

RETAIL TRADING HOURS

Motion

HON WILSON TUCKER (Mining and Pastoral) [11.21 am] — without notice: I move —

That this house recognises that —

- (a) the Perth CBD is dying, with many businesses struggling to remain open and attract staff after the COVID-19 pandemic, and many Western Australians actively choosing to avoid the area;
- (b) Western Australia's trading-hour laws are archaic, outdated and among the most restrictive in Australia;
- (c) time and time again, Western Australians express their wish for more flexibility about when they can shop, including via a Painted Dog Research poll dated January 2023; and
- (d) we need to call on the government to bring Western Australia's trading-hour laws into line with community wishes and expectations.

I did not think that we would get this far today. I thought the bill and the previous motion would take up all the time, but I am glad that we have got this far because I would like to hear from the government and the opposition about their views on retail trading hours.

For me, this motion was born out of a personal frustration from coming back to Perth from Seattle and being starkly reminded about how early businesses and shops close in Western Australia, particularly in the CBD.

Hon Kate Doust: But not in the country.

Hon WILSON TUCKER: But not in the country.

Hon Kate Doust: Not in your electorate, member. They can open 24/7 if they choose to.

Hon WILSON TUCKER: If they choose to, absolutely. The member is right.

Hon Kate Doust: You obviously don't do all your shopping up there.

Hon Dr Steve Thomas: There is still one spot with restrictions.

Hon WILSON TUCKER: Hon Kate Doust is right: the regions have fewer restrictions.

Hon Kate Doust: There are no restrictions in the regions.

Hon WILSON TUCKER: I am glad the member has raised that point. I read in a retail trading hours bill that did not seek to completely deregulate trading hours—although I think that would be a good move, ultimately—but to reduce some of the restrictions that businesses have to comply with in the CBD. The bill is targeting just the CBD, where we have the most restrictive trading hours in the country.

Coming back to my story, when I came back to Australia, I was starkly reminded how early everything shuts. If people leave their house and want a loaf of bread or a cup of milk after 9.00 pm, they will see tumbleweeds in the CBD.

Several members interjected.

Hon Martin Pritchard: Petrol stations.

Hon WILSON TUCKER: Well, the member is right. Petrol stations are open, but people really cannot find anything outside of a loaf of bread or a carton of milk.

Hon Kate Doust: The IGAs are open late. They are good supermarkets.

Hon WILSON TUCKER: They have an exemption. IGA spent a lot of time lobbying for an exemption to operate, so we could argue that they have a competitive advantage over other retail stores. I am planning on —

Several members interjected.

Hon WILSON TUCKER: I am not going to keep speaking here. I would like to hear from the government and the opposition about their views because it has been a long time since the retail trading hours were updated. I think it was 1987.

Hon Kate Doust: No, that is not correct.

Hon WILSON TUCKER: It is not? Okay.

Hon Dr Steve Thomas: There has been incremental change since, honourable member.

The ACTING PRESIDENT (Hon Stephen Pratt): Members, noting the amount of time, could we just hold back from interjections for the final 10 minutes?

Hon WILSON TUCKER: Thank you, Acting President. Deregulation has proven to be successful in encouraging foot traffic. We operate under a regime that goes back to a period of the church, when we were a less secular state and Sundays were sacrosanct. Sundays are the most restrictive days in the CBD. The question is: why can we not give consumers more choice and more flexibility and allow businesses to operate? That is the question I am posing. I will leave it there, and I look forward to hearing from the opposition and the government about, hopefully, some amendments and changes to the restrictive nature of retail trading hours in the Perth CBD.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [11.25 am]: I am trying to get through some annual reports that dropped on the table today and I have been distracted, but I am sure that the government does not really want to talk about trading hours because it is a little frightened of the trading hours debate. The powerful Shop, Distributive and Allied Employees Association, the SDA, does not like the government talking about trading hours.

I have a couple of quick corrections for Hon Wilson Tucker. Changes have been made to trading hours in Perth over the last 20 years or so, but they were small and incremental. Little tiny bits have been changed. Hon Kate Doust is right for the most part in that a regional centre can declare itself a tourism destination and basically set up whatever trading hours it likes.

Hon Kate Doust: Above the twenty-sixth parallel, they can trade 24/7, and they have been able to do it since —

Hon Dr STEVE THOMAS: Below that parallel, councils can choose. In fact, not long ago the Shire of Capel announced a policy that it would allow 24-hour trading. It therefore matched the Shire of Dardanup, which has allowed 24-hour trading. A 24-hour shop operated in the shopping centre for a little while.

Hon Kate Doust interjected.

Hon Dr STEVE THOMAS: I do not like to name commercial names in the house, but we both know what that is. I understand that shop is not trading 24 hours anymore because it was not economic; however, the restrictions —

Hon Kate Doust: Because no-one went shopping.

Hon Dr STEVE THOMAS: At three o'clock in the morning—probably the odd person did, but not many. In the regional areas, the restrictions can be removed.

For a very long time, the City of Albany has maintained restrictions. It is not required to, but it has; that has been an individual choice for the City of Albany. One place still has self-imposed restrictions, but for the most part, regional areas can sort of choose what they want to do. That does not apply in the City of Perth, for 80 per cent of the population, because the Labor Party is dominated by the Shop, Distributive and Allied Employees Association.

