

**APACE AID INCORPORATED**

*Motion*

**MRS EDWARDES** (Kingsley) [4.04 pm]: I move -

That the outstanding community environmental work undertaken by APACE Aid Incorporated be commended and its long-term security be guaranteed by the Government agreeing that -

- (a) lots 8 and 9, Johannah St, North Fremantle, currently owned freehold by the WA Planning Commission, should be added to Reserve No 33051, which is vested in the City of Fremantle for the purposes of recreation and community gardening; and
- (b) the enlarged reserve have its current vesting and purpose remain unchanged, subject to the City of Fremantle granting a long-term lease to APACE Aid Incorporated to allow its continued, secure use of its existing site.

Apace was established in 1984 and for those who are unaware, Apace stands for appropriate technology and community environment. It is an environment centre situated on North Fremantle's riverfront. It is highly regarded as a strong community asset not only by the City of Fremantle and the people who live in that area, but also by people right across Western Australia.

Apace was given a 19-year lease of the Johannah Street site and lots 8 and 9 almost constitute a one hectare site. On that site, Apace has actively promoted appropriate technology and environmentally sustainable development, and the development and training of various skills. This is achieved through a number of programs, services, and, in some instances, special courses. The Department of Conservation and Land Management, TAFE and the Office of Energy have used some of the facilities and services that Apace provides, and it has received hundred of thousands of dollars of community funding from the Lotteries Commission of Western Australia and the Natural Heritage Trust. That gives an indication of the high regard held for the effectiveness of Apace by the community and by state and federal government agencies. One of the programs funded by the NHT is Western Australia's first community seed bank - a facility for the Perth region. Lots 8 and 9 are zoned special-use public purposes under both the metropolitan region scheme and the Fremantle town planning scheme. The land was originally owned by F.C.B Winter. His daughter Lesley Taylor said that both she and her sister would have liked to have lived on the site but instead they sold it to the Metropolitan Region Planning Authority knowing that the property was zoned as future public open space. That highlights a significant concern. Sometimes a generous benefactor will hand over land that has special or regional significance. Such land is often handed over to the State Government and/or the local authorities in the belief that the right thing will always be done with that land. However, sometimes to the serious disbelief of the benefactors, this does not always happen. That is an issue we must look at in the future -

Ms MacTiernan: Are you saying that they sold the land for less than the commercial rate?

Mrs EDWARDES: I do not know the details but it was sold on the basis that it would be zoned as future public open space and as such it was believed that that would always be the case. I know of many generous gifts of land given to the State and local authorities in the belief that the land would be kept in its current state and under its current zoning. Sometimes that is not necessarily the case. Apace's lease expires on 30 November 2002. Last year, the Ministry of Planning decided that it was surplus to requirements and proposed to rezone and dispose of the property. The Ministry of Planning wrote to the City of Fremantle in response to its request that the land be transferred to the City of Fremantle, advising it that it had decided to dispose of the property and that the City of Fremantle could purchase the land if it wished to do so. It might have been the Ministry for Planning's view that it is surplus to requirements, but there is little support for that view and there was little support from the previous Government.

Ms MacTiernan: Little support for what?

Mrs EDWARDES: There was little support for rezoning. I know that I, as the former Minister for the Environment, and the member for Cottesloe put forward our strong views to the Minister for Planning both personally and in writing. We opposed any proposed rezoning. The current minister has obviously been sold the same bureaucratic line by the Department of Planning and Infrastructure that the land is surplus to requirements. One of the reasons the minister is so susceptible to these bureaucratic views is because the Government is short of money and this is a way of raising more money. In fact, members of Apace felt that the minister had already made up her mind on the matter when she visited. That is not the view that has been put forward in the House in response to questions asked in the other place. We have been told that the minister is "reviewing" the Government's position. However, an article in the *Fremantle Herald* of Saturday, 28 July 2001 states that -

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During a visit to APACE last Thursday week, no-frills Ms MacTiernan shocked the group with her tough talk.

She bluntly stated the cash-strapped Gallop government needed the money that selling the prime land would rake in.

It was basically a set position even prior to visiting -

Ms MacTiernan: Has the article quoted me?

Mrs EDWARDES: The copy I have is in such a bad state that I cannot read the quotation marks.

Ms MacTiernan: You can read only that one paragraph but not the rest!

Mrs EDWARDES: I will get a clean copy for the minister so she can see whether it is in quotation marks. Is the minister telling me that she did not tell the group what it says in the article? Shortly, the minister will have a chance to put forward her position.

Ms MacTiernan: Of course I will. I will tell them what you said.

Mrs EDWARDES: I have my letters here too, so do not misrepresent what I said. The member for Vasse has given me a clean copy of the article and what I just read was not in quotations. The minister should tell us exactly what she said to the group, and the members of Apace will judge the minister by what she says to their faces and what she says in this place.

If the rezoning is to proceed, many people and I believe that it will constitute a major amendment to the metropolitan region scheme. If the Department for Planning and Infrastructure proposes a minor amendment, it will be a serious matter. We believe the area is regionally significant because of its location and because it adjoins a special reserve. A major amendment to the MRS would come to the Parliament and we would oppose it. We put this Government and the minister on notice that Parliament will not accept that measure, particularly on this side of the House. Given the debate in the Legislative Council, I have no doubt that the combined numbers of the Greens (WA) and the coalition parties will ensure that it does not pass through Parliament.

However, at the end of the day, that does not give Apace the certainty it deserves. The lease does not expire until November 2002. Any project it now wishes to engage in is seriously limited because of the short time frame. The group needs certainty now. It does not need to wait until November 2002 to be told that it will be kicked out and that it has only a six-month extension of its lease. That would not be fair to the group, the community organisations or the other state government agencies and organisations that have funded the group in the past. Those organisations expect and hope that the services and programs that are carried out by Apace are able to continue in their current vein. Apace should have the opportunity to expand, rather than being told that it can expand but only temporarily because the organisation will be moved out of its premises by 2002. That is not acceptable to the community or to Apace.

We ask the Government to make a quick decision along the lines of the motion we have outlined and are debating today. We would like the group to have some certainty. It consists of a group of people who are strongly committed to working with the community, local authorities and government agencies. The work Apace has done with those groups has changed the local community's attitude to the environment. The work it has done deserves recognition. It deserves to be advised sooner rather than later that its lease will be extended and/or that, as per the terms of the motion, the land will be added to the reserve. The City of Fremantle should extend a long-term lease to Apace so that it can continue its important work. We ask the Government to support the motion.

**MR MASTERS** (Vasse) [4.13 pm]: I will quote from the newspaper article that the member for Kingsley was not able to quote from because she had a photocopy of a photocopy of a fax of a copy. The article is from the *Melville City Herald* of Saturday, 28 July 2001, and the journalist is Andrew Smith. The fifth and sixth paragraphs I will quote from are not direct quotes from the minister. The minister must advise us what her actual words were. The article states -

During a visit to APACE last Thursday week, no-frills Ms McTiernan shocked the group with her tough talk.

She bluntly stated the cash-strapped Gallop government needed the money that selling the prime land would rake in.

The minister has been challenged to say either that she did not say those words or that she did not make that implication in her comments. I hope the minister is prepared to withdraw those statements. I strongly support this motion for a raft of reasons that I will outline in my presentation. Members on this side of the House offer

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their strong support for the group known as Apace Aid Inc. It does excellent work and has done so for the past 17 years.

