

BAYSWATER WETLANDS — PROTECTION

Motion

MS L.L. BAKER (Maylands) [4.13 pm]: I move —

That this house condemns the Liberal–National government for its poor management of the Skippers Row wetlands area in Bayswater and for failing to protect vital urban wetlands through either planning or environmental legislation, and calls for the urgent protection of the remaining Bayswater wetlands known as Carter’s block, which is still currently at risk.

I want to start by acknowledging the Minister for Environment and thanking him for being in the chamber. I also acknowledge the Parliamentary Secretary to the Minister for Planning who has come into the house. I thank those members for being here.

This issue was first brought to my attention a month ago by a fairly shocking phone call from a small community group that is located almost on the banks of the Swan River and almost on the edge of the Eric Singleton Bird Sanctuary. It has its eyes on the sanctuary and the adjacent wetlands at all times; its offices are right on the border of the two. The group called me to ask whether I would come down to have a look at what had happened in the last 24 hours to a very precious part of the wetlands. I will talk a bit about where that is located in the hope that members who are in the house who have not been to see the wetlands—I am very cognisant that particularly the Minister for Environment and the parliamentary secretary have not seen this or been physically at the premises —

Mr A.P. Jacob: I have.

Ms L.L. BAKER: The minister has—well done. When did the minister do that?

Mr A.P. Jacob: I will say that in my speech.

Ms L.L. BAKER: Okay, I will wait with bated breath.

Environment House organised for a number of members of the community and community leaders to go and have a look at what had happened. I will describe the geography to members. At the end of King William Street, there is a little cul-de-sac with some parking and a walkway that heads towards the Swan River and Riverside Gardens, which is a bit of reclaimed riverbank, I suppose you could say. If I was arguing for the conservation value of it, I would probably pull the lawn out and plant proper species on the riverbank, but that is a discussion for another day. It is a very big open area that is used extensively at all times of the day. Many of us who walk our dogs or go and have coffee or just take some recreation on the Swan River as it runs through my electorate are very familiar with Riverside Gardens and what it offers for recreation and tourism. It is a very good spot to wander through the very beautiful Eric Singleton reserve. The walkway that runs between the end of King William Street and the Swan River is about 400 metres or 500 metres at most in length. The abutment that people walk along is about the width of two of our stations in this chamber. On one side, people can walk through the very beautiful Eric Singleton reserve.

If I were to talk about the contribution that this state government has made to the Eric Singleton wetland, I would say that it is certainly very well acknowledged by the community that there has been a significant contribution of up to \$3 million into restoring that very valuable wetland, which is a breeding habitat for some rare and endangered species and some rare flora as well. I will go into some detail about that during the course of my speech. That wetland was recognised by the City of Bayswater a long time ago, and now by the state government, as a very valuable piece of wetland. Indeed, I remember hearing the Minister for Environment talking with great pleasure about the investment that this government has made into restoring that wetland. That is acknowledged and deeply appreciated by everyone. The efforts made to restore what are basically the lungs of the river cannot be underestimated. Anytime we have wetlands on the banks of the river, we have a place where the water that comes off the land can be filtered before it gets to the river. If the correct species are in place, they can take out some of the nitrate and phosphate chemicals that would otherwise flow straight into our Swan River. It makes a lot of sense to start with the lungs of the river—the wetlands—when trying to ensure the health of the Swan River. Over successive years, many governments have realised that. I acknowledge the money that was spent on restoring the Eric Singleton wetlands. Shortly, I will talk a little about the categorisation of wetlands.

When I went down to the wetlands on that Thursday afternoon and walked down the abutment along a narrow stretch of walkway—the Eric Singleton bird sanctuary runs all the way down the side—I looked to the right between King William Street and the river and saw two blocks of land that have collectively formed another wetlands. The wetlands are separated from Eric Singleton bird sanctuary by 15 feet of gravel, basically, with a walkway on it. A number of species in the wetlands have been identified in some detail. I will list them shortly. When I and a number of members of the community and councillors arrived there, we saw that half of the wetlands area had been bulldozed. Frankly, it was absolutely devastating to see what had happened. I know that

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during the bulldozing, some locals physically took baby tortoises—the wetlands are home to some rare oblong tortoises—that would otherwise have been crushed by the bulldozers working on this land. The little baby tortoises were trying to escape from what was being done to their home. They were in danger of being crushed. I cannot imagine how many thousands of these creatures were killed during this process. That is just one part of the story.

Some of the established paperbarks are very valuable for the lungs of the river. All those trees were habitats. They formed environmental oases for the creatures that lived in them, some of which are rare and endangered species. I stood on the edge of the wetland with the beautiful Eric Singleton Bird Sanctuary behind me, along with 50 or 60 other members of the community, and looked at these massive D9s parked on top of a pile of debris about the height of the wall behind me that was previously a wetland. It was just a huge expanse of rubble and bricks. All sorts of things had been dug up and were lying exposed because of this work. Trees had been knocked over and just left after this clearing. Quite frankly, it was really horrific. Anybody who cares the slightest bit about our environment, about how we treat our environment and about the value of urban wetlands in the metropolitan area would have been horrified by what they saw. It was very disturbing. I know that the Minister for Planning saw it and was also deeply disturbed by what she saw. The Speaker of the house has also seen what has happened. I believe that he and his wife walk their dog down there quite often. He saw what had happened, and, without putting words into his mouth, he appears to be as horrified as the community and the users of this part of our metropolitan wetlands network.

For people who do not know about wetlands, I am not an environmentalist or an expert in wetlands but I have said that they are the lungs of the river; they serve a specific purpose of filtering out any chemicals that flow from the urban habitat in which we live into the Swan River. Wetlands are also interconnected so when we do something to one wetland on the river, if the wetland is close enough, it is likely that it will impact another wetland somewhere nearby. These systems are interconnected. There is a great deal of evidence around this. I will leave that for someone more knowledgeable to talk through.

I wanted to talk about the two blocks specifically and what has happened. We need a bit of history to understand this. I think there is misinformation. I am hoping that is why the environment minister has made an error of judgement in refusing to look at this area again. I am hoping it is just an omission, not a deliberate ignorant reaction to the destruction of urban wasteland. I am hopeful that he and the planning minister will take a more positive direction when they understand what has happened.

These two blocks are called Skippers Row and Carter's block. That is the generic term we use. We call them the two super blocks. Several years ago—as early as 2010—the Skippers Row side of these two blocks was bulldozed. That is the one closest to the river. Effectively, by bulldozing this land and cutting the water supply from the river, we are still waiting to find out what will happen to the remaining wetland without having that extra area in the Skippers Row block. Both these blocks are privately owned. I think that is one of the areas in which the outrage started. The community was not generally aware that these two blocks were privately owned. I would go so far as to say that people were not aware that the blocks were not in the possession of the City of Bayswater and were not an automatic reserve with the proper planning protections around wetlands. People were shocked and quite taken aback. I am sure that the many people who live outside Bayswater and Maylands who come to use Riverside Gardens —

Ms J.M. Freeman: I saw it. I was very shocked. It suddenly seemed like it ripped up a lot of land very quickly.

Ms L.L. BAKER: Thank you, member. I think the people who exercise their animals or drop in as tourists would have had no idea that the land was not safely preserved for the future as a wetlands. What happened was devastating to everyone who walks past that area and to people in my electorate. The broader Western Australian community would be horrified to see the pictures of the destruction as well.

The two super blocks were offered to the City of Bayswater in about 2010. Quite recently, as a result of pressure from members of the community, some of whom are in the gallery this afternoon, the city council passed a motion to release some of the paperwork, which was previously confidential, around the history of the applications to develop these two blocks. I think as early as 20 July 2010, the council was considering whether it should acquire the land to expand the Eric Singleton bird sanctuary, to rehabilitate the natural water course on the site, to contribute towards improving the water quality of the Swan River, to provide additional habitat for flora and fauna and to improve the amenity of the surrounding residential area while expanding the amount of local parkland. This was back in 2010. In the first paperwork that was provided to council, the officers did a good job of explaining the economic, social and environmental benefits of preserving this wetlands. No-one is saying that the council should not have bought the land back then; no-one is saying that the council is blameless in this activity. During the past 20 or 30 years, one of us could have intervened in a number of areas and we would not be in this situation. Through a series of issues that I will refer to in a minute, that did not happen. We are now having this discussion about the destruction of this wetland because nobody foresaw this level of devastation and nobody was brave enough to step up and purchase the land so that it became a protected public

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reserve. Maybe Judy Edwards should have done it when she was in government pre-2008, but I go so far as to say look at when this wetland was originally classified—it was done under the Court government in 1996. We are all part of the problem. It is not a blame game; it is about solutions. I urge the minister to focus on solutions to this problem.

The City of Bayswater looked at the environmental benefits. In 2010, the environmental benefits were listed as —

The lot is uniquely located adjoining the Eric Singleton Bird Sanctuary which covers approximately 17.96 hectares. The sanctuary is an artificial wetland, established by volunteers in the 1970's and has since grown to become an important stopover and breeding site for migratory birds. The subject lot has remnant natural vegetation providing high value habitat to numerous species of native and exotic birds, and therefore has potential to expand the Eric Singleton Bird Sanctuary.

I need to make it clear that this is not necessarily about direct impacts on Eric Singleton Bird Sanctuary. There will of course be indirect impacts—through the clearing—on the animals that frequent it. Some take their babies across the road when they have had them. They raise them on the wetlands instead of Eric Singleton reserve. The opposite also happens—flora that is pushed from one side to the other by the wind will go. There will be issues around habitat and environment that must logically follow through this work.

I now quote the social benefits —

The surrounding area is mostly residential with the exception of Riverside Gardens and Hinds Reserve. There is also a retirement village nearby. To this end, the existing tracks and walkways along the boundary of the sanctuary are used for passive recreation and have the potential to be expanded along the boundary of the subject lot adding to the social amenity of the area.

Economic Benefits

The lot has potential to increase the number of visits by the local community who use the area ... and international visitors who come to watch the many native species of bird. The economic benefit in terms of developing a unique tourist destination will be greatly enhanced ...

That is if the wetlands were added to the Eric Singleton Bird Sanctuary.

It is now a matter of history that that proposal was originally seen as positive for council. The council called for a number of things to happen when the officer's report was given to it, including the background to the block to look at what would need to happen if the council were to move ahead and purchase the block. Eventually a decision was made that funding should be sought from the federal government through the Caring for our Country program that was then operating so that some work to buy the block could go ahead. The paperwork shows that the council met again on 28 September 2010 to discuss the potential purchase of these blocks. Reference is made to a development "since the July report". I will read through this because I think it is important in considering where we are now. I quote from a report dated 28 September 2010 —

The selling agent also advised that since the July report there have been two interested parties ...

This is from the confidential paperwork that has recently been released. The first prospective purchaser was a developer. After geotechnical reports were produced, the developer decided not to proceed with the offer they had made. This is extremely important, Minister for Environment, Minister for Planning and parliamentary secretary: the council was advised that the geotech reports on the site revealed —

- (a) the site has a high level of Dieldrin;
- (b) the site has a high level of asbestos; and
- (c) the site has acidic soil.

We have also been advised that the remediation process would take up to three years, which was the reason that the offer was withdrawn.

These are the facts from the confidential report. The minister is probably not aware of this stuff. I thought it was really important that he understands the depth and complexity of this issue. People have looked at this land previously and turned away from it because of its dreadful contamination.

The minister mentioned recently that the acid soil testing is a condition of the development. I will refer to that in a minute when I approach the conditions of the development. When the environmental assessments were done, there was no mention of any of this being part of it. As far as I can see, the reason these two blocks did not warrant any more investigation was that way back in 1996 a government made a decision to blanket a number of

wetlands as fairly low level wetlands. That was 20 years ago. Yesterday, the Minister for Planning was asked some questions in the upper house. She was asked by Hon Lynn MacLaren —

- (1) On what basis did the departments of Parks and Wildlife and Environment Regulation decide that no further assessment of the site was required when the WAPC approached them for advice about the development?

The minister answered —

- (1) The following factors were considered when the Department of Parks and Wildlife assessed the proposed subdivision and provided advice to the Western Australian Planning Commission that it did not object to the proposal —

The minister knows what these conditions are. The answer continues —

- (a) the land proposed for subdivision was private property zoned for residential development;

Tick—yes. I have no argument with that —

- (b) the proposed subdivision was not within, or abutting the Swan–Canning development control area; and

I understand the land that the Swan River Trust would normally consider under its remit is within only 10 metres—in fact, it may be even less distance—from this site. I know boundaries are put there for a reason and if someone is one side of the boundary, it is bad luck. I am explaining to the minister that this area is extremely close to where it would have come under the remit of the department. The third part of the Minister for Planning’s answer was —

- (c) the wetland mapped as occurring over part of the site was classed as a multiple-use wetland which does not preclude development of this nature.