Hon Martin Pritchard: I wish.

Hon Dr STEVE THOMAS: The immense power wielded by Hon Martin Pritchard and his crew freezes the government, unable to move forward on trading hours because of a fear of offending that set of powerbrokers.

My comments are on the public record and have been for some time. I think that we should continue the deregulation process. I would do it over a period of a decade or so to allow, as Hon Wilson Tucker rightly pointed out, some people who currently have a market advantage under the current rules to adjust to a deregulated marketplace over time. Businesses could then start a business plan.

I would give it a bit of time, not like the Labor Party when deregulating the Potato Marketing Corporation of Western Australia, the last vestige of agriculture-controlled marketing. The Labor Party just sort of came in, went bang and did it. I would have a period of time. Mind you, we debated the potato marketing board for a decade; maybe that was the thing. I would provide a glide path, as I call it, to deregulation.

We would start with the very simple things—the things that the Australian Labor Party in Western Australia is too frightened to do. The first really simple thing is to extend trading hours in the city on Sunday mornings. It is ridiculous to see. We want Perth to be a destination of choice for visitors to come to, but, having flown in on a Saturday night, visitors wander out and decide to walk in the city and are waiting until 11 o'clock on Sunday for the shops to open because the Labor Party is frightened of the shoppies. People cannot buy half the stuff they want to buy on Sunday mornings after they have flown into Perth. That is the first easy fix. Why not bring Sunday trading hours in the city back to eight o'clock so that people can get the things they want to get at a reasonable hour of the morning?

Several members interjected.

Hon Dr STEVE THOMAS: Labor members are so frightened of the shoppies—the Shop, Distributive and Allied Employees Association of WA—that they cannot do that. Perhaps that union holds the balance of power in the union-dominated marketplace that is the Labor Party preselection process. Perhaps that is why everybody is a bit frightened of Hon Martin Pritchard and the power he wields! They are frightened of a normal, natural extension. Despite the reluctance, reticence and, to channel one of our Labor dignitaries, recalcitrance of the Labor Party in Western Australia to open up to the twenty-first century, it will eventually open up. Even the dinosaurs of the ALP

in Western Australia eventually will be dragged kicking and screaming into a more open marketplace. What will drive them there? Simple economics. If shops are not allowed to open, they will not be able to compete as people shift to other areas or go online. We are already seeing a shift to online shopping. Some members opposite know that I consider myself to be a bit of a dinosaur these days, but the reality is that the world is going to change. People are now demanding convenience, as much as they are focused on price.

Hon Martin Pritchard: Will you take an interjection?

Hon Dr STEVE THOMAS: I would be too frightened to refuse, Hon Martin Pritchard!

Hon Martin Pritchard: Will that save the Perth CBD?

Hon Dr STEVE THOMAS: It is not the only thing that will save the Perth CBD; it needs more than that. It needs a major blood transfusion. More is required than simply opening up shopping hours, but that would be a good start and a step in the right direction. If the honourable member could convince his colleagues and shift the power of the SDA into a more positive attitude, we might start to open up the Perth CBD and give it the opportunity to diversify what it offers. It might then start to attract some people and investment.

Hon Kate Doust: Let's have some reality about the Perth CBD. Only about four retailers are restricted under general trading hours. Virtually every other retailer, the small shops, can technically open 24/7 if they so choose. They choose not to. If we moved down the path of deregulation, they could open whenever they choose, so you might not actually get what you want.

Hon Dr STEVE THOMAS: We have heard that argument before from the Labor Party. It is the Labor Party's defence against the argument. We need the major shops to open to attract foot traffic to the other shops. Thousands of people do not generally come into the city centre for a specific small shop, but they will come in for the larger department stores and supermarkets.

Hon Kate Doust: They will go out to the suburbs these days.

Hon Dr STEVE THOMAS: They go out to the suburbs right now because the suburbs are not as restricted as the city centre.

Hon Kate Doust: And they have free parking.

Hon Dr STEVE THOMAS: Hon Kate Doust is absolutely right: parking is an issue. Parking is an issue not only in central Perth; it is a nightmare in central Bunbury, too. As I said before, we need to address other issues with the City of Perth as well as shopping hours.

Hon Kate Doust: You only ever home in on trading hours and not the other issues.

Hon Dr STEVE THOMAS: The CBD needs a parking plan that will start to work, vibrancy and some reinvestment. We had a big debate in here a couple of years ago about a retail and service section in Perth that was an utter failure because it was poorly designed. Hundreds of millions of dollars were invested in that. The CBD needs better planning and vibrancy. We need to bring people back in. It is all part of a larger package. What Hon Wilson Tucker is proposing is one part of a much bigger set of things. It is Thursday morning and there is concurrence in the house! It is good to feel the love in the room.

Hon Samantha Rowe: Do you feel a bit lonely this morning?

Hon Dr STEVE THOMAS: Everybody is very busy working, honourable member. My views are quite public; I have not held back or kept them secret. I think some deregulation of shopping hours should occur. I would like to think that we will ultimately end up in a deregulated market and stop telling shops when they can and cannot open. That will take some time. Some people will need to be protected as part of that process. Just in case members think this is a flash in the pan or something new, I have repeatedly said for about 20 years that we need a deregulated marketplace.

Debate adjourned, pursuant to standing orders.