

SWAN AND CANNING RIVERS MANAGEMENT BILL 2005
SWAN AND CANNING RIVERS (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL
2005

Cognate Debate

On motion by **Mr J.C. Kobelke (Leader of the House)**, resolved -

That leave be granted for the Swan and Canning Rivers Management Bill 2005 and the Swan and Canning Rivers (Consequential and Transitional Provisions) Bill 2005 to be considered cognately, and for the Swan and Canning Rivers Management Bill 2005 to be the principal bill.

Second Reading - Cognate Debate

Resumed from 22 November 2005.

DR S.C. THOMAS (Capel) [7.33 pm]: It is with great pleasure that I address this bill. It has been a long and difficult day, because in the debate on the preceding bill we have had the confusion of porn, pawn and prawn. We are now to debate the Swan and Canning Rivers Management Bill, and I would hate any confusion to continue. If members happen to mention prawns in this debate, they will be dealing with the crustacean, so let there be no confusion in the future.

The Swan and Canning Rivers, and in fact the Avon River, which is an intimate part of and attached to the Swan River, are an integral part of the natural heritage of Western Australia. They hold a very dear place in the hearts and minds of the people of Western Australia. We need look only at the interactions that the people of Western Australia have with those river systems. History shows us that populations tend to congregate around major river systems. People have tended to congregate around, for example, the Tigris and Euphrates Rivers in the Middle East and then expand into other areas. In people's minds, it is something of a religious experience to be around large bodies of water. People hold the Swan and Canning Rivers in extremely high regard. The assets that Western Australia has in the Swan and Canning Rivers is unmatched by the rivers in other capital cities of Australia. The Yarra River, for example, is a rather small and dumpy river and not particularly impressive. Of course, the river that runs through Melbourne is famous. According to local myth, people can walk on the top of the river because of the sheer amount of sediment, nutrients and rubbish in the river. The river in Sydney and the Brisbane River are vitally important rivers in that they are the centres of those capital cities. The cities are situated around the rivers. The rivers are integral to the history and geography of the states. It would be difficult to overestimate the value of these river systems to all people.

Western Australia is in a particularly remarkable situation, because its river has the greatest impact of any river in any capital city of Australia outside the Murray-Darling river system. It is a huge river. It has a huge catchment. It is and has been vitally important to the growth and development of this state. The traditional Aboriginal owners of this state had a very close and integral relationship with the river throughout their development, which took tens of thousands of years. The river is an integral part of the Aboriginal religion. Those issues cannot be overestimated. We need look only at the level of importance of the river. Can members imagine trying to hold the sky show in Perth without the Swan River? It is an indication of exactly how integral the river is to the people of Western Australia.

I will refer to some of the science and history of the river. Some of this, would members believe, is not my own work, and I must pay credit to somebody who has done much more work than I. I borrowed a book called *Ernest Hodgkin's Swanland: The Estuaries and Coastal Lagoons of South-western Australia* from the Parliamentary Library. It has been published relatively recently, and I pay tribute to the people who wrote this very good book. I find myself surrounded by pieces of paper, but not the one I want. I will come back to the book. I recommend *Swanland* to all members of Parliament. It refers to the history, science and environment of the river. It also refers to other estuaries. The book is about the estuaries of all the rivers in the southern part of Western Australia, from Geraldton to Esperance. It refers to a large degree to the Swan-Canning river system and the Swan-Canning-Avon river system. We are debating the Swan and Canning Rivers Management Bill but, in fact, the Avon River is an integral part of the catchment of the Swan River and almost deserves to be included in the bill's title. Some of the issues I will discuss refer specifically to the Avon River and its impact on the Swan River. It is almost neglectful to not include that river in the system.

I know that the Swan River Trust has played an integral part in the formation of this bill. The Swan River Trust does not involve itself in the Avon River. It has a separate area. The catchment councils are completely different. That poses some problems because, in looking at this issue from an environmental perspective, we cannot isolate the Swan and Canning sections of the river system and distinguish them from the Avon River section at the end. I think that will cause us some problems. People who do not specifically live or reside in the

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areas surrounding the Swan and Canning Rivers as described, and who do not interact with the Swan River Trust, will be impacted by this legislation. I make note of the book to which I referred earlier - I have found my piece of paper: *Ernest Hodgkin's Swanland: The Estuaries and Coastal Lagoons of South-western Australia*. It was written by Anne Brearley and is a Western Australian publication. I recommend it to members - a copy can be found in the Parliamentary Library - because I will be referring to information contained in it.

The history of the Swan River is a long one, and I do not intend to go all the way back to the beginning to start discussing the Wagyl. However, I make mention of the fact that, to a large degree, changes have been occurring in the river for as long as there has been European civilisation in Western Australia. Some of the first things to happen were the alteration of the port, the gaining of access to the river mouth and the removal of limestone at the base of river. That has had a huge impact on what happened in the river's lower estuary. As we debate the Swan and Canning Rivers Management Bill 2005, we are not referring to an original river system that has not been altered, because it has been altered. The salt water in the river moves up a lot further than it did previously. As the saltwater wedge comes up, it goes a lot higher and there is much more salt water. That has changed the ecology of the Swan River estuary and has had both positive and negative effects. We could compare it with the development of the Dawesville Cut. Even though there have been algal blooms in the lower part of the Swan River estuary, they probably would have been worse without the changes at the bottom end of the river. It would have been worse if the saltwater wedge had not moved further up because, as I will discuss later, salt water is not necessarily always a bad thing. It probably minimises algae levels and makes the management of those things look better than they are genuinely.

We cannot talk about the management of the Swan and Canning Rivers without referring to the management of the environment generally. It is not my intention to turn this into a finger-pointing debate. From the outset, I indicate that the general intention of the opposition is to support this bill. We have placed one amendment on the table, and that has been passed on to the minister. The opposition may seek to make a number of minor amendments to the mechanics of the bill, depending on what information the minister is able to provide during the second reading debate and the consideration in detail stage. However, in general the opposition supports the bill. It also particularly supports the principles of protecting and enhancing our river systems so that the people of Western Australia feel comfortable and secure in our rivers and in the community's ability to make use of and recreate in the rivers. River recreation - that is, fishing and boating - is absolutely essential to Western Australians. Indeed, people get a positive feel for our rivers just by walking past them. Being able to look at our rivers and know that they are there is an important part of the way people think about them. The reputation of our rivers is incredibly important. It is not just the science of the environment in keeping the river as clean as possible and minimising all the contaminants and wastes that enter the river, as well as the algal blooms and damage that the river has suffered on various occasions, but also the perception of the river that is particularly important. I will talk about that later, particularly concerning sewerage outlets and spills and deep sewerage infrastructure around the river. It is the perception of the river as much as the absolute science of the river that people in this state appreciate.

I will talk briefly about overall environmental dedication and this state government's commitment to the environment. This legislation will protect the Swan and Canning Rivers. I commend the minister for bringing it forward. I also commend his predecessor, the member for Maylands, for the work she has done. Much of the work in saving the Swan and Canning Rivers was started by the previous government. The member for Dawesville, who was the minister responsible for water resources at the time, will have no small piece to say about his contribution to the safety and welfare of the rivers. A lot of the protection of the rivers stemmed from the environmental protection policies of the 1990s, and were a direct result of the work of the member for Dawesville. We should not underestimate what went on during that time.

I will look at the general level of commitment to the environment. In particular, the opposition is not concerned about the intent of the bill, which it takes on face value to be very good. We are not concerned about the well-meaning contribution of a large number of people who contributed to the bill. The problem with the bill is that it will set up all sorts of things that will require funding and commitment by the state government. If we are not careful, we could set up the best possible bureaucratic environment but leave the physical environment rotting. This is one of the concerns with the bill, although there are many others. It is generally well recognised that Western Australia's overall financial commitment to the environment is well behind that of many other states. It is something of an embarrassment that funding for the environment in this state has been left to sink to woeful levels.

Dr J.M. Woollard: What percentage in the budget?

Dr S.C. THOMAS: It depends whether capital is included. It is a very good question. If raw, absolute figures are used, it is about 1.6 to 1.7 per cent. If some of the capital aspects are included, it is getting up to about three per cent. I will not table the document in which this is stated, but the conservation movement in the Northern

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Territory was outraged when funding for the environment dropped to four per cent of the territory's budget. It was an absolute disgrace. I realise that, in fighting for budget appropriations, strong ministers tend to do very well. I am sure that the current minister will throw himself into obtaining increased budget appropriations for all environmental areas in the state.

I have attended a number of briefings, and members will be pleased to know that I have refrained from asking each environmental department whether they are adequately funded. No doubt that self-control will save at least half a dozen jobs.

Let us look at the commitment of this government. We can now score the card of the government, although the new Premier has not had a lot of time. His first budget is upcoming. We will be able to judge the Premier's dedication and commitment to the environment by how he goes. Let us have a quick look. The current budget estimate for the environment in WA in 2005-06 is \$210.5 million. It could be argued that that is a reasonable increase on the \$193 million that was budgeted for in the previous year, but that argument would fall over because the actual expenditure was nearer to \$217 million. The budget allocation for the current financial year is \$7 million less than it was in the previous year, which is an indictment on this government not only for not protecting the environment but also, dare I say it, for not doing some of the repairs that are required. I will later refer specifically to some of the repairs that are required, but I will now refer to what is happening in other states.

