

WATER SERVICES LICENSING (WATER CONSERVATION TARGET) AMENDMENT BILL 2008

Second Reading

Resumed from 11 March 2009.

HON HELEN MORTON (East Metropolitan — Parliamentary Secretary) [10.04 am]: Members probably wondered whether Paul Llewellyn would come back to visit us, and he has, because this is Paul Llewellyn's bill. He first introduced it on 6 December 2007, and it was subsequently resubmitted on 11 March 2009. We all remember how Paul Llewellyn liked to "drill down" and "unpack", and this is an opportunity for us to drill down and unpack water conservation in Western Australia. I am going to take this opportunity to talk about the way in which the state government is introducing water conservation services under the current regime.

The title of the bill is the Water Services Licensing (Water Conservation Target) Amendment Bill 2008, but I will refer to it as Paul Llewellyn's bill. The aim of Paul Llewellyn's bill was to promote water conservation, which the state government totally agrees with; there is absolutely no argument from us against that. The intent of this bill is fully supported by the government, but the mechanism through which the bill seeks to achieve water conservation is the area that the government probably does not agree with, and therefore the government probably will not support the bill.

Hon Ken Travers: "Probably"?

Hon HELEN MORTON: I am only one voice.

Hon Ken Travers interjected.

Hon HELEN MORTON: Yes.

Paul Llewellyn's bill requires the water utilities to deliver water conservation services and meet water conservation targets. The mechanism through which that is proposed to be achieved is the amendment of the Water Services Licensing Act 1995 to impose, as a condition of holding a specified operating licence to supply water, an obligation to meet specified water conservation targets, as they apply to the Water Corporation, the Bunbury Water Board and the Busselton Water Board. These are the agencies in the integrated system that are licensed to deliver water to our homes or business premises. I will use simple terms; they are licensed to provide the pipes and everything that allows water to come to our houses and they bill us for the water we use. They are licensed to bring water directly to us.

The Department of Water has responsibility for licensing these utilities to take a certain amount of water from various sources to allocate to us, the customers. The department also has responsibility for issuing those licences. These utilities have two licences: a licence to source the water in the first instance and a licence to deliver the water to our households. Under this bill, the water utilities that are licensed to supply our water must achieve progressive reductions in per capita water consumption of 1.5 per cent per annum until 2020. The suggestion is that compliance would be monitored by the Economic Regulation Authority through an annual report outlining the progress that is being made towards set targets, and demand management strategies outlining water conservation proposals. Monetary penalties would apply if the utilities failed to meet the targets.

The government cannot support the bill for four main reasons. First, the existing legislation has the capability to achieve all of the specific requirements of this bill. We do not need any new legislation to make this happen. I will talk a fair bit about the success of the measures that are currently being employed. Second, there is the potential for dual and conflicting regulations in the way the system currently operates, should this bill be passed. Third, this bill will impact on only about 20 per cent of water users in Western Australia. In particular, the main water users will not be impacted by it. I will also talk about that a little. As I said before, the intent of Paul Llewellyn's bill is quite commendable but the legislation is not comprehensive. It would even become redundant this year.

Hon Sally Talbot: Did you say there were four things?

Hon HELEN MORTON: Yes.

Hon Sally Talbot: What was the fourth?

Hon HELEN MORTON: I will go through the four reasons again. The existing legislation has the capability of achieving all of the requirements of this bill. There is no need for additional legislation. There is a potential for conflicting regulations. The impact will affect only 20 per cent of the users of water. The fourth reason is that it will become redundant, probably by the end of this year.

Hon Ken Travers: What do you mean by that?

Hon HELEN MORTON: I will explain those reasons in more detail. Let me start at the beginning so members are really clear about this.

Under the existing Water Corporation Act 1995, it is possible to require the corporation to set water efficiency targets through the strategic development plan, which is contained in section 43(2), and in the statement of corporate intent that is contained in section 52(2). Equally, the minister can direct the corporation in this regard if he chooses. That is at section 64. All the elements in this bill are contained within three sections of the existing legislation. The Water Corporation is pursuing each of the water conservation services listed in the bill with some success. Its progress, in combination with the previous water restrictions and the new water efficiency measures, have seen Perth's total per capita consumption decrease from 185 kilolitres per year in 2000–01 to 143 kilolitres per year in 2009–10.

Hon Sally Talbot: Can you say that again?

Hon HELEN MORTON: I will repeat that. The measures that are in force at the moment have already seen a reduction in Perth's total per capita consumption from 185 kilolitres per year in 2000–01 to 143 kilolitres per year in 2009–10. That is a 22.7 per cent reduction in per capita consumption.

I will go through some of the things that are being listed and are already in play in some detail, because the main reason that this bill was brought on in non-government time of 80 minutes was to have a debate on water conservation. The likelihood of a bill of this nature going through in 80 minutes is very unlikely. If the intent was to have a discussion on water conservation, I want to make sure we have it. I will use a bit of time to go through some things, starting with the water conservation measures that are already occurring. First, services and incentives are being provided that promote more efficient use of water. There are various Waterwise programs, including the Waterwise garden centres, irrigators, plumbers and land developments and the Waterwise council program. The Waterwise council program, launched in May 2009, covers all aspects of local government water use from the use of groundwater for public open space and irrigation to the use of scheme water in office buildings and public swimming pools. The Waterwise community tool kit aims to promote water conservation and recycling and the efficient use of water to local government, developers and householders in the Perth region. It provides access to information on non-drinking water sources and supply options, including rainwater tanks, domestic and community bores, greywater and treated wastewater schemes, as well as the efficient use of all water sources. Another section in the bill promotes the development and use of water-efficient products. Waterwise programs, as well as trials of water-efficient turf plus irrigation and irrigation control systems, are in place. One of the examples of that is the automatic sensors that are being placed in grounds to indicate when there is sufficient moisture in the ground, preventing a watering system from being turned on. Another area is providing information and education to promote behavioural changes that reduce water demand. There are already large-scale communications programs, coupled with direct marketing to high water users, community-based social marketing and the new comparative consumption Waterwise accounts. I do not know whether members have looked at their water accounts recently.