In many cases, members of Parliament talk about groups or organisations with which they have had no direct relationship or involvement over the years. However, I have had a small but nonetheless direct involvement with Apace. For my sins, for the past 25 years I have been president of the largest conservation group based in rural Western Australia, the Busselton Naturalists Club. On at least two occasions, the club has funded, to the tune of \$350, a local volunteer from the Busselton or south west region to go to Apace to undertake a bush regeneration course. The idea was to send someone up to Perth for a one or two week course. Those volunteers, who were generally young, enthusiastic people with a strong interest in the environment, would repay the \$350 that was donated by the club by doing good environmental work in the field of bush regeneration in the south west and elsewhere. That has happened twice. The club has been pleased with the quality of the course that was offered to its two volunteers.

In recent years, I have toured the Apace site twice. Most recently, I toured with Tony Freeman, and I thank him for taking time in his schedule to show me around. I have had direct involvement and I have seen the site a couple of times. The work done by that organisation is outstanding and deserves support from the Government and the Opposition.

Some examples of the work done by Apace over the past 17 years fall under the headings of the seed bank, nursery, community gardens, training and conference activities, and consultancy design and project management. I will refer to some of the background notes available to the public courtesy of Apace. It has a native plant nursery that specialises in the propagation and supply of plants indigenous to the Swan coastal plain and the Darling Range. The plants are used in revegetation landscaping projects throughout the Perth metropolitan region and I suspect they are used well outside the Perth region in some instances. The nursery is accredited with the Nursery and Garden Industry of WA, and all stock is grown under strict hygienic conditions, which means it is not capable of being a medium for transporting the *Phytophthora cinnamomi* fungus, or dieback, around the State or into Perth gardens.

Each year, the nursery produces more than a quarter of a million plants and provides a selection of more than 250 different plants that are generally unavailable elsewhere. It is important to emphasise that Apace does not compete with the commercial nurseries in the Perth metropolitan area. For the most part, commercial nurseries supply the type of plants that people who think they are still living in an English environment wish to plant in their gardens. Apace uses only local plants from the immediate environs of the Perth metropolitan area. All of the native plants are well suited to the natural environment. I hope that that emphasis will be expanded over the summer because people must be reminded that we are in the middle of a drought and severe water restrictions are in place, and there is the threat of even more water restrictions. Seventy per cent of Perth's water is used on gardens. If those gardens had more native plants from places such as Apace's nursery, the water usage by Perth residents would drop significantly. In the 1970s there was a similar period of about three years of quite strict water restrictions. In that time the water usage per capita dropped by about 30 per cent, and that rate has remained unchanged for the following 25 years.

Mr McRae: Has it remained at the lower rate?

Mr MASTERS: As a result of the water restrictions, the rate decreased by 30 to 40 per cent and it has stayed at that level. The overall water consumption volume has gone up, because the population has gone up, but the per capita rate has essentially stayed the same. The Apace nursery is waiting to sell appropriate plants to the people of metropolitan Perth and Western Australia, to help make better use of our limited water resource.

Apace is heavily involved in education programs. It has a grid-connected renewable energy system, funded by the Alternative Energy Development Board of the Western Australian Office of Energy. That funding allowed the organisation to install a wind and solar energy system. This provides a demonstration site, so that people can see roof mounted and tower mounted wind turbines, and photovoltaic cells in operation. It is important that places such as Apace are able to make themselves available to the public to demonstrate alternative renewable energy systems.

Apace also has solar energy programs that focus on school groups. It is in the process of developing a more formal school program, but it received between 500 and 1 000 student visitors in each of the years 1998 and 1999. They were looking at not just the nursery, but also the renewable energy systems. Apace is also known for bushland regeneration and appreciation programs directed at schools. It has developed an environmental education program for school students, as a positive response to community concerns about the deteriorating state of the environment. The program helps students acquire an awareness of and sensitivity to the natural environment, and to understand what is required in environmental protection and rehabilitation. Bushland regeneration is a very important issue. Just last night, I was paired from this place, and spent a couple of hours

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with the Urban Bushland Council. If members can appreciate the passion that those people have for protecting the remnant vegetation in the urban area, they can appreciate the passion of the people associated with Apace, and their visitors, for trying to turn the situation around and regenerate as much as possible those degraded, but still recoverable, areas of bushland in the Perth metropolitan area.

Another important function performed by Apace is seed collection. It has a substantial collection of Western Australian native plant seeds in its own right, but it also runs courses in seed collection. We might think it is an easy task to simply cut off a piece of plant, collect a few seeds and plant them in the ground, but it is far more complicated than that. A number of requirements have to be met, including the timing of collection, the age of the seed in plants that retain seeds from several years on the stem or in the flowers, and the handling of the seed once it has been collected. In the case of banksias and other hard, woody seeds, special techniques are needed to release the seed from the woody cones. It is a science in its own right, and Apace is out there collecting for its own needs, as well as educating a large number of Western Australians in successful seed collection, so that they can participate in revegetation activities.

Apace has received numerous funding opportunities from various groups, including the Natural Heritage Trust. All the money has been put to very good use, and it is entirely accountable. A group such as Apace, or the Busselton Naturalists Club, cannot grab the money, spend it, and not be 100 per cent accountable for spending the money in the right way. Forms must be completed to show that the money has been spent on the ground for the purpose for which it was originally committed. I have never heard of Apace being accused by anyone of misusing any of the money it has received from state or federal Governments. For that reason Apace deserves a high commendation.

Apace is also involved in environmental construction skills. In conjunction with the Green Corps program, Apace has held a number of hands-on training courses in environmental construction skills. Participants have received training in design and construction of items such as park and outdoor furniture, boardwalks, viewing platforms and so on. Some of the course areas include job safety, use of hand and power tools, welding, concreting and paving. The course includes design and construction, and is not just for the worker who builds something that is designed by someone else. It involves using one's grey matter to design something useable and desirable out in the environment. These are just some examples of the activities undertaken by Apace as a service to the community.

As the member for Kingsley has pointed out, the Apace lease expires in November 2002. For simple logistical reasons, it makes no sense at all to leave this organisation dangling on a six-month lease renewal string. Apace is trying to plan for two to five years into the future. If it is to survive and continue doing the many things it has been doing for the past 17 years, it needs a strong degree of certainty that it will stay on that site. The way in which the Government is looking at this issue seems to indicate that, at best, there will be continuing uncertainty and, at worst, a relocation of the site. I have heard Gosnells or Armadale suggested as possible locations, but I suggest to the member for Armadale that relocation would not be an electoral plus for her electorate. If relocation takes place, in addition to 17 years of really good work on the North Fremantle site, the central location would be lost. North Fremantle, arguably, could not be a better location, as it is highly accessible to the widest range of people in the Perth metropolitan area. North Fremantle is easily accessible to people from my electorate; it takes two and a half hours by road, and they can go from there to do other things. If Apace Western Australia were required to relocate to an outer metropolitan area, it would cause inconvenience not only to Perth people but also to country people who might wish to avail themselves of its services. It is also worth mentioning that Apace has done an assessment of how much money would be involved in the relocation of equipment installed on the site and the need to improve the site in the broadest possible way. I have been told that it would cost \$1.11 million. Unless the Government intends to contribute a significant proportion of the \$1.11 million cost that has already been sunk into the site - I believe a figure of a couple of hundred thousand dollars was discussed in the past - the bottom line is that the relocation to another site, wherever that might be, would cause incredible financial hardship to Apace. If it is forced to move, Apace will no doubt be set back many years in what it currently is able to achieve and what it will be able to achieve in the future. Apace has enormous community support for what it has done and what it is seeking to do on the current site. I will not go through them in detail, but Apace provided me with four pages of extracts from letters of support. Those letters came from 42 community groups as diverse as the Greens (WA) and Dr Ian Alexander, who is a former member of this place; the Busselton Naturalists Club, of which I am the president; the South Yunderup Bushcare Group; the Environmental Defenders Office (WA); the Town of Mosman Park; the National Trust of Australia and so on. Forty-two groups said that Apace has made huge contributions to the environment and the community, and should not move.

