certainly not the case. In the letter, Mr Evans also addressed Mr Castrilli’s apparent assertion that City staff, rather than councillors, wrote the original response. Any suggestion to the contrary ... questions the integrity and competence of all elected members and is totally rejected, Mr Evans wrote. The 10-paragraph letter went on to address Mr Castrilli’s questions, including inadequate recruitment procedures.”

*Mayor Milton Evans, City of Albany Extract : Albany Advertiser (Page 4), 13 May 2010*

**Government reviews Regional Development Commissions :** “The State Government is reviewing the functions and responsibilities of its nine Regional Development Commissions (RDCs). Regional Development and Lands Minister Brendon Grylls said the commissions played an important role in delivering projects throughout Western Australia, including many new initiatives announced in the State Budget. The Liberal-National Government has budgeted \$896.7 million to develop regional Western Australia under the Royalties for Regions program for 2010-11. Mr Grylls said the review would take into account a number of changes that the Government had introduced since its election in 2008. The Liberal-National Government is dedicated to regional development across Western Australia and is committed to having a strong regional presence, he said.”

“The establishment of the Department of Regional Development and Lands in 2009 and the introduction of Royalties for Regions is having an enormous positive impact on regional development across Western Australia. RDCs are statutory authorities that were established under the Regional Development Commissions Act 1993 to coordinate and promote the economic development of the State’s regions. They play an important role in the economic well-being and social development of regional WA and, with the Government’s increased focus on regional areas, we want to make sure we have the best arrangements in place as we move forward. Mr Grylls said the review would consider the effectiveness and cost efficiency of the RDCs and the effectiveness of the existing model in delivering regional development.”

“It would also look at options to improve government service delivery for regional development, including effective governance and administrative arrangements to enable regional decision making and avoid duplication of roles and responsibilities with other agencies or organisations. The review is chaired by Parliamentary Secretary to the Minister for Regional Development, Wendy Duncan MLC. Its members are the chief of staff to the Minister for Regional Development, Doug Cunningham; Regional Development Council chair, Graham Thomson; Public Sector commissioner, Mal Wauchope and Department of Regional Development and Lands director general, Paul Rosair. The review group will release an issues paper for comment to guide its deliberations before it reports to the Minister in September 2010.”

*Hon. Brendon Grylls MLA, Minister Regional Development Media Statement : 26 May 2010*

**Committee to share city vision :** “A process labelled as the driving force behind the revitalisation of a number of cities across Australia will be introduced to Albany at a breakfast next month. The Committee for Process involves local governments, businesses and State governments and community organisations building a vision for the future of a town. It has been embraced by communities as a way of breaking through barriers of red tape. The breakfast will see representatives from the Committee for Perth and the Committee for Ballarat give a presentation called Great Southern, Great City. The speeches will outline the committee process and what it brought to their cities. Creative Albany director David Heaver (*a Board Member of the Heritage Council of Western Australia*), who is sponsoring the event, said he believed Albany required an organisation of the committee’s ilk to map its future direction.”

“Mr Heaver said the breakfast would test the appetite of the Albany community. I’m not sure whether we have the desire or the money for a committee like this, he said. But it will test the water. As a regional centre, we have enormous potential and instead of silly bickering and red tape, an organisation like this could truly break down the barriers. Inaugural Committee for Perth chief executive Marion Fulker said the committee had enabled Perth’s brightest business and community leaders to get together to build a dynamic future. The role of the committee is not to be an implementer but to act as an informed adviser to lead debate and be a catalyst for change, she said. Albany Chamber of Commerce and Industry chief executive Graham Harvey said the breakfast would be an interesting introduction for the Albany community. Many of us have seen how these Committees have changed communities for the better, he said.”