No other state in this country has a bigger environment than Western Australia. This state covers a huge area. Other states may have more intensive environments that require more work because they contain more people, but they would not have a bigger area. I declare that I have a vested interest in Queensland because some relatives of mine work in the Environmental Protection Agency and I also know some consultants who work there. The budget for the Environmental Protection Authority in Queensland in 2005-06 is \$272 million, compared with Western Australia's budget of \$210 million. That is pretty poor. The environment in this state is not high on the government's agenda. Queensland obviously has a bigger budget than Western Australia; maybe it collects more tax and has more money to spend on the environment. I know that we have a bigger environment to spend it on and it is a matter of commitment. Let us look at a state with a smaller budget than Western Australia to see how that compares. I would be too embarrassed to tell the member for Bunbury what Tasmania spends on its environment. I will not even go there. South Australia has a smaller population and a smaller annual budget. The annual budget in this state is approximately \$14 billion, and in South Australia it is a bit under \$10 billion. In South Australia the government will spend \$291 million on the environment compared with our \$210 million. It could almost be said that the comparative figures are \$300 million to \$200 million in a state that is smaller. South Australia has a heap of desert in the middle of it, the same as Western Australia, and it cannot be argued that South Australia does not have an environment that needs conserving. South Australia has a big issue with the Murray-Darling river system, but a fair bit of that is not in South Australia, so the cost does not come out of the South Australian budget. South Australia is a small state with a small population, but it is a bit more committed to the environment than is Western Australia with its expenditure of \$210 million.

I will now embarrass the current government by referring to a state with a fairly big budget. On a percentage basis Tasmania is a bit of an embarrassment, but Victoria is a small state with a lot of people. The entire budget for Victoria is approximately \$40 billion, which is a big budget - it is two and a half times WA's budget. The sustainability and environment budget in that state is \$950 million. Ours is \$210 million. A lot of states in Australia make the environment a priority. Even the poor old Northern Territory does better than Western Australia.

Dr J.M. Woollard: You should put it all in a chart!

Dr S.C. THOMAS: I should, but I am too embarrassed to be part of the Parliament of a state that gives the environment such a low ranking. It is an indictment upon this state that that is as much as we are willing to invest in the environment. We can put together the best plans in the world and say that we will produce wonderful things, but we need to be willing to provide the funding necessary to make those plans work. We can put plans in place and ask the Swan River Trust to do some projects. It is handy to put people on a board, because if we do not get the results we want, we will have someone to blame. The government used to blame the health boards if the hospitals did not come in on budget. It is very useful to have someone to blame. We are now doing the same thing with the Swan River Trust.

The commitment of this government to the environment is in question. Last Friday night I went to a function put on by the Conservation Council of Western Australia to celebrate Conservation Week. A lot of very good things are happening. The minister gave a very good speech and raised the important issue of corporate sector donations for the environment. He said he will be approaching the corporate sector to seek more money for the environment. That is a great idea. We should all be encouraging that. The corporate sector is a great component of our attempt to find the right solutions. Of course the minister would have to acknowledge that the

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corporate sector already contributes to the environment. Later there will probably be some advisers in the chamber from the Swan River Trust. The Swan River Trust would be well aware, as would the Swan Catchment Council, that were it not for Alcoa, many of the improvement and revegetation projects in the Swan and Canning catchments would be struggling. This state has a disgraceful record of investment in the environment. I can only imagine what would happen if the minister were to point his finger at the corporate sector and say it is not doing enough. He would probably be laughed out of the room. We should be encouraging the corporate sector. The corporate sector is engaged in many environmental programs. Many of the resource sector companies have as much environmental credibility, and as many research and scientific officers, as the departments that deal with the environment. They have people who are as well educated as many of the people in the universities and other parts of the tertiary sector. We underestimate the fact that they are already making a huge contribution. There is no doubt that of course they can contribute more. We would love the corporate sector to get even more involved in the saving of our natural environment. I have no doubt that we could have the BHP cane toad program, and a lot of weed eradication programs. However, for the government to come forward with its paltry investment in the environment and make demands on the corporate sector is an embarrassment.

I could spend the remainder of my 35 minutes on that topic. However, I will not do that, because I will be struggling to get through all the other things that need to be talked about. I have talked about the government's general neglect of the environment. I now want to talk about the government's lack of concern for not just the Swan and Canning river systems, but all the river systems in this state. I will give an example of something that amazed me. I know that this minister is aware of the importance of the corporate sector and business enterprises. I commend him for that; I am not here only to give him a bagging. He has some good points as well, and I will drag those out. I will talk briefly about the environmental history of this government in the area of rivers generally. People would think that if the government were responsible for a piece of ageing infrastructure that was maintaining the environmental balance in a river system, it would invest in that infrastructure and keep it in an adequate state. That should be obvious. However, I will give the example of the Capel River, which is a very good one. There is an aged weir a couple of kilometres up the Capel River. It is potentially older than any person in this house. No insults are intended; I am not even sure who the oldest person in the house is. The weir is old and in a state of disrepair. The weir is intended to separate the salt water coming into the river and the fresh water upstream. I declare a vested interest, because I live on the banks of the upper Capel River, which is why I know the situation so well. Downstream the river is a saltwater estuary. Fish move in and out from the sea and the area is rich in bird life. Everything was doing very well. Upstream, there is a freshwater environment, providing water for stock and irrigation. A very good report is about to come out, stating that the catchment is not yet fully utilised and could probably catch more water for the river system.

What does the government do when its environmental infrastructure is declining, and something needs to be done urgently? What would an environmentally concerned but woefully underfunded government do? It does the only thing it can do. It builds a great big sandbar at the mouth of the river and puts two dirty, horrible metal outlets in it. It looks awful, but the environmental vandalism of this government does not lie only in the fact that this was done, embarrassing though that is. There are Ramsar-listed wetlands in the river system, starting at Wonnerup. The Ramsar Convention is an international listing of very important wetlands. This is an environmentally important area that is recognised around the world, yet the government has whacked a sandbar on the end of it. Why would it do that? It was done to stop the ingress of salt water. There is no doubt that it had some immediate environmental impacts. Woe betide any small fish trying to hide in the estuary from bigger fish, because unless it can pole-vault like Tatiana Grigorieva, it will not get there. The problem is not that the government built the sandbar at the end of the wetlands area or that there is no evidence of the environmental approval process. The problem is that the sandbar was put in over summer so that something could be done about the weir, and then nothing was done. Before too long, the wet season will begin and the river will be swelled by rain, and it will not be possible for the weir to be renewed. The machinery would be washed away. It cannot be done. Next summer, the weir will still need work and the sandbar will need to be put back in. The only thing that has changed between last season and this season is, of course, the cost of repairing the weir. The Water Corporation cannot afford to carry out this work because this government will not invest in the environment. The cost of the work that is required has, this season, become 15 to 20 per cent dearer than was the case last season. It could not afford it last year; how will it afford it this year? It will not happen. Another sandbar will be built. Each year the government will build another sandbar because it is a lot cheaper than fixing the problem by investing in the weir, water, rivers and the environment. It is an embarrassment and an indictment upon government investment in the environment.

We need look no further than the Blackwood River for an example of another river that is struggling in this state. This river is gradually dying. What is this government doing to rectify the situation? The government would love to do something to rectify this problem but it will not invest in infrastructure. The government is not making an investment that would allow the necessary work on these rivers to be undertaken.

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We used to be able to catch marron up and down the Blackwood River. Being an Albany boy, I know that you, Mr Acting Speaker, understand the process involved in catching marron and the enjoyment one gains from it.

The ACTING SPEAKER (Mr P.B. Watson): Legally.

Dr S.C. THOMAS: I would not question that it would have been by any other means. I have complete confidence and faith in you, Mr Acting Speaker.

Mr M.J. Cowper: How do you think he learnt to run so fast?

Dr S.C. THOMAS: And we will not be checking you, Mr Acting Speaker, for shotgun pellet marks. I have no doubt that you are a completely honourable man and would not have caught marron illegally. We used to be able to catch marron in the Blackwood River. If anyone can find marron east of Nannup today, he is a miracle worker. There are enormous problems associated with the Blackwood River and this government is not doing anything to rectify the situation.

Mr Acting Speaker, you have rivers in your electorate. I read an interesting book and I recommend it to you, Mr Acting Speaker. The title of the book is *Swanland* and it refers to rivers surrounding your electorate and details the level of contamination going into those rivers. It is an indictment on the amount of investment in the environment this government is prepared to make. While the electorate of Albany, like the electorate of Geraldton, is awash with planning and infrastructure funds and health funds, because the strong Minister for Health is obtaining funds, nothing is happening to improve the environment. In the electorate of Albany, the member for Geraldton's electorate and my electorate the environment is suffering, and it highlights the problem with this government.

I have delved into the general environmental commitment and into the commitment to the environment as it pertains to rivers. Let us look at the government's commitment to the Swan and Canning river system, because that is the subject of this bill. The opposition will hold the government to account for its inaction. The Swan and Canning Rivers are considered to be great Western Australian icons. That river system does not necessarily have the greatest volume of water, but it is the most important river system to the greatest number of people in this state. Therefore, this government should give this river system the highest priority possible. Is it really doing that?

Let us look at what happens around this river system and at some of its common contaminants. The first contaminant we should consider is sewage. It is a topic that is dear to my heart and I have mentioned it in this house previously. The lack of sewerage infrastructure is another indictment upon this government because of its impact on the river system. I have previously argued with the Minister for Water Resources whether raw sewage floating around the Swan and Canning Rivers is necessarily a bad thing. I am waiting for an answer from the minister on the number of sewage spills into the Swan and Canning Rivers that he thinks would be acceptable. Actually, I do not think I have put that question to the Minister for the Environment. I will put that question to him and we will wait to hear his answer; that is, how many sewage spills into the Swan and Canning Rivers system in one year would be acceptable to the department? The minister does not have to answer my question now; I am happy to wait.