This is the point I am referring to. It was 20 years ago that that site was classified as a multiple-use wetland and it did not attract the attention of the department. I have been trying, and the community has been trying, to get the attention of the Minister for Environment and the Minister for Planning to say that was 20 years ago! A lot has changed. Pacific Islands have almost been sunk and we have had a thing called climate change! The world is a different place from 20 years ago. The Swan River is a different creature from 20 years ago. Indeed, the wetlands are different from 20 years ago. Anyone who understood this would have taken the necessary steps to investigate whether that categorisation of the wetland was still relevant. There is no way that this community can see that that should still be the same. This is not a community of uninformed people—it comprises scientists, researchers, professionals, experts in environmental issues and biotechnology. I can refer to some of the work that has been done by the community in trying to show the minister that this is more than just a multiple-use wetland.

While I am on the minister’s response yesterday, I will raise another point. In response to the question, “On what basis did the Department of Parks and Wildlife say it was not interested in this”, the minister said —

In November 2015, the Department of Environment Regulation provided technical advice on WAPC ... indicating parts of the subject area were mapped as having a high risk of acid sulphate soils within three metres of natural soil surface.

I reinforce that by referring to the Geo-Tech report, which was done previously. It is not just the acid levels; it is asbestos, dieldrin and other fairly heinous things that are in the ground—I might remind members that that is in the ground that has just been completely dug up by a bunch of workers who would have had no understanding that this was a site that had dieldrin and asbestos on it. That land is now being churned up and left open, so if asbestos and dieldrin have been identified on that site, I would hate to be in the minister’s shoes. The minister’s response continues —

In this instance, the Department of Environment Regulation recommended application of an acid sulphate soil condition on the planning approval.

Yes, quite correct; it did. I have no problem with that. I just want to correlate that response with the response that the Minister for Environment gave yesterday when he was contacted by the media about this issue. He stated —

“The Liberal National Government has delivered a completely restored Eric Singleton Bird Sanctuary ...

Tick—it has; there is no problem with that. The minister went on to say —

... and has imposed a number of strict conditions on the private development to ensure there are no negative impacts on it.

That is, the sanctuary. The only condition in the Western Australian Planning Commission condition specifications that cover this development is the acid testing. There are a number of conditions and I could read them, but I will not, because we will be here all night if I read them. However, I can give members an example of some of them. The first is that all streets within the local subdivision should be truncated in accordance with the Western Australian Planning Commission's Liveable Neighbourhoods policy. The next one is about engineering drawings and specifications to be submitted and approved in accordance with the plans for a subdivision. The next is about street lighting and the next one is about a temporary turning area being provided for the subdivisional roads. This is not about the environment; these are not conditions that will protect either the wetland or the impact on the Eric Singleton reserve. I understand that the acid sulphate testing is to be done before subdivision. What we have now is pre-works that the commission has approved. I want to know how the hell the Planning Commission approved pre-works on this wetlands when there is a history of asbestos, dieldrin and other fairly heinous products on the land, and it is adjacent to a very, very delicate bird breeding sanctuary. How did this state government allow that to happen? This is just completely beyond my understanding. How could the Minister for Environment let this happen? How could he do this? Condition 9 states —

An acid sulphate soils self-assessment form and, if required as a result of the self-assessment, an acid sulphate soil report and an acid sulphate soils management plan shall be submitted and approved by the Department of Environment Regulation ...

That is all well and good. In the meantime, this block has been completely ripped apart. All of what was in the soil is now not in the soil; it is in the open. It is there for anyone to breathe in or see. The conundrum is that the way the government's system is set up at the moment allows an urban wetland to have this kind of work done on it under a heading of pre-works. It is not the subdivision; this is pre-works.

I also want to point to one of the other conditions that the Planning Commission has put into the paperwork for this development. It is important that both the minister and the parliamentary secretary understand why this other condition is of such concern to the community. This is point 2(iv) under the heading "Advice". I am going to read it to the house.

The ACTING SPEAKER (Mr I.M. Britza): Member, excuse me. Members, the conversation is distracting. This is important and I think we need to hear it in as much silence as possible.

[Quorum formed.]

Ms L.L. BAKER: Thank you, members, for coming into the house. I was referring to point 2(iv) under "Advice". I will read this. It is very short so members do not have to listen for too long. One of the requirements is that the landowner is advised to provide the temporary cul-de-sac heads within lot 14. Members have to understand that this is two lots. That clause means that for this subdivision to go ahead, there must be a cul-de-sac head coming out into the adjacent wetlands. At the moment that has not happened because we are in pre-works, but the Planning Commission has written in black and white that there has to be this temporary cul-de-sac pushed out and taking more of what is left of this very delicate piece of wetlands. The subdivision cannot continue without further desecration of what is called the "Carter's Block", no matter what happens at the moment. Although I acknowledge the minister's response to the media yesterday that he knew that conditions were imposed, the only condition that impacts on the environmental damage that this will cause is a cursory response around acidic soil testing. I do not think that is in any way, shape or form enough.

I have spoken at some length about why I suspect this problem has happened, and that is that the categorisation of the wetland was simply wrong at the start and that no-one has taken the time, the effort or spent the money to change the categorisation of this wetland. That is why we have this problem. The City of Bayswater has been approached recently. In 2013, it was again approached by the landowners. I must put on the public record that it is not the landowners' fault that this has happened. They purchased two blocks that they wanted to make a lot of money out of. That was their choice and that is what they did. We are the ones to blame for letting this happen because we have allowed the laws to be so eroded around the environmental conditions for wetlands in urban areas that they can no longer protect this delicate area. We are the ones to blame and we have a responsibility to try to fix this and stop any further desecration. I wanted to read from council minutes on 23 February 2016 about why this categorisation is wrong. The council was offered the land again in 2013. That was, I believe, a very disappointing administrative problem within council. It appears, from what I can work out, that the offer of sale of the blocks came into council at a time when the mayors were changing and there was a bit of a power gap, so the staff at the City of Bayswater did not pass this further on or keep it in the view of council when the new council and mayor came in. They let it go; in fact, they wrote back and said, "Thanks for your offer but, no, we're not interested." That was another opportunity for this to have had a much, much better outcome, and another opportunity missed.

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On 23 February 2016 the council was deciding how it could possibly fix the problem on its plate. It talked about the Eric Singleton Bird Sanctuary. I am reading this particularly for the benefit of the Minister for Environment, because in his response yesterday he also said that the relevant environmental agencies within his portfolio were consulted on the proposal and raised no environmental objections, and that the Eric Singleton Bird Sanctuary would not be impacted by the development; he was very clear in his response. I completely reject that, albeit that I am not a scientist, but I will read from the ordinary council meeting minutes of 23 February. It states, in part —

The primary consideration in relation to this application is the visual and environmental impact the proposed subdivision would have on the ESBS and Riverside Gardens.

The City in partnership with the former Swan River Trust invested \$3 million into the revitalisation of the Eric Singleton Bird Sanctuary (ESBS). The ESBS is now a healthy wetland for flora and fauna, and will prevent 1.3 tonnes of nitrogen —

The minister has read this in —

200kg of phosphorous and 40 tonnes of sediment and other rubbish from entering the Swan River each year.

That is phenomenal; we could not do that if we had bulldozers working on the riverbanks all year. Further along, the minutes continue —

The ESBS is a manmade wetland which was in ecological decline. There was a decrease in diversity and number of birds within the wetlands, due to high nutrients, algal bloom and recorded bird deaths.

The project which has recently been completed has restored the health of the bird sanctuary, which has increased bio-diversity and decreased the amount of unwanted nutrients entering the Swan River from the Bayswater Brook. Bird species within the sanctuary have increased and the community commonly use the area for passive recreation uses.

The City is currently requesting the Department of Parks and Wildlife to consider reviewing the existing classification of this wetland to ‘Resource Enhancement’ to reflect the post restoration amenity and environmental values now demonstrated at the wetland.

I turn now to the reasons why I am convinced that these wetlands are valuable. I have in front of me a report by consultant botanist Malcolm Trudgen from 31 July. I do not know if the minister has seen this; again, there is missing information that he really needed to see. The document is headed “Remnant vegetation in Maylands adjacent to Eric Singleton Bird Sanctuary (known locally as Carters Swamp)”. I beg the indulgence of the house; I have to read some of this because it is way too technical for this chick! It states —

Areas of remnant vegetation such as this tend to be written off as small and degraded and therefore not worth preserving. This is an error of assessment as all areas of remnant vegetation should be assessed both for intrinsic worth and as part of the wider environment.

To the unsympathetic human eye they appear to be cut off from other bushland, not pristine and therefore not of value. However, if one looks and thinks a bit more deeply, one can see a range of connections and values.

The connections are twofold. One is that the native flora species remaining and the landform they are surviving in are habitat and food sources for a range of animals. This includes waterfowl and other bird species that are either locally resident, or are transient relying on a sufficient number of such small remnants to be able to move from place to place with adequate shelter and food resources. Secondly, the native flora species present are connected as part of wider populations through wildlife (especially nectar feeding birds) spreading pollen to other areas and thereby maintaining gene flow between the area and nearby areas with the same species.

Just to sub-bracket that: Eric Singleton Bird Sanctuary, minister. The document continues—

Waterfowl are also great spreaders of seed, and are likely to spread seed of aquatic flora species to and from the area.

The remaining tree species a Paperbark ... Marri ... and Flooded Gum ... provide food, nesting and resting resources for bird species. They also provide such resources for a range of smaller wildlife: small reptiles ... and insects. The latter of course becoming a food resource for some of the former as well as for birds.

The wetland areas, with stands of native Bulrush ... also provide food resources for wildlife, especially waterfowl, but also a range of smaller organisms. The latter would include frogs as well as insects.

Other aquatic native flora species could also be present, but are small and observation from the footpath would not detect such species. If present, these would only be found through detailed survey of the area.

In summary, the remnant vegetation present has significant local value for the species present and this value has not been fully documented. It also has value as part of the wider system of remnants along the Swan River that support the native wildlife and flora of the river borders.

I take members back to the comment that wetlands are the lungs of the river and they are interconnected. The document continues —

Such fragmented systems are particularly vulnerable to being reduced in viability by the “death of a thousand cuts”, that is the loss of seemingly unimportant small areas that collectively support the viability of the native flora and fauna of the system. Destroy enough of these small areas, and the system collapses.

That is from a biologist who has kindly donated his time and efforts at the behest of one of our volunteers; I thank Mary van Wees and Environment House for that.

Staying on the subject of why these wetlands are valuable and are not low-level wetlands that should be discarded so easily, I refer to a document by consulting ecologists M.J. and A.R. Bamford from Kingsley titled, “Rapid Assessment of Fauna Values; Carter’s Block in the City of Bayswater”. This is a lengthy document and I do not intend to read all of it, but there are some points that need to be put on the record.

Mr J. Norberger: Are you happy to table it?

Ms L.L. BAKER: Yes, I am more than happy to table it to save a bit of time, but I would like to read a couple of bits, starting with a section headed “Site description”. It states —

Carter’s Block supports a Paperbark Swamp that was flooded at the time of the visit, with some higher areas of landfill covered with weeds on the southern side of the block. There is some bulrush under the paperbarks. The swamp extends into an area of council land, with this council land having some upland vegetation of native ... Marri ... and introduced trees with a weedy understorey. Carter’s Block and its wetland are separated from the Eric Singleton Bird Sanctuary ... by an earthen bund that provides pedestrian access. There is apparently limited hydrological connection between the two wetlands and the hydrology of the two differs; Carter’s Block swamp is seasonal and follows a natural fill and dry cycle, while the wetland of Eric Singleton Bird Sanctuary has manipulated water levels. It is also connected to the river.

This is really important. The document continues —

The Eric Singleton wetland has extensive open water, areas of rushes and planted riparian and upland vegetation, but lacks large, old paperbark trees at least in that part of the wetland adjacent to Carter’s Block.

Eric Singleton Bird Sanctuary and Carter’s Block form part of a network of urban wetlands linked to the Swan River.

In the conclusion that I will refer to in a minute, it is very clear that these two types of wetlands are interdependent and each is essential for the other’s survival.

Mr C.J. Tallentire: Complementary.

Ms L.L. BAKER: Complementary is a good word; I thank the member. It is far less than I used. The report continues —

General fauna assemblage

The fauna assemblage of the area incorporating Carter’s Block and the Eric Singleton Bird Sanctuary is likely to be typical of the region.

... BirdLife Australia... records from 48 bird surveys conducted from 1975 to 2016... a survey recently conducted by 360 Environmental, observations from the site ... on 1st August, and observations... along a nearby section of the Swan River in 2014.