It is clear that Apace is an active organisation. It provides enormous positive environmental and social benefits to Western Australia and in particular the Perth metropolitan area. If the decision makers listened to it better, it

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would also provide economic benefits. I mentioned the potential water savings that could be accessed by people in metropolitan Perth, who should choose native plants and gardens and thereby reduce water usage. We live in a world that is highly dependent on fossil fuels. All the evidence now seems to indicate that liquid fossil fuels will reach a maximum production rate in the next five to 10 years, which will be followed by a 30 to 50 year reduction in available volume. If more people saw what Apace was doing and used renewable energy, there would be economic as well as environmental benefits.

There is strong community involvement in and support for the activities of Apace. It is essential that Apace should remain where it is in the long term. One overriding reason Apace should be left where it is and be given as much support as appropriate is that it is helping to reconnect the people of Perth with nature. As I will say during the third reading debate on the Zoological Parks Authority Bill 2001, one of the problems in a modern, developed society like Western Australia is that ordinary people lose their connection with nature. They simply do not know what it means to protect nature or to look after a patch of bush and so on. Apace must stay where it is to allow that reconnection of people with nature.

**MS MacTIERNAN** (Armadale - Minister for Planning and Infrastructure) [4.34 pm]: The Leader of the Opposition is obviously a bit -

Mr Kobelke: It is in his electorate, is it not?

Ms MacTIERNAN: It is in his electorate, but he would not get up.

Several members interjected.

Ms MacTIERNAN: That is right. This is not a debate about Apace. This is a debate about the wanton, rampant hypocrisy of the mob on the other side. I exclude the member for Vasse from that because he was not in the previous Cabinet and I know that he is legitimately concerned about environmental issues. I put the member for Vasse to one side when I talk about the hypocrisy of the other side. This is absolutely unbelievable. I will take members through what has happened. A decision was made in 1996. Who was in government in 1996? The other side. A decision was made in 1996 that the tract of land upon which Apace is based was surplus to requirements. The Western Australian Planning Commission faced financial issues and problems with its obligation to purchase reserves, so the City of Fremantle, which is the primary lessee, was put on notice that Apace was going to have its sublease terminated.

Much has been said today about the value and benefit of the work done by Apace. That is not in dispute; the Government has accepted that. It has been clearly set out that Apace plays a pre-eminent role in the propagation of native vegetation and is doing excellent work. It is at the forefront of the development in propagation of many difficult species. As the member for Vasse said, it also has a valuable role in developing alternate technologies. It has demonstration points for alternate energy technologies, particularly for those of wind and photovoltaic energy. It also has a strong social charter. Apace provides employment opportunities for people with disabilities, prisoners on work release and people undertaking community service. We will talk about who did what. No minister other than myself has inspected that site.

Mr Barnett: That is not true.

Ms MacTIERNAN: I presume the Leader of the Opposition visited the site in his capacity as local member. Is that correct?

Mr Barnett: No. Richard Lewis visited the site when he was minister and I think Graham Kierath also visited the site.

Ms MacTIERNAN: He must have done it in the dead of night because Apace was not aware of his visit.

Mr Kobelke: He was someone who used to lurk around at night.

Ms MacTIERNAN: That is right. He must have snuck under the guard. I inspected the site. A picture of me at the site has been published in the *Fremantle Herald*. That was in keeping with the undertakings we made when in opposition. We did not take the short-term, convenient, populist line; we did not just say that we would overturn the Government's decision. We were aware that complex issues were involved and it was difficult to make a proper assessment of the strengths and weaknesses of the argument while in opposition. The Labor Party gave a clear undertaking to the organisation. I wrote a letter to the chairman and said that the Labor Party would review the decision to terminate the lease and sell the property for a housing development when in government. I also said that if a Labor Government did decide to sell the property, it would provide assistance for the relocation of Apace.

Mrs Edwardes: There is no money in the budget for it.

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Ms MacTIERNAN: The money was to come from the sale. Even the member for Kingsley is not that silly. We did not take the cheap, populist line. We did not say that the Government of the day was totally wrong. We indicated that we were prepared to have another look at the situation. Even in opposition we indicated that it might be necessary to sell the land. We took a completely plausible and credible position. When we were elected to government, I visited the people of Apace Western Australia and spoke to them. I said that I could not make an on-the-spot decision about a \$3 million asset. We have to decide whether we can justify forgoing social programs that could be funded from the sale of the land.

Mrs Edwardes: How quickly did you make the decision about the railway?

Ms MacTIERNAN: Some decisions are more urgent than others. A number of tenders relating to the rail project were in the pipeline, and urgent action was required.

Mrs Edwardes: You can make some decisions on the spot, but not others.

Ms MacTIERNAN: I will tell the House what this Government has done, and what the member's Government did. I will expose her gross hypocrisy in raising these matters today. The members for Kingsley and Vasse have demanded that I tell the House what I told the people. What I said was reported in *The Fremantle Herald* many times. I said that we recognise and value Apace's work. I said that we understand - as did the previous minister, Graham Kierath - that capacity exists for the operation to move to sites on the Canning River or elsewhere in the Fremantle area. I urged the group to consider those options. I told them I would review the situation, and I asked them to meet me halfway. I asked them to seriously consider the alternatives that were put initially by Mr Kierath and have now been put by this Government. I asked them to tell us their opinions on those. I made it clear that if we had unlimited resources, there would be no problems and they could stay. However, these decisions must be seen in the context of the cost of forgoing the sum of money that the sale would realise. That is what I said. That degree of honesty probably surprised them.

Who has the organisation dealt with in the past? It has dealt with the former Minister for the Environment, who said one thing in her dealings with its representatives and another in her letters to Graham Kierath. The Apace organisation has had to deal with the member for Cottesloe, who has displayed extraordinary advocacy skills on behalf of his community. Let us look at what this fantastic local member has done for his community in this regard and at the letters he has written. This demonstrates the powerful advocacy of the member for Cottesloe. It is the sort of activism that gave us the Leighton Shores development, the Servetus Street extension and the closure of Swanbourne Senior High School. What a local member!

Mr Kucera: He got an artificial reef.

Ms MacTIERNAN: I will not comment on that.