Mr M. McGowan: You asked me not to answer now.

Dr S.C. THOMAS: We will have plenty of time. We are not going away in a hurry and will be here for a bit.

Mr M. McGowan: I am complying with your instructions.

Dr S.C. THOMAS: If the Minister for the Environment keeps that up for three years, he will be doing very well. I ask you rhetorically, Mr Acting Speaker, how many sewage spills would be acceptable to the government? You would be surprised, Mr Acting Speaker. The people of Western Australia have an objection to swimming in sewage. I am not sure why! I have spent 20 years in the veterinary industry and spent a fair bit of time dealing with manure. However, for some reason the average Western Australian, particularly one who lives in the city, has something of an abhorrence to having sewage in the state's pristine river system. I can understand why. Not everybody has the same sort of earthy upbringing as the member for Cottesloe and I, although the member for Cottesloe is not wearing R.M. Williams clothing.

Mr C.J. Barnett: I have my Royal Agricultural Society badge on tonight.

Dr S.C. THOMAS: A gentleman farmer! Not all of us have this earthy approach to the world. The Water Corporation in its report acknowledged that people do not like sewage in the state's water systems. It produced a chart showing that the Water Corporation had spent so much money and what it would cost for prevention. It said it had only so much money and that it might cost \$500 million to prevent sewage leaks into the Swan and Canning river system. It said that as it did not have that much money, the public could expect three sewage leaks a year.

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Ms K. Hodson-Thomas: The Water Corporation would then drop the charges.

Dr S.C. THOMAS: Well done, member for Carine. The biggest reason sewage spills occur is that this government cannot keep the power turned on. We must realise that sewage flows downhill for the most part. One would think that would be commonsense. When it flows downhill, it can arrive next to a river system. Of course, the obvious such river system for the city of Perth is the Swan and Canning river system.

Mr G.M. Castrilli: Unbelievable!

Dr S.C. THOMAS: Yes, member for Bunbury, but true. When the sewage arrives downhill, it must be pumped to move it. The sewage must be kept pumped because, believe it or not, when the power goes off, people do not stop using septic systems. Surprisingly enough, some things do not stop when the power goes off. The television might go off but the digestive system still works. The sewage in the system still flows, but it has nowhere to go. The Water Corporation will tell us that the natural reservoir for it is the Swan and Canning river system. This government accepts that because it will not invest any more money in the environment and the Swan and Canning river system, three sewage spills a year will be fairly standard. It has been doing well in the past few years, but for a couple of years before that it managed three significant sewage spills a year.

Mr N.R. Marlborough: Member for Capel -

Dr S.C. THOMAS: I congratulate the minister on his rise to ministerial office. I do not think I have had the opportunity to congratulate him.

Mr N.R. Marlborough: When I was a union official I used to look after the workers who fixed all the sewerage systems around Perth. I was listening to your speech earlier, and it took my memory back. Excuse the crudity, but the workers used to have written on their T-shirts -

Dr S.C. THOMAS: Be careful and quick. We have much to get through here.

Mr N.R. Marlborough: The T-shirts used to have written on them, "It may be S-H-I-T to you but it is bread and butter to me."

Dr S.C. THOMAS: I dread to say it but that comment might be in "InsideCover", not tomorrow but the next morning. That is not a pretty picture. I have been diverted. It was a clever trick by the Minister for Small Business. We were dealing with the outflow. The government has done very well. There were three overflows in 2003-04 and then in 2004-05, bang, it was doubled to six. The infrastructure for deep sewerage is declining in this state. This government will have huge problems if it does not invest the money required to protect the environment in this state. Around the Swan and Canning Rivers -

Ms K. Hodson-Thomas: Where is the commitment to the environment in this state?

Dr S.C. THOMAS: There is no commitment to the environment in this state. It is an absolute disgrace. In the catchment of the Swan and Canning Rivers in the metropolitan area and in Serpentine-Jarrahdale and down into Peel, there are still leach drains producing bacteria that flow into that river. That is because this government has stripped the funding from the infill sewerage program. It is a \$90 million program. I have no doubt that the member for Dawesville will claim some credit for that. We will give him all the credit. He will probably talk about that as well. This is an indictment on the environmental record of this state. The original allocated amount of \$90 million is now down to just over \$30 million. The government is not putting those savings back into the environment. I would love to think that it was. We have already seen the budget. It spent \$216 million and that will be dropped to \$210 million. Where are the savings going? They are not going into the environment. That is a disgrace and an indictment on this state. This government oversees a litany of examples of environmental vandalism, yet it claims to be an environmental angel. Once it gets past the rhetoric of saving the old-growth forests and Ningaloo Reef, it starts to fall away pretty dramatically. I will discuss that if I get time. If I do not, about a dozen very able members of Her Majesty's opposition will hold the government to account for all the things I miss.

Mr M.P. Whitely: You nominated a dozen capable ones. Nominate the incapable ones.

Dr S.C. THOMAS: They are all capable in different areas but I have no doubt there are a dozen members capable in this area. Let us talk about some of the distinct problems in the Swan and Canning river system. Despite best intentions, this government is doing very little to repair some of that environmental damage. At best, in many areas it is only holding steady. That is not good enough. Let us discuss the issue of algal blooms. Blue-green algal blooms - a component of phytoplanktons - develop in river systems from time to time for a number of reasons. Nearly every river system has suffered an algal bloom at some point.

Dr J.M. Woollard: Every year and sometimes twice a year.

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Dr S.C. THOMAS: I am coming to that. I have a theory. The clever member for Alfred Cove is jumping three steps ahead. I am doing this for the sake of the minister. I have to go one step at a time because I do not want to confuse anybody. I think this government is preparing us for an annual algal bloom season. I have seen the work of the minister and his press releases over the past year. He has started to talk about how algal blooms are impossible to control. He is not talking about a long-term strategic plan to fix algal blooms, of course. He is saying that they are impossible to control and he is unable to do it. I think the Minister for the Environment is preparing us for a season of, "Get used to it, Western Australia, the Swan and Canning Rivers will have algal blooms sometime between February and April every year." I guess that to some degree the Swan River Trust does an excellent job. I commend it for its work in alerting people to algal blooms; it puts in a top-notch effort. I do not know how many hits the Swan River Trust's web site has every week but I probably make half of them. It is a top-notch web site, as it lets people know what is happening in the algal season. The trust does some very good monitoring and it is open and above board. We must respect the Swan River Trust for telling us what is going on. Unlike some other departments of this government, where things are all done in secret, we actually know what is happening in the Swan River Trust. The algal bloom season is upon us. If members think that a small number of fish were affected during the last algal bloom, I can tell them that the next algal bloom will be a big one. I was in Adelaide about two and a half weeks ago when the River Torrens experienced an algal bloom. We were told not to boat on it, not to swim in it and not to eat fish or shellfish out of it. An algal bloom season is something for which this government is preparing us. Why? It is because the government does not have planning in place to prevent it. This bill will contribute to the planning that will help the very good people in a number of areas, such as the Swan River Trust, the Swan Catchment Council and the Avon Catchment Council. All of those entities will contribute. The government will not invest in it and fix those problems. There could be an algal bloom season every year. We could talk about some of the solutions to it. We could talk about running an oxygenation plant. That is a good one, Mr Acting Speaker.

The ACTING SPEAKER (Mr P.B. Watson): Could members who want to have conversations please take them outside. I want to hear what the member is saying.

Dr S.C. THOMAS: You are too kind, Mr Acting Speaker. I am sure that everybody in this chamber wants to hear what I am saying. They are busy discussing the environment.

Mr M.P. Murray: You must be the only one in the room who wants to listen to him!

The ACTING SPEAKER: I will make that decision, not the member for Collie-Wellington.

Dr S.C. THOMAS: I have great hope that we might yet educate the member for Collie-Wellington. I will not bet my house, because we know each other well, but I remain hopeful that he can be educated. We are continuing to learn.

I will run out of time before I get to all the problems in this river system. Let me talk briefly about oxygenation. It has very little to do with algal blooms. It goes some way to preventing fish deaths, but there will remain at the head of the river system all the damage that has been incurred with nutrients and all sorts of things. Oxygenation in an algal bloom might actually make the bloom worse. It could cause hypertrophy of the algal bloom and develop it. Oxygenation could increase an algal bloom. Of course, oxygenation might save some fish, which is not a bad thing. I loved the Minister for the Environment's press release on oxygenation. It said that oxygenation will save fish because they will know to swim up to the oxygenation plant. I have a great vision of the Minister for the Environment training fish and crabs to get to the oxygenated section of the river. I am waiting for that. I can foresee him there in a wetsuit with a whip and chair training all the fish to get to that plant. It will be wonderful! The press release is not a bad thing overall, but that particular section of it deserves some ridicule. However, oxygenation is part of the answer to preventing fish deaths. Be of no doubt that in a couple of kilometres of the Canning River it is currently doing a good job. Some of that work must continue. However, this legislation will treat the symptoms, not the cause. The problem with this government's approach is that it is seeking a short-term fix for only a symptom. We might expect the government to want to cure the disease, but that takes a huge commitment of time, energy and, in particular, resources. This government is not interested in that process. I will have to jump a couple of issues because I cannot seek an extension of time in which to speak, and that is a bit of a problem.