Invertebrates. Some common species noted by 360 Environmental. A species of daphnia (‘water flea’) noted in Carter’s Block swamp on ...

It goes on to discuss fresh fish and frogs —

Frogs. Four species reported by 360 Environmental and three additional species noted on 1st August. One of these, the Quacking Frog ... is restricted to few wetlands on the coastal plain in the Perth region, including Bennet Brook in Whiteman Park Seven species probably represents the complete frog

assemblage of the site. Interestingly, on 1st August most frog records were of calling animals in Carter's Block Swamp with only one species, the Clicking Frog... calling from Eric Singleton.

It probably could not get a word in edgeways, I suspect, with all that other noise going on. It continues —

Reptiles. ... four species noted by 360 Environmental and two of these also observed on 1st August. The reptile assemblage is probably depauperate due to the lack of upland environments but an assemblage of 10–15 species could be expected. All are common in remnant native vegetation ... but the presence of the Long-necked Tortoise is of interest as while widespread, it appears to be declining due to breeding failure related to Fox predation on females and lack of nesting sites.

I want to underline that. I know the minister will be back in a minute. If we just think about all these little creatures that live in the wetlands and on Eric Singleton reserve, if we bulldoze it, subdivide it and build a whole series of two-storey and three-storey buildings there, will we ban cat ownership? Will we ban dog ownership? People walk their dogs through that area all the time. If people move into this neighbourhood with cats, which are predatory by nature, it will further impact the long-necked tortoise, which, as I have said already, is declining due to breeding failure from predation by foxes, cats and the like. It continues —

The BirdLife Australia records include 105 species ...

The splendid fairy-wren was seen and noted. They have declined in the Perth area so again, that is another precious species. It continues —

Waterbird ... probably do not distinguish between the two wetlands.

So, of course, they will be on both sides. It continues —

The bird assemblage includes records of small numbers of a few migratory species. The Birdlife records include sightings of both Carnaby's and the Forest Red-tailed Black-Cockatoos.

God knows that we need to preserve habitat for both of those very rare birds. Not a lot of information on mammals was able to be collected. It continues —

The Fox, and domestic pets, may pose a risk to waterbirds and tortoises. BCE has recorded the native water-rat ...

I assume he has a friend so there are probably two of them, or there might be more because they might like each other and they might breed some more. It continues —

There are likely to be some bat species that visit the site and roost under bark amongst the paperbarks. The Marri trees are generally too small to provide hollows for bats. Introduced mice ... and rats ... are very likely to be present.

Significant species

Some bird species of high conservation significance ...

I have already mentioned the Carnaby's and Forest red-tailed black-cockatoos. Migratory shorebirds and the rainbow bee-eater are also part of these wetlands. It continues —

Of more interest in a conservation sense are locally significant species that persist as resident populations in the region because of habitats within the site. This includes the Quacking Frog, which may be confined to Carter's Block swamp and the swamp on the council land, and several bird species that survive in the urban landscape only where there are patches of remnant native vegetation. These include Splendid Fairy-wren ..., Yellow-rumped and Inland Thornbills, and Rufous Whistler ...

And the rakali may be there as well —

Two other frog species, the Banjo Frog ... and the Moaning Frog ... may rely entirely upon the Carter's Block Swamp because their breeding biology relies on predictable seasonal water level changes.

Again, when there is seasonal water change and the two halves of these wetlands are interdependent, it is really important that they are retained. It continues —

Carter's Block is dominated by a Paperbark Swamp with some areas of Bulrush and flooded grass... For fauna, it is the wetland area that is of most interest and this will support frogs, waterbirds ..., the Long-necked ... and a range of aquatic invertebrates.

...

What is important with respect to assemblage organisation is that Carter's Block and its swamp differ from Eric Singleton Bird Sanctuary in several ways: Carter's Block is continuous with some existing

native upland vegetation on the Council land, the swamp includes old Freshwater Paperbarks and Carter's Swamp has a natural hydrological cycle that includes seasonal drying. The swamp also lacks the open water and shallows of the Eric Singleton wetland. These differences mean that Carter's Block swamp and the Eric Singleton wetland complement each other.

They complement each other, so I fail to see how it is possible for a department of environment to be able to say that the removal of the wetlands that is called Carter's Block will not impact on the Eric Singleton Bird Sanctuary. That is sheer fabrication, if not malicious ignorance. I cannot believe that. It continues —

Carter's Block swamp can be expected to support more frogs and is probably essential for the Quacking, Banjo and Moaning Frog populations in the area, and it can be expected to be very important for foraging by some waterbirds and especially young ducks ... Carter's Block Swamp is therefore also likely to be more important for aquatic invertebrates in their own right compared with Eric Singleton. The juxtaposition of Carter's Swamp and upland native vegetation gives a greater range of vegetation structure for bushbirds compared with the surrounds of Eric Singleton.

Indeed, this is the location where the bush birds were concentrated when these measurements were done —

In contrast, Eric Singleton Wetland has extensive open water and shallows, attractive to many waterbirds, but at least some of these are likely to breed, or to take their young, into Carter's Block swamp. Fringing wetland and upland trees around Eric Singleton tend to form a narrow belt of vegetation composed of young trees with less structural complexity than around Carter's Block and the Council land.

I am happy to table this report and the other one, if members will excuse the scribbling all over them. I will just read the report's conclusion —

Conclusion

Carter's Block and particularly its distinctive seasonal wetland contribute to biodiversity in the area by being different from and thus complementing the recognised values of Eric Singleton Bird Sanctuary. The separation of the Carter's Block wetland from the Eric Singleton wetland ensures a natural seasonal hydrological cycle that supports several frog species and a rich aquatic invertebrate fauna, with the latter likely to assist waterbirds that breed at Eric Singleton. Similarly, the large and old Paperbark trees of Carter's Block complement the remnant upland vegetation of the adjacent council property and this combination may help to support bushbirds in the area even beyond the boundaries of Eric Singleton and Carter's Block.

The hydrological cycle of Carter's Block swamp is very important for its ecological function and any development, on adjacent sites or even across part of the Carter's Block, would need to consider hydrological impacts.

I am happy to table these documents.

The ACTING SPEAKER (Mr P. Abetz): Member, you cannot table them; you can only lay them on the table for the remainder of the day's sitting.

Ms L.L. BAKER: I can lay them on the table for three and a half minutes, so I am happy to do that.

Mr R.F. Johnson: You table them for the balance of today's sitting.

Ms L.L. BAKER: I will table them for the balance of this day's sitting.

[The papers were tabled for the information of members.]

Ms L.L. BAKER: To both the minister and the parliamentary secretary, when they respond to me on this motion, and to others who wish to speak on the subject of urban wetlands, particularly in Bayswater, I want to go back and say that the Minister for Planning has, in the view of the community, two important contributions to make. The first is that she can place a planning control area on this land. It is within her power; it is one of the few powers that she is currently able to exercise under the changes made by the government. She can come in and say that this area will be better protected than it has been, and then the issue of compensation will need to be dealt with. I suspect the minister does not want to do that, because it means that the state will have to pay the compensation. If the government blames it all on the City of Bayswater, and tries to get it to change the zoning and the like, the city will have to pay compensation.

Seriously, this is about the retention of native species, and a very delicate wetland. It is not a subject on which the City of Bayswater or any state government should be at loggerheads about who is going to pay the bill. This is about the future of our wetlands, the health of the Swan River, and a huge community asset. On behalf of the community I restate that we are asking the Minister for Planning to do two things: place a planning control area

on the remaining area, and deal with the City of Bayswater and the owners of Carter's block to make arrangements to ensure that they are adequately compensated. This should have been done six, 10 or 20 years ago, and was not done. I will give the minister any help she needs to convince her government that this land acquisition is absolutely worth making, and to contact LandCorp to have discussions about this. I know that there is money in the land acquisition budget for LandCorp and the like. The government can find the money. It is simply a matter of will, and I am not seeing that the minister is publicly stating that she is committed to either of those two courses of action.

We are asking the Minister for Environment to step up and understand that the nonsense about the Eric Singleton Bird Sanctuary not being impacted by the desecration and obliteration of the remaining wetlands is not a fact. We have scientific evidence that makes it very clear that these two wetlands are complementary and interconnected, and both contribute massively to the health of the river. The government has already spent \$3 million on the Eric Singleton Bird Sanctuary, so how stupid would it be to not put in a bit of extra money to make sure that the sanctuary can stay healthy, and indeed to expand it a little bit? The City of Bayswater wants to have conversations that will result in that area being built in as an extension of the wetlands at the Eric Singleton Bird Sanctuary.

We have lost half of this area; it has gone. We have lost in perpetuity half of the precious wetlands because of the ignorance and the silo mentality of government departments, be they local or state governments. This is not something that can afford to wait any longer. The Minister for Environment has a role. He has more than a role; he stands on the balance of making this fact, and stopping the community from having to continue with this campaign, to try to save some native species and some precious flora and fauna in a very delicate wetland and a very popular part of our community. I ask the minister to take a stand and re-categorise this wetland so that it can be preserved, in a real reflection of its value to the Western Australian community.

MR C.J. TALLENTIRE (Gosnells) [5.14 pm]: I rise to support the motion moved by the member for Maylands, condemning the Barnett Liberal–National government for its mismanagement, and in this case the destruction, of wetlands in Bayswater. When I first heard about what had occurred in Skippers Row, I was alarmed and I wanted to know why the Minister for Environment had not reached for one of the pieces of legislation in his legislative arsenal to go out and pursue the damage that had been done. I visited the site; the last time I was there was on the day of the arrival of the Avon Descent participants. I know how strong the community support was for the preservation of the remaining environmental values, and also how great was the sense of outrage about what had happened—that sheer disappointment that an area of great amenity value had been desecrated in this way.

I wondered what legislation the minister had at his disposal. Of course, he has the Wildlife Conservation Act. This act is long out of date and is being revised. We are hoping that perhaps amendments to the new act will be acceptable to improve it for the future. However, the existing Wildlife Conservation Act makes it an offence to take another species. “Take” is a bit of a euphemism, but it means to destroy. In this case it is undeniable that species were taken without any authorisation, and without approval under the Wildlife Conservation Act. In other words, did we ask the people paying the wages of those driving the D9 bulldozers for their permit to kill an oblong tortoise, or to smash through the nesting area of the rakali, or water rats, that might be there? Where is their permit for the destruction of the banjo frogs and the moaning frogs? These are all native species, and to take any one of them, a person is supposed to have a permit. In this case, no such permit exists. No-one even sought one. There was no desire on the part of the contractors to get such a permit.

I know that the minister is inclined to talk about removing red tape and green tape. Indeed, over the course of the past couple of years, while the minister has been in his position, we have seen the removal of some very important environmental policies that have teeth and provide some level of protection. In fact, more than 50 pieces of environmental policy have been removed, archived or cancelled, even though many of them were created after months of community consultation. The minister saw fit to just remove them with the stroke of a pen. He cancelled the environmental protection policy for the lakes of the Swan coastal plain. He saw fit to downgrade the role of the Swan River Trust, and here is a sad example of what happens when we do not have a Swan River Trust with the autonomy and power to be out there as an active advocate. Instead, the Swan River Trust now has 60 staff working in the rivers and estuaries division of the Department of Parks and Wildlife, who have to report to the director general of the Department of Parks and Wildlife, who then reports to the minister. There is no autonomy there, as we had previously with the Swan River Trust.

This motion before the house reflects exactly the problem we are facing across the Perth metropolitan area and the state of Western Australia. There is a complete disregard for environmental regulations. We heard mention yesterday in the Legislative Council of an excuse being offered that we could not do anything because it is privately owned land that has been zoned residential. I will come to why that does not stack up. We also heard that the land is just outside of the Swan and Canning Rivers protection development control area. That does not

stack up either, and I will come to why that is the case. We also heard from the minister that the wetlands had been mapped as an inferior category for multiple use, and I will come to why that is not valid.

It is clear that the government does not care about protecting the environment and environmental values. The government is all about facilitating development at any price. The government does not want to make sure that the areas that people value are protected. It does not want to make sure that, where necessary, negotiations are undertaken with private landowners to achieve an outcome that does not compromise what is precious to the broader community, just to benefit a few people who have had a windfall because their property has been rezoned and the price has skyrocketed. We do not look to tax people who get a windfall profit as the result of a rezoning. However, we are always totally spooked by what is known in the development industry as a down-zoning. If a person's land is zoned residential and can be sold at a high price, and it is changed to a zoning that does not allow for the same amount of profit to be made, that may be just the luck of the draw, just as it is the luck of the draw if a person's land is rezoned for residential development and becomes very valuable. That is something that we need to deal with.