He was obviously approached by Apace, because he wrote on 26 April about the issue. He wrote that he had been advised by local residents that the site was originally taken from private property owners on the basis that it would be retained for community or reserve purposes. He suggested to the minister that it should be verified. I can verify it for the member. Lot 9 Johannah Street was purchased from the Winter House estate, and full market value was paid for it. The other portion of the land was purchased from the Fremantle Gas and Coke Co Ltd and full market value was paid for it. The transactions were purely commercial.

The member for Cottesloe also wrote that he was the local member, and he could not find any record of the Ministry of Planning raising the matter with him. He suggested that the position should be reviewed, and asked the appropriate officer to contact him. That is all we have in our records - a letter requesting that the position be reviewed. Graham Kierath replied to that letter and set out the situation.

Mr Ripper: Did he say "Dear Colin"?

Ms MacTIERNAN: He did.

Mr Ripper: That is uncommon courtesy.

Ms MacTIERNAN: The two obviously enjoyed a close relationship. Graham Kierath, as the Minister for Planning and Heritage, provided a response, in which he defended the proposition put forward by the Western Australian Planning Commission.

Mrs Edwardes: Which is exactly what you are doing.

Ms MacTIERNAN: It is not what I am doing. Graham Kierath wrote -

The WAPC has a contingent liability in the order of \$800 - 900 million for the purchase of land such as Cypress Hill in the Metropolitan area and the disposal of the Johannah Street land will be used to purchase other land required for the MRS.

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He provided other justification, such as the belief of the Ministry of Planning and the Western Australian Planning Commission that, on their assessments, the land was surplus to requirements and a huge liability needed to be funded. There does not appear to be any more correspondence on this issue from the member for Cottesloe. No doubt he was such a close personal friend of the Minister for Planning that he had many personal tete-a-tetes with him and did not need to write. He sent one letter to Mr Kierath. He wrote to me in April.

Mrs Edwardes: Have you responded?

Ms MacTIERNAN: Yes; my office responded to him.

Mrs Edwardes: You have not responded to mine yet.

Ms MacTIERNAN: He wrote that Apace is a specialist self-supporting group. He talked about the very good things done by the organisation. I note what he said, as it is different from the motion -

I acknowledge that some compromise position may need to be reached with respect of the sale of a portion of the land however, as the Local Member, I seek your support in ensuring as much land as possible remains vested in the City of Fremantle and sub-leased to APACE so that the group can continue it's valuable work in the community.

He did not ask Graham Kierath to do that. He asked him only to review the situation. He never suggested to Graham Kierath that the group should remain on site. He wrote one letter in April 2000 and, other than his secret meetings with his close friend, that was the end of his advocacy.

Mr Hyde: Here is the backflip!

Ms MacTIERNAN: That is right. Now the opposition members are changing their minds. We should look at the performance of the member for Kingsley in her previous incarnation as the Minister for the Environment. She wrote to Graham Kierath on 12 October 2000.

Mr Kobelke: Is this a "Dear Graham" letter?

Ms MacTIERNAN: No, this is addressed to the Minister for Planning. It is basic communication. She quite rightly sets out, in similar terms, the very positive things about Apace. She seeks a review - she should be on our side of politics!

The then Minister for the Environment sought a review. The then Minister for Planning wrote back to her on 17 November in pretty much identical terms to those written to our friend, the member for Cottesloe, referring to the contingent liability of the Western Australian Planning Commission for the purchase of parks and recreation and particularly for the purchase of land under the Bushplan initiative. The Minister for Planning wrote indicating that the problem was an \$800 million to \$900 million unfunded liability, and that Bushplan was coming on stream. A couple of legal actions are in the pipeline that may require the State to fork out sums of up to \$40 million in the very near future. They are not insubstantial amounts of money. When the member for Kingsley was in government she recognised that. All of a sudden she no longer believes it is an issue.

I can give the Minister for the Environment her due because she has more staying power than the member for Cottesloe. Even though the people concerned are not her constituents she hung in with them a bit longer. She took some of the initiative and wrote back. I would rather have her as my local member than the member for Cottesloe. After one flurry he requested a review and that was it. I can give the former Minister for the Environment a little bit of credit. She did not write back and say, "Graham, you really have it wrong; this is so important that it over-rides all the financial issues." She said, "I strongly recommend the concept of assisting Apace Western Australia to relocate using funding from the capital works budget that the Western Australian Planning Commission is providing to the regional parks network." She said that she did not want the relocation money taken from the money to be provided for parks and gardens. When Graham Kierath said that he could not stop those people being moved but that he could provide them with financial assistance to relocate, the then Minister for the Environment said that she did not want them to be provided with any financial assistance to relocate because that money was important to her and she needed the \$5 million.

Mrs Edwardes: Will you give me a copy of those letters?

Ms MacTIERNAN: Certainly. Two paragraphs in the letter are germane to this issue. She said -

I acknowledge the role of APACE Aid (Inc) in urban bushland revegetation and am aware of the need for an alternative site for the organisation.

She then says that CALM is willing to investigate the sites. She acknowledges that it is necessary for Apace to move but when it is suggested that money from the WA Planning Commission's capital works budget will help them relocate she says no way.

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Mrs Edwardes: Will you pass me the copies now?

Ms MacTIERNAN: I will table them.

Mrs Edwardes: I do not want any misrepresentation.

Ms MacTIERNAN: The member for Kingsley said that she had copies of her letters. Did she not acknowledge the need for Apace to relocate, but said that she did not want the money to assist them to come out of the WA Planning Commission's capital works budget to relocate them?

Mrs Edwardes: I would like to see a copy of the letter.

Ms MacTIERNAN: The member is obviously well prepared for this debate!

Is this situation not extraordinary? When the coalition was in government it decided that this lease was to be terminated. Members opposite decided the land had to be redeveloped for housing because of the shortfall in funding for the purchase of parks and recreational land and because of the Bushplan initiative. However, now the story has changed and they are demanding that the Government do what they were not prepared to do.

We are being told that I went there and upset those people. After the weasel words the people from Apace were used to from the previous Government they were probably shocked that someone was honest and said that they had a great outfit, which the Government supports, but in deciding whether their work must be done on this site or another site we must take into account -

Mrs Edwardes: Have you taken this before your Cabinet?

Ms MacTIERNAN: No, the Australian Labor Party made an election commitment approved by Caucus that it would review the situation. It became part of the ALP's platform.

Mrs Edwardes: It did not come for a decision before Cabinet.

Ms MacTIERNAN: The member for Kingsley and the member for Cottesloe knew about it; they were in Cabinet.

Mrs Edwardes: It did not go before Cabinet.

Ms MacTIERNAN: Why did they not do something about it? The member for Kingsley rolled over. She said that she knew Apace had to be relocated.

Mrs Edwardes: It had not been to Cabinet.

Ms MacTIERNAN: Was it not a whole-of-government responsibility? Members opposite knew what was being done by the then Minister for Planning. The fact that it did not go to Cabinet is not our problem. Members opposite knew about it, but they did nothing other than write a couple of letters. That is the limit of their advocacy.

Mr Hyde: This was such an important issue that the Liberal Party included it in its election platform! Was it so pressing to the local member that he made it an election commitment for the Liberal Party?