*Graham Harvey, CEO, Albany Chamber of Commerce & Industry Article : Albany Advertiser (Page 9), 24 Jun 2010*

*Sally Malone, Director, Albany Port Authority Article : Albany Advertiser (Page 9), 24 Jun 2010*

*David Heaver, Board Member, Heritage Council WA Article : Albany Advertiser (Page 9), 24 Jun 2010*

*Bruce Manning, CEO, Great Southern Development Commission Article : Albany Advertiser (Page 9), 24 Jun 2010*

**Depression closes in :** “We are now, I fear, in the early stages of a third depression, writes Paul Krugman in *The New York Times*, reflecting on global depressions of the past, and continuing his current trend of gloomy prognoses. It will probably look more like the **Long Depression (1870s)** than the much more severe **Great Depression (1930s)**. But the cost – to the world economy and, above all, to the millions of lives blighted by the absence of jobs – will none-the-less be immense ... This third

depression will be primarily a failure of policy. Around the world, governments are obsessing about inflation when the real threat is deflation, preaching the need for belt-tightening when the real problem is inadequate spending ...”

“In the face of this grim picture, you might have expected policy-makers to realise they haven’t yet done enough to promote recovery. But no, over the past few months there has been a stunning resurgence of hard-money and balanced-budget orthodoxy ... It’s almost as if the financial markets understand what the policy makers seemingly don’t – that while long-term fiscal responsibility is important, slashing spending in the midst of a depression, which deepens that depression and paves the way for deflation, is actually self-defeating.”

*Paul Krugman, Journalist, The New York Times Article : The Australian (Page 11), 01 Jul 2010*

**Working to common goal :** “Two organisations involved in the development of the Great Southern have signed an historic agreement, pledging to work together for the betterment of the region. The Great Southern Development Commission (GSDC) and its Federal counterpart, Regional Development Australia - Great Southern (RDA-GS) signed a memorandum of understanding last week. The agreement committed both agencies to continued collaboration on the economic and social development of the Great Southern. GSDC chairman Peter Rundle said the new agreement should improve the Federal and State funding identification process required for future infrastructure projects. He said the two agencies shared many common goals.”

“The GSDC coordinates and promotes regional development opportunities from a State Government perspective and the RDA-GS represents Federal interests in the development of the region. We will work together on joint projects where we can achieve strategic outcomes for the region. (But) we will continue to acknowledge and respect each other’s contributions and claims to intellectual property rights. The agreement requires quarterly meetings to be held in order for the agencies to update each other on their plans and activities. The agencies are also working together on a regional planning process to be undertaken over the next three to four months. RDA-GS committee chairman Milton Evans (*the Mayor of Albany*) said he was pleased to formally recognise the role that each organisation had in contributing to strategic planning for the region.”

*Peter Rundle, Great Southern Development Commission Article : Albany Extra (Page 2), 02 Jul 2010*

**Mayor Milton Evans, Regional Development Australia – Great Southern Article : Albany Extra (Page 2), 02 Jul 2010**

**Chief hunt a fresh start :** “The City of Albany’s pursuit of a new chief executive is a golden opportunity for a fresh start. Quite simply, the City cannot afford to squander such an opportunity. The disastrous tenure of former chief executive Paul Richards could well have been avoided had there been a more thorough assessment of his past. Mr Richards’ former colleagues at the Shire of Ravensthorpe have gone on record as saying they were never asked about Mr Richards’ performance. Such oversights cannot be repeated. The new chief executive will undoubtedly play a major role in mapping Albany’s direction – a direction some say has been lacking for many years. As the advertisement in Saturday’s *The West Australian* detailed, the new chief executive must be open, accountable and proactive. But perhaps more importantly, those councillors who were never on the same page as Mr Richards must learn to work with the new chief executive in the interests of the town (sic), rather than their own. Constructive debate among councillors is healthy and should be encouraged but a divided council dominated by bickering must be never repeated.”

*Ben Spencer, Editor, Albany Advertiser Editorial : Albany Advertiser (Page 8), 20 Jul 2010*

*Following up – In my professional opinion, Mr Paul Richards was a breath of fresh air and the best Chief Executive Officer the City of Albany has seen in the past 20 years. I sincerely hope that his claim for damages against the Council goes to court so that the people of Albany may be able to hear the truth and witness justice in action.*