We have in place, obviously, our environmental protection laws. I have mentioned the Wildlife Conservation Act 1950. That act would have provided some level of protection. As old as that act is, it requires that permits be issued, and that was not done. We also have the Environmental Protection Act, which contains our native protection laws and our environmental harm laws. The minister has not sought to use any of the powers contained in those acts.

I turn now to the 10 principles for the clearing of native vegetation. Before the minister or his delegate—the chief executive officer or whomever in the Department of Parks and Wildlife—may issue a clearing permit, he or she needs to have regard for these 10 clearing principles. If a farmer on a property somewhere made an application to clear native vegetation on their property, their proposal would be judged according to these 10 principles. Most of the people in rural Western Australia are law-abiding citizens. They would submit an application before they got out the bulldozer, because they know that their proposal will be judged against these 10 principles. If a proposal to clear native vegetation offends against any one of these 10 principles, the proposal should not go ahead. The first principle is that native vegetation should not be cleared if it comprises a high level of biological diversity. The member for Maylands has gone through the reports from 360 Environmental and Bamford Consulting Ecologists. It is pretty clear that this native vegetation has a high level of biological diversity. Therefore, it stacks up on the first principle.

The second principle is that native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia. We have heard of some of the species that rely on this habitat. The third principle—there may be a question mark about this in this case—is that native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora. We will leave that one aside. The fourth principle is that native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a threatened ecological community. We have not had the level of study necessary to determine whether this is a threatened ecological community, so we will possibly leave that aside also. The fifth principle is that native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared. No-one can deny that the urban area of Perth—the metropolitan area—has been extensively cleared. Therefore, clearly this native vegetation is a remnant of an area that has been extensively cleared.

The sixth principle is that native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland. That is clearly the case here. The seventh principle is that native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation. That will absolutely occur. We know the risk of acid sulphate soils. We know that all sorts of nutrient releases and all sorts of degradation and soil and sediment mobilisation will occur. The eighth principle is that native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area. That is absolutely the case. Eric Singleton Reserve, which is on the other side of the walkway, will be compromised. We have heard from the reports that the member for Maylands spoke about that there is a complementarity here. The type of habitat on the one side, which is where animals would possibly have their nesting area, is different from the habitat on the other side, where animals would possibly forage or reproduce, but there is a strong connection. Therefore, there would be a major impact from the loss of that vegetation. The ninth principle is that native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water. There is no question that that will occur. The tenth principle is that native vegetation should not be cleared if the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding. I would need to get some hydrological advice on that, but that is a possibility as well.

The clearing of this native vegetation offends against at least eight of these 10 clearing principles. As I have said, any person who presented a proposal to clear native vegetation on a rural property in this state, or on any land in

this state that had not been zoned residential, would be required to demonstrate that their proposal did not offend against any of these 10 principles before that clearing would be allowed. I know in truth that the minister has been incredibly lax on this issue. The minister has allowed the destruction of native vegetation in rural areas when that clearing has offended against about five of those principles. I have seen those sorts of cases. The aim of the legislation was that there would not be any destruction of native vegetation if it offended against any one of these 10 principles. However, with this particular episode in Maylands, we have destruction that offends against at least eight of these 10 principles.

That demonstrates how missing in action this minister is. The minister needs to get hold of his agencies and make sure that they are involved in looking at these things. We have heard that the Department of Parks and Wildlife had issued advice saying it did not think there was any problem. We can only conclude that the department just did some sort of desktop analysis of things.

[Interruption from the gallery.]

The ACTING SPEAKER (Mr P. Abetz): People in the gallery, you are welcome to listen but you are not allowed to make any comment or noise. Thank you.

Mr C.J. TALLENTIRE: Thank you, Mr Acting Speaker. We can understand the outrage of people who live in this area and who frequent it and love it. It is part of their lifestyle to be able to enjoy this area. It makes people very angry and upset to see their native vegetation destroyed and to realise that the minister has failed to make sure that his agency has the staff, the capacity and the expertise to see what is at stake before this sort of destruction occurs. It makes people realise that the Barnett Liberal–National government is letting them down when it comes to protecting our environment. It is absolutely outrageous.

We have seen a failure by the Department of Parks and Wildlife in the administration of the Wildlife Conservation Act, a failure by the Department of Environment Regulation in the administration of the Environmental Protection Act, and a failure by the Swan River Trust in the administration of the Swan and Canning Rivers Management Act and in being a fearless advocate for the wellbeing of the Swan and Canning Rivers and the whole of the estuary. What happens in the catchment impacts the river. We cannot have a strong and fearless Swan River Trust if it does not get involved in what is happening in areas that “abut” the Swan and Canning River development control area. That is the word that is used by the minister who said that he was not interested in this, and that the area did not actually abut the Swan and Canning development control area. How many metres area are we talking about? When talking about environmental systems, something that occurs 50 metres or 100 metres away will impact on the system. How ridiculous does the minister want to be? Does it come to just drawing lines on maps and saying that an area is just out of it, so we need not worry? I would argue that the definition of “abut”—if that is what the minister wants to have a debate about—was breached here. This land, in an environmental systems sense—as an environment minister, one would think that is what the minister cares about most—does abut the Swan and Canning development control area. Therefore, this subdivision proposal should have had the most rigorous of assessments and attention applied to it, and it would have been knocked out and perhaps some other means would have been found to compensate the landholder.

This wetland was once looked at in, I think, 1996 and assessed as being in a condition that meant that it was not in the conservation category wetland level—that is said to be the highest level—but in a multiple-use level. That process has to be looked at in context. In 1997, the then Court government published a strategy in its “Wetlands Conservation Policy for Western Australia 1997”, which referred to the significance of remaining wetlands and stated that we have to protect those that remain. The Environmental Protection Authority has since confirmed the scarcity on the Swan coastal plain, stating that we have lost about 80 per cent of what was there previously. In fact, before white settlement, white colonisation, the Swan coastal plain was a succession of wetlands. Along with the rivers, it was the great defining feature.

[Member’s time extended.]

Mr C.J. TALLENTIRE: The defining natural feature of the area was the chain of wetlands and the different habitats it provided. But we have seen massive destruction of that with urban development. In some ways, all of us are beneficiaries of that and we are all partly responsible. That means that those bits that remain are more precious than ever; they are incredibly precious. If those bits that are left are properly managed and near areas like the Eric Singleton reserve, they are a real jewel and a great asset. We heard about the \$3 million of public money that has gone into restoring the Eric Singleton reserve area, and the 170 000-odd plants planted there to help act as nutrient filters and the very clever engineering works that have gone on. They are doing a job filtering relatively small but significant amounts of nitrogen and phosphorus. That will have a positive impact. When we go to the trouble to do that, we can expect to see other areas slowly regenerate. The regeneration of this wetland along Skippers Row had been occurring well before the revegetation and restoration works at Eric Singleton. It was a matter of leaving an area aside and letting nature take its course. Slowly, a suite of animals had moved in

and made it their home, and the area had become, in a biological sense, more and more productive and more and more precious. When we have lost so much, it makes it all the more essential that we protect these areas and allow them to regenerate.

I suppose it is very confusing for people and completely misleading to say that this was only multiple-use category and therefore not significant. It gets to the heart of the problem of agencies not having the resourcing, the skill base or the capacity to review things. The minister has allowed his agency to shed expertise and staff so the skills are not in the agency to realise that what may have been categorised as wetland multiple use in 1996 is now something quite different—something that is much more sophisticated and much more precious and valuable to the community.

We know that the government has an agenda for wetlands and conservation, and we have seen that with the demise of various important policies. For the benefit of those listening to this debate, environmental protection policies have the force of law and are as powerful as regulations. They take a long time to bring into effect. The current minister said that we do not need the Environmental Protection (Swan Coastal Plain Lakes) Policy anymore, but he did not bring anything else into Parliament that is better. I agree with him that it was probably a piece of black-letter law that was getting out of date. I know that the previous Labor government had attempted to revise and update it. Until that work was done, the minister should have left the 1992 black-letter law in place and waited for the new stuff to come in. But that is not how this minister behaved. He got rid of it and we got nothing in its place. I put to the house that had we done the job properly and properly gone through the task of upgrading the environmental protection policy for all the wetlands on the Swan coastal plain, this land may well have fallen under it and been protected. That is what we should have aimed to do. Instead, this minister is all about getting rid of anything that is protection, when we should be about gathering more and more policies and laws necessary to add to environmental protection.

The EPA has written extensively on the importance of wetlands and wetland areas. I commend to the house a position statement that it put out in 2004. I believe this position statement is still valid, because, as I have said, this minister has a track record of dismissing these position statements. With the stroke of a pen, we find that they have just gone—vanished. Even though probably years of consultation and officer time in preparation went into these position statements, guidelines and regulations, they have just disappeared. They are all archived, so members of the public can go to the EPA's website and view the list. My count is that about 52 pieces of environmental policy, regulation or position statements have been withdrawn in the last two and a half years. To my knowledge, the EPA's position statement on wetlands remains in force. I read a passage from the position statement that the EPA has commented on —

An ecosystem management approach acknowledges that the current level of knowledge and models of ecosystem function may be incomplete, evolving and subject to change as more information comes to hand. Management approaches must be viewed as hypotheses to be tested by research and monitoring programs. Consequently, management practices should be adaptive and promote continuous environmental improvement.

That is not what we are seeing here. On the contrary, we are seeing the exact opposite. We are seeing environmental destruction where we should be seeing environmental protection. That is why the member for Maylands' motion before the house is very accurate and at the same time very sad. It reflects what is going on across the Perth metropolitan area. The member for Maylands spoke about the possible need for land acquisition. I think that is something that could be contemplated, and I note that the Parliamentary Secretary to the Minister for Planning is in the chamber. The parliamentary secretary would know better than I how much money is in the metropolitan regional improvement fund. Last time I looked was at the budget estimates hearings, and I think it was well over \$300 million. I do not understand why that money is not being used for land acquisition of vital environmental assets. What is that money there for? It is gathered by government through land tax mechanisms, and it just sits on the government's balance sheet. It is not being expended for the acquisition of important environmental assets. I hope that the parliamentary secretary addresses that when he responds to this debate. There is a need for areas like Eric Singleton reserve to be restored.

There is great enthusiasm in the broader public for restoration projects. I do not think a negative comment was made about the need to spend \$3 million on Eric Singleton nature reserve. There was great support for it. Restoration works cannot go on when the government is missing the opportunity to protect existing environmental assets. This Liberal–National government has a track record of playing God. We talked about that with the biodiversity conservation legislation. It wants the right to send species into extinction. We can do a pretty good job of restoration, but we cannot do as good a job as nature can. We cannot play God. That is why we should aim to protect existing areas. We should enhance them and let nature take its course. That is what happened, until it was destroyed. It was good quality, native wetland vegetation. It was a valuable habitat; yet bulldozers were allowed to go in and they caused terrible destruction. They destroyed a suite of habitats that

were perfectly complementary to the vegetation across the other side of the walkway, in the Eric Singleton reserve.

This motion has my full support. I know that every member on this side of the house will support the motion. The government should be contrite about what has happened. It should be embarrassed and ashamed. It exposes this government's flaws in its policy agenda, which is all about getting rid of protections. I know they need strengthening but this government wants to get rid of everything and prides itself on getting rid of red and green tape. That is getting us into these kinds of situations. Western Australians want better—they want our environmental assets to get the very best protection so that disasters like this cannot happen. I commend this motion to the house.

MR A.P. JACOB (Ocean Reef — Minister for Environment) [5.42 pm]: Thank you, Mr Acting Speaker, for the opportunity to address this motion. I will flag that I am not the lead speaker; the Parliamentary Secretary to the Minister for Planning is the lead speaker on this motion.

I do not think anyone can doubt the appreciation and significance of Eric Singleton Bird Sanctuary in the eyes of this government. As members have outlined, this Liberal–National government invested heavily in the restoration of what was a very, very degraded wetland site. It was a site that had been neglected for many years. It had been neglected through the two previous terms of a Labor government. I will come back to that. I will stress the significance that the Liberal–National government has placed on Eric Singleton Bird Sanctuary. That is not just backed up with words; that is not just strong statements made in this place or outside—it is backed up with action. Anyone who has been there can see it. Some \$3 million has gone into the site. It has radically changed from what it was. It will flourish in future years. In fact, the diversity of species had plummeted under the previous iteration of that wetland. It obviously performs two roles; it cleans up the waters that flow into the river from a significant tributary, stripping out very large amounts of phosphorous and nitrogen, and it also has an important ecological role to play in attracting fauna to the site. We believe that not only oblong tortoises and other fauna but also bird species will return to that site in the numbers they used to have.