I refer briefly to one of the issues that the Swan River Trust does very well and would do much better if it was resourced properly to do its job; that is, the control of weed and pest species. I recently attended the Swan-Alcoa Landcare Program funding presentation ceremony. It was a great day. A number of small catchment councils that look after various parts of the river were involved. They all announced their objectives; namely, to pick up all the rubbish within a section of the river. Almost every one of them will try to control the weeds. Someone must do that because the government is not doing it. If it were not for the goodwill of volunteers and the Natural Heritage Trust funding that comes to this state from the federal government, the state would be completely over-

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run with weeds. We probably could not walk along the river banks for want of blackberries and arum lilies; the blackberries alone would stop us. Weeds along the river banks are rife, and that is not for the lack of will of the Swan River Trust or the Swan River Catchment Council. Weeds are not running rife because private landowners in the farming sections further along the river bank, in the Ellenbrook or Avon sections, do not control them on their farmlands. They do. There are two areas from which weeds are continually reinvesting. The first is small rural residential land the nature of which people do not understand. The second is land controlled by the government. The Carpenter Labor government is the greatest environmental vandal in the state at the moment because it will not invest in the environment. The fact that weeds are running rampant in this state is an embarrassment to and an indictment of this government. Some sections of the river running through farmland are clear, apart from native vegetation; they do not contain weed species. However, it is a different matter on part of the land controlled by the Department of Conservation and Land Management. We are not here to criticise CALM; it is not CALM's fault that it cannot control weed species on its land. It is not funded to do that. It will not get there. It is this government's inadequate investment in the environment that is to blame. I will have to cut my remarks short because we will run out of time. A number of members are keen to speak on the environment and the importance of our rivers.

It is not before time that this bill has come before us. It will address some of the issues and it will enhance some of the powers required to protect the river. However, the opposition has some concerns about the bill. I have given notice of an amendment, which will no doubt be debated tomorrow during consideration in detail. We must face the fact that this legislation expands the area that the Swan River Trust controls to include the entire catchment of the Swan, Canning and Avon Rivers. Presently the trust's control is largely bounded by the Avon-Moondyne Brook confluence, the Lower Diversion Dam, the Stinton Creek confluence and, I think, back to the Canning River. This bill will expand the powers of the Swan River Trust to the entire catchment of the Swan, Canning and Avon Rivers. I am sure that the current Swan River Trust and the current Minister for the Environment have the best interests of the environment of the river at heart and have engaged in the process with the best intentions. They are advancing the protection of the river and I am sure that they would not misuse the river protection notice to drive an ideology. Nevertheless, the legislation allows a future less forthright and trustworthy Swan River Trust and environment minister to do exactly that. We have looked at this legislation very closely to find a way to enhance what we think should happen without limiting the powers of either the minister or the Swan River Trust to protect this vital natural heritage. We are trying to find a compromise, and our proposed amendment will go some way towards providing that compromise. We are proposing that if the government decides to change the allowed management in the catchment, it should do so openly and in an obvious manner. A group of members of the Swan River Trust, who are appointed by the minister, should not be allowed to target certain agricultural practices, such as fertiliser use, as they can under the current legislation.

One day a strong and brave future government might suggest that the fertiliser practices of agriculture groups should be stopped and that farming communities should not be able to do what they have done in the past. Farming practices might change in the future. We do not invest enough research into agriculture. Farmers use fertilisers because they provide them with short-term gains. We do not have enough information on the long-term advantages of altering the current system. A brave government might do that in the future. If it intends to, its intention should be debated openly in this house and be contained in a separate piece of legislation. At no stage should it be proposed by a group of people who are appointed by the Minister for the Environment.

The government might come up with another way to circumvent this problem. The opposition is being truly supportive of the minister and the government in what they are trying to do. I am sure that the minister has felt the level of my support for him during the past hour. We are trying to put this together. We are trying to make sure that people who make a living in the relevant areas can continue to do so unless the government changes the legislation. If it does change the legislation, it must do so in an obvious way. I am sure that the member for Moore will discuss this matter in greater detail.

Unfortunately, due to the short amount of time I have to debate the issue, I am forced to curtail expressing all the concerns I have about this bill. I did not get to speak on heavy metals or on point sources of pollution. I commend the Department of Environment and the Swan River Trust for their work on point sources of pollution; they have done remarkably well. I have been unable to discuss those matters or to compare diffuse and point sources contamination. Also, we have yet to debate the effectiveness of a protection order versus an environmental protection order. I am sure we will debate those matters during the consideration in detail stage.

MS K. HODSON-THOMAS (Carine) [8.33 pm]: I am pleased to follow in the footsteps of the member for Capel, who has given a very well researched address to members this evening. I commend him for his commitment to the environment portfolio, for the work he has done on this legislation and for the amount of research that has gone into his address this evening.

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I want to place on record that, as a member of the Liberal Party, I believe we all have a high regard for our river system. I believe that our record in government in that respect was very well regarded, including the infill sewerage program and the Swan clean-up program that were initiated by the Court government, and the national action plan and the Natural Heritage Trust that were set up by the federal Liberal government. One might ask: why is the government creating this legislation? Certainly, from my perspective, it appears that there is no real financial commitment to ensuring the health of our river system. Why do I say that? There has certainly been no significant allocation of funding for the environmental management of our river system. We have certainly heard that tonight from the member for Capel. He went into great detail about the budget and the allocation of funding. The former minister, the member for Maylands, often talked up the issue of getting more money by approaching the Treasurer and making certain that there was an allocation to ensure the wellbeing of our river system. In the time that she was the minister, I thought she was very committed to that. However, we have not seen that happen, and the money has not been forthcoming. It will be of great interest during the estimates committee hearings to see whether an increase in funding is delivered by the Carpenter government to ensure that the Swan River Trust has the resources to guarantee that the river system is looked after.

Mr M. McGowan: You love saying “Carpenter government”.

Ms K. HODSON-THOMAS: It is actually the first time I have been on my feet in this chamber to say that. I almost said the Gallop government.

Mr M. McGowan: And you can say you were elected on the same day.

Ms K. HODSON-THOMAS: I certainly was elected on the same day as the Premier, as was the minister - the class of '96; we all came in together. I will be watching the member for Rockingham as Minister for the Environment to make certain that he is committed to ensuring that his portfolio is well resourced and well funded. I believe everybody in this chamber wants to ensure not only that this legislation goes through, but also that it is well considered and that the agency responsible for the wellbeing of an important asset for the people of Western Australia is truly looked after.

As I said, there is no doubt in my mind that the Swan and Canning river system is important to the people of Western Australia. It is the centrepiece. I look at it as the jewel in the crown. Others might say that it is the puddle in the middle of the city, but I think it is the jewel in the crown of our wonderful city. I know that I speak for many when I say that it is enjoyed by many, whether it be for leisure pursuits, including boating pursuits, or sporting pursuits such as walking, jogging or riding around the river. They are all wonderful things that people can do for a healthy lifestyle, which we should all be advocating. It is something that I do often, and I love to see people enjoying boating and other pursuits. People have a wonderful opportunity to enjoy the ambience of a beautiful, picturesque vista. In my view, the river system is one of our major tourist attractions. It is certainly important and vital to the tourism sector, and we should further it. It is an essential element that ties our history, our culture and our people together. As such, it is valued by us all, and should be protected for us all and for future generations.

The Swan River is about 67 kilometres long, and the Canning River is about 100 kilometres long. The Swan-Canning catchment accounts for about 2 126 square kilometres of a total catchment, which includes the Avon River basin, of about 125 000 square kilometres. Ellen Brook, the Helena River and other smaller brooks such as Wooroloo, Susannah and Jane Brooks all feed into the Swan River on the coastal plain. A number of large drains service extensive areas of the metropolitan region and also flow year round into the Swan River. The Swan River and the Avon River are, in fact, the same river. As I understand it, the two names simply represent a historical anomaly. The Avon River becomes the Swan River where it meets Wooroloo Brook in Walyunga National Park, about 30 kilometres north of Perth.

Historically, nutrients entered the river from the early days when nightsoil was dumped into the river until 1878, and cesspits and rubbish tips would leach into the river. The last to close was Burswood Park, which closed in the 1980s after having operated since the 1940s. There is no doubt that the clearing of the Swan and Canning Rivers catchment and their tributaries for settlement, agriculture and engineering works in and along the rivers had a detrimental effect on our environment; however, it was necessary for the development of Perth and the state as a whole.

As we know, the Swan River Trust is the statutory body responsible for the Swan and Canning Rivers and is the principal agency affected by this legislation. The trust works towards the sustainable use of the river system, while retaining the balance between conservation and development that reflects community values. The Swan River Trust's most recent annual report of 2004-05 paints a very bleak and, in my view, negative picture of the state of the river. Again, I highlight the lack of commitment to funding by the current government. Every member in this chamber should read the report. It is quite worrying.

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However, again, I acknowledge the work of the Swan River Trust, which has performance indicators and ensures that those aspects are closely monitored. At page 20 of the annual report, it states that the Swan-Canning river system has been identified as being under severe ecological stress, which must be a major concern for all of us and needs to be addressed. As I have said, it requires sufficient funding. The Swan River Trust's key performance indicators, used to determine how effective the government has been at addressing the problems of the Swan River, show a number of aspects. I add also that these figures have been verified by the Auditor General. The state of the chlorophyll and dissolved oxygen levels, which are indicators of algal activity, are absolutely shocking. Three of the four estuaries, the upper Swan, the middle Swan, the lower Swan-Canning and the middle Canning, have failed to meet the acceptable chlorophyll levels and three of the four estuaries have failed to meet the acceptable dissolved oxygen levels. Dissolved oxygen is critical for fish survival. The nutrient loads that underpin the algal blooms are also absolutely appalling. I understand that the Swan River Trust has developed a long-term concentration for the maximum ecological acceptable limit of the nutrients nitrogen and phosphorus. Unfortunately, the river is in such poor health that a short-term limit, which is double the long-term limit, has been adopted as an intermediary step. Despite this concessionary limit, the Ellen Brook tributary continues to fail to meet the acceptable phosphorus load. Phosphorus loads in Ellen Brook are increasing. This is critically important because Ellen Brook discharges directly into the upper Swan River and has a significant influence on phytoplankton growth in the middle and upper basins of the Swan estuary.

