

**RAILWAY (JANDAKOT TO PERTH) BILL 2002**

*Discharge of Order of the Day and Referral to Standing Committee on Public Administration and Finance*

Resumed from 5 November on the following motion moved by Hon Simon O'Brien -

That the order of the day for the second reading of the Bill be discharged and the Bill be referred to the Standing Committee on Public Administration and Finance.

**HON JIM SCOTT** (South Metropolitan) [10.28 pm]: Thank you, Mr President.

Hon Norman Moore: Why do you not save the House a lot of time and read out the article from tomorrow's paper?

Hon JIM SCOTT: Okay then, I could do that. I sought certain undertakings from the minister about my concerns.

Hon Norman Moore: We are more likely to read about things in the newspaper before you tell us!

Hon JIM SCOTT: If I had had more time yesterday, I could have finished my comments then. Oh well, there you go.

I wrote to the minister saying that I was concerned about certain aspects of the project. I said that it does not matter which key elements one looks at, none of them looks at the importance of maintaining regional links. I wanted some undertaking from the minister that there could be a process whereby before any expansion occurred beyond Jandakot, the issue could be properly debated and an open public process could be looked at whereby more people could come forward and examine the issue. The Minister for Planning and Infrastructure responded to me by writing that she would initiate a ministerial forum similar in nature to the freight congress. She wrote -

This would be professionally facilitated, aimed at involving a wide, interested sector of the community, together with public and private transport planners, policy makers and public/private sector service operators.

The aim would be to develop a 20 year conceptual transport plan for Perth with a level of clarity in terms of public transport routes and modes. This forum would be well planned with an organising committee (in which you are most welcome to participate), discussion papers developed prior to the forum/s and the opportunity for short presentations from interested/key stakeholders and experts. I would anticipate the Forum being conducted around March 2003, as it needs to be well prepared.

I was not happy with that because the minister did not give me enough assurance that the process would involve the development of subregional centres. I do not have a copy of it, but the minister also made an amendment saying that the development of subregional centres would be an integral part of the agenda of the forum.

I was concerned with the route selection. As I said yesterday, both the Liberal Party plan which takes the route via Kenwick and the current plan miss out by not looking at the overall regional development of our subregional centres.

Hon Peter Foss: Are you supporting it?

Hon JIM SCOTT: I am looking at a process whereby regional development can be built into the project.

Hon Barry House: It has been eliminated by your Bill.

Hon JIM SCOTT: Not at all.

Hon Barry House: You got rid of the extra 12 minutes and you saddled the State with an extra \$1 billion expenditure with no gain.

Hon JIM SCOTT: The member is obviously slightly exaggerating when he refers to \$1 billion. When one examines the proposal the coalition Government put forward, one can see a fairly inefficient use of rolling stock. With the new proposal, more trips will take place with the same amount of rolling stock, which will move more people.

Hon Murray Criddle: That is a rubbish statement. The rolling stock will not be doing the same amount of work.

Hon JIM SCOTT: The rolling stock will not be not travelling so far to carry those passengers. The previous Government put forward virtually no analysis.

Hon Murray Criddle: That is rubbish.

Hon JIM SCOTT: The previous minister was obviously not very honest in that case, because I asked for a briefing on the methodology of how the transport figures had been worked out. I was given guff. If Hon Murray

**Extract from *Hansard***

[COUNCIL - Wednesday, 6 November 2002]

p2633a-2636a

Hon Jim Scott; Deputy President; Hon Murray Criddle; Hon Derrick Tomlinson

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Criddle refers back to *Hansard*, he will see that I was given a bit of paper that had written on it that it was only a rough estimate and should not be taken as being accurate.

Hon Murray Criddle: You had not read the plans.

Hon JIM SCOTT: It is hardly surprising that I did not read the plans because when I asked for them I was not given them. I was given one little piece of paper after the issue had already been decided. That is the point - there was no process. The previous Government had no process, so Hon Murray Criddle should not give us this rubbish.

The other thing I was concerned about was the route selection. I had heard many concerns about the absence of -

Hon Murray Criddle: What processes were put in place for consultation between Glen Iris and the city?