Looking at the history of Eric Singleton reserve, we see that it is a heavily modified landscape. It was named after the late Eric Singleton because of his commitment to that site. Much of it was a tip in years gone by. A range of uses have existed on that site since European settlement. Obviously, it sits on the banks of the Swan and Canning Rivers. From memory, within walking distance of that site is the oldest olive tree in the state. It is 150 years old. It has over a century of varied human use, from agricultural use and simply using it as a landfill site to now a restored, albeit not restored to its original site, representation of what a natural wetland would look like. That is representative of the surrounding area.

The funding the Liberal–National government has put into that nutrient-stripping wetland project is part of its \$7 million investment into six large-scale, nutrient-stripping wetlands on key tributaries into the Swan–Canning river system. The main focus is to reduce nitrogen and phosphorous inflows into the Swan–Canning Rivers. Of those, in my view Eric Singleton reserve is one of the best because of the amount of nutrients, let alone the tonnage of sediment that it removes from the water that flows through that site. Compared with some of the others, it is one of our most effective but it is also very important because it is gravity-fed. The Ellen Brook nutrient-stripping wetland, for example, relies very heavily on pumped infrastructure. It is artificially pumped through that wetland. It is an effective nutrient-stripping wetland, but Eric Singleton is one of the better designed ones. I might add that the government did that in partnership with the City of Bayswater. I do not think the state government can claim more credit by any means. The City of Bayswater well and truly came to the party with the restoration of the Eric Singleton reserve. As I said, it is perhaps one of the most effective.

I am glad to see that the member for Gosnells, after some earlier comments in this place, has come around and is now supporting nutrient-stripping wetlands. When I was announcing the achievement, the member did not seem particularly happy about it.

Mr C.J. Tallentire: I asked you what the overall percentage was.

Mr A.P. JACOB: I do not have that off the top of my head. I know I have answered it in this place in previous questions.

Mr C.J. Tallentire: When you look at it in that context, it is relatively small.

Mr A.P. JACOB: From memory, Eric Singleton was the highest performing in terms of percentage. That was the point that I was —

Mr C.J. Tallentire: It is 1.3 tonnes of nitrogen and 200 kilograms of phosphorous.

Mr A.P. JACOB: Now the member is not so keen on nutrient-stripping wetlands, but we will not go back to that.

Mr C.J. Tallentire: That is not what I said at all. I am just putting it into context.

Mr A.P. JACOB: The \$7 million that this Liberal–National government has put into nutrient-stripping wetlands is in addition to the more than \$16 million it has invested in 192 restoration projects across the Swan–Canning Rivers, particularly through our Riverbank program. This is timely because today I announced a further \$2 million in Riverbank funding. It is always done in partnership with local governments. It is on a minimum match-funding basis. The \$16 million the government has spent to date has unlocked \$28 million of local government investment. The outcomes we get along that riparian edge of the river also work on tributaries. It can be done in partnership with local governments, particularly local governments that have more capacity as many of the ones that we partner with on the Riverbank program do. That is where we start to see really good outcomes. The Liberal–National government will continue to build on its conservation achievements for this state.

I can match this government’s track record in conservation to members opposite any day of the week. It is easy to talk a big game out there; it is even easy to talk a big game in here, but results and outcomes are what matter. When it comes to delivering results and outcomes in the environment, when it comes to delivering results and outcomes for the health of our river system and when it comes to delivering results and outcomes for areas such as Eric Singleton reserve, it now stands as a built monument to the fact that this government delivers. It is not making symbolic gestures or passionate speeches but it delivers.

Mr C.J. Tallentire: You are not interested in protection.

Mr A.P. JACOB: I will come to the point of protecting it, member for Gosnells. The member for Maylands asked if I had recently been to the site. I have been to the site recently. The member for Gosnells might be interested to know I was at the site the same day that he was there. The member mentioned he was there for the completion of the Avon Descent. I was also there for that. I might take a moment to mention that my brother and his sons actually won the Avon Descent.

Mr C.J. Tallentire: I didn’t see you there.

Mr A.P. JACOB: I saw you, member for Gosnells!

Mr C.J. Tallentire: I was there for four hours; it must have been a fleeting visit.

Mr A.P. JACOB: That is the wrong time to interject, member for Gosnells. I admit that I was not there in my capacity as Minister for Environment; I was there as part of the support crew for my brother.

Ms L.L. Baker: Did you see what has happened there?

Mr A.P. JACOB: Yes, I did, member for Maylands. I will come to that.

My brother has long been a paddler in the Avon Descent. This was the year he was determined to win his category, and he did win his category. I might send him *Hansard* of that one; but that is neither here nor there.

Mr C.J. Tallentire: Perhaps you could spend time talking to people about the destruction.

Mr A.P. JACOB: Absolutely, member for Gosnells. I was there on that day. The member actually walked directly past me. I was the person taking very keen photos of Eric Singleton reserve. I was on the footpath as the member was walking away with his pull-up banners over his shoulder. I did not realise it was the member until he had walked past me, because I was engrossed in looking at the works we had done in the Eric Singleton reserve. I was not the only one there; members of my family were there.

Several members interjected.

Mr A.P. JACOB: I do not take interjections from members in the gallery.

The ACTING SPEAKER (Mr P. Abetz): Members, let us settle down a little.

Mr A.P. JACOB: I am not for a second going to be critical of members in the gallery. I saw many volunteers putting in a lot of work on the site on that day. I recognise the passion that members of the local community have for this issue. I recognise that the member for Maylands is seeking to represent her constituents by bringing it to this place. I do not trivialise that for a second. But I cannot take comments like those that the member for Gosnells has made and I cannot take the wording of this petition, or the wording of this motion, without putting a bit of perspective on the vast gulf between talking a big game and actually achieving environmental outcomes.

On the day, at the completion of the Avon Descent, many volunteers were collecting signatures from people for the petition. Obviously, as a family event for us, several members of my family were approached. I have a copy of the petition. I note that because it was nonconforming, the member for Maylands could not table it. I am happy if she wants to use this as an opportunity to call for me to table this document. One of them managed to get me a copy of the petition. This is the clause that I want to draw attention to, because this is where there is a gulf; they have all care and good intention but are not actually prepared to engage in delivering outcomes. The final clause of the petition reads —

Finally we ask the State Government to urgently strengthen environmental conservation laws for the protection of WA's unique wildlife and ecosystems ...

I could not agree more. I have put three and a half years of work into doing exactly that to bring forward for the first time legislation that protects critical habitat, that protects threatened ecological communities —

Mr C.J. Tallentire interjected.

Mr A.P. JACOB: Why did the member for Gosnells vote against it?

Mr C.J. Tallentire interjected.

Mr A.P. JACOB: Rubbish! Why did he vote against it?

Several members interjected.

The ACTING SPEAKER: Members, just settle down.

Mr A.P. JACOB: The member can talk a big game, but he cannot get away —

Several members interjected.

The ACTING SPEAKER: Members, I am on my feet. Let us just settle down a little bit. The minister has the call.

[Quorum formed.]

Mr C.J. Tallentire: You don't even want to use your Wildlife Conservation Act.

The ACTING SPEAKER: Member for Gosnells! The minister has the call.

Mr A.P. JACOB: The Wildlife Conservation Act does not have provisions to protect critical habitat.

Mr C.J. Tallentire: Yes, it does—taking of animals, taking of fauna.

The ACTING SPEAKER: Member for Gosnells, I am going to have to call you in a moment if you do not desist. I appreciate your passion.

Mr A.P. JACOB: Nor does it have provisions to protect threatened ecological communities. The member for Gosnells has a lot to answer for.

Mr C.J. Tallentire interjected.

The ACTING SPEAKER: Member for Gosnells, I am going to have to call you. Is this the first time you have been called today? I cannot find you on the list. It must be the first time.

Mr A.P. JACOB: I was not necessarily going to go there, but I will regale the member with a conversation I had with one of the volunteers. As I said, I recognise that they are passionate individuals and they are doing a good job in representing their community. I drew attention to that clause because I saw a number of Labor Party people running around supporting the petition and supporting what was sought to be achieved. I asked one of those people—they did not realise at the time that I was the environment minister—why the Labor Party voted against the bill and that clause. They were a very informed person.

Mr C.J. Tallentire: Will you take an interjection?

Mr A.P. JACOB: No; I did not interject on the member.

Mr C.J. Tallentire: You're too scared to take an interjection.

The ACTING SPEAKER: Member for Gosnells!

Mr A.P. JACOB: All right; go on.

Mr C.J. Tallentire: Why are you not insisting that your agency use the requirement in the Wildlife Conservation Act that you have a permit to take fauna? You're not even using that. That's existing legislation that's in play now. The BC act is down the track. You're failing to use the Wildlife Conservation Act now. Why are you failing to use it now?

Mr A.P. JACOB: That is a very misleading interjection.

Mr C.J. Tallentire interjected.

The ACTING SPEAKER: Member for Gosnells, you have had your interjection. Allow the minister to respond.

Mr A.P. JACOB: In case anyone tries to get me on relevance, the simple fact of the matter is that the motion before us states —

That this house condemns the Liberal–National government for its poor management of the Skippers Row wetlands area in Bayswater and for failing to protect vital urban wetlands through either planning or environmental legislations, ...

We cannot say that our management of the Eric Singleton reserve has been poor, because no-one has done what we have done there, and the member for Maylands gave due credit to that. I am trying to do environmental legislation. I am trying to do the legislation that the Labor Party committed to that has all the clauses that it sought to have but never did, and because of sheer petty jealousy, they voted against it in this place. They tried to send it to a committee of the upper house until November and now they are filibustering on it. The clause that the member went on about in his speech, which is why I have come back to this —

Mr C.J. Tallentire: The Wildlife Conservation Act. Answer that.

Mr A.P. JACOB: Shoosh!

The ACTING SPEAKER: Member for Gosnells!

Mr C.J. Tallentire interjected.

The ACTING SPEAKER: Member for Gosnells, I am going to call you for a second time. Please desist.

Mr A.P. JACOB: The member for Gosnells can talk a big game but these are the facts. He called us out on a clause in that bill, which he continues to call the “God clause”, that he says allows the minister to approve taking to extinction. The clause does not allow the minister to take —

Mr C.J. Tallentire: That has nothing to do with this.

Mr A.P. JACOB: The member mentioned it in his comments. Stop making silly interjections.

Mr C.J. Tallentire interjected.

The ACTING SPEAKER: Member for Gosnells, please!

Mr A.P. JACOB: I am going to put this on the record, because the member is again misleading the people in the gallery and he is misleading the people outside. That clause never allowed the taking. The power exists now under the Wildlife Conservation Act to take to extinction. Under the existing clause, there is no check and balance. It does not allow for public notification. I can do it. I do not need to come into this house under the current act. Those clauses were not put in the bill to give me more power; those clauses were put in the bill to put an accountability mechanism around the minister of the day. Does the member know where I got the idea from for those clauses? They were in the Labor Party’s draft bill when it went out for public consultation.

Mr C.J. Tallentire: That’s not relevant, minister.

Mr A.P. JACOB: Now it is not relevant! The member has been running with this for four months. They are the facts of the matter. The member for Gosnells just spoke for half an hour on it. He cannot get away from the simple fact that the clauses that he opposed in that bill were extra accountability mechanisms, not what he made them out to be, and he knows that. Secondly, they are clauses that we got from the Labor Party; they are clauses that the Labor Party proposed to put in its bill.

Mr C.J. Tallentire interjected.

The ACTING SPEAKER: Member for Gosnells, I appreciate your passion about this thing but I have called you twice. I will call you a third time if you do not desist.

Mr C.J. Tallentire: He is misleading Parliament.

The ACTING SPEAKER: You have had your chance. Now it is his turn to speak.

Mr A.P. JACOB: I am just sick to death, quite frankly —

Several members interjected.

The ACTING SPEAKER: Members! This is sufficient. I will not allow any more interjections. The minister has the call. Minister, please direct your comments to the Chair.

Mr A.P. JACOB: I am trying to direct my comments to the Chair.

Ms L.L. Baker: Are you going to do anything about the wetlands?

The ACTING SPEAKER: Member for Maylands!

Mr A.P. JACOB: I will, member for Maylands. I will seek an extension so that I have time to get to those. These are the points that were made during the debate.

Ms L.L. Baker interjected.

The ACTING SPEAKER: Member for Maylands, have you been called today?

Ms L.L. Baker: No, but go ahead.

Mr A.P. JACOB: I seek an extension, Mr Acting Speaker.

[Member's time extended.]

Mr A.P. JACOB: These are the points that were raised during the debate and I think it is time that we exposed them for what they are.

Mr C.J. Tallentire: Which debate, minister?

Mr A.P. JACOB: It was during the member for Gosnells' comments; they were only half an hour ago.

Mr C.J. Tallentire interjected.