Hon Ken Travers: You actually have to look for it to understand it because I did that exercise a couple of weeks ago.

Hon HELEN MORTON: Did it indicate consumption compared with the member's general neighbourhood?

Hon Ken Travers: It doesn't give you an average daily usage like your electricity bills do, and it is hidden on the back page. You actually have to go looking for it.

Hon HELEN MORTON: Would the member like it on the front of the bill?

Hon Ken Travers: And an average daily usage so people can get it. I have been going through the exercise of trying to reduce water usage in my home.

Hon HELEN MORTON: Are you able to have a one-minute shower?

Hon Ken Travers: One of the problems of having put a low-flow shower into my bathroom is that it takes me a bit longer to get my whole body covered!

Hon HELEN MORTON: The Waterwise accounts are actually having an impact. Then we have the Waterwise school programs. Is there anybody in this chamber who has not been part of a presentation at some primary school or high school that has been awarded a Waterwise certificate? I have been to heaps. Some of them are a lot of fun, especially when the kids have to make up a song, a story, a play or something around being waterwise. That is when I first heard about the one-minute shower. The kids did a demonstration of what it means to have a one-minute shower. These young children go home and tell their parents about being waterwise and how to try to restrict or reduce water consumption or stop water being wasted in their homes. These are some of the programs that are occurring through the use of education, promoting behavioural changes. Included in that is the

Waterwise councils. Forty-two councils are involved, representing more than 80 per cent of the state's population. They provide the opportunity for all local governments to publicly demonstrate their commitment to water efficiency and to be formally recognised as waterwise. Equally, the Waterwise community tool kit in the lower rainfall areas of the south west of the state and an increasing population are the drivers to investigate the alternative supply options as traditional sources are becoming more important. Obviously, this is necessary to ensure state development, and optimising current water use and increasing water reuse will be paramount.

Non-drinking water schemes provide a fit-for-purpose option for users not requiring highly treated drinking water, which is further work that is taking place. Equally under this program, they are provided efficient water use and non-drinking water supply options in urban areas. The Department of Water has developed a Waterwise community tool kit, and this online resource provides local government, developers and householders with access to information on non-drinking water resources such as rainwater, stormwater, greywater and treated waste water.

Another area that the bill seeks to impact on is undertaking research and providing advice to government on measures to promote water conservation. Once again, the water efficiency measures in this area include pressure management trials. I note that Hon Alison Xamon recently placed some questions on notice about the success of that pressure management program. I would like to inform the house just how successful it is. The results of the pressure management trials show that they were a success, with a total reduction in water supplied of 13.5 per cent, 11.9 per cent and 18.9 per cent for Waterford, Shelley and Rossmoyne respectively. This outcome was achieved while continuing to provide essential services to the communities involved. Following these trials, a comprehensive planning study was completed that identified and prioritised those parts of Perth where pressure management could potentially be implemented. Based on the findings of the planning study, the prioritisation and allocation of capital funding is currently being considered in compiling the Water Corporation's future capital investment program. A broader roll-out of the pressure management program will involve significant capital investment as well as ongoing operating expenses to maintain the infrastructure required. Both the timing and the rate of implementing a pressure management program for Perth are included in these considerations. That is just another example of the work that is taking place to achieve the outcomes that are intended in this bill.

Other areas in this include internal and external retrofit programs. I had to ask precisely what they are. The programs include changing shower heads and more efficient toilet flush systems—dual flush systems et cetera. Those programs are being rolled out across the state. Another area is accessing federal funding to implement an integrated water efficiency across Perth and the regions. This project includes behavioural change, retrofitting, which I have mentioned, and leak repairs for both residential and non-residential customers. Leak detection and repairs in the corporation's reticulation system—I will talk about smart measuring in a minute—are very important. It is a major issue for two factors: the ageing infrastructure in the piping that carries the water; and, secondly, because we have very sandy soil, when there is a leak the water drains away easily, whereas in clay soil it compacts a bit and does not create as big a problem. This work is known and is being pursued in conjunction with smart metering. The smart metering program enables customers to have immediate feedback. If Hon Ken Travers had one of these smart meters connected to his water supply, he could see his water usage on a daily basis. It also alerts people and the Water Corporation to a sudden, unaccountable higher usage of water, which could indicate a leak and would alert them to find the leak. These are some of the things that are already happening.

Better urban management and water sensitive urban design provides a framework for the integration of land and water planning to facilitate better management and use of water resources by ensuring consideration is given to the total water cycle at each stage of planning. Water sensitive urban design is a key component of the better urban management program. That has an overall aim of creating water sensitive cities. Finding better ways to manage and use stormwater is a key focus in this. The better urban management and water sensitive urban design program has now gained wide acceptance within WA, unlike a few years ago, and stakeholders are now actively seeking assistance on how better to implement technologies and best management practice. Some developers are even using these initiatives as a sales pitch for their developments. The Department of Water has a key role in the implementation of the better urban water management program through the assessment of the water management strategies and plans required under the framework. The Department of Water works closely with local government authorities, developers and consultants to implement the framework and promote the integration of land and water planning.