Ms MacTIERNAN: I honestly do not think so. Members opposite used none of their powers. The members who are pontificating and taking the high moral ground on this issue were complete and utter wimps when they were in government and used weasel words when speaking to their local communities. We did not do that; we went down and spoke to the people from Apace and said what a great program it was, that we liked it and that we wanted them to consider carrying out their work on the Canning River. We asked them to have a look at the site there. I understand that they have reasons for wanting to stay on their present location because they have concerns about the value of the land. The Government has had valuations done about which various disputes have occurred. The relocation of Apace is a big decision and the Government has genuinely not made up its mind about it.

Mrs Edwardes: When will you do that?

Ms MacTIERNAN: We will do that within the next couple of months. We must now ask Cabinet to consider whether it is proper to forgo this sum of money and the difficulties that might place on our capacity to fund the bushland purchases and parks and recreation. We have not closed our mind to the representations of the Apace people. We have spoken honestly and told them what the equation is and what the competing considerations are. We have also indicated to them that we are mindful of their need to plan. We have asked them to provide us with their plans.



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This issue arose in 1996 when Apace made an application to the City of Fremantle for a series of very extensive buildings on the site. At that point the City of Fremantle took it up with the Western Australian Planning Commission. Before making a decision we have asked Apace for a clear statement of its intentions and its community plan for the next 10 years so that we can better judge whether we can accommodate it on its present site. The Government has kept religiously and honestly to the letter of the commitment that it made to the people of North Fremantle, and particularly to the Apace group. It recognises the value of what Apace does and supports it. Those issues will be seriously considered.

It is completely dishonest to pretend that this decision can be made in a vacuum. When they were on the treasury bench and had to balance budgets and fund Bushplan and parks and recreation facilities, members opposite understood the concept of opportunity cost. They now have incredible amnesia and do not understand anything about it. The Government will be honest with these people and it will deal with them fairly and openly. Members opposite can rant and rave, but the record shows that when they had the power to do something they did absolutely nothing.

*Amendment to Motion*

Ms MacTIERNAN: I move -

To delete all words after “commended” and substitute the following -

and this House supports the Government’s actions in reviewing the decision of the previous Government to terminate Apace’s sublease on the site and to develop the site for housing.

**MR BARNETT** (Cottesloe - Leader of the Opposition) [5.02 pm]: We have heard from the most erratic Minister for Planning and Infrastructure. That amendment and her response clearly indicate that she, as the minister, and this Government intend to proceed with the sale of Lots 8 and 9, Johannah Street, North Fremantle.

Ms MacTiernan: That is rubbish!

Mr BARNETT: That is clear. As the Leader of the Opposition and the local member, I will go through some of the background to this issue.

When I became a member of Parliament in 1990, I lived in North Fremantle - I had lived there since 1984. When I first lived in the area I would wander past the Apace Western Australia facility. Frankly, I did not know what it was. However, I soon found out and got to know the people involved in it.

North Fremantle has come under a great deal of pressure from successive Governments. Bridges have been built, roads have been changed, Cypress Hill and the Pier 21 Resort have been redeveloped and proposals have been made to develop major tank storage facilities. North Fremantle is now at its development limit. The area has a high population density and a unique history. It has been significantly redeveloped and I have supported many of the changes, but not always with the blessing of the locals. However, it has now reached its limit; it cannot continue to be developed at the rate it has been developed.

Apace has operated on the site for 19 years. As members have said, the organisation was originally established to assist youths, migrants and people with disabilities. Apace has an outstanding record in assisting disadvantaged groups in our community. In more recent times, it has also worked in school education. Many people, particularly low-skilled migrants, have got their start in Australian society as a result of its work. Many unemployed young people have had the opportunity to gain skills and to join the work force through the activities of Apace. As part of its dealing with disadvantaged groups in the community, Apace has developed programs specifically related to rehabilitation of vegetation. It now has unique expertise in wetlands management. In any given year, it provides about 250 000 seedlings to an impressive range of clients, who use its expertise, skills and products. Those clients include local governments throughout the State - particularly those with wetlands in the metropolitan area - the Water Corporation and Main Roads WA, which values its assistance with rehabilitation and stabilisation after road construction. Many private organisations, including Alcoa, use the services offered by Apace. It is very well regarded, not only for its work with disadvantaged people but also for its expertise in native vegetation and rehabilitation.

Several members interjected.

Mr BARNETT: Mr Acting Speaker, you seem to be making a point of not paying attention to me. I would like you to hear these remarks because they are very important.

Apace operates under a peppercorn lease on Lots 8 and 9 Johannah Street, North Fremantle. As members have said, that lease expires on 2 November 2002. That has been a good arrangement for Apace. The site is at the end of a cul de sac near the Gilbert Fraser Reserve. The area is low-lying and is certainly part of the Swan River

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flood plain. It adjoins the reserve close to the banks of the Swan River. This is a riverside location and it is also very close to the Fremantle traffic bridge.

The former Ministry for Planning decided at a bureaucratic level that the land was surplus to its requirements and that it could be sold. As has become clear and as has been stated in this debate, the site was originally acquired from the Winter family on the basis that it would be retained for community use. The Government of the day wanted the site and the family relinquished it - albeit at market value - on that basis. That commitment should be honoured simply because of the location - it is a sensitive area on the banks of the Swan River.

Apace Western Australia has received grants from the Natural Heritage Trust, the Lotteries Commission and various environmental agencies. The member for Vasse referred to grants it received from the Alternative Energy Development Board through one of my former portfolios. It has received numerous other grants. It has become self-funding and self-managing while providing support for people in need. It provides a unique service in propagating, transplanting and rehabilitating various species, particularly in wetland areas of the metropolitan area.

Several members interjected.

Mr BARNETT: Mr Acting Speaker, are you going to do your job? You are in the Chair and I am on my feet speaking. I will not entertain interjections.

Several members interjected.

Mr BARNETT: I will continue my remarks in a moderate way and rely on you to conduct the affairs of the backbench in a proper way.

It is true that the former Ministry for Planning decided the site was surplus to its requirements. It does face challenges with regard to bushland policies and the like. However, the site is sensitive; indeed, it is a strategically significant site. Its disposal and approval for an urban subdivision for housing would necessitate rezoning. In the normal course of events, such a proposal would have reached Cabinet. It is no secret that, during the previous Government's term in office, the Ministry for Planning wanted to sell the site. It is no secret that the then Minister for Planning, Hon Graham Kierath, supported that proposal. It is also no secret that, as the local member, I opposed it. I wrote to the then minister graciously suggesting that he review the decision. Members should understand that that proposal would have necessitated rezoning; that is, it would have required an amendment to the Metropolitan Region Scheme. As such, it would have been subjected to cabinet scrutiny. That did not happen. If it had, I would have done everything, with the support of a number of other ministers, to defeat it. I guarantee that it would have been knocked on the head. I got support at that stage, even before it got to Cabinet. In October 2000 the then Minister for the Environment made it very clear. She wrote -

Apace Aid has played a very important role in changing the way that local authorities, government instrumentalities and the community view their local environment.

I have written to my Cabinet colleague, the Hon Graham Kierath MLA, Minister for Planning, seeking his support for revision of the proposed rezoning of the North Fremantle site.

I received a letter from the Minister for the Environment and Heritage dated 3 May 2001, which states -

I wish to advise you that I concur with your sentiments regarding the valuable community work done by this group. I am advised that the Department of Conservation and Land Management is a regular user of the services of APACE, particularly its revegetation nursery and revegetation service.

