

MANGLES BAY MARINA DEVELOPMENT

Motion

Resumed from 7 August on the following motion moved by Hon Lynn MacLaren —

That the Council —

- (1) notes the mass opposition to the proposed Mangles Bay marina tourism precinct development as evidenced by the petition bearing more than 8 000 signatures; and
- (2) calls on the Barnett government to honour the original 1964 agreement under which the land at Point Peron, including the site of the proposed development, was transferred by the commonwealth to the state subject to the condition that its future use would be restricted to a reserve for recreation and/or park lands.

HON KATE DOUST (South Metropolitan — Deputy Leader of the Opposition) [2.11 pm]: Last week when I commented on this motion moved by Hon Lynn MacLaren, I was addressing the second part of her motion that dealt with the transfer of this land from the commonwealth to the state for the purpose of recreational tourism. I reached the point in the debate at which I had been talking about the meeting I had with Cedar Woods Properties. I refer to the *Hansard* of 7 August in which I said that Cedar Woods had commented to me that the agreement between the commonwealth and the state was just a piece of paper. Although that is its view, and it is entitled to that view, it was a fairly trite way of dealing with what had been an extended period of negotiation between the commonwealth and the state about the transfer of the land, and the reasons behind and costs associated with the transfer of that land. Not only was that part of Point Peron transferred to the state government for specific purpose, but Woodman Point was transferred at the same time. These transfers were to compensate the state for the loss of Garden Island, which had previously been used by the community as a recreational place for short-term holidays, and probably some people would have lived on Garden Island from time to time. I understand it was a very pleasant place to visit. I made reference to those points.

I am concerned that it has been so easy to deal with a fairly solid agreement and a paid transfer of land for that purpose and, as Woodman Point is still used by families and school groups for the purposes of recreation and tourism, it might be possible that at some point in time a developer might approach the state government on the basis that it has already decided to change the purpose of the land at Point Peron and has moved ahead to develop the marina project and the canals. Is it conceivable that at some point in our history similar decisions may be considered and the use of land at Woodman Point considered for other purposes as well? I know that we are not dealing with Woodman Point now, but given those two pieces of land were transferred at the same time, in the same document, for the same purpose, I throw it out there that that very valuable and important area could also have its use transferred. Land that was exchanged with the state government for a specific purpose is now essentially being handed over to a private developer, which essentially will carve into Point Peron and develop the area for private housing.

I have already said that I do not have a difficulty with upgrading Point Peron to provide those new recreational arrangements, because the provision of coffee shops and restaurants along that coastal area will be quite attractive. The Standing Committee on Environment and Public Affairs discussed those matters quite frankly in its first inquiry, and we all agreed that things could be done in that area to make it more attractive for people to visit. Members need only consider what has happened on the Rockingham beachfront area in the last dozen years to realise what a fabulous job Rockingham city council has done to invigorate that area and change that environment so that it is a much more attractive place to visit. We see this great restaurant strip opening up along the beachfront opposite Churchill Park, and new accommodation, with apartments, and people living closer to the water. It has again become a very pleasant place to visit. Families have been visiting that part of Rockingham for eons. Rather than sitting in the park at Christmastime, they now have the opportunity to venture into coffee shops and restaurants, and to stay in that area. The reinvigoration of that area has been a job well done. Access to that area has certainly been improved with the train line going down to Rockingham and the new and improved bus services that connect that area. Change is good, and it certainly has been good for Rockingham.

My concern has always been about carving up Point Peron. I have always been of the view that perhaps it could have been done differently, but we have probably moved beyond that and things are starting to roll on. I will wait and see. If members have had the opportunity to peruse the documents—probably only a few have; it is very interesting to go back and read the correspondence between the offices of the Prime Minister and the Premier of that day about why they ventured down this path. For those members who are keen students of history, these are very interesting letters to read and to consider how things evolved. I have a real concern that in the type of exchange that has happened, the land use could be changed so dramatically and the land handed over to a private developer. What happens to the money associated with the sale of that land? Does it go to the state or to the local government?

The other issue is that although the private developer will develop that area for purchasers, and we have a 25-year agreement over the maintenance of that area, as far as I know—I am happy to be corrected—nothing states that Cedar Woods cannot onsell that arrangement to a new developer or owner of that area. We should ask questions about the ongoing maintenance of that area.

Hon Phil Edman: That will be done by the council. There needs to be a marina manager, and that should be the council. It is too early for that to happen, I'd say.

Hon KATE DOUST: Those are matters that people need to think about at an early stage, rather than when it happens. If Hon Phil Edman is telling me the council will be engaged in that, it is a good thing to know. We all know change happens, and this is an evolving situation. I do not think this will be the last opportunity we have to debate this matter. It is a very complicated issue. At the end of the day, we are still waiting for Environmental Protection Authority approval; and, if it does not sign off on it, the project will not go ahead in its current form, and I imagine the government will go back to square one to review that.

I want to thank Cedar Woods for some correspondence it provided to me after our meeting, in which it went through a number of questions I raised. I give Cedar Woods credit for being thorough and diligent about all of the issues associated with this development—as it would, because it is a significant investment to be the major proponent for this project. I do not have a lot more to say on this issue. I will raise one other matter that was mentioned in the letter, which I think was alluded to by Hon Phil Edman, about a marine science centre. I agree with members who have raised that. I think a marine science centre would be fantastic given it would have links to universities and industries located in that area, but questions arise about who will pay for it. Similar issues arose when discussions were held about Elizabeth Quay. An Indigenous heritage centre was meant to be located there but that has totally disappeared off the plan. There is no funding for it and it is doubtful that it will ever happen. That was one of the key attractors for a lot of people when Elizabeth Quay was first flagged. An Indigenous heritage centre was one of the main attractors to encourage people to visit Elizabeth Quay. I imagine that as part of this development, the marine science facility would also be described as a key attractor to this area.