The Department of Water also prepares higher level advisory drainage and water management plans. The drainage and water management plan is a subregional water plan prepared on behalf of the state government. It covers all aspects of total water cycle management, with a particular emphasis on drainage in relation to flood protection, management of groundwater, water quality and protection of environmental assets. To date, the Department of Water has produced eight of these plans and is currently working on the Murray drainage and water management plan. Feedback from the industry has confirmed that the Department of Water's capacity

building program is the key to the continued implementation of better urban water management and water sensitive urban design and integrated land and water planning.

Another area that the bill seeks to influence is demand management strategies. I have already mentioned some of the demand management strategies, but I will go through some of those so members are very clear about how this is happening. The first relates to water conservation plans. Many local governments draw groundwater from aquifers that are close to reaching their sustainable limit. A drying climate and a forecast population growth means councils may face impacts on community assets such as parks and gardens due to uncertain water availability. The Department of Water has worked with 31 local government authorities in the Perth region and 23 country local governments to develop these water conservation plans. These plans assist with conserving water and improving irrigation practices. The planning process required councils to measure current water use for irrigation, develop strategies to improve water conservation and efficiency and take action on the strategies. Another area that has already been put in place under this demand management strategy is excellent feedback from participating councils on the water conservation plan process. Some strategies that are included are improved irrigation scheduling practices, water budgeting, soil improvement, irrigation upgrades and regular system maintenance. The result is that public open space can be managed with less water, whilst importantly still maintaining the usefulness and attractiveness of the community.

Another area that I think most people are familiar with and understand is the winter sprinkler ban, which applies to scheme and garden bore users and to licensed water users who irrigate non-commercial areas of turf, lawn or garden. These users include businesses, local government, public and private schools, golf courses, government departments, major parks, universities and others. Approximately 600 licensed water users have had their licences amended. The boundary for the water sprinkler ban has been limited to the Perth–Mandurah area and the south west of Western Australia. This was determined using evapotranspiration rates and rainfall data. Local government boundaries are used for ease of management and communication.

Another area is water recycling and the use of non–drinking water and the approvals in that framework. The regulation of non–drinking water schemes is the responsibility of a number of agencies, including the Department of Water, the Department of Environment and Conservation, the Department of Health, the Economic Regulation Authority, the Water Corporation and local government. The historic lack of a coordinated approvals process for non–drinking water has been considered a major barrier to the uptake of water recycling. To assist proponents with establishing recycled water schemes, the Department of Water has been working with these agencies to prepare a streamlined, across-agency approval framework. This approval process guides proponents step-by-step through the approval requirements for establishing a non–drinking water scheme. It provides information on the general considerations and approval-specific considerations for non–drinking water schemes and arranges these approval requirements into four logical stages—option evaluation and concept design, preliminary design, detailed design and implementation. The framework is expected to be ready for release in the very near future. Although it is yet to be released, there has already been significant interest from proponents wishing to use the approval process across a range of projects, including managed-aquifer recharge, at Perry Lakes and the City of Canning; third-pipe schemes, at Gracetown, Wungong and Alkimos; and irrigation schemes at Burswood.

Hon Alison Xamon: Perry Lakes is in Cambridge.

Hon HELEN MORTON: Did the member say Cambridge?

Hon Giz Watson: Perry Lakes is in Cambridge.

Hon HELEN MORTON: It is at Perry Lakes and the City of Canning.

What I have attempted to do in the short term is to outline the range of measures that are already in place. I now want to go to the second point, which is that the measures are working. The application of the proposed bill is quite impracticable, duplicative and has the potential to create some conflicting regulations. The Water Corporation is currently proceeding with a number of water efficiency initiatives, as I have mentioned. The decision to go ahead with these in a widespread rollout is based on a number of factors, including: actual water savings, community access, environmental considerations and cost effectiveness in comparison with the corporation's long-run marginal cost resource development—that is, a sustainability approach. Basically, the corporation has to have that flexibility to be able to target the kinds of projects that best fit communities under certain circumstances. The proposed application of mandatory annual targets would give water service providers no opportunity to provide the most sustainable water conservation solutions for social, environmental and economic outcomes. The targets themselves have not been based on any science or understanding of the potential social or community impacts. I would just alert members to the fact that even Paul Llewellyn had the grace to indicate in his brochure that his work is not based on any science. He made the comment in a little disclaimer on the back of the document, which reads —

The office of the Hon Paul Llewellyn has sought to ensure that at the time of writing the information contained within this report is accurate to the best of its knowledge. However, it does not in any way guarantee the accuracy of any information or data contained in this paper and accepts no responsibility for any loss, injury or inconvenience sustained by any users of this publication or in relation to any information or data contained in this publication.

Hon Alison Xamon: That is the standard disclaimer. That does not mean it is not based on science—not even remotely.

Hon HELEN MORTON: He is saying quite clearly that he is not taking responsibility for anything in this.

Hon Alison Xamon: It is a standard disclaimer. What an appalling thing to say.

Hon HELEN MORTON: Good old Paul. I wish he were here to talk about it.

Several members interjected.