**End of Statements : Discussion Paper links, Constitutional Duty Statements and the Author’s notes follow.**

**Discussion papers available :**

- ❖ [Albany International Airport](#) – achieving regional accessibility for trade
- ❖ [Albany Industrial Seaport Relocation Plan](#) – achieving regional accessibility for trade
- ❖ [Albany’s UNESCO World Heritage – Anzac & Convict Colonial Settlement](#) – international tourism
- ❖ [Albany & the Corruption Crime Commission WA](#) – the complexity of regional development
- ❖ [Anzac 2014-18 – a National Celebration Strategy](#) – there is a role for each Australian state / various cities
- ❖ [Global Warming & Sea Level Change](#) – profound implications for insurance & property development.
- ❖ [Manypeaks Transitional Governance](#) – a challenge for the State of Western Australia
- ❖ [Peak Oil Gas & Nuclear Power](#) – everybody’s growing concern
- ❖ [Planning Instruments of Western Australia](#) – the bottom line of WA Planning Commission activities
- ❖ [Planning & the Australian Media](#) – part of the problem / part of the solution

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**Constitutional Duties** : The Governor-General's duties are many and varied, but fall roughly into three categories : constitutional and statutory duties, formal ceremonial duties, and non-ceremonial social duties. These derive firstly from the Constitution, and in particular, its first two sections. Section 1 provides that "The legislative power of the Commonwealth shall be vested in a Federal Parliament, which shall consist of The Queen, a Senate, and a House of Representatives,..."", and Section 2 provides that "A Governor-General appointed by The Queen shall be Her Majesty's representative in the Commonwealth, and shall have and may exercise in the Commonwealth during The Queen's pleasure, but subject to this Constitution, such powers and functions of The Queen as Her Majesty may be pleased to assign to him/her."

The Constitution also makes other provisions about the office of Governor-General. It provides that the Executive power of the Commonwealth shall be vested in The Queen and exercisable by the Governor-General as The Queen's representative. It provides for the Governor-General to appoint a Federal Executive Council to advise him/her in the government of the Commonwealth, to establish departments of State and to appoint Ministers of State to administer them, to summon, prorogue and dissolve Parliament, to give Royal assent in The Queen's name to a Bill which has been passed by both Houses of the Parliament, to exercise the command-in-chief of the naval and military forces of the Commonwealth, to name but a few matters.

The Constitution sets out many other powers for the Governor-General to exercise as part of our machinery of government, but by far the majority of his/her powers and duties are imposed upon him/her by statute, that is, by Acts of the Australian Parliament. Virtually every Act empowers the Governor-General to perform some executive function – to issue proclamations, to make and terminate appointments to public office, to issue regulations – but always acting on the advice of his/her Ministers in the Executive Council.

It is in the nature of the Governor-General's office that he/she acts on the advice of his/her Ministers but, as Sir Paul Hasluck put it in his 1972 William Queale Memorial lecture,

*"... he is under no compulsion to accept it unquestioningly. He has a responsibility for seeing that the system works as required by the law and conventions of the Constitution but he does not try to do the work of Ministers. For him to take part in political argument would be both overlapping the boundaries of his office and lessening his own influence. He can himself question a conclusion, seek to know the reasons for it, draw attention to relevant considerations to ensure they are taken into account, and satisfy himself that the proposal does express the single mind of his advisers, but he himself, while influencing the outcome of discussion in this way, needs to be careful not to be an advocate of any partisan cause. In doing this he has two dominant interests - ... the stability of government (no matter from which political party it is drawn) and regard for the total and non-partisan overall interests of the people and the nation."*

There is also a constitutional provision which places the command-in-chief of the armed forces with the Governor-General. These days the exercise of that power is qualified by a number of statutes of the Commonwealth Parliament and by regulations made under them. So far as the services themselves are concerned, they see the Governor-General as Commander-in-Chief and as a focus of loyalty (as they also see The Queen) and as their chief for ceremonial purposes. In their day-to-day administration and operation the services are under the command of the Chief of the Defence Force and his/her subordinate officers. The placing of the command-in-chief with the Governor-General ensures that, in the final analysis, ultimate control of the armed forces remains with and will be exercised by the civil power, the Government of the day and the Governor-General acting with the advice of his/her Ministers.

It would be very easy to conclude that a Governor-General who is required to act on the advice of his/her Ministers has no power at all, or that Ministers whose advice has to be taken have no restraints placed on their use of executive power, but to do so would be to miss the whole point. For their part, Ministers are not able to carry into effect on their own all of the executive powers conferred by the Acts of Parliament which they administer, but rather they must seek the approval of their fellow Executive Councillors and the Governor-General. So far as the Governor-General is concerned, the question is not at all how much power does he/she himself/herself have or exercise, but rather how much absolute power does his/her presence in the machinery of government deny to others who must first seek to advise and persuade him/her.