The ACTING SPEAKER: Member for Gosnells, I am now going to call you for the third time. If you insist on persisting, you may be heading home a little earlier than planned.

Mr A.P. JACOB: Frankly, I am a little sick of the chest beating and grandstanding on environmental issues by the Labor Party. When it comes to crunch time, they vote against key measures —

Mr C.J. Tallentire: You're being deceitful, minister. This is an outrageous act of deceit.

The ACTING SPEAKER: Member for Gosnells!

Mr A.P. JACOB: The member for Gosnells does not like being called out. When it comes to achievement, all I need to do is point to Eric Singleton reserve, the more than \$40 million of investment in riverbank funding and the achieved outcomes under this government to say that we achieve.

Ms L.L. Baker: And the large pile of rubbish that has been perpetrated on my community.

The ACTING SPEAKER: Member for Maylands!

Mr A.P. JACOB: I will come to that. Members cannot try to bring in all these other matters. They cannot deceive people in the gallery who are just passionate about their area and try to make out as though the Liberal-National government does not care about them.

Ms L.L. Baker interjected.

The ACTING SPEAKER: Member for Maylands!

Mr A.P. JACOB: We care more about the environment than any members opposite. We do not grandstand about it. We just get on with the job.

Sitting suspended from 6.00 to 7.00 pm

Mr A.P. JACOB: Before we went into the break, I was addressing some of the member for Gosnells' comments, particularly those that pertained to the Biodiversity Conservation Bill and also the motion itself, which purports to criticise the government for failing to act on environmental legislation. I was at the community event down at the foreshore on the riverbank, as was the member for Gosnells, and I think I saw the member for Maylands going around.

Mr C.J. Tallentire: But you didn't want to talk to people in an official capacity.

Mr A.P. JACOB: No.

Mr C.J. Tallentire: You wanted to go under the radar.

The ACTING SPEAKER: Member.

Mr A.P. JACOB: Yes, I was there as a support crew member for my brother who was competing in the kayak event of the Avon Descent. As I said, he won —

Mr C.J. Tallentire: Why would you miss the opportunity to talk people?

The ACTING SPEAKER: Sorry, member for Gosnells —

Mr C.J. Tallentire interjected.

The ACTING SPEAKER (Mr I.C. Blayney): Member for Gosnells, I am on my feet. You have been called three times. It may well be the case that you become the first person whom I eject from this chamber. Thank you.

Mr A.P. JACOB: Mr Acting Speaker —

Several members interjected.

Mr A.P. JACOB: It was quite a significant event for my family and me. We quite enjoyed the day down there. I have quite a large family and I am entitled to spend some time with them. Having said that, I did use the opportunity to wander over and have a look at not only how Eric Singleton wetland is progressing with the significant upgrades that this government has put into it, but also to use the opportunity to walk past the sites in question. The site had been cleared and, in fact, that is where I parked for the event. I had a good look at the site while I was there. I was not there in an official capacity, but I had a good look. However, I ended up with the opportunity to speak with one of the people who were collecting signatures for the petitions. This individual was very well informed about current events.

Mr C.J. Tallentire: Did you declare who you were?

Mr A.P. JACOB: No, I did not.

Mr C.J. Tallentire: You didn't declare who you were?

Mr A.P. JACOB: They did not ask me. They approached me as just a member of the public and they were producing these —

Mr C.J. Tallentire: I think that's deceitful, minister.

Several members interjected.

Mr A.P. JACOB: Anyway, the individual in question was very pleasant and very passionate about what they were doing. It was really good to have a little chat. I asked about the final clause in the petition. There were Labor members of Parliament and clearly some Labor supporters—I am not saying all the community members are in that camp, by any means—who also supported the petition, which gave me occasion to ask about the final clause. It states —

Finally we ask the State Government to urgently strengthen environmental conservation laws for the protection of WA's unique wildlife and ecosystems ...

I asked the individual whether they were aware that the state government has indeed brought in a new Biodiversity Conservation Act. They were aware. I then asked whether they knew why the Labor Party had voted against the bill. The person said that they thought the Labor Party wanted more than what is in the bill. My question then was, "They may well want more, but doesn't this bill improve on the Wildlife Conservation Act in every measure?" They acknowledged that it did. They knew enough about the bill to acknowledge that it did improve it in every measure. I then asked this person —

Mr C.J. Tallentire interjected.

Mr A.P. JACOB: When I asked this person why the Labor Party voted against the bill, they made a very interesting comment—quite a disparaging comment—about the member for Gosnells. It was essentially that the Labor Party should have voted for this bill —

Mr C.J. Tallentire interjected.

Mr A.P. JACOB: I do not think the member's supporter base necessarily support the opposition of the Biodiversity Conservation Bill to the level he thinks they do.

Ms L.L. Baker: Excuse me, minister. We have been listening to the minister for a long time. You have not mentioned Carter's block more than once in your whole speech. I have had to listen to you haranguing the shadow minister. I get that, but there are people here who have waited to hear what you are going to do to address the desecration of this wetland—not Eric Singleton, but Carter's block.

Mr A.P. JACOB: I thank the member for Maylands for the interjection. I still have 11 minutes to address the item. I am directly addressing the motion before the house, because the motion seeks to condemn the government for failing to protect vital urban wetlands through environmental legislation, and I am not only highlighting to the house an attempt by this government to bring in that exact environmental legislation to protect critical habitat, but also I am very much underlining for the house, member for Maylands, the fact that you voted against it, too—as did all your colleagues. There is no getting away from that. The member cannot bring in motions —

Ms L.L. Baker: Minister, would that have solved the problem with Carter's block?

Mr A.P. JACOB: The member should not have let the member for Gosnells lead her by the nose, perhaps, on that one.

Ms L.L. Baker: You need to answer whether it would have stopped the desecration that has happened with Carter's wetlands.

Mr A.P. JACOB: Member for Maylands, my reply is not so much directed towards your comments as it is to the comments of the member for Gosnells, who chose to make these issues front and centre in his contribution to the debate in talking about the government's track record. Let me correct the record on this government's track record, because it stands next to any prior government on any measure. It stands next to any prior government on environmental policy in legislative reform and Conservation and Land Management Act amendments delivered. They were sought for 25 years.

Mr C.J. Tallentire: You got rid of 50 policies.

Mr A.P. JACOB: That is not even true, and the member knows it.

[Quorum formed.]

Mr A.P. JACOB: I apologise to members who were called in on a quorum on family night; it was not something we sought to have happen.

I come back to addressing the motion, as written, from the member for Maylands, which directly links back to the petition on this matter. I am addressing both of those issues in terms of environmental engagement. The member for Maylands knows very well, as does the member for Gosnells, that this issue as it currently stands is largely a planning matter and that is why it sits with the parliamentary secretary as the lead speaker in this house to address the issue. This is a matter for the Minister for Planning and the WA Planning Commission. I can confirm, as the member has, that relevant environmental agencies were engaged. They were consulted, and no environmental objections to this development were raised from those agencies. That is part of the process, and that process has been followed. The comments that the member for Maylands is bringing up—I think she knows full well—pertain to the parliamentary secretary.

Mr C.J. Tallentire interjected.

Mr A.P. JACOB: Again, it is interjections from the member for Gosnells and also the motion in front of the house that I am seeking to address. I am not the lead speaker in this debate. I am the environment minister. I am sick of the member for Gosnells trying to hijack the environmental debate and portraying things to be other than they are. If I look at the Labor Party's list of achievements, there have been one or two, but they do not come anywhere near stacking up to this government. I have been sitting here for three and a half years now and members opposite talk about very lofty aspirations, and I do not disagree with those aspirations, but when it comes to crunch time to deliver, not only has the Labor Party got extensive history of failing to deliver—CALM act reform and biodiversity conservation reform—but we get to the absurd level, member for Gosnells, that the opposition votes against it in this house and he purports to vote against it.

Mr C.J. Tallentire interjected.

Mr A.P. JACOB: No! I am not being rude. I am addressing —

Mr C.J. Tallentire interjected.

Mr A.P. JACOB: Stop trying to interrupt! Here is the key point, which the member cannot dodge. The opposition votes against things that it purported to support, year after year, and government after government.

Mr C.J. Tallentire: You gutted the Biodiversity Conservation Bill. You know it, and I know it.

Mr A.P. JACOB: That is a clause that the member's side had proposed.

Mr C.J. Tallentire interjected.

The ACTING SPEAKER (Mr I.C. Blayney): Member, this, I am afraid, is your very last warning. You may actually want to be thrown out on this legislation, and I will oblige if you continue to interrupt.

Mr A.P. JACOB: Thank you, Mr Acting Speaker. I will go back through it again. The opposition has had these aspirations, year after year, government after government, going back to the 1980s and 1990s.

Mr C.J. Tallentire: You have a right to speak, and I have a right to respond.

Mr A.P. JACOB: No, the member does not. He has had his turn; he spoke for his full 30 minutes. Stop interrupting, and just let me make the point. These are the facts of the matter. We have achieved CALM act reform. That was sought for 25 years, but the holy grail of environmental legislation is the Biodiversity Conservation Bill.

Mr C.J. Tallentire: What about environmental harm legislation? We brought in environmental harm legislation, and you just ignore it.

Mr A.P. JACOB: Stop trying to deflect. Stop trying to bring in other matters. The member is pinned. History will take him down on this one, and he cannot dodge it. This is what the opposition did.

Suspension of Member

The ACTING SPEAKER (Mr I.C. Blayney): I genuinely regret this, member for Gosnells. I call the member for Gosnells to order for the fourth time. As the member has been called to order more than three times, I now suspend the member from the service of the house until the adjournment of today's sitting.

[The member for Gosnells left the chamber.]

Debate Resumed

Mr A.P. JACOB: As I said, for the member for Maylands, I was addressing the issue before us, but I will finish on the line that I was pursuing. It is important that members opposite understand what happened a few weeks ago in this place. When we brought in the biodiversity conservation legislation that has been sought for so long, members opposite voted against it. In interjecting on the member for Maylands in the third reading debate, I asked whether she could name a single area in which the Biodiversity Conservation Bill does not improve our ability, through legislation, to manage the biodiversity conservation of this state.

Ms L.L. Baker: I didn't.

Mr A.P. JACOB: No, because the legislation improves every area, and on any measure, yet the opposition still voted against it. The reason the opposition gave for voting against it was a clause that the opposition itself had sought to include in a previous aborted attempt to bring a bill before this house.

Ms L.L. Baker: I don't think I spoke to that clause.

Mr A.P. JACOB: I know; that was the member for Gosnells. He kept interrupting me. I know that the opposition hates me making this point, but that is what members opposite did. That is symbolic of every measure in the environment portfolio. The opposition is so caught up with grandstanding and perpetuating the mythology that Labor is better at the environment, that it is actually now hindering the outcomes that the Liberal-National government is achieving, such as the investment of \$103 million in the Kimberley science and conservation strategy. It seems like members opposite hate that. We have the Parks for People program and nutrient-stripping wetlands, and I still get interactions criticising that as a program. The Eric Singleton Bird Sanctuary stands as a monument for generations of what is delivered by investment in outcomes.

Ms L.L. Baker: Didn't I say that?

Mr A.P. JACOB: Yes, the member did. I am not seeking to have a crack at the member for Maylands on that at all, and I acknowledged that several times in my speech.

Skippers Row is a private land development on residential zoned land. The issue is a matter for the Minister for Planning and the Western Australian Planning Commission, as it stands under current legislation. That is not something new, and it is not even something that we as a government brought in. It is a continuation of a system that has existed for many years in Western Australia. I recognise that the member for Maylands is standing up for her constituents, and I respect that. It is my job to point out that this is a planning matter.

[Interruption from the gallery.]

Mr A.P. JACOB: Yes, and I am delivering way more than that lot ever did. That individual is not too keen on our achievements either, but they will stand the test of time.

Most importantly, the Eric Singleton Bird Sanctuary will not be impacted by this development and the WAPC has imposed a number of strict conditions on the private development to ensure that there are no negative impacts on the Eric Singleton Bird Sanctuary. To address the substantive theme of the amendment, my colleague the Parliamentary Secretary to the Minister for Planning will lead the government in the debate on this matter. I will not be supporting the motion as it stands. Obviously, a motion that seeks to condemn the Liberal-National government's efforts in environmental legislation would not stand up to any scrutiny. It is incredibly ironic that such a motion has been moved by the very people who voted against our attempts to bring in legislative recognition of critical habitat and threatened ecological communities.

MR P.C. TINLEY (Willagee) [7.15 pm]: I would like to make a contribution to this motion moved by the member for Maylands about the Skippers Row wetlands area. It is particularly important for a range of reasons, the first of which is the substantive issue as noted in the motion, which states —

That this house condemns the Liberal-National government for its poor management of the Skippers Row wetlands area in Bayswater and for failing to protect vital urban wetlands through either planning or environmental legislation, and calls for the urgent protection of the remaining Bayswater wetlands known as Carter's block, which is still currently at risk.