New and disturbing problems have also emerged in the upper Swan River. This year was the first time the loss of dissolved oxygen extended all the way from the bottom to the surface, which possibly indicated a new state of the river. One would suspect that a translation of that would be a new state of deterioration. The identification of a strong link between acid sulfate soil drainage and the impact on fish health was also of significance in 2004-05. During a fish death incident at Bayswater in April, fresh samples were collected in time for an examination of the gills, which revealed damage consistent with low pH and heavy metal toxicity.

Dr K.D. Hames: What are you reading from?

Ms K. HODSON-THOMAS: The Swan River Trust's annual report for 2004-05. The member for Dawesville might like to read it while I am on my feet. I know that, having been a minister in the Court government, he has an interest in this area. I am sure he will be interested in what the report has to say.

I was referring to toxicity and fish deaths, and I have to wonder whether it is wise for our children to be playing in water that is so acidic and full of heavy metals. Certainly the problem in the Canning River is equally as bad. Indeed, the health of the Canning River remains precarious. Why, in this day of environmental management, is the river still under severe ecological stress? As I have said, I believe it is simply a lack of funding for infrastructure, research and monitoring that, I believe, has left the agency responsible for the health of our river system resource starved and strained. This is not an attack on the agency at all. We all believe that money must be put into the agency to ensure the wellbeing of the river system. We all believe that the river is a state asset. Indeed, no member of this chamber would not support the objects of the bill, which are -

- (a) to provide for the restoration and protection of the development control area and the Riverpark;
- (b) to provide for the management of activities that affect the ecological and community benefits and amenity of the development control area and the Riverpark;
- (c) to provide for the needs of future generations in relation to the ecological and community benefits and amenity of the development control area and the Riverpark;
- (d) to recognise the interests of the Nyungah community and other people in the community with an association with the development control area or the Riverpark and to provide for their participation in the management of those areas and the management of activities affecting the ecological and community benefits and amenity of those areas;
- (e) to promote and facilitate the good management of the catchment area to meet the objectives referred to in paragraphs (a) to (d).

Not one single member would not support the objects and principles of the bill. As I said, there must be sufficient funding to ensure that the infrastructure, research and monitoring is in place and at the top end of the scale. The Water Corporation has not been doing enough, particularly to maintain its own infrastructure. It has been involved in three incidents of sewage releases into our river system, yet those charges have been dropped. What would happen if a private citizen did that very thing? Is it a case of one agency looking after another? The government must ensure that the Water Corporation is doing more than it is currently. Page 8 of the Swan River Trust's annual report for 2004-05 states that ageing infrastructure, such as drainage systems and river crossings, require widespread improvements. The report also refers to insufficient funding for scientific interpretation of results and states that there is a severe strain on resources whenever officers are required to deal with algal

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blooms as well as maintain routine tasks. This further highlights the need to fund the agency to ensure that proper infrastructure is in place and that the agency has sufficient human resources. Page 21 of the report states in part -

The cause of identified environmental problems and underlying mechanisms cannot currently be determined or followed up due to the logistical and financial constraints of the monitoring, as it involves additional research.

It continues -

... certain metals and pollutants have been identified, along with the need to specifically target and identify harmful algal species, but these additions will significantly increase laboratory costs.

Such comments are peppered throughout the report. The report goes on to state that three of the five worst environmental incidents to occur during the 2004-05 reporting period were caused by the Water Corporation. In one of those events, 2.5 million litres of sewage spilled into the river at Caversham.

Dr S.C. Thomas: May I interject?

Ms K. HODSON-THOMAS: Absolutely. I will accept an interjection from the member for Capel, who has done so much research on this topic.

Dr S.C. Thomas: They are very good figures, although what is not included is the massive spill in Victoria Park. The spill was the centre of media attention. That report is still to come; it is not in that report. They have some real issues to deal with in that area.

Ms K. HODSON-THOMAS: They have indeed.

[Member's time extended.]

Ms K. HODSON-THOMAS: This legislation replaces the Swan River Trust Act 1988 and the Environmental Protection (Swan and Canning Rivers) Policy 1997. I place on record that we had a very informative briefing from the Swan River Trust. The briefing was very well attended by members on this side of the house.

This bill will establish the Swan Canning Riverpark. It will provide a river protection strategy and associated management programs and river protection notices, which I am sure we will discuss in greater detail during consideration in detail. The bill will require the Swan River Trust to report periodically on the state of the rivers. That is important. As members have noted, I have quoted significantly from the Swan River Trust's annual report for 2004-05.

My final few comments relate to public recreation, in particular boating activity on the Swan River. Most people in this chamber have heard me talk about boating pursuits because I have always had an interest in them. Prior to being elected to Parliament I was the executive officer of the Boating Industry Association of WA. I have a longstanding interest in, and have worked closely over many years with, recreational boat users. Concerns have been raised with me about the use of waterways. Traditionally, the determination of what happens on our waterways comes under the portfolio of the Department for Planning and Infrastructure, formerly known as the Department of Transport and, before that, the Department of Marine and Harbours. Users in and around the Burswood Park area - speedboat users and waterskiers - are concerned about the gazetted area, as are other bodies. I know that the Minister for the Environment is well aware of the issue and the concerns of those people. My biggest fear and greatest concern is that those people will no longer be able to use that section of the river system. I am not sure whether the minister has had an opportunity to see what takes place there on the weekend. Families, young and old, participate in water activities. I know that an appropriate provision in the legislation will ensure that consultation will take place concerning water activities, but my major concern is that the situation will change and the area will not be available to those boating users. I am not trying to be political; I am very genuine in my concerns for those people.

Mr M. McGowan: Why would that happen?

Ms K. HODSON-THOMAS: It could involve environmental issues to do with those people using that area, such as the wake of the boats causing erosion, or the area requiring further dredging. My concern is that there could be some significant issue to do with the environment and the wellbeing of the river. In raising that matter with the minister I am trying not to be pessimistic and I am trying not to make a political issue of this matter; I raise it because those recreational boat users have raised this matter with me. They are concerned about maintaining that area. It is a great area. I like going down there and watching the waterskiing. With those few comments, I acknowledge that many other members are competing for time.

DR J.M. WOOLLARD (Alfred Cove) [8.56 pm]: The members for Capel and Carine have both reinforced that the reason for this bill is that the Swan River Trust Act has proved to be inadequate to protect the Swan

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River. The member for Capel referred to sewage spills, which the government has just accepted one after the other for the past four years. These have not occurred just on an annual basis; in some cases there have been two or three in a year. In the budget papers last year we were told that 15 pumping stations required replacement at a cost of approximately \$15 million each. The government made a big fanfare at that stage about putting \$90 million into the regeneration of the Swan River. That was peanuts. It was wonderful when the government said that the Swan River would become this state's first heritage icon, but it has been all smoke and mirrors. The government has been saying one thing but has not been backing it up with the necessary funds to protect the river. Sewage spills and algal blooms have occurred on an annual basis. I have approximately 18 kilometres of foreshore in my electorate. Many members of my electorate walk along the river, fish and swim in the river and have boats on the river, and many volunteers in my electorate care for the marine park and the foreshores; however, these voluntary groups can do only so much. I accept that some funds have come from the Swan River Trust, but they have not been enough. A lot more money needs to be spent on the Swan River.

The purpose of this bill is to ensure that there is accountability and transparency. However, if the bill is to do that, we need to ensure through this bill that the people who are responsible for causing pollution to the river, in whatever form, are penalised in a responsible manner. This should be the case particularly when government departments are the ones that are causing the pollution.

One of the main reasons that I have been very upset with the Swan River Trust dates back to the Raffles Hotel development. Members of the Swan River Trust are seated at the back of the chamber. The Swan River Trust allowed development to occur within metres of the river foreshore, when its own policy said there should be a 20 or 30-metre setback from the foreshore. The Raffles development is less than six metres from the foreshore. That is absolute hypocrisy. The Swan River Trust has documents that specify what should be done. It concerns me that this bill will be the same thing all over again; that is, the Swan River Trust will be telling the community that it is doing certain things, when it is not doing anything at all.

I do not believe this bill is ready for presentation to this house. The draft Swan and Canning Rivers Management Bill was put out last year for public comment. I made a submission on that bill. I did not get any feedback about that submission. I wonder whether anyone else got any feedback. In fact, I wonder whether anyone actually looked at the submissions. Those submissions should be put on the Internet so that people can see what suggestions people have made. It worries me that this bill might be a case of creating jobs for the boys, particularly when it comes to the proposed Swan and Canning Rivers Foundation.

Clause 5 deals with the objectives and principles of the bill. I asked as part of my submission - and I ask the minister again now - why is the polluter-pays principle not part of this bill, as it is part of the Environmental Protection Act 1986 and the Contaminated Sites Act 2003? Clause 6 deals with the relationship of this bill to other acts. Subclause (2) states -

The provisions of any other written law must be construed and applied -

...

unless that construction or application would -

...

(d) substantially interfere with the operation of the provisions of that written law.

The bill does not tell us what the words "substantially interfere" mean. Those words could mean anything. People should be able to pick up this bill and know what it means. This bill, like some other bills that have come to this house, cannot be readily understood. The interpretation of the words "substantially interfere" will differ from one person to the next.