Hon HELEN MORTON: All I will say is that Paul has been quite upfront and honest about this. The targets themselves have not been based on any science or understanding of the potential social or community impacts. While the targets may be met with the sustainable water conservation approach, the concern is that such targets could force the corporation to proceed with initiatives, which are neither cost-effective nor socially acceptable, in order to achieve a random target. The bill proposes a mandatory, ongoing or 1.5 per cent annual saving. This represents a total reduction of 15.3 per cent by 2020–21 from the 2007–08 consumption of 147 kilolitres per person a year. This is quite significant when taking into consideration the fact that the 22.7 per cent reduction already achieved has targeted what is referred to as the lowest hanging fruit, or the so-called easy targets. The corporation has proposed two realistically achievable water saving targets for the integrated water supply scheme via Water Forever—a 15 per cent reduction by 2030 and a 25 per cent reduction by 2060. These targets have been based on strategies, programs and initiatives that are both proven and sustainable—that is, economically viable and socially acceptable.

Hon Alison Xamon: They are pretty similar to the bill.

Hon HELEN MORTON: There is no need for the bill.

The focus of Water Forever on adaptive management means that this strategy could and should be revisited as conditions change. Other potential issues include the determination of whether the licensee has contravened the licence conditions based on the effects of weather. Perth's total per capita consumption has been 150.1, 155.2, 154, 151.4, 153.2, 147, 148.2 and 142.7 kilolitres a year over the past eight years respectively. To accurately accommodate the effects of climate over each of the corporation's 115 operating areas would be extremely problematic, not to mention the significant bureaucratic burden associated with the required analysis and reporting.

The Department of Water's new statewide policy 16—the policy on water conservation and efficiency plans—aims to achieve water-use efficiency gains by mandating the development of, and commitment to, a water conservation efficiency plan for all water source licences for which there is an operating strategy. This will enable it to apply equitably to all significant users, not just utilities and scheme-water users. The policy identifies the objectives of standards to be applied, or measures that would be taken, to achieve the efficient use of water, with the Department of Water having the ability to consider the acceptability of water efficiency measures in the granting and renewing of water licences. The Water Corporation's advice goes on to make clear that the proposed Water Services Licensing (Water Conservation Target) Amendment Bill 2008 would therefore result in dual, potentially conflicting, regulation. On the one hand, we have the Economic Regulation Authority scheme; on the other hand, we have the Department of Water scheme. That is the government's second reason for not supporting the bill.

The Water Corporation does not support the bill as drafted. It believes that water efficiency is best addressed through water allocation licences administered by the Department of Water for all users, not just the public utilities that use less than 20 per cent of all water in Western Australia. The majority of the big users of water, such as the mining companies and local governments, are not on the integrated water scheme because they mostly have bores, which are not covered by this bill.

Hon Alison Xamon: And they are being licensed by the government.

Hon HELEN MORTON: On the radio this morning there was a story about how Hon Vince Catania is pursuing the issue of water usage in the Pilbara. This bill will not impact on the big users of water, such as mining companies, local governments, and turf clubs—I am aware of how much water is needed to keep the turf green and usable. The big users will be picked up under the current water efficiency plans.

Another reason that the state government will not support this bill is because, very soon, it will become redundant.

Hon Alison Xamon: Have you got a date?

Hon HELEN MORTON: I have, actually, but I am not going to give it to the member.

Hon Alison Xamon: Just like for two years the answers have not been given to me when I have been asking questions in Parliament.

Hon HELEN MORTON: It is expected that the new water service legislation will be introduced into Parliament in spring 2010.

Hon Ken Travers: Have you been outside?

Hon HELEN MORTON: That is why I cannot provide the date.

Hon Ken Travers: What; because it should be happening right now and it has been delayed?

Hon Michael Mischin: Spring's not over yet!

Hon HELEN MORTON: That is right; it is still spring!

Hon Paul Llewellyn's bill—as I call it—seeks to amend the Water Services Licensing Act 1995; the Water Corporation Act 1995; and the Water Boards Act 1904, all of which will be repealed by the new water service legislation, so it appears unnecessary.

In summary, the state government does not support this bill; the Department of Water does not support the bill; and the Water Corporation does not support the bill. All elements of the bill are currently achievable under existing legislation, and the bill has the great potential of setting up conflicting regulation. It will only affect about 20 per cent of users—not the big users—and if it were passed it would soon become redundant. I recommend that members vote against the bill.

HON SALLY TALBOT (South West) [10.44 am]: I have spent the past few days refreshing my memory about the Water Services Licensing (Water Conservation Target) Amendment Bill 2008, about which I had extensive discussions with Hon Paul Llewellyn, former MLC, before he departed this place. I am pleased to say that the Labor Party's original decision to support the bill—albeit with a couple of amendments that I believe the current carrier of the bill is happy to consider—remains in place.

Hon Paul Llewellyn made a substantial contribution in this place to the whole issue of water conservation and water regulation. I learnt a lot from listening to him, and I think that we sometimes find ourselves lacking that kind of knowledge, expertise and experience in this place. It was quite refreshing to find somebody such as Hon Paul Llewellyn who could address some of the complexities of a matter such as this.

Reading again the second reading speech made, obviously, many, many months ago now, I noticed that Hon Paul Llewellyn began by talking about the ongoing problem with groundwater extraction at the Gngangara mound. I noted that that subject was spectacularly absent from Hon Helen Morton's response on behalf of the government because, as she very well knows, those problems have only compounded since Hon Paul Llewellyn gave his second reaching speech. That was only one of the aspects of Hon Helen Morton's reply that was just a bit too cute. There cannot be a discussion on a serious matter such as how to best conserve water in a water-parched state such as Western Australia without talking about some of the issues such as the regulation of the licences at the Gngangara mound, and it would have been interesting to have heard Hon Helen Morton address that matter. A week ago we had a debate in this place on a motion moved by Hon Ken Travers that touched on the issues of water extraction from the Gngangara mound in relation to the Pinjar south light industrial area. During this period of sitting we have done our bit to remind the government that this is a problem that will not go away.