Much of the contributions of other members in this place have been circulating, not unreasonably, around the particular areas of the Bayswater wetlands and Carter's block. I think it is very important in these debates to highlight the wider issues. There is a much wider issue here, not to diminish in any way, shape or form the

substantive matters that I have just read out about Carter's block and the Bayswater wetlands more generally. I refer to the part of the motion that refers to "failing to protect vital urban wetlands through either planning or environmental legislation".

Failure to protect urban wetlands, as I said, is the area on which I would like to focus my short contribution to this debate, simply because we cannot look at the Bayswater wetlands in isolation. As we know and environmental legislation seeks to achieve in all its forms to understand, any point on the map or any constituent part of an environment or ecosystem is connected to every other part of our wider ecosystem. The biggest footprint left on that environment is the human footprint.

The Bayswater wetlands sit nested inside a much wider chain of wetlands on the Swan coastal plain. It is very important that we understand that the protection of the Bayswater wetlands is not disconnected from the protection of every other wetland across the Swan coastal plain. For the benefit of members who are unaware or did not do a basic geology unit, as I did, we have to transect the Swan coastal plain to understand its true nature and its unique position in the Western Australian and Perth environment specifically. The Swan coastal plain contains the Swan River as it travels west to the Indian Ocean, as we all know. But there is much more to it. It continues well beyond the boundaries of the Swan coastal plain and its tributaries and it creates a geological and biological zone called the Interim Biogeographic Regionalisation for Australia region. The IBRA is a particularly important area that goes on the national register and is one of the distinct physiographic provinces of the larger Western Australian Shield, as it is called. A lot of this stuff refers to the geomorphic presentation of the state of Western Australia as we come to find it and on which we impose urbanisation and human footprints.

The Swan coastal plain, of which the Bayswater wetlands is a part, is an almost 30-kilometre-wide strip of wetlands on the Indian Ocean coast, as we know, directly west of the Darling Scarp. Therefore, we cannot think of these wetlands in isolation to that particular pocket. I draw the attention of members to places such as Lake Monger, the Wanneroo wetlands, and the Beeliar wetlands in my area and beyond. All those wetlands form part of the aqualung—as it has come to be known by some people—that runs across the Swan coastal plain and is vitally important to the flora and fauna of our ecosystem on this side of the Darling Range.

This motion refers to the protection of vital urban wetlands through either planning or environmental legislation. It is important that we understand that there is much more to environmental protection and preservation than just legislation. We need to move beyond preservation and talk about enhancement of the environment and creating a thriving ecosystem, in which we participate as humans, across that whole area through things other than legislation. We talk about government policy. It is important that in this place we make a distinction between policy and legislation. Governments come to power with the ambition of achieving a particular mandate or agenda that they presented to the people of Western Australia at the election. Governments can then say at some point in the future, when they walk away from government, after typically two terms, that they made a contribution not just in one specific area, but on a range of policy fronts and with a range of intentions to enhance what it is to be Western Australian and to enhance the natural environment in which we live. The natural environment is particularly important. We often talk in this place about the economic environment and the quality of life that is delivered through a thriving and diverse economy as it surges forward into a new and uncertain future, with this state sitting on the edge of the Indian Ocean and moving into a changing region.

However, we cannot divorce one ambition from the other. It is vital that we protect our wetlands, particularly when we live in the most urbanised part of Western Australia. I remind members that 79 per cent of the population of the state of Western Australia lives in the greater Perth metropolitan area. Therefore, it makes even more sense and makes even more important the ambitions that we have for our lived environment so that we can ensure that my children and their children, the children of other members in this place and their children, and our constituents in successive generations, can live in an environment that they are proud to occupy. The alternative, as we were tracking through the 1950s, 1960s, 1970s and 1980s, was very much a sea of bitumen or asphalt, and concrete, as we filled in one wetland after another. A significant number of wetlands have disappeared or have been rendered so useless and so cultured by the hard and soft European landscaping around them that we miss the very point that there is much more to a wetland than the body of water that resides within it. We all know that—or I hope we all know that. The wetlands, as they break out from the deep south in the estuary area around the Peel and go further north, bring with them a range of other benefits to the flora and fauna within the Swan coastal plain, as I have said.

It is also important to understand that this is a very fragile environment. This is a geomorphic presentation in Western Australia that was formed in the last ice age. It has taken millennia to achieve what we, as in the human inhabitants of the Swan coastal plain—of course I am talking about a 40 000-year history as well—found when we settled and operated on the Swan coastal plain. The other shape on the Swan coastal plain is the steepness and orientation of the Darling Scarp. All the water courses run generally east-west, and when they reach the Swan coastal plain, they encounter a very deep set of two particular obstacles. The first is the permeable soils that we all know; that classic hungry sand that is particularly found in the eastern city. It is highly permeable and

a lot of water leaches through to the aquifers, which of itself is not great. Much of the flow is lost in those particular water courses, and the consequence of the north–south orientated dunes is to create an obstacle to the further western flow of water as it comes off the escarpment during the wet periods. As a result, a lot of the water courses end up turning left and right. The Swan coastal plain and the wetlands are created as the east–west flow of water comes off the escarpment generally. It runs into a series of ancient dunes, which the Swan coastal plain is constructed of, which force the water to go north and south. In the lowest points of that action in the littoral zone, a chain of wetlands is formed. If anyone has taken a flight over Perth, they will see those wetlands extend all the way from the estuaries in the south right through to the far north of places like Ellenbrook and beyond. When it comes to talking about the value of these wetlands and how we look after them and make them thrive, it is important to also note that it is more to do with policy than law. When we have to rely on legislation to achieve a particular societal outcome—in this case, ecological protection—the government has failed in its leadership to drive and create the consensus and allow the community to understand the wider ambition.

We find no better example of the corruption of that responsibility to create the consensus for a thriving ecosystem and ecology of the wetlands of Western Australia, particularly the Swan coastal plain for successive generations, than in the Beelihar wetlands. The Beelihar wetlands has suffered under the environmental cloche, if you like, of this government as it attempts to drive what can only be described as a reckless economic plan in the form of the Perth Freight Link. For many years there has been a name that sends shivers down the spine of all of my constituents who care about this matter—that is, Roe 8. If you say “Roe 8” in the suburbs of Bibra Lake, North Lake, Coolbellup, Hamilton Hill, Spearwood or Hilton Park, a general sense of alarm will be found amongst the constituents who I represent about how their way of life will be irrevocably changed by the development of a six-lane scar through their community. We will not know what form the PFL will take in its ultimate iteration until the government makes up its mind.

Dr K.D. Hames: I think your debate has been hijacked again, member for Maylands.

Mr P.C. TINLEY: The member might say that, but I would have thought that the member would be very keen to get to his feet and represent his constituency about the wider issues I just raised about the wetland. It involves far more than the concerns around the Bayswater wetlands, because they are not unlinked. How can the member possibly say that this debate is hijacked when the motion is about the failure to protect vital urban wetlands, which presupposes a wider debate than the Bayswater wetlands, through either planning or environmental legislation? This government is planning to build the Perth Freight Link through what is commonly known by a lot of people as the Kings Park south of the metro area—that is, the Beelihar wetlands. It is a significant piece of the aqualung that, over the years, has survived a landfill site on its western boundary and thrived despite that through a lot of work and a lot of help from local communities. It is now trying to see off hopefully the last of the threats imposed on it through the planning intention of this government and a reckless economic plan that does not attend to the inbound and outbound strategic freight network of Western Australia.

I remind members that Roe 8 will extend the Roe Highway, with six lanes coming off that highway through a wetland that the Environmental Protection Authority itself initially assessed in 2003. It never changed that assessment, I might add, of the ecological values of North Lake and Bibra Lake, which make up the Beelihar wetlands. It stated —

... the EPA concludes that any proposal for the construction of the alignment of Roe Highway Stage 8 through the Beelihar Regional Park would be extremely difficult to be made environmentally acceptable. ... However the EPA is of the opinion that the overall impacts of construction within the alignment, or any alignment through the Beelihar Regional Park in the vicinity of North Lake and Bibra Lake, would lead to the ecological values of the area as a whole being diminished in the long-term.

If this place is for anything, it is for the long term. It is for the successive generations of Western Australians for whom we would like to leave a better place. I reiterate —

... would lead to the ecological values of the area as a whole being diminished in the long-term.

It goes on to state —

Every effort should be made to avoid this.

It continues —

It is recommended that other alternatives to direct freight through the general area, which do not involve the clearing and filling of the wetlands within the Beelihar Regional Park, be pursued.

That was from 2003 EPA bulletin 1088, which highlights the ecological values of North Lake and Bibra Lake. This highway provides no particular benefit to the people of those localised communities. I understand that successive state governments have to think in strategic terms of the long-term economic and environmental values that are in the best interests of future Western Australians. As a local member, I have to identify the impacts on the constituents whom I represent that are directly affected. The residents of the suburbs of

Bibra Lake, South Lake and North Lake will get no benefit from Roe 8 because they will have no access to it. They will have to endure the degradation of their local parkland, the Beelihar wetlands. If it ever comes to pass, they will also have to endure the traffic and the diesel particulates that have been shown to be carcinogenic, particularly when we look at the load ratings for the roads in the state. It is all linked to the wider Perth Freight Link. Residents will have significant health issues in those near environments around the roads. There is nothing in this. It does not make their travel easier and it does not stop the congestion for those getting out of the suburbs of Bibra Lake and North Lake in my electorate any easier by putting a six-lane privatised road through the wetlands.

[Member's time extended.]

Mr P.C. TINLEY: It does nothing for the wider state of Western Australia, both economically and environmentally. Economically, Western Australians do not benefit from it. No matter what construction method one talks about, it will drive a leaching of the soil. Leaching will occur through construction, let alone the knock-on impacts from diesel particulates. It will also impact environmentally; I am talking about endangered species. The Carnaby's black-cockatoo is one such thing that cannot be overlooked. A lot of people say, "You want to talk about cockatoos! You're worried about one thing; you're stopping progress." These are the people who say that we are in the road of progress. True environmentalists are good economists. Good strategic economic thinkers understand the instilled value of the natural environment and the natural endowment as creating a quality place to live from which an economy can be grown. If it is a sea of asphalt and concrete, I am not too sure too many people would find it an enjoyable place to live and work. They are not unlinked. Everybody knows a Carnaby's cockatoo, or Carnaby's black-cockatoo as it is known from time to time, resides in a very unique area in the south west of Western Australia. It is also internationally unique. Its habitat has gradually been destroyed; again, largely through a lot of infill of the wetlands and other locations, and a general drying of the environment has diminished their natural habitat naturally, as well as man-made consequences.

I will quote from the Save Beelihar Wetlands website. I did not have time to find the wider reference, but I think it can be reliably used. Its website states —

Sadly, the gradual destruction of their natural habitat had seen the number of Carnaby's Cockatoos in WA decrease by at least 50% over the past 45 years.

That is in my lifetime. In the majority of members' lifetime, there has been a reduction by half in the Carnaby's cockatoos' flock in Western Australia. The quote continues —

Now the Great Cocky Count of 2011 has produced the devastating news that their numbers have decreased even more—by one third compared to last year —

That was in 2011 —

at roost sites across the Greater Swan Region.

The point I make about Carnaby's cockatoos would be the natural rebuttal to what would be the fact—particularly with Perth Freight Link or Roe 8—that where detailed road planning has occurred, offsets for Carnaby's cockatoo nesting sites will be provided. That was one of the conditions of the Environmental Protection Authority's approval, which was later rebutted in an appeal to the Supreme Court. We note the jurisdictional and legal framework that has occurred. The quotes goes on —

Carnaby's have at least 12 known roosting sites within 6km of the planned highway.

That will be impacted by noise and light and of course by diesel fumes that will impact on the useful roosting sites, as they are called, within the foraging areas.

When 249 potential nesting trees are cleared as a result of Roe 8, that valuable resource cannot be replicated by a land offset—it cannot be done. Carnaby's cockatoos have a set number of roosting sites in Western Australia. Just because a piece of dirt is preserved and the government says that is compensation, in roost terms, that is a false economy. There is only a finite number of roosting sites for Carnaby's cockatoos. That is it; there are no more. Every time a piece of that is taken away, no matter what is done, it cannot be replaced. When Carnaby's cockatoos fly into the Beelihar wetlands for their roosting season, will they find the Minister for Transport there waving them off saying, "This is not the nesting site you're looking for. We've reserved a piece of dirt over here for you over this way" with a couple of paddles? "No, black cockatoos; go that way. This is not the nesting site you need because they're not here anymore. Two hundred and forty-nine nesting trees are gone, but by the way, we've prepared something earlier that is your roosting sites over here." Actually, they are already taken, because the Western Australian flock of Carnaby's cockatoos knows that those trees are there; they use those trees. Preserving a piece of dirt for them does not make it any easier. All the government is doing is reducing the number of roosting sites for Carnaby's cockatoos. It does not matter what it does. If it takes these 249 potential nesting trees out of the Beelihar wetlands, that will be it. We can expect a concomitant reduction in Carnaby's cockatoos. Half of them have been lost as at 2011. Goodness knows how many more we have lost since then.