I am pleased to lend my support to APACE being given a secure base for its operations. I have forwarded a copy of this letter to the Minister.

The Minister for the Environment and Heritage was Dr Judy Edwards. She supported me as the local member, just as the previous Minister for the Environment did. There is no equivocation about the two successive Ministers for the Environment. They both support Apace being retained on that site. As the local member, I also support its being retained, as does the Liberal Party.

Mr D'Orazio: Where is the passion in the letter?

Mr BARNETT: The passion was in my newsletter that went to 15 000 households in my electorate.

Mr Kobelke: When was that?

Mr BARNETT: It went to them in winter 2000. It argued the case for retaining Apace. There was plenty of passion in that. There have been public rallies at Apace. I have attended them on each occasion. The federal member for Fremantle, Hon Carmen Lawrence, supported the retention of Apace on that site. It is the state Labor Party that wishes to change that. The state member for Fremantle, Jim McGinty, has supported publicly

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the retention of Apace on that site. It is in my electorate and I know the area well. I know the people well. It should be preserved. The lease continues until 2002. The issue boiled up around this time last year under the previous Government. Hon Graham Kierath supported the Ministry for Planning and we disagreed, as we did on a number of issues. As the local member and the deputy leader of the party, I had the support of the Minister for the Environment. If this matter had got to Cabinet there would have been a vigorous debate. The matter did not get to Cabinet under the previous Government. I have no embarrassment at all. The people at Apace will tell members that I have supported Apace consistently on this issue. I continue to do so. If members do not trust or believe me, they should ask the people at Apace and the people of North Fremantle. I know the area and the people well; I lived in that community for eight years.

The election came and went, and the Ministry for Planning continued its agenda. It continued pushing information through. The current minister and Government support the removal of Apace from the site. They have claimed that the land is worth \$3 million. The land is at lots 8 and 9 in Johannah Street. The land goes 25 metres beyond the boundary of Apace, and straight toward the Swan River. Under the more detailed proposal now put forward, the Government proposes to sell a significant area of the Swan River foreshore, an area that was identified as part of the Vlamingh Parklands under the Fremantle regional study. The Government is looking at selling an area of land outside Apace on the banks of the Swan River, which was clearly identified by the Fremantle regional study in 1994 as a strategic parkland and part of the Swan River reserve.

There was going to be a difference between Hon Graham Kierath and me over this issue. Heaven knows, we had plenty of differences. I can look any of my constituents in the eye. I support Apace staying in its location. The former Minister for the Environment and the current Minister for the Environment also support Apace staying where it is. The conservation movement supports it staying, as does local government. Apace's client base and people with disabilities, migrants and people facing unemployment want it to stay. They support the work of Apace. The minister is saying, "What the hell - let us sell it, it is in Barnett's electorate."

Ms MacTiernan: Give me one example when I have said that.

Mr BARNETT: The minister made it clear in her comments earlier today. When we get the corrected *Hansard* we will quote it to her. We will send copies to the Conservation Council of Western Australia; we will spread it far and wide. We will spread the minister's attitude to work with people with disabilities, work with the unemployed, work with migrants and work with rehabilitation. Her attitude on this issue is a disgrace.

Ms MacTiernan: You are a hypocrite.

Mr BARNETT: Mr Acting Speaker, do I have to take a point of order or will you hear that comment for yourself?

*Withdrawal of Remark*

Mr RIPPER: I believe the Leader of the Opposition is canvassing the performance of the Acting Speaker by making that remark. I ask that the Acting Speaker ask him to withdraw the remark.

Mr DAY: The Leader of the Opposition was not canvassing the role of the Acting Speaker. He was referring to the minister. Mr Acting Speaker was only referred to incidentally; it was in no way a reflection on the Chair. The minister used a word -

Ms MacTIERNAN: I withdraw the comment.

The ACTING SPEAKER (Mr McRae): I will read the Leader of the Opposition's comments generously after he indicates to me again that he was seeking my protection and not seeking to begin a debate about my role today, as he has done over the past couple of days.

Mr BARNETT: I was drawing the attention of the Acting Speaker to the use of the word "hypocrite".

The ACTING SPEAKER: I am sorry, I did not hear it. If the Leader of the Opposition wishes to take it as a point of order I will be happy to hear it. He should get to his feet and take it, otherwise, I will move on.

*Debate Resumed*

Mr BARNETT: The record of Apace is without question. In helping people with disabilities and disadvantaged people, it has acquired skills over the years in the propagation and rehabilitation of native species. It has received an impressive list of grants from environmental and energy bodies, the Lotteries Commission and the National Heritage Trust. Those grants are competitively sought, and they were won by Apace because of its standing and record. Apace has an impressive list of clients, including local government, government instrumentalities and private business organisations. It is testimony to the value of the work of the organisation. It has operated under deservedly generous conditions as a not-for-profit organisation that helps disadvantaged

people, and has worked for the environment from lots 8 and 9 at Johannah Street, North Fremantle. Much of its support comes from the surrounding community; that is important. It works in a near river environment; that is important. It has a well-established infrastructure: sheds, reticulation systems, training programs and school education programs. It is established; it is a significant piece of environmental community-based infrastructure. It is long established through voluntary work and weekend work. People have given time, materials and support. It is not something that has just been put there by a government grant. It is in every sense a community developed, promoted and progressed organisation. It cannot just be moved. If it is moved it will destroy the community links. It will lose some of its clients, it will lose volunteers and it will lose its support base. It is established and it belongs in North Fremantle.

The land was acquired during a time of change in North Fremantle. North Fremantle has experienced a lot of changes over the past 30 to 40 years. It was acquired from the Winter family on the basis that it would be retained for community use. It was on that basis that it was sold to the planning authorities, otherwise they had no interest in selling it. The solution and recommendation I made to the former Minister for Planning, which I also politely made to this Minister for Planning, was that the State has nothing to gain by selling this land. Due to its location it must be preserved. It is foreshore land and part of the site is identified as the Vlamingh Parklands. The site should be vested properly in the City of Fremantle. The City of Fremantle should then continue to make it available at a low, or peppercorn rent to Apace Western Australia and manage the relationship on behalf of the community between the owner - the public, vested in the City of Fremantle - and Apace. That is the proper thing to do. It is proper with regard to the relationship between the community and the local government, it is proper with regard to the use of this land and it is proper, beyond everything else, for this Government and this Parliament to endorse support of environmental rehabilitation and a community-based group that has a long and proud history of volunteers and contributions in support of disadvantaged people in this community.

This is a test for this minister and this Government. This is a small amount of money in the greater scheme of things. I suggest that the minister have the good grace and compassion to stand up and reverse the approach she has taken and acknowledge the work of Apace and endorse what I have long held to be the truth; that is, that this land should be vested in the City of Fremantle and continue to be available for Apace, as the federal member for Fremantle, Dr Carmen Lawrence, agrees.

**MR HYDE** (Perth) [5.23 pm]: I support the amendment. Hopefully, I can take a little bit of heat out of this issue as there is a lot of agreement on both sides.

Mr Barnett: Have you been to Apace?