The only conclusion I can draw from the fact that Hon Helen Morton made that glaring omission of the issue of licence management at Gngangara mound from her list of what she was badging as government achievements—I will have more to say about that in a minute—is that it is because it is simply not a government achievement; it is a spectacular government failure.

Hon Alison Xamon: Absolutely!

Hon SALLY TALBOT: I hope that if we ever get to the stage of being able to go into Committee of the Whole on this bill, we might be able to press the government about that in much more detail.

Hon Helen Morton: It will not be me in committee; it is not our bill!

Hon Ken Travers: But you'll still be present; we can still talk about it and raise questions across the chamber.

Hon SALLY TALBOT: We can still talk to Hon Helen Morton about it.

Hon Helen Morton: Who are you going to press for information?

Hon SALLY TALBOT: We can still raise all the issues.

Hon Michael Mischin interjected.

Hon SALLY TALBOT: Is the member suggesting that the committee stage would not be an appropriate time to deal with that?

Hon Ken Travers: So have we got a secretive government that doesn't want to talk about it? I see; I should have known!

Several members interjected.

The PRESIDENT: Order!

Hon Helen Morton: It is a bit hard to know who will sit at the table, because we can't bring Paul in, can we?

Hon SALLY TALBOT: So was that a deliberate omission from Hon Helen Morton's speech?

Hon Michael Mischin: The Greens (WA) love evidence-based bills; they can provide the evidence!

Hon SALLY TALBOT: That omission was obviously a bit of a tactic on the government's part: "Don't worry; we'll get away with not mentioning the Gngangara mound because we've got ways of covering up this debate."

Hon Michael Mischin: Covering up? Oh, come on; that's cute!

Hon SALLY TALBOT: That is an extraordinary admission.

Hon Michael Mischin: The Greens are into evidence-based legislation, so they can provide the evidence; it's their bill.

Hon SALLY TALBOT: I am sure they will. Hon Alison Xamon is looking forward to the committee stage with keen anticipation. I do not want to speak for her, but I am sure she agrees that when we go into committee, it will give us a chance to examine what was on the list Hon Helen Morton just presented to us and, more importantly, what was off the list and had been deliberately omitted.

That was one major problem with Hon Helen Morton's response on behalf of the government. Hon Alison Xamon made the point by way of interjection that it was grossly unfair of Hon Helen Morton to have used a bit of a below-the-belt tactic in her response, as had probably been drawn to her attention by advisers from the minister's office. I am a bit surprised that Hon Helen Morton used that tactic to refer to the disclaimer on the pamphlet that Hon Paul Llewellyn released. I agree with the comments made by way of interjection about there being a standard disclaimer on what is quite a lengthy and detailed pamphlet—calling it a pamphlet is an understatement because it is a bit like a treatise—because Hon Paul Llewellyn relied on statistics from a number of different sources. Anybody with any sort of familiarity with academia knows that when one relies on somebody's data, it is standard practice to use a disclaimer.

Hon Paul Llewellyn and I disagreed on a number of things and we continue to disagree on a number of things. He is still making his presence felt, particularly in the south of my electorate. The one thing that I would never question him on was his integrity and the intellectual rigour that he brought to debates in this house. One does not have to agree with him; I did not agree with him. However, to suggest under the protection of parliamentary privilege that his scientific credentials have been called into doubt —

Hon Helen Morton: Be clear that that advice came from the agency.

Hon SALLY TALBOT: What advice?

Hon Helen Morton: That it wasn't based on science.

Several members interjected.

The PRESIDENT: Order, members! It sounds more like a conversation around a room rather than a debate in the house. We will let Hon Sally Talbot make her point and then everybody else will be given the same opportunity.

Hon SALLY TALBOT: Hon Paul Llewellyn and I did not always agree. The second reading speech is an example of that. I remember speaking to him at the time because after talking about the problem of extracting water from the Gngangara mound, he took a swipe at desalination. I did not share that view, nor do I share it now. The strength of Labor's position during its 7.5 years of government was the emphasis that a succession of water ministers put on the importance of having a diversity of sources to secure water supplies for Western Australia.

Desalination plants have a role in forming part of a range of sources to secure the water future of Western Australia.

When Hon Helen Morton framed the government's response to the four areas of concern, by far her major emphasis both time wise and in the substance of the comments was on the first point, which is that we do not need the new measures, partly because powers under the act already allow for water conservation measures to be put in place. She also referred to the fact that the Minister for Water retains the power to direct the agency if he or she so chooses. The fact is that the list that Hon Helen Morton went through almost exclusively contained measures implemented by the Labor government between February 2001 and September 2008. That was even the case in the significant figure that I asked her to repeat. She referred to a per capita kilolitre reduction from 185 kilolitres to 143 kilolitres, a 22.7 per cent reduction. Between 2000–01 and 2009–10 there was nearly a 25 per cent reduction in per capita water usage.

Hon Ken Travers: Gee, that's great! Someone should get credit for that.

Hon SALLY TALBOT: I am very pleased to be standing here today to give credit where it is due.

Hon Helen Morton: So you agree that the measures are working and working well.