I sincerely hope that this is not something that will simply fall off the radar; that this is a matter the government pushes diligently. There are questions about who will fund it: Will it be funded entirely by the state government? Will the developer be required to contribute part of it? Will the local government be required to contribute part of it? That is a significant issue. It is all very nice to talk about these types of arrangements but we do not want them to disappear into the ether when other things happen or when they say, "We've run out of money" or they had to rejig the design or the layout or it does not quite fit into the reason for having this type of development. I think it is a good idea. I hope that when, or if, this development ever starts, it is part of the permanent plan and not just a figment of the imagination or part of the sweetener to get people engaged with this. If these things are there, they need to stay there. They do not need to disappear. If the government is to stay engaged, that is a very important part of this area.

It is a very complicated issue. It certainly has been a divisive issue in the area. Unlike Hon Ken Baston, who may have been a bit dismissive of the people who were opposed to the project, there are people who are violently opposed to this project and there are people who will accept some change but not other parts of it. It is important that everyone's view is taken into account. We may not always agree with everyone's view but it does not downgrade the validity of their view. We should not be dismissive of people just because it is not our view. The people who have concerns about this or who have been supportive of this have been very diligent in their approach to how their views were articulated. The community has been quite acceptable of the diversity of views. It has been a good issue to get people in that area engaged. It will take a long time for people to come to terms with the change. People who have been in Rockingham a long time and people who visit Rockingham as part of their annual leave and have used Point Peron as part of their recreational space will have a strong emotional attachment to the point as it is.

I agree with Hon Phil Edman and Hon Ken Baston that the area has degraded. The committee made that comment when it conducted the initial inquiry. Why has Point Peron been allowed to reach that level of degradation? There could have been the opportunity for whoever was in state government or whoever managed the council to set up a plan for Point Peron and say, "What can we do to improve it? What can we do to make it more accessible and more attractive?" While looking at how change could be incorporated, it would still attract people to the beachfront. I do not deny that people in that area want to have safe moorings for their boats because we know of the issues there. My concern is simply the design and the incursion into Point Peron in the potential loss of public land that is currently used for recreation. Based on meetings I have had, I have been assured that all these concerns will be managed and people will still be able to find accommodation in the point and hopefully, as a result of any changes down there, the issues of degradation and access will be resolved.

I know that my colleague Hon Lynn MacLaren probably does not find relief in those types of responses, but I say to her that today is not the end of it. As Hon Sally Talbot said, we will not agree to Hon Lynn MacLaren's motion today albeit we share probably quite a few of her concerns about the way it has been managed and some of the potential issues associated with this type of change. We will wait to see the outcomes of the Environmental Protection Authority's report. It is about finding a balance between the positive outcomes of change in how people can better utilise that area and enjoy the space, how it may provide employment for some people, and living space. That needs to be balanced against making sure all issues are considered around heritage, environment, public access and access for the Navy—because I know a significant concern is access to Garden Island, if this development goes ahead. This development, if it goes ahead, will not happen overnight. When my family moved to Rockingham in 1975 the causeway was only just being built. Truckload after truckload of limestone would head up there all day every day until it was completed. It is a long-term period of change before the development gets up. That might actually create some access issues for the Navy to and from Garden Island because access will be reduced to a single carriageway. How that can be managed better will certainly be discussed, if it has not already been. A very positive outcome to any change in this area would be to address the upgrade of the gun batteries that are dotted in and around the Point Peron area because they are a very significant part of our heritage.

There are a range of matters associated with this proposal for Mangles Bay marina. I dare say we will come back and revisit them a number of times over the next few years. I think it is a significant issue in the south metropolitan area. It is certainly being managed in a better way now than it was when the issue first arose many years ago. I suppose that is because we are getting to the pointy end at which decisions are being made. I fully expect that if, after 7 September, there is a change in federal government, momentum will pick up. An incoming federal Liberal government could quite possibly take a different view and want to actually speed up the process. Those things will impact on the timeliness of the decisions made about this proposal starting and how long it will take to process. As we all know, Rockingham is a very lovely part of Perth and it has seen significant growth and change. Hopefully, this type of proposal will only add value to the area.

HON SIMON O'BRIEN (South Metropolitan) [2.30 pm]: As a member for South Metropolitan Region who has been around for a little while, I am delighted to be able to offer a contribution to this debate. In the motion moved by Hon Lynn MacLaren she invites us to do two things: firstly, to note the mass opposition to the proposed Mangles Bay marina tourism precinct and, secondly, to call on the Barnett government to honour an original agreement from 1964 under which the land at Point Peron, including the site of the proposed development, was transferred by the commonwealth to the state subject to the condition that its future use should be restricted to a reserve for recreation and/or parklands. They are the words of the mover of the motion and presumably her interpretation of the document to which she refers. I want to take each of these points in turn, but I first want to acknowledge the remarks of Hon Kate Doust just now and last week relating some of her personal observations and links to the area.