Clause 29 deals with leasing parts of the river reserve. It states that the trust may grant a lease of land that is part of the river reserve for certain purposes. For what sorts of purposes will a lease be granted? I cannot find that in the bill. Perhaps I have missed it. The public, and we as members of Parliament, have a right to know just what is meant by those words. We also have a right to know whether there will be restricted public access to any area of land for which a lease has been granted.

Clause 30 deals with failure to comply with the terms or conditions of the lease. Subclause (3) reads -

A River reserve lessee who fails to comply with a default notice given to the lessee under subsection (1) commits an offence.

Penalty:

(a) a fine of \$50 000;

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A fine of \$50 000 may be applicable in some instances, but what if the problem is the annual power failures in sewage pumping facilities? Maybe the fine should be \$50 000 for the first offence, \$100 000 for the second time, and \$150 000 for the third time it happens. These power failures and sewage flows into the river have been happening again and again. Clause 32 deals with licences affecting the river reserve. To whom will these licences be given, and what regulations will govern them? Obviously regulations will be made under this bill, but for something as major as this, those regulations should be ready now. We should be able to see a draft. Clause 34 is headed "Minister may give directions". Subclause (1) reads -

The Minister may give written directions to the Trust with respect to the exercise or performance of its functions, either generally or in relation to a particular matter, and the Trust must give effect to any such direction.

Why do we need this legislation? Does this clause not state that the minister can call all the shots? I am willing to give the new Minister for the Environment a few months' grace. He has just come into the position. Unlike other members who said that the previous Minister for the Environment did a good job, I think everyone in this house knows that I was very disappointed with the previous Minister for the Environment. I am willing to give the new minister a few months' grace, but two months should be the maximum because, as the minister has pointed out, he has been a member of Parliament since 1996. If he does not produce the goods, the community has a right to hold him accountable for all the problems.

Mr M. McGowan: Has anyone actually done a good job? You have attacked the Swan River Trust, you have attacked the former minister and you have attacked me. Has anyone actually done a good job?

Dr J.M. WOOLLARD: For the environment? I think the Conservation Council of Western Australia and the Wilderness Society do a good job. The community groups that care about the environment in my electorate do a good job. I wish the state government would do a good job as well.

Mr G. Snook: What about farmers? Do you reckon they do a good job?

Dr J.M. WOOLLARD: I will leave that for the member for Moore to discuss.

Mr G. Snook: Do you think there are some responsible farmers around?

Dr J.M. WOOLLARD: There are responsible farmers around. There are good and bad in all makes. I do not know what the farming issues are. I come from a metropolitan electorate, and I do not get approached about that on a regular basis.

Mr G. Snook: Are you saying that there are some irresponsible people in the Conservation Council?

Dr J.M. WOOLLARD: I say that there are good and bad people in all groups but, on the whole, the people I have worked with in the Conservation Council are there for the right reasons, and they do a good job.

Mr G. Snook: So do the majority of farmers.

Dr J.M. WOOLLARD: The member works with those people; I do not. He is saying the same thing about farmers as I am saying about the Conservation Council.

I have just said that I do not believe the minister should be given unlimited power, as he has under clause 34. Clause 56 deals with the trust preparing documents, and clause 63 deals with notices of approval for documents. Management documents should be available on the Internet for people to download. If the trust needs to recoup expenses for making those documents available on the Internet, a restriction should be placed on those costs. If the price is set too high, some members of the community will be prevented from taking an active role in what is happening with this legislation as it relates to the protection of our rivers.

Clause 64 refers to the review and revision of documents. The public should be made aware of any amendments proposed by the trust before they are implemented.

Clause 71 deals with certain reclamations to be authorised by Parliament. Subclause (1) reads -

Despite any other written law, no person is to fill in or reclaim any part of the development control area that is normally covered by water if the area to be filled in or reclaimed -

(a) exceeds one hectare; . . .

The clause goes on to give other specifics. The potential impact on a river system of any reclamation is very high. I am unhappy that this clause states that certain reclamations should be authorised by Parliament. Any reclamation of a river should be authorised by Parliament. I am very concerned at the powers this bill will give the trust. We should know what is happening to the Swan River.

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Clauses 74 and 75 refer to public submissions. Again, because both the Swan and Canning Rivers are areas of significant public interest, all development applications should be open to public scrutiny. Clause 82 deals with requests for reconsideration of condition. Subclause (1) reads -

If the Minister gives an approval subject to a condition or restriction, the applicant may request the Minister to reconsider that condition or restriction.

This bill should contain provisions for third party review rights. Perhaps the minister will set a precedent by moving an amendment to include third party review rights in this bill. That would be a wonderful thing. Many members of the community would think that is a very good thing to do.

Clause 100 deals with river protection notices. The member for Capel will deal with that matter.

Dr S.C. Thomas: I will give you a copy of the proposed amendment. It will be on the notice paper tomorrow.

Dr J.M. WOOLLARD: I look forward to the debate on that amendment tomorrow. The clause dealing with protection notices should include a provision for third party appeals.

This bill becomes really interesting at clause 127, which deals with the creation of the new empire - the Swan and Canning Rivers Foundation. Clause 129 states -

The functions of the Foundation are -

...

(b) to encourage donations to facilitate the performance by the Trust of its functions.

My concern is that the new bill will give vast powers and responsibilities to the trust. All members are saying that the Swan and Canning Rivers are icons that we should be looking after, yet from this clause it looks as though the government will not guarantee adequate funding and wants the trust to look for its own funding. Rather than rely on a foundation to provide funding for the trust, I believe the government should make a serious commitment, not what appears to be a token gesture. If there is to be a foundation, the government should fully fund the foundation. The minister should not be in a position to say that it is the fault of the foundation if action is not taken because of a lack of funds. The minister must carry the can for this deal. This looks very much like a fob off.

Mr M. McGowan: Why would we need a foundation if it is to be funded by the taxpayer?

Dr J.M. WOOLLARD: Exactly. This river system is the state's number one heritage icon. Why is the minister not taking responsibility for it?

Mr M. McGowan: That is my question. I was just wondering why we would need a foundation if we are just going to put taxpayers' money into it.

Dr J.M. WOOLLARD: I would be quite happy to delete this provision, because I believe this will just provide jobs for the boys. The minister will appoint people to be members of this foundation, and if their decisions suit him, he will run with them, and if they do not, he will point the finger at them.

[Member's time extended.]

Dr J.M. WOOLLARD: I know I have rushed my points a little, but I am not sure I will be in the chamber tomorrow for the debate on that part of the bill. It will depend on the time of the debate. I mention those clauses because I hope that if I do miss the debate on that part of the bill, the member for Capel will follow up on those issues. The funding that has been available for the Swan River has been inadequate, not merely in the past decade, but in the past two decades. The lack of funding allocated to environmental issues has created some serious problems. As the member for Capel pointed out, it has been less than two per cent of the budget. He should plot the figures he quoted tonight in a graph and provide it to the community, so that people are aware of the lack of funding from a government that won the 2001 election on its environmental policies. Yes, its number one environmental policy was old-growth forests, but that was only part of the government's environmental policy. Although the member for Capel has said that it is not good enough, I would like to hear the member for Capel, as opposition spokesperson for the environment, put on the table what the opposition would do and how much it would spend if it were in government.

Dr S.C. Thomas: There is a process taking place.

Dr J.M. WOOLLARD: I am very pleased. I agree with the member that two per cent of the budget is peanuts. It is not enough funding for environmental issues. However, I would like to know how much the Liberal Party,

when it wins the next election, will put into this area. The member for Capel needs to be up-front with those figures.

Dr S.C. Thomas: If I may interject, you will see some funding policies that will massively increase the amount you are seeing at the moment.

Dr J.M. WOOLLARD: But will it be shifting from here to there or will it be a proper increase?

Dr S.C. Thomas: I am happy for you to hold me in judgment on that when the time comes.

Dr J.M. WOOLLARD: I will. As the members for Capel and Carine have pointed out, the big problems have been the power failures, the tonnes of sewage going into the Swan River and the algal blooms. There are problems associated with our daily use of the river, such as boating on the river. They would not be such a problem if we did not have other serious problems that are caused by the government's poor funding of electricity supply and the water pumping stations, and its poor response to algal blooms.

I get the impression that the opposition will support this bill. I do not think it is ready to be passed. I would prefer that this bill went to a select committee so that some more homework could be done on it. Unfortunately, when a bill is put on the table in this house, the government has the numbers so it stamps it and it goes through. Whilst that will happen in this house, I hope it will not happen in the other house. I hope that the Greens (WA) will join with the Liberal Party to hold the Labor government accountable for this bill and to make sure that this bill does what it sets out to do and gives protection to the Swan and Canning Rivers.

MR D.T. REDMAN (Stirling) [9.22 pm]: I rise on behalf of the National Party to speak to the second reading of the Swan and Canning Rivers Management Bill 2005. The Swan River Trust was established in 1988 to coordinate work to balance both the use and the protection of the Swan and Canning Rivers system. The trust's area of responsibility is centred on the Swan and Canning Rivers and their adjoining parks and reserves. This area includes the Swan River estuary and extends from the Fremantle harbour groynes upstream to parts of the Avon River, the Southern River and Wungong Brook, which join the Swan and Canning Rivers. It is interesting to look at a map to see the extent of the catchment that finishes up at the Swan River. With this legislation, the trust's priorities will largely remain the same but the effect of this bill, which replaces the Swan River Trust Act 1988 and the Environmental Protection (Swan and Canning Rivers) Policy 1997, will be to allow the trust to deal with the roles of other state agencies and local governments in protecting the rivers. The bill makes the trust the environmental custodian of the Swan and Canning Rivers system, responsible for managing it on a day-to-day basis and for its long-term future and answerable when a problem arises.