Mr HYDE: I have indeed and I acknowledge the environmental heartfelt beliefs that have been held by the four speakers so far - three from the opposite side of the House, the minister and certainly me. It is tremendous that the Opposition, under the leadership of the member for Cottesloe, has realised that its approach in government to many environmental issues, such as the forests, was wrong and it has changed. Perhaps another change is happening on the Opposition's side. It is very commendable. However, I am a puzzled by the claims that the minister has made a decision. Clearly, the minister has not, and in many ways what is being asked for by the other side is what our amendment says; that the House supports the Government's actions in reviewing the decision of the previous Government to terminate Apace's sublease on the site and develop the site for housing; in other words, to review it properly. The former Government decided that it was important and proper to review the decision. Before the election, the former Government had come to no conclusion. I take on board the comments of the member for Kingsley that the advice may have been suspect. That is fine and it is well and proper. However, I would not want our minister to make a rushed decision but for her to be aware of the facts on this issue.

Without a doubt, the work being done by Apace is incredibly important and similar work is done elsewhere. City Farm in my own electorate of Perth is perhaps in a very similar situation. Under the previous Government there was a lot of community pressure - I still see it as a sop - and the then Government gave a two-year extension to the lease of City Farm, over the hub of the election. I was the candidate in the election when the then member for Perth, Diana Warnock, lobbied very hard in Caucus and the Labor Party to get a firm election commitment; as good as "L-A-W". That commitment over City Farm was that the Australian Labor Party, in government, would guarantee the long-term tenure of City Farm on that site. That was a proper and appropriate way for a local member to act in the party - to go to the party to get a clear and concise election commitment. Everybody in this place knows that the English language can be used to appear to be onside, even if one is onside but the political realities are that it is difficult for one's Government. The only way to do it, at the weakness of the party leader and the party going into an election, is to get a clear election commitment out of them.

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The member for Cottesloe did mention his winter newsletter - the winter of discontent - and I hope that that page is tabled so that we can have a look at the fuzzy language in it. I am looking for the "L-A-W", the firm commitment that the Liberal Party, in government, after 10 February 2001, would guarantee freehold forever and ever to the Apace site. It does not exist. I would be pleased to have another look. However, that is the proper way to achieve an election commitment. For people to be saying that they support it now is fine, but let us have a little mea culpa; the previous Government did not do it right, but for heaven's sake, it is now prepared to work with the minister.

The letters that the previous Minister for the Environment tabled indicate clearly that she had the environment's best intentions at heart. The letters considered the alternative recommendation for the site to be moved. That was a clear indication by the previous Government as being the solution. We have picked up the ball on this issue. We are being asked to review it and a minister has said that she will review it; it is right and proper. However, she has made no decision on this issue. The issue is not being helped by emotional, misrepresentation of the minister's views. I applaud the member for Vasse on his stance in dealing with this on the environmental strengths of the issue and for rightly appealing to the minister to make an informed decision. It is important that the Government be held responsible. The minister articulated very clearly what our election commitment was over the Apace site; that is, we would review the former Government's commitment to review the decision, and, if the decision was made to relocate the site, it would be relocated at no expense. That was an up-front commitment. The ALP made that commitment, it went to the election and people voted for or against it in that electorate. The ALP gave a commitment. The Liberal Party did not have an election commitment and the Nationals did not have a candidate in Cottesloe, so they were out of it.

Mr Trenorden: My second residence is a stone's throw from that site. I walked past it this morning so I know it well.

Mr HYDE: Will the member for Avon amend the Electoral Act to get a second vote in Cottesloe?

Mr Trenorden: No. I am just saying that I happen to know the site and I live there when I am in Perth.

Mr HYDE: That is very good.

The Government has set up a sustainability cell within the Premier's department. Let us get the whole issue right. Let us say that we are committed to sustainability and to environmental issues as a macro issue so we do not go on with this political point scoring. This issue should have been settled two years ago when the lease was up. It should have been done for Apace and for City Farm. The Government may have done a massive backflip in two years on getting a decision, but when the lease was up it was the time to say, "Okay, we will put it into the budget. This money is gone and will not be realised and we will give a longer peppercorn rent." That should have been done for Apace and for City Farm. It has not been done, like so many other issues, and this Government is having to pick up the pieces and the mess and make a full and proper decision. The opportunity was there for the Opposition to do it and it missed the chance. It had eight years; no chance. It is right for them to be trying to give us advice and keep us honest because we will be the greatest Government -

Several members interjected.

Mr HYDE: The member for Cottesloe is an absolute joke. We will use the Leader of the Opposition's winter of discontent article in the *Subiaco Post*. It was full of waffle and provided no election commitments; that is the difference. That is how one becomes a local member! That is the way the member would have got the result on Apace that he is now bleating about two years later. Members opposite should have done it then; they should not lecture us on it now. Members opposite used to say all the time, "We are in Government now and we must make the correct decisions." History cannot be changed. The mess that was made in the past cannot be changed and one cannot right a past wrong. The location of Apace is by the river, and the minister will take that into account because that is the proper way to conduct a review. Members opposite are the "gonnas". The minister was "gonna" be rolled, this was "gonna" happen but, lo and behold, the election got in the way and none of it came to pass. Members opposite did not roll the former minister on the Leighton issue. Why do members opposite believe that they would have had the opportunity to roll him on the Apace issue? We will make sure that the *Subiaco Post* and others know about this incredible backflip with double pike. The judges have given it a score of just three points.

Mr Barnett: It is a toss up between you and the member for Riverton on who wins the prize as the most outstanding member in the House.

Mr HYDE: I thank the Leader of the Opposition. I have lowered the tone of the debate, and we return to considering this environmental issue. I appreciate the spirit of the debate. When the right decision is made, in one, two, five or 10 years, Apace will still be doing all the tremendous work it does now because we have guaranteed that if it is relocated from its current site, those activities will be carried out elsewhere. The former

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Government made no such commitment. The wonderful things that Apace does for the disabled, the unemployed, the single mothers and the environment would have ceased after two years if the former Government had been returned to office. The Government shillyshallied in this or that letter, but it gave no funding commitments. This Government has made an up-front commitment based on the knowledge it had at the time. The minister will properly consider the issue and make the best decision.

Mr Masters: Under the way the ALP operates, will backbenchers have an opportunity to review the decision?

Mr HYDE: The member for Vasse has made an important interjection about the role of backbenchers who have an issue in this site. I have already sent a letter to the minister about this issue. As a good local member, as a friend of the environment and as a person in favour of a sustainable environment, I am getting involved. I am taking on the issues that somebody has raised from a Liberal held seat. The issue was not taken to a Liberal member; it came to me so that it would reach the minister. The letter I wrote was not wishy-washy. It was a strong letter that said what should happen and what the minister should do in her review. She has all the available information. She will also get important information from the contribution by the member for Vasse.

Mr Masters: I asked whether Labor Party backbenchers have a formal role in the decision-making process in this new Government?

Mr HYDE: The decision will be made in Cabinet. The Liberal Cabinet had the chance to make the decision as it made quick decisions on 6 and 7 December. After the proper review, the minister will deal with the decision exactly as members opposite would have done under the Westminster system. Every other backbencher and I have had full access to the minister concerning this and any other decision. We applaud the bipartisan support of environmental issues. The Liberal Party had the chance to make a decision about this issue during the election. In 10 months, how many questions on notice has the minister received from the member for Cottesloe on this issue?