I think we all have had something to do with Point Peron over the years. I remember going there on a number of school excursions. These days school excursions seem to be to Singapore or Paris or somewhere, but we used to go to Point Peron, and it was a very nice outing too. We could look at the features and we studied the rock formations in our high school geography and science classes. We stayed there during an earlier time at one of the fairly basic and well-worn, though much-loved, accommodation complexes, with the fibro-cement walls and the communal living. We had a great time because we were all kids doing those sorts of activities. Rockingham, of course, seemed a very long way away then, and bear in mind that I came from Fremantle and not from Wanneroo or somewhere. We would set out on some clunky old bus and we would go down the road, and after a while we would go past the noxious industry of the tanneries and whatnot near what is now Port Coogee.

Hon Kate Doust: Some of us used to do it twice a day to go to school and back.

Hon SIMON O'BRIEN: I am just trying to think what bus Hon Kate Doust would have caught—was it the 154?

Hon Kate Doust: It was too long ago!

Hon SIMON O'BRIEN: I am sorry; I lapsed into transport-portfolio mode there just for a moment!

Hon Kate Doust: I think it was the 23 or something like that—the 123.

Hon SIMON O'BRIEN: I remember catching the 123.

Hon Kate Doust: And the 116.

Hon SIMON O'BRIEN: There was all of that including the 116!

After having gone past the noxious industry, we would start approaching the heavy industry strip and as a bunch of schoolboys we would want to see some real, proper evidence of heavy industry. We wanted to see smoke

belching from the chimney stacks of satanic mills and so on. If some bucket-of-cold-water science teacher wanted to say that it was only steam coming out of that chimney, we would nudge each other in the ribs and say, "I bet it's cyanide." They are memories of childhood. As we ventured further south into the wild country, we would eventually come to a place called Rockingham, which was a long-established holiday hamlet to the south of Perth, and it is still in the same place today, although it has grown substantially. If we kept going even further towards Point Peron, we would get to the area now in question. At that time, I went to other points of the compass from Fremantle on youthful excursions. I was with the 1st Fremantle Sea Scouts and we had quite an intrepid group of people who were keen on oceangoing boats. We would actually get outside the heads in sailing craft, some of them very old and quite substantial, including one of World War II vintage. We would sail these under the skilled supervision of master mariners such as Skip Baron, Captain O'Keefe and others. We would sail over to our campsite on Garden Island in the eastward lee of Mount Moke there, as many sea scouts had done before us. Sadly, the campsite has been shut down now as the Navy has taken over virtually the whole island. But in those days, pre-Navy, and I am talking about the early to mid-1970s, there were many such campsites on Garden Island and Hon Kate Doust alluded to a number of them. It was a bit like Rotto in some ways, being an offshore island, but there were some key differences. There were plenty of shacks on Garden Island that were used as holiday shacks and some of them were quite extensively constructed. I remember all the signs of sophisticated holiday beach shack architecture such as pathways made out of empty beer bottles buried headfirst into the sand and that sort of thing. Many happy days were had there by not only my mates and I, but also countless other Western Australians. The honourable member will, of course, remember that there was a bit of a settlement at Careening Bay. There was a general store and, I think, licensed premises, or so I am told; I was obviously not of sufficient years to be familiar with such an establishment! In due course we watched from both the land and the sea as the Navy moved in. A causeway and bridge were built, and even then we said that the engineering was wrong, and, subsequently, I think we all agree that if it were done again, the causeway would be designed differently.

Hon Kate Doust: With holes in it.

Hon SIMON O'BRIEN: Indeed.

Now we have a very substantial Navy base there, with probably half the Navy located, as it should be, on the western seaboard. I mention that because Hon Kate Doust mentioned it, to put in context this argument and to refer to the exchange of land between the commonwealth and the state about the time arrangements that were made for the Navy—that is, the commonwealth—to occupy Garden Island with the state picking up what was apparently considered at the time a quid pro quo compensation of land at Point Peron, which we are discussing now.

Hon Kate Doust: And Woodman Point.

Hon SIMON O'BRIEN: Indeed, and Woodman Point.

It is funny the melting pot we got, because, of course, around not only Garden Island, but also Rottneest Island, Woodman Point and other places around Cockburn Sound and the Perth environment, there used to be, certainly when I was kid, plenty of evidence of wartime activity, with the commonwealth, via our defence forces, making use of substantial parts of the coastal environment for defence purposes.

Hon Kate Doust: They're still digging up bombs in Warnbro, aren't they?

Hon SIMON O'BRIEN: Absolutely. Some of it has been longer term, such as the Kingston Barracks, as it was, over on Rottneest. Some of it was short-term emergency stuff such as coastal batteries at Leighton in Mosman Park, on sundry islands offshore and so on. There are plenty of remnants of such facilities on Garden Island. I am not altogether sure how the division between state and commonwealth ownership has ebbed and flowed in the lands and islands that we are discussing in this debate. I know that they have ebbed and flowed and changed quite dramatically over time.

Hon Kate Doust: There was actually an exchange of money in this contract as well, so more than £30 000 was paid for the transfer of those parcels of land.

Hon SIMON O'BRIEN: Indeed there was. There have been other exchanges of land—temporary or permanent—over the years. I guess that is what happens with the effluxion of time—there is evolution of land use. We should think back to Wireless Hill in the City of Melville, which was given over to a vital operation to connect Australia with the outside world back in 1911, I think, with the establishment by the Marconi company —

Hon Peter Katsambanis: A couple of years before my time.