The trust is now looking at putting plans in place to deal with the more chronic issues of the Swan and Canning Rivers. A number of points have been made tonight about the more acute issues and the immediate responses that are needed and, perhaps in some cases, the inadequacy of the responses in that regard. One of the main focuses here is to address the more chronic issues of the Swan and Canning Rivers. It is a sound move to have one group take on responsibility for managing and ownership of the processes that need to be in place to improve the river system rather than have different groups fighting to determine who is responsible for what and then losing focus on the real issue; that is, managing the river system.

It is widely acknowledged that our river system in Western Australia is in quite a poor state of health due to salinity, sediment build-up and nutrient enrichment. A river in my electorate, the Denmark River, is one of the few that is showing responses to treatment to reduce the level of salinity. I am sure a lot of locals in that area take pride in that outcome. I certainly take pride in the contributions that those people are making. Activities around the state such as land clearing, agriculture, urban and industrial land uses, tourism and recreation all have an impact on our river systems.

One of the biggest problems with the Canning and Swan Rivers is that they are right in the middle of a city. That puts a lot of pressure on the management processes and the targets we need to achieve to bring them back to pristine levels. A number of members have spoken this evening about the consequences of clearing fringe vegetation, pollution, weed infestation, erosion, sedimentation, dredging and filling, all of which have reduced water quality. Excess nutrient levels, increased sedimentation and salinity have been detected in our waterways and pose a threat to the habitats of freshwater and estuarine fish. Members have spoken this evening about algal blooms and the levels of different nutrients that occur. Clearly, issues of toxicity arise. We know the consequence of an algal bloom is the depletion of oxygen levels, and the consequential effects on the marine and estuarine environment that come from those changes. These are all huge concerns. We cannot, however, play the blame game. We all have a responsibility to manage our river systems appropriately. Indeed, the Swan and Canning Rivers system is no exception. We are looking for solutions and processes to try to improve the river system. It is not as simple as saying that either rural areas are big contributors or urban areas are big contributors to nutrient build-up. It was interesting today for members of the National Party to hear the briefing from

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members of the Swan River Trust. I asked where most of the nutrient build-up that contributes to algal blooms comes from. The response was that most of it in fact comes from rural areas. However, contributing to the issue is the fact that much of the flow from rural areas comes down in winter and, of course, a lot of algal blooms occur from nutrient spikes in summer from urban sources when conditions are more conducive to algal blooms. Therefore, both urban and rural areas have contributed. In fact, it is the spikes in summer from urban areas that cause algal blooms. I believe that the Swan River Trust can address issues relating to the entire problem through this bill, rather than relying on strong communication between government agencies and different groups in the catchment that have various levels of responsibility. I also urge the state government, as other members have done tonight, to provide increased levels of funding to the trust in the next state budget to reflect its increased focus and workload. It is important to match funding to priorities. If we want change, we must put our money where our mouth is and make it happen.

The bill introduces a management process for the river system that is adaptive, given that change is the constant. I am keen to ensure that although catchment management will be coordinated and effective on a large regional scale, action also will be focused on and driven by local communities themselves. There is a tremendous amount of knowledge and understanding in the community on this subject, particularly in the farming community. The member for Moore tonight asked about the farmers' contribution to the health of the land and, indeed, the health of the waterways. There are some good people in the community who are doing a great job, and they must be acknowledged and supported for that. It is also pleasing to see that on-the-ground knowledge is coming from our regional natural resource management groups. They in particular have been acknowledged in the drafting of this bill. I hope we can pool the knowledge of those sorts of groups and get management practices and targets from their discussions and consultations. The legislation also acknowledges that the trust will be open to consultation and collaboration with affected parties, such as local governments, other state agencies and other community groups. Management programs and targets also will be set in consultation with those various groups. It is interesting to note that the outcome on how well those targets have been met will be reported through the trust's reporting process and will be subject to parliamentary scrutiny, so that we can all consider what the outcomes of those targets have been and the changes that we want to make in those various areas. Those programs and targets can also be tailored to suit the local areas, in this case in consultation with landholders, or other groups that have a responsibility for managing either nutrient flow or some other issue to do with the Swan and Canning Rivers. As I understand it, the bill does not force any statutory impositions on the private sector, with the exception of river protection notices, which is one area of concern that has been raised. I understand river protection notices are property specific and relate to landholders' activities. They are supposed to be remedial and not punitive by nature. When a river protection notice has been issued, a cause and effect relationship must be established. A river protection notice can be issued only by the chair of the Swan River Trust. That too is interesting. In addition, it can be appealed, which process is somewhat different from that attached to EPA notices.

Mr G. Snook: EPP notices.

Mr D.T. REDMAN: Yes. Concern has been expressed about how often river protection notices are issued. People have the greatest concern not so much about the process, but about how it is enacted. Some of that is yet to be seen. I understand that the trust has assured people that the issuing of river protection notices will not be taken lightly. As I indicated, only the general manager of the trust can recommend that a notice be issued; that power cannot be delegated. Landowners will be consulted before a notice is issued and will have the right to appeal to the State Administrative Tribunal.

I refer now to the membership of the trust, which, as far as protection notices are concerned, will have a bearing on how the game is played rather than on what the rules are. The membership of the trust is one of the most critical factors. I understand that the membership and the skill set reflect certain desires. It is important that the membership have the necessary skills to appropriately enact the legislation, particularly when it comes to issuing river protection notices, which has been raised as a major concern. I understand the skill set will include significant knowledge and experience in areas such as farming, natural resource management, planning, development, recreation and tourism across the board. I place on record that agriculture groups, such as the Western Australian Farmers Federation and the Pastoralists and Graziers Association, have raised concern with the trust during the bill's drafting about private landowners' property rights and the regulatory control of activities carried out on private land. There are already too many impractical regulations and obligations imposed on landholders by government agencies. In some cases they directly impact on the ability of landholders to earn from their investment. It does not help that there is confusion over which regulations and legislation apply to certain activities, and which agencies can provide answers to landholders, who, in most cases, are trying to do the right thing by the environment. That circumstance will be improved if one organisation rather than a number have the authority. However, it does not allay people's concerns. This bill has some potential to impact on primary producers in the wider catchment area, although the briefing this

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morning suggested that the cause and effect linkage depletes as the distance up the river increases. The establishment of cause and effect from catchment areas such as Southern Cross, Merredin, Bencubbin and Lake Grace to the Swan and Canning Rivers would be drawing a pretty long bow. In the broader area it is difficult to establish a link and hence to accuse people of making a direct contribution to a measurable issue in the Swan and Canning Rivers. I will be seeking reassurance from the minister about the impact this legislation will have on the activities of primary producers, and the controls that could be forced upon them in carrying out their normal business.

In essence, the National Party supports the bill. We are interested in the amendment drafted by the Liberal Party. We have some issues with property rights and regulatory control of activities in the catchment area and with the implications of river protection notices. Thank you, Mr Acting Speaker for the opportunity to speak in this second reading debate.

DR K.D. HAMES (Dawesville) [9.35 pm]: I welcome the staff of the old Water and Rivers Commission to the Speaker's gallery. I note that, although good staff will always stay in the gallery and listen to debates such as this to help out the minister and provide him with support, a good minister would not have forced so many of the staff to remain and listen to our boring debates! A good minister would have allowed them to go home and read the debate in *Hansard* tomorrow!

Mr M. McGowan: They felt some sympathy for me.

Dr K.D. HAMES: Having said that, I will defend the Swan River Trust for a decision it made on the Raffles Hotel and for which the member for Alfred Cove had a go at the trust. That decision would have been made as a result of a recommendation from the trust itself, rather than from the staff who are in the gallery, and would have been decided by the Minister for the Environment. The member for Alfred Cove is not in the chamber, but I think she is pointing the finger of in the wrong direction.

I am not clear about a matter that I hope the minister will help me with by way of interjection. Obviously the Minister for the Environment is responsible for the legislation as it goes through Parliament, but who is responsible for the control and management of the Swan River Trust? During the previous coalition government the Swan River Trust came under the Water and Rivers Commission and the then Minister for Water Resources, which was me at that time. During the term of this government, the Water and Rivers Commission was amalgamated into the Department of Environment, and the Swan River Trust became part of that also. I understand that the Water and Rivers Commission will be separated again from the Department of Environment. Will the Swan River Trust remain within the Department of Environment, and therefore be under the minister's control, or will it be separated from the Water and Rivers Commission, or whatever it becomes, and fall under the responsibility of the Minister for Water Resources?

Mr M. McGowan: It is a separate agency from the Department of Environment, but it remains answerable to the Minister for the Environment.

Dr K.D. HAMES: I thank the minister. That worries me to a degree. Although I had great faith in the then Water and Rivers Commission and in its officers and the sensibility of its direction, I cannot say the same for the Department of Environment. There are many unfortunate examples of the bureaucratic nature of the Department of Environment or whatever its name happened to be at the time. Its history of bureaucratic, almost Humphrey-like control of what it believes is the right thing to do, the direction it should take and the way in which it overrides the rights of local residents -

Mr M. McGowan: You mean Sir Humphrey Appleby, not the other Humphrey.

Dr K.D. HAMES: Yes, Sir Humphrey. One has only to look at the wetlands policy to be provided with a good example. I understand that the satellite photographs of some farming areas show that the farms contain water. For example, a paddock in the Pinjarra region, which is naturally flooded by winter rains, showed up on a satellite photograph and because it contained some water, it suddenly became a wetland. So-called wetlands that are ordinary paddocks are locked away from use by farmers, and controls are imposed on them. That is ludicrous. The same situation occurs for bushland. Many areas that were bowled over years ago have been declared bushland because there is some regrowth on them. Those areas are suddenly declared bushland because they look green on a satellite picture!