Hon SALLY TALBOT: I will come to that in a minute. It is most certain that credit should not be given to the Minister for Water, his parliamentary secretary or any member sitting on the government benches. The measures were put in place during the Labor government's two terms. They were proposed by the government and they went through Parliament with broad support. The crux of the matter is that they are the same measures that the government has been systematically dismantling since it took power in September 2008.

Hon Helen Morton: Rubbish!

Hon SALLY TALBOT: Hon Helen Morton need look no further than that. Last night we had broad agreement that the process of debate in this place involves convincing each other of the merits of the argument that one is arguing. That is what I am about to do.

Hon Helen Morton started her speech by saying that she expected an outcome, but she did not sound terribly certain about it. I will now have a go. Hon Helen Morton referred to a number of different schemes and projects that are underway. What was the first thing that the incoming water minister did shortly after taking office in September 2008? He axed the Waterwise rebates. Frankly, that was one of the most astonishing announcements I have heard, not so much because it was unexpected—after all, when the Liberal–National arrangement was put in place, we threw out everything we expected because we knew we were in for a rough ride—but because the minister's press release read like a glowing endorsement of the program. It referred to the fact that between the end of 2003 and the end of 2008, \$45 million was spent on the Waterwise rebate program. The scheme directly impacted 351 000 Western Australian households. When the scheme was axed, one statistic that was quoted stated that when the scheme was introduced in 2003, only four water-saving washing machines were on the Australian market. That number escalated exponentially after the rebate scheme was put in place.

Hon Ken Travers: I don't think there were any five-star washing machines.

Hon SALLY TALBOT: That may be right. I think four different washing machines claimed to have some water-saving capacity.

Hon Ken Travers: They were the highest rating ones that met the standards. But there weren't any five-star washing machines. You should go to the shops today and see how many there are.

Hon SALLY TALBOT: That is right. In fact, I do not think that one can buy a washing machine that is not making some claim about water efficiency.

Hon Ken Travers: If I remember correctly, people attacked us and said it was crazy because there weren't such washing machines on the market.

Hon SALLY TALBOT: Yes, that is right. Without wishing to pun too heavily, the Liberal Party was quite happy to pour a lot of cold water on the rebate scheme when it was introduced. It was a significantly successful program. One figure suggests that 177 000 Western Australian houses got water-efficient washing machines as a result of that program. The minister's press release that announced that the scheme was to be axed also acknowledged that it was one of Australia's most successful water conservation programs. Every member in this chamber knows why it was axed. Of course, the elephant in the room during the government's first 18 months in office was the three per cent efficiency cuts that had to be made. It was an extraordinary coincidence—understand that I am being ironic; it was not coincidental at all that the amount of money saved by axing the Waterwise rebate program was almost exactly the same as the three per cent that had to be cut from the department's budget for the delivery of water services. We know why the program was cut so we should not believe Hon Helen Morton when she rattles off a list of programs and claims that her government is still on the

job running programs that deliver water efficiency. It is quite clear that the government is not doing so, and to pretend otherwise is to do much more than simply risk political survival—it risks the future of this state. The problem is that for all the government's rhetoric, both in the other place where the minister can be held to account and in this place where we can bring on these debates every now and then, its position is nothing more than to pretend that the problem does not exist. I suspect that for a number of members opposite this goes to a very profound problem about their understanding of climate change.

Climate change was one of the first issues I raised in a speech in this house soon after I was sworn in as a member in May 2005. I remember taking an interjection from Hon Murray Criddle who at that stage was the lone National Party member in this chamber. I think he was sitting about where Hon Liz Behjat is sitting now and I sat about where Hon Philip Gardiner sits now, so we were quite close to each other in the chamber. I remember Hon Murray Criddle turned to me and said, "Don't accuse anybody in the National Party of being a climate change sceptic; farmers have been living with climate change for decades." It impressed me very deeply that there is a fundamental difference between the philosophical approaches of the Liberal Party and the National Party in taking these issues of water conservation seriously. There is a very profound difference between the parties in grasping the, albeit complex, issues surrounding theories of climate change. I would rate the National Party much, much higher on its commitment to making real change that will secure the water future of this state, than its comrades in arms, the Liberal Party, which has dropped the ball—in fact, it never had the ball in its hands; it has never even picked the ball up! Hon Murray Criddle's interjection marked the very significant difference between the two parties that are in government in this state.

The reality is that we all know that figures can be manipulated and there is a certain amount of internal disputation going on amongst climate change scientists about the pace, rate and timing of climate change. However, the key to understanding where we are at with this issue is to understand that the debate that is going on at the moment is between climate change scientists; the debate is no longer between climate change scientists and climate change sceptics. The sceptics now do not have a voice in this argument because they have been conclusively proved to be misguided and, indeed, motivated by other political agendas that have nothing to do with the issue of climate change. It is very important that in any debate of this type that we understand exactly the effects of climate change or, as the Minister for Water, as I understand, prefers to call it, our drying climate. The minister appears to be quite happy to situate himself on the climate sceptic side of the debate, even though that is absolutely discredited as a position. However, it is very important to understand the impact of climate change on Western Australia.

I represent the South West Region and honourable members will know of course that the reference to the south west is not an exact fit with the area of biodiversity identified as the south west of Western Australia. My electorate goes from Mandurah to Albany, essentially. The biodiversity hotspot is the whole of south western Australia, which is a much bigger area. Nevertheless, the decline in winter rainfall and rainfall more generally in the south west since about 1970 has been about 20 per cent. The south west of Western Australia is a thirsty place in two different senses. It is heavily populated and growing. Our communities around Mandurah and Bunbury are some of the fastest-growing communities in the world.