Hon SIMON O'BRIEN: I am sure Hon Peter Katsambanis recalls this. A wireless station was established by some German engineers so we could communicate with the rest of the world. I do not know how long the

German engineers were kept here when 1914 rolled around, but it was an important installation. It is now totally redundant for that particular use. It is valuable in heritage, cultural and scientific terms because of its use, but for a very long time it has obviously been surplus to commonwealth requirements for postal services and telecommunications, for which it was then known.

We have seen the evolution of land requirements by the Department of Defence, as part of the commonwealth, in this neck of the woods. As I have already indicated with reference to Wireless Hill, for example, I have seen quite a few of these land exchanges over the years. Indeed, every time a bit of commonwealth land, perhaps formerly owned by a commonwealth entity such as Telstra or Telecom, that has been reserved as an open bit of land with a big box in the middle of it for telecommunications purposes is disposed of as surplus to requirements, quite often in a highly sought after residential area, we have the same arguments. A protestor might say, "Hang on; this land was vested in the commonwealth for particular purposes for telecommunications. You should not now allow this land to be sold so that some other millionaire can build their mansion in front of my mansion and thereby block the view." I have seen plenty of arguments of that nature as well.

I am no stranger to looking at this sort of agreement. One thing I know is that it is possible to view these agreements and transfer documents in a way that is perhaps incomplete. I am sure the mover and others have diligently sought out and acquired information, such as the 1964 agreement referred to in the motion, to examine its detail and content and to interpret it. I am sure they have done their very best to interpret it. I would also suggest, with the greatest respect, that very often when we think we are diligently interpreting a document of agreement of this type, we might find that our examination leads us to other records such as correspondence between Prime Ministers and Premiers no less, setting out an understanding that may or may not be convenient to the purpose of the person trying to either oppose or support the proposition of today and seeking to use the evidence of an agreement from near on 50 years ago as the basis for which some change of land use would be supported or opposed. Very often in examining that material, it is possible to interpret it through a limited prism intended to establish our argument, ignoring the fact that we may not have all the information at our disposal. When we find a select document from so long ago, we may well find that it is not the whole story. Therefore, it is dangerous for the house to form a view that we should do something or interpret a particular document in a certain way without examining it far more closely.

We had some advice from government through Hon Ken Baston as the minister responsible, in a representative capacity, to explain a little further some of the circumstances around the transfer of land and about some of the advice that government has about what it really means in 2013. Despite all that—I do not intend to discuss that point much more—it occurs to me that if the land or reserve in question is to be used for recreation and/or parklands, which, again, is the interpretative wording used in the motion, the marina and the associated other articles of public amenity that are proposed for this area deliver that, and deliver it very strongly indeed. This project is about improving access to beachfront areas currently locked up under various organisations and used predominantly for private purposes. How is that inconsistent with a desire to ensure that this land is reserved for recreation purposes? It will provide greater public access to the foreshore by opening up the beachfront from the Garden Island causeway along Mangles Bay. That is a good thing. It is about providing recreational space. We do not want to be scared of doing that just because inevitably some people will predict Armageddon if we try to open up an area of coastline. Others have tried and met with varying degrees of success in doing this over the years. We have heard from several speakers about the history of proposals in and around this same area and how blinking hard it is to get anything done. We have heard the lengths to which people go to put hurdles in the way of getting things done that would be to the benefit of so many more in the community.

I have some support from an unlikely source. I notice on page 9 of this morning's paper an article on a fellow who would be familiar to all of us—a former member of the Parliament of Western Australia who held a very high office. He gives his views in some sort of exclusive interview to Ben Harvey, which actually touches on related matters. Putting to one side his views about the incompetent and chaotic nature of Hon Kevin Rudd, which certainly was a candid comment from this commentator, and his less than generous interpretation in which he referred to the Premier in this way —

Colin should understand his success is due more to the Labor Party's poor performance than to his appeal to the electorate.

That is a sort of backhanded compliment for everyone! Quite apart from those little gems, this well-known figure points out with pride that his government—I am referring here, of course, to former Western Australian Premier, Brian Burke—established Hillarys marina, and states —

... when there were thousands of people who were demonstrating (against it).

I find that interesting! He is advocating that sometimes people need to stick to their guns when they know it will be for the benefit of the vast majority. Even when people are rallying as strongly as they can in their opposition

to a particular proposal, they need to stick to it. Elsewhere in the story, the former Premier undermines that attitude a little by also saying that his government abandoned plans for a series of marinas between Geraldton and Bunbury because of the backlash over Hillarys.

Hon Kate Doust: It's a bit like changing your mind about the feed-in tariff!

Hon SIMON O'BRIEN: It is nothing at all like that.

An opposition member interjected.

Hon SIMON O'BRIEN: No, that is different.

Hon Kate Doust: Well, the government did not stick to its guns on that, did it; it flipped on it!

Hon SIMON O'BRIEN: I am not an apologist for the government. I am just saying what a former Premier has to say, and if opposition members do not want to respect the experience of their former parliamentary leader in Brian Burke, who, it states in the article, still talks to all Labor members!

Hon Kate Doust: No, he does not!

Hon SIMON O'BRIEN: If opposition members want to disown that, is that a backflip? I note for Hon Phil Edman that the former Premier's comments were interesting because that tells us a lot about the proposals for Mangles Bay. Yes, there will be opposition, there has been opposition and there will continue to be opposition to its development, but that does not mean that those members who think and can demonstrate that it is a good idea, one that will benefit the vast majority of people, should be put off pursuing it just because we will be criticised. I do compliment Hon Phil Edman for the way he and others have single-mindedly pursued this particular proposal because it does have merit.