*Her Excellency Ms Quentin Bryce AC, Governor-General Extract : Australian Parliament House, Feb 2009*

**Parliamentary Duties** : The Speaker is the principal office holder in the House of Representatives. He or she is the House's representative or spokesperson, the chair of its meetings and its 'Minister' in respect of its support services. Because the Speaker chairs or presides over the meetings of the House he or she is commonly referred to as the House's Presiding Officer, the Senate counterpart being the President of the Senate. The importance of the Presiding Officers is acknowledged by the position of the Speaker and the President in the Australian Order of Precedence (a formal list used to determine issues of protocol at official functions), where they rank directly after the Governor-General and State Governors, the Prime Minister, and a State Premier within that Premier's State. The Speaker's authority is derived from the House, to which his or her duty lays and to which he or she is answerable. Just as the Speaker is elected by the House, he or she may be removed from office by a vote of the House.

The Speaker is the spokesperson for the House (hence the derivation of the name 'Speaker') in its relations with the other parts of the Parliament—the Senate and the Sovereign (represented by the Governor-General), the other arms of government—the Executive and the Judiciary, and with other outside bodies and people. In this role Speakers are expected to maintain the authority of the House, and to protect its rights and privileges. Official communications from and to the House are signed by and addressed to the Speaker. The Speaker receives delegations from other Parliaments and special visitors on behalf of the House. On formal occasions the Speaker represents the House and plays a central ceremonial role. In representing the House the Speaker represents and is responsible to the House and all of its Members, whether in government or opposition. He or she is not responsible to the Executive Government and seeks to preserve the House's independence from it.

*Hon. Harry Jenkins MP (Scullin, Victoria), Speaker Extract : Australian Parliament House, Feb 2009*

**Parliamentary Duties** : "The President is responsible for the proper conduct of the business of the Senate, which is guided by the standing orders of the Senate. The President interprets the standing orders, gives rulings when a difference of opinion arises, calls on senators to speak, maintains order and decorum in the Chamber, and ascertains and declares the will of the Senate either on the voices (the 'ayes' or 'noes') or as the result of a division (a formal vote). The President is the spokesperson and representative of the Senate in dealings with the Governor-General, the executive government, the House of Representatives and persons outside the Parliament."

"It is also the President's duty to see that the powers and privileges of the Senate, as provided by the Constitution, are observed. The development of Senate procedures is a continuing task. This fact was recognised by the first President of the Senate, Senator Sir Richard Baker, who, after being instrumental in formulating the Senate's original standing orders, continued to formulate and adjust procedures by way of rulings on matters not settled by the standing orders, a practice followed by successive presidents. These *Rulings of the President*, unless dissented from through a vote of the Senate, must be complied with. Thus, they are an important adjunct to the standing orders."

*Senator the Hon. John Hogg (South Australia), President Extract : Australian Parliament House, Feb 2009*

**Constitutional Duties** : In the Western Australian *Constitution Act 1889* (section 50) the Office of Governor was established, although there are only brief references to the way in which constitutional powers and duties of the Governor should be exercised. Some of the formal powers of the Governor are also set out in the Letters Patent under which the Governor is appointed. Other duties have evolved with the office. Some of the Governor's modern roles include:

- ❖ Opening, proroguing (suspending) and dissolving (ending) Parliament's sittings;
- ❖ Signing and giving assent to Bills passed by Parliament so they become Acts;
- ❖ Presiding over the Executive Council;
- ❖ Appointing judges, magistrates and Justices of the Peace;
- ❖ Administering, or authorising some person to take the oath of affirmation of allegiance from Members of the Houses of Parliament;
- ❖ Issuing writs for general elections;
- ❖ Making selected speeches to community audiences; receiving visiting Heads of State and other VIPs (very important persons) from other countries, including Ambassadors, High Commissioners and other diplomatic and military representatives;
- ❖ Travelling throughout Western Australia to meet people in regional areas and to keep abreast of developments within the State; and
- ❖ Supporting community and charitable causes.