Hon JIM SCOTT: A consultation process is outlined here.

Hon Murray Criddle: Your minister said it took us six years, which is ridiculous because it was too long. Those are her words.

Hon JIM SCOTT: I will keep going with what I was going to say, because I am running out of time at this point. I have always favoured the direct route, rather than the Kenwick route, because I knew that route had big limitations on development. I said that last night, and I have always said that. It is not a new position.

Hon Murray Criddle: It is wrong, that is all.

Hon JIM SCOTT: It is not wrong according to these studies, though it is wrong according to Hon Murray Criddle. He is entitled to his view, but the examinations I have looked at tell me something different.

Hon Murray Criddle: You are the only bloke who is saying that.

Hon JIM SCOTT: I am not the only bloke who is saying that because I have talked to quite a few people about this. I went in to try to find out what the problems were, and whether the data had been properly analysed.

Several members interjected.

The DEPUTY PRESIDENT (Hon Jon Ford): Order! Members will have an opportunity to respond to the comments of Hon Jim Scott, but he has the call, and he is running out of time.

Hon JIM SCOTT: I asked the minister to put in place a process so that all the other options could be analysed publicly. I did not initially get a satisfactory answer, because I wanted fully published analyses of the different options.

Several members interjected.

Hon JIM SCOTT: Whether or not all the barking continues in the background, that is what I asked for. The example I gave was Bruechle, which I know the member for South Perth is very concerned to have properly considered. I have been told that those analyses will be put on a web site, and that they will provide me, in particular, with the Bruechle analysis so that it can be tabled in this House for anybody to look at. The Perth City Rail Advisory Committee pointed out that the problem with the Bruechle solution, which it said was a good plan, was that it was between \$70 million and \$100 million more expensive and involved a significantly longer time frame because of the approvals required and the Aboriginal heritage issues that had to be dealt with. Also, that proposal was put forward a week before the decision was made, so very little time was left to analyse it. It was put in at the last minute. The only reason the PCRAC was able to do an analysis of it was that it had very similar proposals, which contained aspects of the Bruechle proposal, amongst the 16 to which it had narrowed the field down. That documentation will be tabled in this place.

Another issue about which I was concerned and about which I have spoken to the people at the City of South Perth is that there was to be no station in South Perth. They said that a station had been designed in the plan.

Hon Barry House: Where? On the freeway?

Hon JIM SCOTT: I can give the member the pretty pictures if he wants. I was not satisfied with the advice that it had been designed but would not be built at this stage; I wanted a firm time frame of when that would occur.

Several members interjected.

The DEPUTY PRESIDENT (Hon Jon Ford): Order, members! This is not a public rally. This is the Legislative Council of the Parliament of Western Australia, and I expect members to behave appropriately.

Hon JIM SCOTT: The minister said that she supported the notion of a South Perth station being built in a 2010 time frame, subject to further work on patronage demand to support the project and the medium to long-term transport plan. I said that that was not a firm proposal, but because it would be outside the Government's ability to plan -

*Point of Order*

Hon MURRAY CRIDDLE: I ask the member to identify and table the piece of paper he is waving around.

Hon JIM SCOTT: I am happy to do that. I have already identified it as a letter replying to a letter I sent to the minister asking her to satisfy a number of concerns I had about the railway line.

*Debate Resumed*

Hon Paddy Embry: How long ago did you write that?

Hon JIM SCOTT: It has a fairly recent stamp because it is a fairly recent reply. I cannot remember the date on which I wrote it.

Hon Simon O'Brien: What is the date on that letter?

Hon JIM SCOTT: The reply was written on the fifth.

Another issue I was concerned about was the sinking of the Fremantle line. I know that quite a few people are very concerned that the Government will go ahead with the sinking of the railway line, but will not completely sink the Fremantle-Midland railway line between Perth and Northbridge. I agree with those people. This is the right time to do it, not in the future. I have spoken at length with the people who have been pushing for this to happen. The minister's letter also states -

I understand your enthusiasm for the potential to sink the Fremantle-Midlands lines and accordingly, I have charged the City Rail Development Committee (CRDC) with exploring all feasible options to enable this work to proceed. I suggest that Stuart Hicks, who also chairs the CRDC, provide details on the work undertaken by the CRDC to date and its future plans.