In the context of this debate I am not attacking the Labor Party; it is not an attack coming its way so members opposite can put their hackles down! I do not know what the Labor Party's position is on Mangles Bay, frankly. If it has one I would be interested to know and if it has not arrived at one as yet, the party probably needs to start seriously thinking about getting one, because people do not like indecisiveness. People have to stand for something.

Hon Kate Doust: Yes, that is what they were saying about the feed-in tariff!

Hon SIMON O'BRIEN: Labor members should not take my word for it —

Hon Kate Doust: We look forward to quoting you when it comes to the feed-in tariff!

Hon SIMON O'BRIEN: They should ask Brian Burke!

A government member: Just ring him!

Hon Kate Doust: I don't have his number.

Hon SIMON O'BRIEN: Some Labor government members used to get their own phones to ring him! But this is not about the opposition. I will say in passing that it would be nice to know what the Labor position is on the Mangles Bay marina development because we have heard a number of ALP speakers at great length and we still do not know what their position is. The member for Rockingham—I do not know what his position is, although I think the last time I heard he was against it.

Hon Kate Doust: No, he's not.

Hon SIMON O'BRIEN: Now he is for it? I guess people can change their minds.

Several members interjected.

Hon SIMON O'BRIEN: If he is for it, the whole team should be for it. As Hon Kate Doust says, no doubt we will revisit a whole lot of aspects about this again from time to time, and indeed we will. But to come back to the motion, I do not think we should adopt the view of calling on the government to honour the agreement struck by a previous state government with the commonwealth government because to do so is to assert that currently the government is not honouring it. There is no evidence that the present state government or previous governments have failed to do that; and indeed on any interpretation it could be said that the state government is advancing the spirit of the agreement by seeking to make the area more available for recreational purposes to a whole lot more people.

The other element of the motion asks the Legislative Council to note the mass opposition to the proposed Mangles Bay marina tourism precinct. Again, perhaps it is drafted to sound as innocuous; that we simply take note of something. But it is not asking members to do something innocuous, like note that the sun came up this morning or that tomorrow is Thursday. It is asking us to note the mass opposition to the proposed Mangles Bay marina tourism precinct development. What does that mean if a house of Parliament were to note such a thing? It

indicates an acceptance and recognition by this Parliament that there is mass opposition—whatever that means—to the development. But, because it is silent on everything else, it asks members, by so noting such a thing, to give an indication that we have arrived at the view that the development is a bad thing; that this so-called mass opposition should be and is indeed supported by this house.

I see no reference in this motion to any recognition of the support there is towards the marina's development. Nor do I see any capacity in this motion to acknowledge that there are two sides to every argument; and I certainly do not see in this motion any understanding of the fact that if we were to go to a popular measure—like the support of a local council or the general community—they would find that what this Parliament should be doing is noting the broad support for this very excellent proposed development. That is why we cannot support the motion. I would invite the mover—that is, Hon Lynn MacLaren—to note that, despite all the other political rhetoric that has come and gone from others, the ALP probably does not intend to support this motion either, for much the same reasons. Perhaps the mover then needs to reflect on how much mass support she really has. In this broad church, if she cannot summon up any support at all, even from an opposition, when it attacks the government, perhaps she ought to reassess the angle she is coming from.

Recently, there was an expression of mass support just down the road from a rally that marched on Parliament opposing the development. They rallied out at Parliament house in their masses. I have a picture here of the group assembled, which I am holding up for the benefit of members and will describe on the record shortly.

Hon Kate Doust: Will you table it?

Hon SIMON O'BRIEN: I will pass it around; I do not think it needs to be a tabled paper.

The photo shows about two dozen people, with about half as many placards. There are two television cameramen and one or two reporters among the two dozen or so people who appear in the picture. That is not mass opposition when there is only a small number of people on such a big matter of dispute.

Hon Lynn MacLaren: That is not the only rally we have had.

Hon SIMON O'BRIEN: I hope the honourable member had bigger ones than that.

Hon Lynn MacLaren: If you look at my Facebook page, there are pictures of bigger rallies.

Hon SIMON O'BRIEN: There would have been bigger ones for the Hillarys marina. The member should go down there any day of the week and see the mass opposition that exists there.

Hon Col Holt: Two million visitors a year.

Hon SIMON O'BRIEN: Exactly, Hon Col Holt; Hillarys marina has two million visitors a year.

I am grateful for the opportunity to add my words to the debate on this motion. I regret to inform the mover that the motion is not supportable for the reasons I have given. Perhaps the honourable member and her colleagues should think how relevant she and others of her mindset are becoming in a jurisdiction that is waking up to people who oppose things for the sake of opposing things and play the environment card because they do not like progress and development and want to go back to the Stone Age. Those people are out of step with contemporary Western Australian thinking. If members want to represent the Western Australian community in this place, they need to understand that. I am glad that the broad majority of members of this house agree with me on this occasion. That is why the motion should not be supported.

HON NICK GOIRAN (South Metropolitan) [3.01 pm]: I am pleased to contribute to the debate on this motion. I could not be happier to follow the most excellent contribution of my good friend and colleague Hon Simon O'Brien, who has captured members' imagination this afternoon so succinctly. I thought he might have gone on for longer.

Hon Simon O'Brien: Not after last night's effort.

Hon NICK GOIRAN: He succinctly put the case why the government cannot support the motion of Hon Lynn MacLaren.