Hon Helen Morton: Shanghai doesn't have any water restrictions. It has 20 million people, so population's not the issue.

Hon SALLY TALBOT: That is interesting. I think there are lots and lots of lessons that we could learn from China and South East Asia about not only water management—this could be a very long discussion—but also the rehabilitation of contaminated water sources. Indeed, later today I will attend one of the Urban Development Institute of Australia's big annual functions to hear what the planners have to say. Whenever I go to a UDIA function, wearing my shadow Minister for Planning hat, it is always very interesting to me that somewhere in the region of 50 per cent of the discussion will be about water. Some weeks ago I attended a fantastic presentation by a scientist from the eastern states who used examples of urban catchment areas in Singapore. The fact is that in Australia we have very limited recourse to use our urban areas as water catchments. In his second reading speech, Hon Paul Llewellyn quoted some very eminent people in the field of water management in Western Australia. I remember sitting in the back of the bus with Jim Gill some years ago when he talked about how we had to revise our rainfall prediction figures because the time frame on which we were drawing those figures was slowly collapsing. The change in rainfall was so rapid that the time in which we could respond was shortening. It also affected the history of rainfall because the annual rate was changing so quickly it no longer made sense to go back 100 years; suddenly we had to talk about figures from 50 years ago and then change was so rapid that we had to talk about 20 years ago. Therefore, those figures were really throwing the statisticians into a certain amount of turmoil as to how to make suitable predictions. However, Dr Gill was one of the first people to point out to me that an area of bitumen is actually a fantastic catchment, but we do not do any of that. As Hon Helen Morton said, there are places in China and South East Asia that have some fantastic projects that I think we should take a very serious look at.

However, returning to the point that I was making, the effect of climate change in the south west, Western Australia and Australia generally, is very serious. That means there are actually two quite distinct reasons that we should support a bill of this kind. It surprised me a lot that the arguments Hon Helen Morton put were not really arguments for not supporting the bill; they were arguments that we do not need the bill. I did not really hear anything in Hon Helen Morton's arguments about why this bill would lead to a less efficient system. I guess the second point she made about conflicting regulations was the closest we got to that, but we all know, from debates in this house over the years, that regulations can be fixed; it is not beyond the wit of any of us to do that. I do not buy the argument that the bill will only impact a relatively small proportion. I am not sure that I agree that it is only 20 per cent. However, even if it is fewer than half of the state's water users, that is not a reason not to proceed with the bill; if anything, it is an argument to do more and extend the provisions of the bill.

Hon Alison Xamon: It's an argument for further inaction.

Hon SALLY TALBOT: It is an argument for inaction, as Hon Alison Xamon says.

The point I am leading to is that if we accept even the most conservative estimates of the climate change scientists, it means that we have to be not just a little bolder than the government is being, but that we actually have to bite some of these bullets about putting water conservation targets into legislation. I guess what upsets the government is that Paul Llewellyn and the Greens (WA) are progressing the idea that we need statutory targets. I guess that somehow goes against the basic conservative philosophy that there is something wrong with notions such as strategy targets. If the government wants to claim that there has been a change in the culture of water use in Western Australia, I would say two things: firstly, the government must pay credit to previous Labor ministers for water for having brought about that cultural change; but, more importantly, it must demonstrate that it is in fact the case that such a change has taken place, and it has not yet been able to do that in debate either here, in the other place or in the wider community. Indeed, only a couple of months after the government cancelled the Waterwise rebate program, the Water Corporation pleaded with the Western Australian water using public to cut their usage. Around April or May 2009, water levels in the dams had decreased so rapidly that the Water Corporation put out statements pleading with water consumers to conserve water. The government axed a highly effective water conservation program, claiming that the program had been so successful that the culture of water usage had changed, yet only a matter of weeks later, the Water Corporation came out to say that we were in terrible trouble and that everybody had to cut their water usage a bit more. The government cannot run both arguments; it is completely illogical.

There is no doubt in my mind that we have a long way to go before we can make sound claims about changing the water usage culture in Western Australia. However, there is one sense in which things like sprinkler bans have impacted on the collective psyche of ordinary Australian water consumers, who are not as involved as we are, on a daily basis, in turning their minds to such matters. I went to Queensland last year to talk about all sorts of environmental issues, and the topic of water inevitably came up. I was told by a senior minister of the government in Queensland a very interesting story, which I tucked away, knowing that at some stage I would draw on it. It is a story that has a very wide application in any number of the different contexts within which we form state laws and regulations. The story he told was that following a period of very severe drought, Queensland ended up receiving some very substantial rainfall. At the time the government had in place bans on things like washing cars, and its sprinkler bans were more extreme than ours; it was a very comprehensive program of banning water use. Obviously, no government likes to do that; it is very hard to go out there and sell those kinds of restrictions as something that is electorally popular. One cannot imagine producing a pamphlet during an election campaign saying, "Guess what we're going to ban?" Once the dams started refilling in Queensland, the government started looking at ways to wind back the water restrictions it had put in place. One of the first things it did was to allow people to start using sprinklers on more days of the week. It then looked at removing the bans on car washing and hosing down footpaths and so on. To its astonishment, there was an enormous community backlash against relaxation of the water restrictions. During the time of the restrictions, people had begun to seriously grapple with their own everyday use of a commodity that they had always taken for granted, and they had begun to see that every drop of water they used was something that actually had value. I am not talking about simply putting a dollar value on a glass of water; I am talking about common practices in everyday life. I remember that Barry Jones was one of the first people to raise the question about whether one leaves the tap running when one is cleaning one's teeth. Who does that now? Almost no-one.