Mr G.M. Castrilli: What about a wetland that is a man-made creation?

Dr K.D. HAMES: There are a few of those around. Man-made lakes that were dug by farmers to make land more arable have suddenly been designated important and traditional lakes that must be preserved to look after the local wildlife that inhabits the region only because of the lakes the farmers have dug. There are many

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examples of those. That is why I am worried by this legislation. I strongly support the concept of the creation of river parks around the Swan and Canning Rivers.

An issue I always had to deal with when I was the minister is the many different departments etc that had responsibility for and control of the rivers. There was the planning department, local governments, the marine and harbours department, the transport department and so on. The list went on of all the different groups who had that responsibility. I know from the answers to my questions during our briefing that those departments will still have significant input. However, I believe it is very good to bring the overall management of the icon that we know as the Swan and Canning river system under the control of the Swan River Trust and to create the riverpark. The area with which I am concerned is extending that management to the greater catchments that affect those rivers.

The member for Stirling commented on the cause-and-effect relationship with the Swan and Canning Rivers. The member for Carine kindly provided me with a copy of the Swan River Trust's annual report. When I read some of the comments about changes in the Swan and Canning Rivers, I noticed that in quite a few instances it said that there has been a deterioration in the standard of those rivers, particularly with deoxygenation of significant parts, increased salinity and the absence of a reduction in phosphate and nitrate counts in parts of those rivers. In particular, the Ellenbrook catchment is important. The comments on some of the increased counts and the comments on areas in which there has been improvement suggest that a significant reduction in rainfall in the two to three years leading up to the report may have been the cause of either the improvement or the deterioration. It will be extremely difficult to detect a cause and effect upstream from those areas.

I think when I was still the minister, or shortly afterwards, there was a massive summer algal bloom. It was caused by massive out-of-season rains. I believe a cyclone had come down the coast. There was a huge flow of water from all those catchment areas, particularly extending out from Northam. A huge amount of phosphate, in particular, but also nitrate, was flushed into the system. When that was combined with the heat that we normally have in summer and the huge flow of nutrients, it resulted in a massive summer algal bloom. To go from that and look at extending management orders to those catchments will be very difficult. As the member for Stirling pointed out, one of the key issues is the main flow of nutrients into the Swan and Canning Rivers from the catchments. When the flow comes, it tends to be in winter, when there is a huge flow of water anyway. The effect of that will be minimal, given the low temperatures of the water. When there is a reduced flow from those areas in the summer, that will not be the cause of the problem.

The government wants to have a better system that will have the effect of giving the Swan River Trust some control over what goes into the rivers. My concern is that, although it might not be the current members of the Swan River Trust, future members of the trust or people from the Department of Environment might say that a farmer is doing something that they believe affects the Swan and Canning Rivers, and issue an order against him to change his practices. The bureaucracy of the future might do that in the same way as the current bureaucracy has done those things with the wetland policy and the bushland policy. The poor old farmer who is trying to make a living in the bush has no way of demonstrating that the cause and effect that the trust is suggesting might occur is or is not a fact. He does not have the funds to do the scientific research or to necessarily change his practices; yet the Swan River Trust might say that he must change those practices. The department might be able to show some proof that the farmer is using phosphates in excess of what has otherwise been used. The farmer might be using different practices on his farm and be told that those practices must change. Yet that might be all that is keeping him viable. It is very difficult for him to prove otherwise.

I remember the figures for the amount of phosphate going into the Swan and Canning Rivers, and particularly the Swan River, from when I was on the City of Bayswater council. We were looking at doing some dredging activities. At the time there was this fanatical woman on the Swan River Trust who was totally against dredging and her word was law. Even though dredging was done before that time and has been done since then, she was responsible at the time. The current Minister for Police and Emergency Services was part of a group trying to convince the Swan River Trust. Brian O'Brien and his wife, Avril O'Brien, who are very respected in the community for their scientific research, put forward a very strong argument to suggest that that was reasonable; yet it got knocked on the head by political appointees to the Swan River Trust who were venting their personal opinions.

To return to my point, 70 tonnes of phosphate a year were coming down the river at that time, and, of that amount, about seven tonnes came out of the Bayswater main drain. Nearly all that phosphate has gone because of the actions of the Bayswater Integrated Catchment Management Committee. The member for Maylands was the chair of that committee at the time. Great work was done to stop that phosphate going into the river. At the same time, 20 tonnes of phosphate a year were coming from the Ellen Brook catchment. I do not think that has changed much since that time. The annual report of the Swan River Trust refers to concentrations in micrograms per millilitre - I have forgotten the actual figures. I cannot find any way to compare the current figures with the

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old figures. Needless to say, a significant amount of phosphate is still coming down through that catchment. This legislation will give the trust the ability to force small farms and vineyards in particular within that area to make some changes. The types of changes the trust can enforce mean that it will be good in some ways and bad in others. At the end of the day, we all want to see the Swan and Canning Rivers cleaned up. We must take significant action in those areas.

It concerns me that some proposals that were committed to years ago have not been put in place. For instance, when the Ellenbrook community was developed and all the infrastructure was put in place, particularly for the management of the sewerage and drainage systems, a commitment was extracted from the Water Corporation. The minister might be interested in following up on this issue. The Water Corporation owes money for infrastructure to reduce the amount of phosphate flowing from Ellen Brook into the Swan River. When approval was given to develop the suburb of Ellenbrook, the Water Corporation committed to developing infrastructure to reduce the amount of phosphate flowing out of the catchment area, particularly where the suburb was to be situated, into the Swan and Canning River catchments. We were looking at nutrient catchments, ponds, basins and so on. The Water Corporation had committed to provide money for those things. I think that current alternative technology is better. Nevertheless, it made a commitment to provide those funds, and we were going to make it put those ponds and so on in at a later date when we had plans for what should be put in place. It is something to bear in mind. The Water Corporation owes some money for doing work along that catchment area.

Mr M. McGowan: I will have that followed up.

Ms J.A. Radisich: To whom do you think it owes money?

Dr K.D. HAMES: To the state. At the end of the day, it is all state government money. The fact is that the Water Corporation, as part of its work in developing that suburb, has a responsibility to have a stronger commitment to reducing the flow of nutrients from that area.

Ms J.A. Radisich: It is not so inclined

Dr K.D. HAMES: Yes, but it can always be told to be inclined. The point is that the opportunity exists to do more in that area. When I looked at the 2004-05 budget, the thing that bothered me to some degree was that, although there was a funding increase of \$1.1 million for the department between 2003-04 and 2004-05, a significant portion of that was spent on wages. I do not have a problem with staff receiving extra wages. I presume that that increase in wages means that more staff were employed, not that existing staff necessarily had their wages increased. Of that increase in funding, between \$200 000 and \$300 000 only went to an increase in grants and the provision of services. I do not recall what the budget was when I was in government; however, I do not think it was a lot different from the 2004-05 budget. I think it has increased by only a small amount, and that it was \$6 million or \$7 million when I was in government. It has not increased a great deal since we were in government. Given the commitment that the Labor Party made to improving the Swan and Canning Rivers when it came to government, I thought it would have greatly increased the budget. When I was out of government, I clearly remember that the previous Minister for the Environment committed a large amount of money - I think it was in the order of \$2 million - for major programs for the Swan and Canning Rivers. At that time I was assisting a group with a submission that outlined the things that could be done to reduce the flow of phosphate and nitrate into the rivers. The submission was made two years ago.

[Member's time extended.]

Dr K.D. HAMES: I was expecting the minister to support the plans that were put forward. At the time, I had discussions with the chief executive officer of the Minister for the Environment's office and there was a strong view that some of the suggestions in the submission, of which I was a part, for cleaning the Swan and Canning Rivers would receive funding. That would have resulted in a significant improvement in reducing the flow of phosphate and nitrate into the Swan and Canning Rivers. None of those things happened, and those who put forward the submission have heard very little since from the government. I am very disappointed about that because I cannot see where the money is - it certainly is not in the 2004-05 budget. It might be in the budget for this financial year. However, nothing has drastically changed in terms of outputs or commitments to different projects that would account for the \$2 million that the minister announced nearly two years ago would be specifically allocated to the rivers. I hope the minister addresses that issue in his second reading response.

Mr M. McGowan: Where is it in the bill?

Dr K.D. HAMES: Where is what in the bill?

Mr M. McGowan: What you raised?

Dr K.D. HAMES: The \$2 million?

Mr M. McGowan: Where in the bill are the issues you raised?

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Dr K.D. HAMES: They are not in the bill. I suppose that means that the minister would like the Acting Speaker to chastise me and tell me to stick to debating the bill; however, it is too late.

Mr M. McGowan: I realise you're a new member of this house and that you may not be familiar with the rules.

Dr K.D. HAMES: It is sad to say, but I am an old member of this house and I know how to bend them.

As the minister knows, the opposition supports the bill. We intend to move an amendment that will go towards protecting those in the farming communities who might otherwise be adversely affected by the Sir Humphreys in our government departments. As I said, I do not regard any of the advisers in the Speaker's gallery as Sir Humphrey or Mrs Humphrey equivalents. Nevertheless, other bureaucrats and ministers will come along and we are obliged to ensure that we protect the interests of the rural communities that may be adversely affected, even if unintentionally, by this legislation.

Debate adjourned, on motion by **Mr J.C. Kobelke (Leader of the House)**.