Having considered the various contributions made to this debate, a number of perspectives can be considered. I was particularly interested to hear my other good friend and hardworking member for the South Metropolitan Region, Hon Phil Edman, say that, according to his analysis, this mass opposition that the mover of the motion purports to rely upon, those 8 000 signatures on a petition, includes signatures of people outside the nation. Frankly, I find it incredible that the signatures of people who do not even live in this country are used in an argument to show mass opposition to a proposed marina in the City of Rockingham.

Hon Simon O'Brien: Is one of those signatures Mr M. Mouse of Hollywood?

Hon Ljiljanna Ravlich: It is probably a signature from Hon Peter Collier. He is known for his excellent signatures.

Hon NICK GOIRAN: Hon Ljiljanna Ravlich should cool down, particularly given that Labor members who have contributed to this debate have indicated that they will not be supporting the motion. I am also arguing that case, so I do not know why she needs to get hot under the collar on a Wednesday afternoon.

Hon Ljiljanna Ravlich: I am just a hot chick!

Hon NICK GOIRAN: Nevertheless, it is important to recognise that Hon Phil Edman and Hon Simon O'Brien have prosecuted a good case on the first limb of the motion of Hon Lynn MacLaren—that is, the so-called mass opposition and the relevance of some of the signatures on a petition.

I do not want to revisit the ground honourable members have already covered adequately, but I would like the house to consider the philosophy underpinning this motion. Whenever motions are moved in this place or policy pronouncements are made or bills are prosecuted, they are underpinned by a set of values and, I would go so far to say, a particular world view that leads people to craft motions and proposals in a certain way. A mass—since that is the catchphrase of the day—of material is available on the environmental movement and the Greens. Given I have only limited time this afternoon, I have selected what I think is an outstanding article from the *Herald Sun* of 28 July 2011, titled “Green agenda has parallels with excesses of communism”. Hon Ljiljanna Ravlich will be able to google it if she is interested. This article has a summary of a speech given earlier that week by the Czech President.

Point of Order

Hon LYNN MacLAREN: What is the relevance of this? It would be more productive for Hon Nick Goiran to address the motion. Madam Deputy President, this is irrelevant to the motion being considered today.

The DEPUTY PRESIDENT (Hon Adele Farina): Hon Nick Goiran is making broad points in the context of the motion, but I ask him to draw his points closer to the motion.

Debate Resumed

Hon NICK GOIRAN: I was referring to an article from the *Herald Sun* in which the Czech President, who had fought hard against communism, was warning of the new threat to freedom that he recognises in the philosophy that underpins environmentalism. For the benefit of the mover of the motion, it is important to consider this because that philosophy drives the wording of the motion that is being considered this afternoon. Members should understand why we should be concerned about this so-called mass opposition to the proposed Mangles Bay Marina.

Point of Order

Hon LYNN MacLAREN: On a point of order, what Hon Nick Goiran is saying is irrelevant. This motion is about community participation in decision-making, the agreement between the commonwealth and the state, and legal matters of transfer of land. It has nothing to do with environmentalism, as the member points out; therefore, his comments are irrelevant. He has been asked to stay to the point.

The DEPUTY PRESIDENT (Hon Stephen Dawson): Member, thank you for your point of order. We give members in this place a degree of latitude to speak to the motion. I think Hon Nick Goiran is in order, but I remind him to stick to speaking against the motion.

Debate Resumed

Hon NICK GOIRAN: Thank you, Mr Deputy President. As I was saying, it is very important for us to understand the set of values and the foundational principles that underpin these types of motions. It is extremely relevant; in fact, I am astonished that the honourable member would suggest otherwise. To somehow try to restrict the freedom of speech of members on this side of the Parliament is very interesting because—I will not digress for a moment longer—that is actually part of the article that I am quoting from! The whole point about the environmental movement is that when its members do not like what they hear, they arc up massively and try to ensure that the rest of us have our mouths quashed. It is an absolute outrage —

Several members interjected.

The DEPUTY PRESIDENT: Order! Members, I am in the chair; if I say, “Order”, I appreciate people stopping and listening. I struggled to hear Hon Nick Goiran that time, so I ask members to remain silent. If members would like to seek the call, they are welcome to do so after Hon Nick Goiran.

Hon NICK GOIRAN: As I was saying, this honourable gentleman, the Czech President, addressed an audience of economic liberals and climate change realists who had been invited by the Institute of Public Affairs, the Melbourne-based free market think tank. Mr Klaus was 70 at the time this article was written. He had twice been elected as Czech President and in fact was its former Prime Minister and one of the most important figures in post-communist Europe. According to the article —

His experiences under totalitarian rule have made him exquisitely alert to the erosion of democratic freedoms.

He said environmentalists had been arguing for decades that we should reduce our consumption of fossil fuels, using various farcical ploys from the exhaustion of natural resources to the threat of “imminent mass poverty and starvation for billions”.

He went on to say —

“They don’t care about resources or poverty or pollution.

“They hate us, the humans. They consider us dangerous and sinful creatures who must be controlled by them.

“I used to live in a similar world called communism. And I know it led to the worst environmental damage the world has ever experienced.”