People might say, “That’s the price of progress. We all have to fit on this thing called the Swan coastal plain. If we’ve lost half the flock, get some advice about how many more we could lose without it going into extinction. That’s not really something we want to happen; let’s not do that.” What is just above extinction? That is what we are talking about here. What line does the government want, because it is more than just the Carnaby’s cockatoo? Of course it is. The Carnaby’s cockatoo does not occupy its piece of the ecosystem in isolation. We all know that. There are other sources reliant on their participation in that ecosystem. We know that if they are taken out, it will have a natural knock-on effect. If a piece of flora or fauna is taken out of the ecosystem, the community needs to understand that there will be an impact on it. Is that acceptable? We have lost half the Carnaby’s cockatoos and all the other interrelated multipliers, if you like, in the ecosystem. Are we prepared to lose any more? What do we say to our kids? What do I say to my 10-year-old and my six-year-old? How do I articulate a future that they can believe in and a Western Australia that they want to participate in so that they feel like they are in a vibrant, thriving, natural and artificial community? I cannot.

The other birdlife in the wetlands that will be impacted on is not insignificant either. The nesting and wading birds and so on will be impacted on. No matter how the government constructs this thing across the Beelihar wetlands, it will create tunnels. Whether that is done by pylons—we understand the pylon method—it will create narrow points, or choke points, between Bibra Lake and North Lake through which a lot of fauna will have to pass. That will be a natural place for the congregation of predators. The Environmental Protection Authority report does not model the predatory impact across the food chain, particularly from introduced species such as cats and dogs, on the natural environment of the Beelihar wetlands. It cannot possibly do it. It is enough to say that it is simply going to channel the native birdlife and the native fauna and create an absolute smorgasbord for peak carnivores. It is as simple as that.

There is a choice for the people of Western Australia that this motion particularly refers to, and it goes beyond the legislation. Legislation is only as good as the policy and the leadership that delivers it to the community. In this case, across the Swan coastal plain and the 30-odd kilometres of wetlands or, as they say, the aqualung of the Swan coastal plain, it is fundamentally important that we understand that we are doing irrevocable damage to the whole ecosystem by not attending to the remaining Bayswater wetlands and the particular issues around Carter’s block. I would be very interested in the parliamentary secretary’s view about the detailed issues around Carter’s block that the member for Maylands articulated in her motion and her speech. I hope he can make some contribution so that the community of Maylands can understand the cost and opportunity of doing that.

More broadly, the Perth Freight Link is an ecological and economic disaster. I will not go into that too much, and I have avoided the economics of the Perth Freight Link and the wider inbound–outbound freight strategy for Western Australia because I did not want to detract from the good work done by the Save Beelihar Wetlands Campaign and other participants that resist Roe 8 and will continue to resist Roe 8 for as long as is humanly possible to ensure that we have a future that our children can believe in, in the natural environment.

DR K.D. HAMES (Dawesville) [7.45 pm]: I have to say that in this debate, I feel sorry for the member for Maylands. As usual, she produced a very passionate and compassionate speech that was very well constructed in support of the people of her electorate. I thought she did a very good job. Sadly, I think the member has been somewhat hijacked in this debate, firstly, by whoever wrote the petition in the first place, and I suspect that the extra line at the bottom of the petition probably came from the member for Gosnells or someone of his ilk. That really detracted from focusing on the issue here, which is Skippers Row. I enjoyed the member for Willagee’s speech; it was very well constructed. I did not agree with most of it; nevertheless, it was a well-constructed speech. Again, however, it had nothing to do with Skippers Row. I know members opposite got cross with the Minister for Environment during this debate, but he was dealing with environmental issues raised by the member for Gosnells. I enjoyed the speeches by the members for Maylands and Willagee; I did not enjoy the member for Gosnells’ speech, but then I seldom do.

Ms M.M. Quirk interjected.

Dr K.D. HAMES: He probably feels the same about me.

I want to talk specifically about Skippers Row. I probably have a little authority on the history of this area. I was a local council member representing this area from 1985 to 1993, when I was elected to Parliament. I remember very well going down to that area. The little road that is now a walkway was a road at the time—the extension of King William Road, which went down next to what is now Eric Singleton Bird Sanctuary. On the other side was land that I think was owned at the time by the former Labor member of Parliament, John D’Orazio. All the land behind there belonged to the D’Orazio family, and John was a very good friend of mine. We were together on Bayswater council, with him as mayor and me as councillor and occasionally deputy mayor in exchange with Hon Adele Farina, who was otherwise deputy mayor on occasions! We were part of a factional group that had both Liberal, Labor and others. We were passionate about that area. It had been a rubbish tip—not the Skippers Row bit; that had been resolved before I became a councillor—and I am fairly sure that the rubbish tip

was to the east of the King William Road extension, and where Skippers Row is now was partly farmland. In fact, it was all farmland at one time; the whole area was part of a farm. It had been made into a rubbish tip on the King William Road side and then that was filled in and an artificial wetland was created, which is now the Eric Singleton Bird Sanctuary. In fact, our council gave it that name, after Eric Singleton, a fantastic guy. His son, incidentally, is also a fantastic guy. Members might remember having seen his picture on billboards around town for the “See the Person, Not the Disability” campaign. He has severe cerebral palsy and is an amazing guy; I digress—but he got university degrees with a severe level of cerebral palsy. We named it the Eric Singleton Bird Sanctuary and we did a lot of work to prepare it as a wetland, with a particular focus on the birds in the area. I remember going down there as part of a busy bee on one occasion, pulling out the castor oil plants that were growing profusely around the bird sanctuary. There was a group called Bayswater Greenwork. I was a GP in Inglewood at the time, and I gave up the back half of my block for them to grow plants to plant in that wetland area, around the whole area and up the Bayswater main drain.

When I was Minister for Water Resources, I established the Bayswater Integrated Catchment Management Group, and made Hon Judy Edwards chair of that catchment management group. I worked very closely with the Bayswater Integrated Catchment Management Group and Bayswater Green Works, which was the group growing the plants to make sure we did our best for the environmental management of that area. My recollection of Skippers Row is not very great. It was part of a paddock; it got wet in winter and dried out in summer, as lots of paddocks do in areas where the watertable is very high. We have to understand that the watertable in this area is extremely high. There are huge areas of wetlands to the north, in Maylands, upstream from Garrett Road Bridge, and to the south. I well remember as a councillor, the area where Moojebing Reserve is in Moojebing Street, Ashfield. It needed me, as Minister for Water Resources, to get the infill sewerage into that area even before blocks could be developed because the watertable was so high that all that area was flooded in winter. The Bayswater drain, as many will know it, drains the whole area through Bayswater, Morley, Noranda and even Dianella. That huge area was once wetlands, member for Maylands. The same sort of wetlands she spoke about were all through that area. I moved into Dianella in 1963 and the whole area where The Strand and Dianella Plaza are was wetland. We chased frogs and caught taddies in that area. It was all wetland. The Bayswater main drain drained that whole area and allowed the land development of that area. We would not have half of Noranda, Bayswater or Morley if it were not for that main drain that comes out at exactly that spot.

Ms L.L. Baker: Now called Bayswater Brook.

Dr K.D. HAMES: It was the Bayswater main drain at the time. When I was Minister for Water resources between 1997 and 2001, I had responsibility for the Swan River Trust and we did a lot of work in that area because one of the major sources of phosphate going into the Swan River was the Bayswater main drain. Hardies in Bassendean had the phosphate works there and a lot of that phosphate was being washed down through that main drain, plus people were putting phosphate on their lawns. Seventy tonnes of phosphate a year were coming through that Bayswater main drain into the Swan River. We did a lot of work to change that and worked with Bayswater Green Works and Judy Edwards with the Bayswater Integrated Catchment Management Group trying to get rid of all that phosphate going into the river, and it worked. There was a major reduction over about five years of phosphate entering the river.

What does that have to do with Skippers Row? It is hard to tell really. I heard the description from the member for Maylands of what is there. Farmers who have areas of paddock, as did the original farmer there, experience wet areas every winter where the water comes up. People cannot get in there so they do not bother clearing the trees and that little corner where the trees are standing was just too wet for farmers to use. That is why it was left. What role does it play in the Eric Singleton Bird Sanctuary and its drain? I think the member described it very well. It has a role. It plays a part and even though they are intermittent wetlands, they are an additional water source for birdlife, frogs and the like.

What action as a government should we take? The sad thing is that it is private land; it is owned by private individuals, the same as any other private land in this state. We have an internationally recognised system that recognises the right of private ownership of land. Once an individual, a company or whoever has paid their good hard-earned dollars to buy it, and they have a planning scheme over it, they have the right to develop it. That is the inalienable right of the western system. The Australian system allows people to buy land and build a property. It should be sacrosanct. It would not be fair if someone bought a block of land and everyone else who lived around that block, who used to have trees on their land but who have cleared them to build houses, to say, “No, you cannot do that,” because they like the block opposite that has trees on it. For the people who live in this area, their land was once wetlands maybe 50 or 100 years ago, and now they are looking at this nice block and are saying, “We want to keep that. We think that’s pretty good.” As the member for Willagee said, we increasingly recognise that wetlands are the lungs of the city. Bushland is critically important. We now have a tough choice between the inalienable right of a developer and the more modern desire—it is the same with forests around the world—to protect what we have left of our bushland and wetlands and to preserve it the best we can.

The member for Maylands, this matter reminds me of a problem that arose in my electorate. There was an osprey nest in an old tree near the river, a few hundred metres from the big bridge in Dawesville. Just over the bridge, some land had been developed by developers. The Aboriginal community had gone through and had done a survey and missed the tree. They are good mates of mine and I spoke to them and they did not realise it was there; they missed it. We ended up with a beautiful old nest in a middle of a piece of land that was going to be bowled over for a house. We had to save that nest and tree and we did not know how we were going to do it. There were only two options: the state government or the council would have to buy the land. We considered both options, but the block of land was worth \$650 000 and it was out of the reach of anyone. I do not know what the land sold for before, and it is a shame that the council did not buy it when it had the opportunity, but it was a prime development piece of land.

Ms L.L. Baker: It was \$2.73 million when it was offered to council, but that was on the proviso that they thought it was developable.

Dr K.D. HAMES: I remember John D’Orazio, when they owned that land, and they were also keeping it as their nest egg. It was bought for the family to develop in the future to earn superannuation, if you like. That is what it was all about. I think if John D’Orazio were still around today, he would probably argue in favour of this: we own the land, we bought it, it is ours and it is our right to develop it. It is a shame that the land was not bought by the government.

What happened with that Dawesville block? The council or the government could not afford to buy it. We convinced the council to put a pole on the edge of the water, just outside the block. The whole tree was cut. The trunk was cut and all the branches were kept intact, with the nest in it, and we created a cage and moved it 50 metres into the water. Now the birds breed there beautifully.

It is clear we cannot do that with the wetlands. We cannot just up a wetlands and move it, but the reality is that unless someone buys the land, the developer has the same rights that anyone has on their property. If someone came and told a person what they could do with their land and their house, I think they would be pretty annoyed. People have an opportunity to buy the land, but it has to put into state government, into the total context of land that is available, preserving bushland and wetlands, preserving land across the state. It would be a massive investment to buy back bushland. There is so much bushland on private land and the state government would love to buy it, but it is the taxpayers who would buy it and there is limited capacity for that. We have to look at individual blocks. It is not permanent wetland; it is seasonal. It is an old paddock that gets wet in winter and dries out in summer. Should the government spend a couple of million dollars to buy it? Perhaps, it should not.

As an alternative, of course, we cannot suddenly put in old paperbark trees, but we could invest money in strengthening and lengthening the wetlands around the Eric Singleton Bird Sanctuary. There is a lot of land there. We redeveloped all that. It was all rubbish tip that was redeveloped mostly by local government. We developed the area along the foreshore as parkland. John D’Orazio was the main driver of developing community areas, barbecue areas and areas where people could go. He kept things like Gobba Lake, which is a great little wetland just off to the side, and the Eric Singleton Bird Sanctuary, to make sure that there was a place for birds and animals to live.

Debate interrupted, pursuant to standing orders.