As I said before, the previous Government did not adequately address that issue. At no stage did it look at those issues properly. It refused to look at the interrelationships between the regional centres in the area I represent. It always ignored the natural linkages between the various subregional centres. Having received those assurances, I had to weigh up whether I would go along with the previous Government's attempt to sink the railway line in a completely different way, because it was so committed to the Kenwick route. As I said, I have never agreed with that route. For that reason, and also the reason that I outlined yesterday, I do not believe that to discuss just this small section of rail will deal with the much wider issue of the development of a more comprehensive regional proposal to ensure not just the survival but the enhancement of our subregional centres and the maintenance of the links that have developed between them over many years. For that reason, I accept what the minister has put to me, I cannot say without reservation, because I still have some reservations, but on balance I accept the promises that were made. I seek leave to table the document that members have asked me to table.

Leave granted. [See paper No 433.]

**HON DERRICK TOMLINSON** (East Metropolitan) [10.45 pm]: I had not intended to comment on this issue, but I feel that I should. The principal reason I speak is to attempt to put the mind of the Leader of the House at rest about what I perceive to be the intent in this matter. I am happy to inform the Leader of the House, you, Mr Deputy President (Hon Jon Ford) and the House that in my estimation it is not the intention of the committee that progress on the Railway (Jandakot to Perth) Bill will be in any way slowed down by the proposed inquiry. I would like to say, but of course I cannot guarantee, that it will speed up the progress of the legislation. Insofar as it stays within the standing orders relating to the manner in which this Bill was dealt with in the other place, it is clear to anyone who has read the debate in the other place that some issues raised in the debate are still matters of contention. Those matters reflect the contention in the general community, and not just the contention between the political parties and the Independents who make up that place and this place. They are not unresolvable, but they are acute. In the other place they caused long and extensive debate. If members have confidence in our committee system - again, I make no guarantee about the performance of the committee - they should be able to recognise that one of the outcomes of referral to the Standing Committee on Public Administration and Finance might be that these issues can at least be clarified, if not resolved. In that case we may not be debating contested clauses on the basis of reinventing the wheel. We may at least have the capacity to bring some clarity to these issues. It can be seen from the debate in the other place, and it is immediately apparent to a casual observer, that that was not always the case. I am not suggesting that in every case of a contested clause, the committee will make a recommendation. However, it may provide a condensation of the argument, which may assist the conduct of the debate in this place. In that process of trying to cull, refine and define the matters of contention, the committee may seek outside advice. I do not know whether it will, because the committee will make that decision according to its assessment on a particular occasion. It is certainly not my view that the committee will seek outside advice and invite witness on a broad-brush basis. I reiterate that I can make no promises about the outcome of the inquiry. All that I can say is that there is no intention by opposition parties, if that is being alleged, to hold up the inquiry. It is the committee's intention, as far as I can understand

it, to proceed with all haste. Certainly, we will have to narrow the scope of the inquiry to deal with it in an appropriate manner. As a result of that, I can almost guarantee that there will be issues which ought to have been dealt with by the committee but which will not have been dealt with by the committee because it simply will not have had time to address them if it meets its commitment to bring back the Bill to the House in ample time for discussion and vote. I hope that that puts to rest the mind of the Leader of the Opposition and the minds of the members as to our intention. Even if certain members will not support the motion, and in that event the motion is carried, I hope they will support the Standing Committee on Public Administration and Finance in its endeavours to assist the House in dealing with the Bill.

Mr Deputy President, I have just read excerpts of the *Hansard* record of the debate in this place on Thursday, 13 August 1998. The speaker was Hon Kim Chance and the Bill was the School Education Bill. I am accustomed to observing the Australian Labor Party move from the Government's side of the House after an election to the Opposition's side of the House and on the Opposition's side argue the diametric opposite to what it argued on the Government's side. I have now grown accustomed to the Labor Party's moving from the Opposition's side of the House to the Government's side of the House and arguing the diametric opposite of what it argued on the Opposition's side of the House. Therefore, Hon Kim Chance in 1998 -

Hon Graham Giffard: Payback.