This gentleman, who has lived through such a regime, understands the dangers of the philosophy that underpins the very motion that we are considering today. I make these remarks to warn members against the possibility of us supporting this motion because, ultimately, it says, as per usual, that we want to restrict everything; we do not want to allow people the freedom to have a marina. Why do we not want to do that? Because Hon Lynn MacLaren is part of this group that wants to make sure that we have limited freedoms in that respect. That is the relevance of this, honourable member. I know that the member does not like it and she does not have to agree with it, but I am quite entitled in this place to say that these types of motions that try to unfairly clamp down on our freedoms are because of the world view that the member holds. I suspect that the member knows that but she does not like to hear it.

This honourable gentleman went on in his speech to say that they —

... “want to change us, they want to change our behaviour, our way of life, our values and preferences. They want to restrict our freedom because they themselves believe they know what is good for us —

Point of Order

Hon LYNN MacLAREN: I am struggling to find how this is relevant to the motion before us. There must be other members who also are struggling to find it and who would really love to hear Hon Nick Goiran direct his very considerable intelligence to addressing the motion at hand instead of some fantastical notion that he has about what I might have as a world view.

The DEPUTY PRESIDENT (Hon Stephen Dawson): Thank you, Hon Lynn MacLaren. I agree that the speaker is starting to stray from the motion that is listed on the notice paper. I ask the member to perhaps have a quick look at the motion again and to shape his comments a little closer to the motion.

Debate Resumed

Hon NICK GOIRAN: I have limited time, so I am not going to continue to debate with the honourable member opposite about her unfair restrictions on me this afternoon. But I tell you what, Mr Deputy President: since the honourable member has today beautifully demonstrated by her actions the precise point I was trying to make, which far exceed the 19 minutes that I have left in which to articulate the cause, let me get straight to the Environmental Protection Authority report, which the honourable member is so stressed to hear that she would not allow me a little latitude. It is quite outrageous but actually quite helpful. So in many respects I thank Hon Lynn MacLaren for making the precise point that I was trying to drive home this afternoon.

It is very interesting that the mover of the motion and the rhetoric that she would use would make it seem that those of us on this side of the chamber are some kind of environmental vandals. It is quite outrageous to even imply that. Even if those are not the precise words that the member might use, the implication is quite outrageous because people such as Hon Phil Edman who have worked very hard on this project, amongst many other things, have a heart for the environment. When I first joined the Liberal Party, I remember going to a policy debate and listening to Hon Phil Edman’s contribution about the importance of wave energy. He was quite a strong proponent for the group, I think it is Carnegie Wave Energy, and I was incredibly impressed by this gentleman. It was one of the first times I met him and although it is not an area in which I have a great deal of expertise, I could see the passion of the man and the knowledge he had on the topic. I can see, because he briefs me quite regularly on the marina project, that he has used those assets of knowledge, passion and a care for the environment as he has pushed ahead with the project. It may be the case that the proponent of this motion, who

does not really want to hear me speak this afternoon, says, "That's not good enough. You turning up to a Liberal Party meeting and telling me that this guy has got a heart for the environment is not good enough." Maybe the EPA report will be good enough for the member, but I suspect not, because if that were the case, we would not have this ridiculous motion before us this afternoon.

What the Environmental Protection Authority report states is very interesting. I will quote from that document, if it is possible this afternoon, because we certainly would not want to quote from a *Herald Sun* article from two years ago that is about the world view of the proponent of this motion! It is EPA report 1471, which no doubt Hon Lynn MacLaren will want to check that I am quoting correctly, and I understand that. I will quote section 8 of the list of conditions, from 8-1 to 8-8. Hon Phil Edman, I think quite rightly in his contribution, reminded us that there are conditions attached to this proposal. The Environmental Protection Authority has implemented a ruling, if we like, or at least recommended these strict conditions. The EPA's recommendations include the following —

- 8-1 The proponent shall ensure that the construction of the proposal does not cause mortality of, or serious damage to, seagrass communities, in the Mangles Bay area outside the Zone of High Impact as shown in Figure 3.
- 8-2 The proponent shall not undertake Marine-Related Construction Activities between 1 October and 31 March inclusive.
- 8-3 Prior to Marine-Related Construction Activities, the proponent shall prepare a Scope of Works for a Seagrass Baseline Survey to the satisfaction of the CEO.
- 8-4 The Scope of Works for the Seagrass Baseline Survey required pursuant to Condition 8-3 shall:
 - (1) identify the sampling protocols and the location of permanent impact and reference monitoring sites within the Zone of Moderate Impact and Zone of Influence and outside the Zone of Influence as shown in Figure 3;
 - (2) determine the pre-construction baseline for at least the time of year and duration that Marine-Related Construction Activities will be undertaken for turbidity, light attenuation and seagrass health for the permanent monitoring sites required by Condition 8-4(1);
 - (3) determine the environmental quality criteria for seagrass, based on the 5th and 20th percentiles of baseline seagrass shoot density, relevant to the period(s) that Marine-Related Construction Activities will be undertaken; and
 - (4) map seagrass cover for the area which coincides with the Zones of Moderate and High Impact, and Influence as shown in Figure 3.

As if they are not enough conditions, it goes on with more —

- 8-5 Prior to the commencement of Marine-Related Construction Activities, the proponent shall undertake the Seagrass Baseline Survey according to the approved Scope of Works required by Condition 8-3 and submit the results of that survey to the CEO.

The restrictions continue; the recommendation goes on —

- 8-6 Prior to Marine-Related Construction Activities, the proponent shall prepare a Seagrass Monitoring and Management Plan.

