

WATER RESOURCES LEGISLATION AMENDMENT BILL 2006

Discharge of Order and Referral to Standing Committee on Public Administration

HON NORMAN MOORE (Mining and Pastoral - Leader of the Opposition) [12.55 pm] - without notice: I move -

That order of the day 280, the Water Resources Legislation Amendment Bill 2006, be discharged from the notice paper and referred to the Standing Committee on Public Administration for consideration and report on or before 5 April 2007.

When this bill first came to the chamber, quite some time ago now on 29 August of this year, I put forward the proposal to the government that it would be a good idea to send this bill to a committee because the Standing Committee on Public Administration was conducting an inquiry into the way in which water resources are managed in Western Australia. It seemed appropriate for the committee to be given an opportunity to look at the bill, which is all about the administration of water resources in Western Australia, to see how it fitted in with the deliberations of the committee and whether the bill would deliver the sorts of outcomes that the committee deemed proper and appropriate in the circumstances. In fact, the Standing Committee on Public Administration is conducting an inquiry entitled "Governance of Western Australia's Water Resources", which commenced on 21 June 2006. The terms of reference for the inquiry are -

- a) responsibilities and accountability of public sector agencies, communities and the private sector in governance of water resources;
- b) the legal and regulatory framework and its impact on effective water governance;
- c) economic and environmental sustainability of the current approach to governance of water resources;
- d) demand for and equity of allocation of water resources; and
- e) any other matters deemed relevant.

It seems to me that a bill of this nature - which, as I will explain in a moment, is actually quite a complex piece of legislation - should be sent to this committee to be examined in the context of the inquiry that it is already undertaking. It seems to be a logical thing that the house could do quite comfortably. The original motion that I proposed when the bill was introduced into the house was that it come back to the house in time for it to be debated before the end of the year. If that proposal had been adopted, the bill could have been passed well before today. The government was not fussed about the proposal I put to it. I mentioned to the Leader of the House that debate could have been brought on, finished and the bill passed by Christmas, and we would all have been happy. However, it seems that the Minister for Water Resources did not want to go down that path; I do not quite know why. Ministers, I guess, are a bit precious about their legislation and do not want anyone else to mess around with it. The bill has been sitting on the notice paper from 29 August until today. I do not know whether we will have enough time today to finish this bill in the context of all the other things the government may or may not want to do this afternoon. I have moved the motion that the Water Resources Legislation Amendment Bill be sent to the Standing Committee on Public Administration, and that it report by 5 April, which is the end of the proposed first block of Legislative Council sittings for 2007. That would give the committee a month or two to look at the bill in the context of its inquiry and to perhaps give the house the benefit of its enhanced understanding of water administration in Western Australia.

Perhaps a more important reason for my belief that the committee should examine this bill is that the Water Resources Legislation Amendment Bill amends eight acts of Parliament, repeals two acts of Parliament and makes consequential amendments to 11 other acts of Parliament. Therefore, the bill deals with 21 pieces of legislation. In a sense, that makes it a very complicated bill to deal with through the normal Committee of the Whole process. It is the sort of bill that invites a committee and its supporting research staff to take the time to go through all the machinations that result from the complexity of the bill. All sorts of issues popped into my mind when I looked at which acts were to be amended, which ones were to be repealed and which ones were to be amended consequentially. It was a pretty difficult task to get a mind such as mine around. That is another reason I was keen for the committee to examine the bill to see whether the outcome of this quite significant legislation will be the outcome that Parliament thinks it ought to be and is told by the government it will be. Sometimes Parliament is told things about legislation that are not accurate upon more detailed examination of the measure.

I am not in any way trying to delay the bill; it seems to me that this is a better way of dealing with this bill. As I said earlier, I suggested when the bill first reached this house that the bill could have gone through the committee examination process, and have been ready for debate today and perhaps passed more expeditiously than normal, because we would have had the benefit of the knowledge provided to us by the committee. However, the

government would not go down that path. I do not know whether we can finish with the bill today anyway. If there is any prospect that it cannot be dealt with today, I suggest that rather than leaving it on the notice paper until next year, it be sent to the committee for examination. The committee can make its own judgment about whether the bill is worthy of its time. To me, that seems to be a sensible way to go.

Sitting suspended from 1.00 to 2.00 pm

HON PAUL LLEWELLYN (South West) [2.01 pm]: Mr Deputy President, I thought you were about to remind me that this is a very narrow debate.

The DEPUTY PRESIDENT (Hon George Cash): I am about to do that, now that the member has raised the issue!

Hon PAUL LLEWELLYN: First, it is timely that we should be debating a water resources bill. Obviously, it is important to get our water resources governance in good order because of the difficulties that we will face with the management of water resources. The Greens (WA) note that the Standing Committee on Public Administration is undertaking a major inquiry into the governance of Western Australia's water resources, so it is natural that this legislation should be referred to that committee. I am pleased that the reporting time will be relatively short. This is a somewhat complex machinery of government bill because it will amend a number of acts. It is physically complicated. The arrangements that are being set up are not particularly complex. Although I think it is a complex piece of legislation, the arrangements themselves are not. Regardless of that, the Greens believe that we should look very closely at the governance of water resources and structures. We will not oppose the motion.

HON BARRY HOUSE (South West) [2.03 pm]: The referral motion fits in quite neatly with the terms of reference of the Standing Committee on Public Administration. Members may recall that at the end of the last Parliament, the Standing Committee on Public Administration and Finance tabled a report on water resources. The committee had very broad-ranging terms of reference. We did not have time to analyse all the facts, although we took a lot of evidence and did a lot of research. It was determined at that stage that a parliamentary committee should pick up some aspects of that inquiry. The Standing Committee on Public Administration decided to concentrate on water governance in accordance with its terms of reference. The committee has an own motion and has set up an inquiry. Its terms of reference neatly fit the province of this bill. The Standing Committee on Public Administration would be able to analyse the bill. In fact, in terms of practicalities, most of that analysis has already happened. The Standing Committee on Public Administration would welcome the opportunity to have a close look at the bill.

Question put and passed.