In most cases, reference to the Governor in any Act means the Governor in Executive Council. It is chaired by the Governor, and includes at least two members of the Ministry and has as its secretary the Director-General of the Ministry of the Premier and Cabinet. The Executive Council meets fortnightly and for special meetings requested by the Premier. Some of the matters considered by Executive Council include:

- ❖ the allocation to Ministers of responsibilities for Acts, departments and instrumentalities;
- ❖ the proclamation of Acts passed by Parliament;
- ❖ the appointment of members of the judiciary and senior public officials;
- ❖ appointments to government boards and committees; and
- ❖ the formal approval and making of orders, regulations, by-laws and local laws.

***His Excellency Dr Ken Michael AC, Governor of Western Australia Extract : WA Parliament House, Feb 2009***

**Parliamentary Duties** - the President in the Legislative Council and the Speaker in the Legislative Assembly – are the senior officers of their respective Houses. Elected by the Members of their respective Houses, they are responsible, with the authority of their Houses, for maintaining the procedures, practices and privileges of the Houses.

The first Speaker of the English House of Commons was appointed in 1377. One of the original purposes of the Speaker was to act as spokesperson (and hence "Speaker") on behalf of the House in communicating the House's resolutions to the sovereign. As a result, the Speaker often became embroiled in the battle for supremacy between the Parliament and the monarchy. Several Speakers were executed or murdered in office. As a result of this, a tradition evolved whereby, once elected, the proposer and seconder of the nomination would drag the Speaker-elect to the chair with the person struggling all the way. This tradition continues today in that the Presiding Officers are still escorted to the Chair after their election.

***Hon. Barry House MLC, President of the Legislative Council Extract : WA Parliament House, May 2009***

***Hon. Grant Woodhams MLA, Speaker of the Legislative Assembly Extract : WA Parliament House, Feb 2009***

**Following up** – Long-term strategic planning is the most difficult proposition in society. Bear in mind the government's and community's response to Messrs Adler & Williams of HIH who arguably have and are incurring the wrath of the system for knowingly acting contrary to the best interests of their shareholders. That process of accountability relied on commercial Corporations Law, and following several discussions with constitutional lawyers (State & Commonwealth), there appears to be some disagreement as to an equivalent process for governance review beyond the ballot box. It would be easy to play the blame game, but it is now time to move forward.

**Following up** – When the truth is revealed, we have a choice to make. Veritas Liberte.



**Author's notes :** The Rainbow 2000<sup>®</sup> Project is both a corporate investment strategy and a doctoral research program that examines the hypothesis "Is planning the antithesis of politics? – a case study of Albany & the Great Southern Region, Western Australia, focusing on the inter-relationship between regional development and Local, State & Federal politics in contemporary Australia.

In thirteen years, the *West Australian* Newspaper and the *Sunday Times* never published one article about Rainbow 2000<sup>®</sup> that we are aware of (one exception : West letters 30 July 2007 Page 15); the *WA Business News* published one small piece suggesting some reticence about the continuity of port access in the framework of a significant port expansion program to accommodate grain, woodchips and iron ore.

*Perth television STW9, TVW7, NEW10 & SBS28* have never covered Rainbow 2000<sup>®</sup>, and both *GWN7* and *WIN9* as regional networks have not canvassed the regional strategy – GWN's Noel Brunning stood for the federal seat of Forrest (Independent) in 2007; Reece Whitby from Channel 7 Perth stood for the state seat of Morley (Labor) in 2008; and Karen Brown from the *West Australian* and the *Weekend Australian* stood for the state seat of Mt. Lawley (Labor) in 2008 – Whitby and Brown being part of Premier Alan Carpenter's parachute dream team – all were unsuccessful for a variety of reasons.

*ABC National* (radio & television) maintains a largely anti-development stance in the Great Southern, although nationally they have done some great things for Anzac and via Difference of Opinion. *RadioWest* sceptically accepted a paid advertisement.

There were the original paid advertisements referred to by the Albany Town & Shire Councils et.al. of 13 November 1997 appearing in the *Albany Advertiser* and the *Albany & Great Southern Weekender*, with the occasional timely paid reminder advertisement in the Albany Advertiser to reflect that Rainbow 2000<sup>®</sup> – a Regional Planning Strategy for Albany & the Great Southern was not going away that easy.