Hon Helen Morton: How many people still clean their teeth under the shower?

Hon SALLY TALBOT: That is a different matter, is it not? I think we have already had enough references to people's personal shower practices! One of the things that Hon Helen Morton and I can claim credit for in the debate this morning is taking up the Barry Jones mantle from the late 1970s and putting the question into the mind of everybody in this chamber about whether they should be cleaning their teeth in the shower, or whether

there is a water conservation measure that each and every one of them can commit to at this moment, if they do it; I do not!

My point is about changing people's everyday practices. It can be done, and what the Queensland story tells us is that if governments put provisions in place to force people to confront—not “confront” in a traumatic way—the list of things that they are concerned about on a day-to-day basis, such as the amount of water they are using, then over time we can effect real change. Have we arrived at that place yet? No, I do not think we have. I think that that is what the story from Queensland shows—that if a government suddenly changes its rhetoric about water and says that the panic is over and that it is okay to go back to their old ways, the community will be worried that the standards will begin to slip and all of a sudden they will be back to leaving taps running, not fixing leaks, and other wasteful practices such as hosing down driveways.

The government is wrong when it claims that the culture has changed, and it is wrong to decide as a result of that mistaken conclusion —

Hon Helen Morton: What year was the lowest per capita consumption of water? In the eight years I mentioned, it was the last year that was the lowest.

Hon SALLY TALBOT: It should be. I was going to give Hon Helen Morton an answer based on commonsense, because I do not know the answer in a technical sense. If those measures are working, it must be exponential, because every year there are more people engaging in the new practices. So yes, that is exactly right.

Hon Helen Morton: All I am saying is that the message is getting through to people.

Hon SALLY TALBOT: However, it cannot be claimed that one year in government has brought about the biggest change ever, because it is an effect of the program, and by the member's own statistics, that was put in place in 2001. Yes, the message is getting through to people. I am in furious agreement with the parliamentary secretary. My point is that if we start relaxing, the community itself knows that we are at risk of slipping back into the bad old ways, and that is not what any of us wants.

I am rapidly running out of time so I want to lay the framework for the way I think this issue should be tackled. The reason this bill should be supported is twofold. As far as climate change is concerned, we will not be able to get away without statutory targets for reducing water consumption for very much longer in this state. If there is an argument that the bill is flawed, perhaps it is only in the sense that it will not have a big enough impact and perhaps it should include consideration of licences for bores. As honourable members know, that was something that the Labor government tried very hard to put in place. We were frustrated on that for a number of reasons.

We support the bill as it stands. If there is a criticism that might be taken on board by the new proponents of the bill, it might be that it needs to go further. Climate change means that we will need statutory targets sooner or later. The other reason this bill should be supported is that it serves another very important objective—that is, the objective of reducing the cost to households of essential services such as water. We have grown up in a state that was built on the assumption that every household would have a car and supplies of energy would always be cheap and plentiful. The problems we have in a city such as Perth are problems that are now besetting some of our bigger regional centres such as Mandurah, Bunbury, Geraldton and Albany. Unlike parts of Europe that were built around the notion that every household had a horse and cart, we are having to retrofit our city.

Hon Helen Morton: How many cars in your household?

Hon SALLY TALBOT: I do not own a car.

Hon Helen Morton: How many cars in your household?

Hon SALLY TALBOT: I am making a very serious point.

Hon Norman Moore: Are you going to have a statutory limit for how many cars you can own?

Hon SALLY TALBOT: I would be interested to know whether these interjections are about the substantive point I am making about Western Australia being planned around the assumption that every household has a car.

Hon Norman Moore: So you're offering some suggestions on how it might be changed. You're just talking about statutory limitations and how much water you can use. Presumably you're going to say the same about how many cars you can have.

Hon SALLY TALBOT: It is an interesting idea.

Hon Norman Moore: Why don't you try that sometime? What really worries me is when you try to out-green the Greens.

Hon SALLY TALBOT: Hon Norman Moore, through his interjections, is trying to say that in some sense we on this side of the house are not going further. That is just ridiculous. Hon Norman Moore is the Leader of the

Government in this place. If he wants to take some of these ideas on board, he can walk in here with a bill next week. Presumably the government has a cabinet meeting on Monday. He should get it through cabinet and bring it here —

Hon Helen Morton: The reason I raised that is I just want to know how genuine you are when you say that we have to be more conservative about those sorts of things. My question really was: when everybody is at home, how many cars are there at your household?

Hon SALLY TALBOT: Let me make the point I am making once again.

Hon Helen Morton: You won't answer, will you?

Hon SALLY TALBOT: I will. I am happy to talk about all my car use.

Hon Helen Morton: Are there three?

Hon SALLY TALBOT: No. How many cars does the parliamentary secretary have in her household?

Hon Helen Morton: Heaps. I have a big family.

Hon SALLY TALBOT: How many of them are hybrids?

Hon Helen Morton: None.

Hon Simon O'Brien: Hon Sally Talbot, do you have a bicycle? If so, can you get on it!

Hon SALLY TALBOT: I did come from a city that was designed around the horse and cart. That is absolutely true.

The point I am making is that we are behind the eight ball in Western Australia. Unlike other cities in the world, we have to retrofit our cities to be sustainable.

Debate adjourned, pursuant to temporary orders.