The red tape continues —

- 8-7 The Seagrass Monitoring and Management Plan required pursuant to Condition 8-6 shall include:
 - (1) the parameters identified in Condition 8-4(2) to be monitored both during and after Marine Related Construction Activities at a frequency that will be identified in this plan;
 - (2) the following criteria to apply:
 - (a) during Marine-Related Construction Activities the median seagrass shoot density for each impact monitoring site is greater than either the:
 - (i) 5th percentile of pre-dredging seagrass shoot density determined for each impact site; or

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- (ii) 5th percentile of reference sites located outside the Zone of Influence;
- (b) five years from the completion of Marine-Related Construction Activities:
 - (i) median seagrass shoot density at each impact monitoring site measured in January is greater than the appropriate Environmental Quality Criteria for seagrass health as specified in the *State Environment (Cockburn Sound) Policy 2005* as amended or replaced from time to time; or
 - (ii) mean seagrass shoot density at each impact monitoring site measured in a month between December and March is not significantly different to the mean seagrass shoot density of the reference site(s) in Cockburn Sound measured during the same month of the year.

It goes on with recommendation 8-7(3) —

- (3) mapping of seagrass cover for the area surveyed pursuant to Condition 8-4(4) and calculation of the loss of seagrass cover resulting from the construction of the proposal, within six months of the completion of Marine-Related Construction Activities;
- (4) mapping of seagrass cover for the area surveyed pursuant to Condition 8-4(4) and determination of the loss of seagrass cover caused by the construction of the proposal to demonstrate that the proposal has not caused a loss of seagrass beyond that authorised by Schedule 1, five years after the completion of Marine-Related Construction Activities;
- (5) management actions and strategies to be implemented should the criteria defined in Condition 8-7(2) be exceeded.

And, last but not least —

- 8-8 Prior to the commencement of Marine-Related Construction Activities, the proponent shall implement the approved Seagrass Monitoring and Management Plan and continue implementation until otherwise agreed by the CEO.

Hon Phil Edman: They are pretty strict conditions.

Hon NICK GOIRAN: It is incredibly strict; it is incredibly comprehensive. To suggest that, in a marine sense, the bulldozers are coming in and people are able to do whatever they like is an absolute joke. It is quite obvious that the EPA has implemented one of the most onerous set of requirements ever known for this type of project. It does not matter how many conditions are put on there—it goes back to my original point about worldview and philosophy—the answer has to be no. We cannot have any developments, we definitely cannot have any marinas and we cannot have any freedom for people in this state because we do not like humans. The fewer humans on the planet the better, because their philosophy is that the human species is a disease on the planet.

This “watermelon” philosophy is quite exasperating. Slowly but surely people are waking up to the truth about the philosophy behind the Greens and the type of agenda that they actually have. I was very pleased to hear the remarks this morning by Hon Tony Abbott regarding what they intend to do during the election. I do not wish to digress because I know that the mover of the motion will get most upset. I will consider more of the conditions that are outlined in this EPA report, from 11-3 to 11-9, but I may run out of time.

One thing I definitely want to include in my contribution, because it seems to me that Hon Lynn MacLaren has failed to bring this to our attention, is whether seagrass can survive after transplant. This has been subject to quite a lot of research. It is very interesting that on 9 March 2012, in one of the local papers in the South Metropolitan Region—*The Weekend Courier*—there was an article titled “Seagrass shoots survive transplants”. I quote —

SEAGRASS transplant trials in mooring scars in Mangles Bay by Murdoch University researchers found that nearly half of the shoots survived 12 months after planting, debunking myths that seagrass couldn't be regrown.

It goes on to state —

The Environmental Protection Authority's objective for Cockburn Sound is for no net losses of seagrass and Cedar Wood's inland marina proposal for the Peron location claims rehabilitation will eventually replace the loss of nearly 6ha of seagrass due to the marina's construction.

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It is very interesting that we never hear about the outcomes of such research because, as Hon Simon O'Brien indicated in his contribution, when we dig a bit deeper we find some interesting stuff. Maybe it is not all that convenient—dare I say the inconvenient truth—for the member opposite. When I looked into this matter, I found that on page 56, the EPA report reads —

Seagrass loss within Cockburn Sound has been extensive between the 1950s and 1970s and today only approximately 20 per cent remains.

That is without a marina! It goes on to state —

The shallow flats of Mangles Bay contain approximately 100 ha of seagrass, however there has been an estimated loss of 3 ha due to inappropriate moorings which cause a scouring of the seabed and loss of seagrass around the mooring line.

It seems that those who are really concerned about the environment, like Hon Phil Edman, have prosecuted a case for a proposal that will, ironically, improve the environment. The member who moved this motion does not want us to support the marina and the result will be a worse outcome for the environment. Members on this side have the option of being pro-environment and pro-people's freedom or we can support the mover of the motion and be anti-human, anti-freedom and, ironically, anti-environment. How on earth can I support a proposal like that? It would be unconscionable for me to support that type of motion. I regret to inform the honourable member that there is absolutely no way that my name will be listed in *Hansard* as one of the ayes on this motion. The member is entitled to bring the motion to the attention of this house, but equally she should expect no support from me. As I said, it is these types of illiberal ideas that restrict our freedoms that the people of Western Australia woke up to at the last election. That is why it is the case that the mover of the motion has had her party's numbers halved from what they were in the 38th Parliament. I certainly hope that continues in the national election on 7 September and the number of people who hold this distorted world view and who put forward motions of this nature that restrict our freedoms continues to be reduced. We are in this place for the benefit of the people, and if we can do that by opposing this motion, I certainly recommend that to each and every member.

Question put and negatived.