One rather prominent (and perhaps cynical) article appeared in the *Weekend Australian* in the lead-up to Mayoral / Council elections for the City of Albany in 1999, following which the author was a 'failed' candidate. Otherwise, all communication channels have been pursued vigorously with extensive material being referred to politicians on all sides of the debate, media journalists in print, radio and television and the *National Press Club* in Canberra.

The only thing people choose to believe in is the power of authority and / or the investment dollar – media was no exception, regardless of whether the program could have been beneficial to their commercial aspirations. The alternative is that the non-Albany based media from Perth and Bunbury understood only too well the implications, and misconstrued growth and development as competitive threat (doubtful).

Local politics and commercial relationship both took their toll on local newspaper coverage and balanced representation of the issues. It is reasonable to suggest that few people understand let alone endorse long-term strategic planning that doesn't directly benefit them instantly.

In twelve years, the program of community consultation / participation has included advice in some form or other to governance :

- ❖ Australian embassies of the nations of the World, the United Nations & European Union
- ❖ Governor-Generals of Australia, and every Federal member of parliament (House / Speakers & Senate / Presidents)
- ❖ Prime Ministers & Federal Cabinet Members, and the Leaders of the Opposition & Shadow Cabinet Members & Minority Parties
- ❖ Governors of Western Australia, and every State member of parliament (Legislative Assembly & Council)
- ❖ Western Australian Premiers & Cabinets, and the Leaders of the Opposition & Shadow Cabinets & Minority Parties
- ❖ Premiers / Ministers of New South Wales, Victoria, Queensland, South Australia, Tasmania
- ❖ Leaders of the Opposition / Shadow Ministers of New South Wales, Victoria, Queensland, South Australia, Tasmania
- ❖ Chief Ministers / Ministers of the Australian Capital Territory and Northern Territory
- ❖ Lord Mayors & Councils of the Cities of Brisbane, Sydney, Melbourne, Hobart, Adelaide and Perth
- ❖ Advisory Council of Infrastructure Australia & the Convenors of the Australia 2020 Forum
- ❖ Relevant Federal and State agencies / regulatory authorities
- ❖ Great Southern, and other Regional Development Commissions of Western Australia
- ❖ Fremantle Ports, Westralia Airports Corporation, and the Albany Port Authority
- ❖ Australian Local Government Association and each State / Territory Association
- ❖ Local Government Authorities of Western Australia & the Great Southern Region
- ❖ Mayors / Presidents / Commissioners & Councillors of the Town, Shire and City of Albany
- ❖ Presidents & Executive Councillors of the Returned & Services League of Australia (National & State Divisions)
- ❖ Presidents & Executive Councillors of the Planning Institute of Australia
- ❖ Presidents & Executive Councillors of the Environment Institute of Australia & New Zealand
- ❖ Presidents & Executive Committees of the Australian, Western Australian and Albany Chambers of Commerce & Industry
- ❖ Presidents & Executive Committees of the Australian & Western Australian National Trusts & the Albany Historical Society.

For a comprehensive (and interactive) list of community participation / consultation, refer to :

- ❖ [www.smithsonplanning.com.au/R2000Participation1997-2006.zip](http://www.smithsonplanning.com.au/R2000Participation1997-2006.zip) (270 A4 pages : ~ 14,000+ entries : 0.77Mb zipped : 3.93Mb)
- ❖ [www.smithsonplanning.com.au/R2000Participation2007-2008.zip](http://www.smithsonplanning.com.au/R2000Participation2007-2008.zip) (375 A4 pages : ~ 19,500+ entries : 1.56Mb zipped : 7.46Mb)
- ❖ [www.smithsonplanning.com.au/R2000Participation2009-2018.zip](http://www.smithsonplanning.com.au/R2000Participation2009-2018.zip) (309 A4 pages : ~ 15,500+ entries : 1.93Mb zipped : 8.42Mb).

It is not our place to judge the politics – that will be for the electorate, and the Commonwealth Director of Public Prosecutions.

All in all – things are looking very good. A [general disclaimer](#) applies to this material – don't assume, please ask.

**Date :** Thursday, 22 July 2010

**Neil R. Smithson**

Managing Director

PIA<sup>CPP</sup>, EIANZ, NELA, LGPA, AAPC, NTWA, FDI, CSC 2003