Hon DERRICK TOMLINSON: Yes, payback. I will give the House the very words of Hon Kim Chance in 1998 arguing that a Bill of considerable complexity go to the then Standing Committee on Public Administration for elucidation and that it would not slow down the process of the Bill. He undertook in that speech, which I will read to members -

Hon Ken Travers: You will need to quote the page.

Hon DERRICK TOMLINSON: It is at page 191. He said -

The commitment of the Labor Party, -

That was the Labor Party in opposition -

and my commitment, -

That was as Chairman of the then Standing Committee on Public Administration -

Hon Ken Travers: A good chairman he was too.

Hon DERRICK TOMLINSON: There is no doubt about that. I will start again -

The commitment of the Labor Party, and my commitment, although we cannot control the number of sitting days for the Parliament this year, is that this Bill will be dealt with and enacted during this calendar year. Having made that commitment, I remind the House that although I have only one vote, my vote coupled with those of government members guarantees a majority in that matter. I am happy to give that guarantee in public. It is not the view of the ALP that this Bill is so trivial that it can be used as a football by anybody. I am happy to give that commitment on my own behalf.

The words of Hon Kim Chance were that the Bill was not so trivial that it should be used as a football by anybody.

Is the railway Bill so trivial that it can be used as a bargaining chip - I will not use the word agreement - between the Government and Labor minor - the anarchists? The Leader of the Government in this place is arguing the direct opposite of what he argued in opposition. The Leader of the Government in this place is doing the direct opposite of what he undertook as a commitment in opposition. The leader of the Government when in opposition in this place was saying that Bills should not be so trivial as to be treated like footballs, and he treats this Bill - which is the most significant capital works project for several decades - as a political football, not to be debated in this House, not to be referred to a committee for elucidation, but to be dealt with by some dirty deal with the Greens. That dirty deal with the Greens is announced in the newspaper even before this House has the opportunity to vote, because the newspaper now tells us what the outcome of the vote will be. The dirty deal is done!

When I called the Green party the political harlots of the Australian political system, the President was asked to give a ruling on whether my words were unparliamentary. They are nothing more than the self-evident truth. This Government introduced a railway proposition without consulting with anybody before it was announced.

Hon Jim Scott: Neither did you.

Hon DERRICK TOMLINSON: We will deal with that during the second reading stage of the Bill. I will tell the member about the amount of consultation and the consequences of that consultation; I will tell him about the

planning by the Department for Community Development which followed; and I will tell him what his dirty deal has frustrated.

Hon Jim Scott: Will you?

Hon DERRICK TOMLINSON: I certainly will. I will show the member as piously saying, "I am here, ladies and gentlemen, to give you a holistic view of the development of our community - a holistic view of our bionic content." I will expose the member's hypocrisy just the same as the Government's hypocrisy has been exposed.

Hon Norman Moore: How much is the railway going to cost?

Hon DERRICK TOMLINSON: I will tell the House what the price was - 30 pieces of silver. Hello, Judas!

Not only have I grown accustomed to the Australian Labor Party moving from this side of the House to the other side of the House and arguing the diametric opposite of what it argued previously, and then coming back and arguing the diametric opposite again, but also I have become used to a Labor Party which says that the 1980s are behind it. WA Inc belongs to a time eschewed from our memory; that Government which did dirty deals is a Government we have put behind us! This Government says it is a fair, open and honest Government, which then pushes through a dirty deal, and the answer is in *The West Australian* even before this Parliament has had an opportunity to complete its deliberations. It is foisted on the public of Western Australia. I have come to accept hypocrisy as being part and parcel of politics. However, I will not accept deals of this kind that corrupt the democratic processes and the requirements of accountability for the expenditure of public moneys. Hypocrisy is of the Government's nature; dishonesty with the public purse is unlawful. The Government has done a dirty deal for its own unlawful purposes.

Debate interrupted, pursuant to standing orders.