Mr Barnett: One.

Mr HYDE: The Leader of the Opposition has written one shillyshallying letter and has asked one question. What a great local member! After eight years of cabinet meetings, the chance was there to fix it up. With City Farm, we will fix the issue. A review will be conducted. We have made an election commitment and the minister is free to make a decision. That is the proper process to follow in a Westminster system of Government. This Government is meeting its election commitments on the environment, health, education and forestry.

Mr Johnson: Did you get to vote on this issue?

Mr HYDE: We do not need a vote on City Farm, the previous caucus made a decision, which is binding on the minister. She has already articulated that the Labor Party will review the decision of the previous Government on Apace and it guarantees to pay any relocation costs. Letters were tabled about the relocation that was raised by the local member who was the then Deputy Leader of the Liberal Party, and the Minister for Planning. All of them were looking to go to plan B before the decision was made. They wanted to get the movers in and Apace out with a minimum of fuss. They had not even acquired the land to which it was to move. The move was on, the movers were brought in and everything was being tape-measured. I am sure that the plants must have been annuals. How could the former Government give money under Greencorp or lotteries to a mob that had been given only a two-year peppercorn lease?

Mr Barnett: Have you been there?

Mr HYDE: I have been there. I would feel embarrassed if that were me. The former Government told Apace that in two years it would have to get on its bike; however, at the same time, that Government gave Apace money to buy some plants. People in the environmental movement, the people who are involved in many of the activities of Apace, are there for the correct reasons. To abuse their trust by not only telling them that they had to move out but also giving them some money and telling them that they had done a wonderful job is the worst sort of paternalism. The former Government had an on high, big end of town, three-piece suit handing out a penny here and a penny there mentality. Members opposite wanted to get past the two years of the lease and the state and federal elections. They did not want the Liberal Party to be embarrassed during the federal election. They wanted to get over a two-year hump and delude the local people and sell it off. Members opposite did not even know to where the organisation would move.

At least this minister is up-front. She does not play around with one hand that says one thing and the other hand that says another. She does not give interviews that are full of fluff, as was the winter of discontent article. That article sounded good; however, the Liberal Party web site makes no mention of Apace being saved nor of the Apace freehold. Members opposite had their chance and blew it. This Government is picking up the mess. The

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minister will conduct a review and make the right decision. I commend the minister's amendment and the minister's action.

**MR KOBELKE** (Nollamara - Leader of the House) [5.38 pm]: There is agreement on both sides of the House that Apace is a worthwhile organisation that provides a valuable community resource. It is when we depart from that point that there seems to be disagreement across the House.

Mr Day: Are you trying to protect your health minister?

Mr KOBELKE: There is agreement on Apace but the issue goes to the credibility of the Leader of the Opposition. I cannot let the opportunity pass without making a comment on the Leader of the Opposition's lack of credibility.

Mr Day: The point has been made, let us move on.

Mr KOBELKE: When I have finished making the point the member can decide whether that is the case. Apace is located in the electorate of the Leader of the Opposition, the member for Cottesloe. The member for Cottesloe did not move the motion. He did not speak second to the motion, nor third, which indicates something of the game he is playing on this matter. He did not want to lead the charge in support of Apace. He wanted to throw all sorts of personal issues at members on this side of the House, particularly the minister, but not to address the issue in a proper, rational way, in which the member for Cottesloe would lead the charge in support of Apace. He was not interested in that. He wanted to play silly little political games, and try to deride the minister who has carriage of the matter, and is dealing with it in a much more honest and up-front way than the Leader of the Opposition or the members opposite did when they were in government. This is a very tacky little political exercise by the Leader of the Opposition, who clearly thinks Apace is some little toy he can play with for political advantage. In doing so, he is showing up his total lack of honesty in supporting Apace. It comes down to the credibility of the Leader of the Opposition.

As the minister pointed out, the member for Cottesloe wrote only one letter to the then Minister for Planning. I will try to quote those aspects of the letter which honestly and fully reflect the advocacy by the member for Cottesloe. The other parts of the letter relate largely to Apace, the things it has done, and its positive aspects, which is all well and good. This is the first quote from the letter from the member for Cottesloe to the then Minister for Planning, Graham Kierath -

The Ministry for Planning has advised APACE of its intention to re-zone the property to urban and to dispose of the site. This particular area of land is adjacent to a reserve area along the river foreshore and is seen locally as a community site.

*Point of Order*

Mr BARNETT: I understand the Leader of the House is quoting from an official document. I ask him to advise me where that document came from, and whether he would table it.

Mr KOBELKE: There is no point of order, but if I am requested to table this letter when I have finished using it, I will do so.

The ACTING SPEAKER (Mr McRae): Standing orders require that if a member is quoting from an official document, a copy of that document must be provided to the House, to be tabled at the conclusion of the member's call. There is no point of order, but the Leader of the House will be required to table the document.

Mr KOBELKE: I am willing to accept the ruling under the standing orders that this is an official document. It comes, as I understand, from an active file relating to the Apace issue. That is the matter for debate, so to that extent it would be covered by the definition, and I will be happy to have it tabled at the end of the debate.

Mr Barnett: What is the active file, and where did it come from?

Mr KOBELKE: The minister has indicated that the matter is still under review, so if this letter relates to Apace, and that is the matter the minister is reviewing, it seems that it must be an active file.

The ACTING SPEAKER: I thank the Leader of the House, but that concludes the point of order. There is no point of order in terms of the request for identifying the source, but standing orders require the document to be tabled, as the member has acknowledged that it is an official document, at the conclusion of the member's call. There is no further call on the source of the document, and no point of order on that matter.

*Debate Resumed*

Mr KOBELKE: Before I continue with what I was saying, it is very instructive to look at what is happening here. I am quoting from a letter from the member for Cottesloe. I am happy to make it available, so that the Opposition can judge that I am in no way selectively or inaccurately quoting to mislead people. Somehow, the

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member for Cottesloe must make a big issue out of the fact that I am quoting from his letter, and I am happy to table the letter, because the letter is an indictment of the member for Cottesloe. That is what the issue is, and I will continue to quote from the letter. I have already pointed out that Apace was advised that the Minister for Planning was looking at rezoning and acquiring the land. I quote from further down the letter -

In any event, there is a strong case for retaining all or most of this site for community use.

The advocacy there does not say that the member for Cottesloe believes that there is a strong case, and that the member would like the minister to overturn the decision, and it does not even relate to the whole of the site. I will quote the next sentence -

As the local Member, I cannot find any record of the Ministry raising this issue with me.

The member for Cottesloe, who at this date, in the year 2000, was the Deputy Leader of the Liberal Party, and a senior minister, was not even advised that this was going to happen in his electorate.

Mr Masters: No wonder he is so upset.

Mr KOBELKE: The member for Vasse is absolutely correct. Most members would be upset. Does the tone of that letter indicate that the member for Cottesloe was upset? Not at all. He is not the slightest bit upset. Most members, on finding out that a minister in the same government in which they were ministers, was going to pull out public land with a very good public use in their electorates, and they had not even been notified, might have been a touch annoyed, and written a reasonably strong letter to the minister.

Mr Hyde: In the hypothetical case the Leader of the House just raised, that is correct.

Mr KOBELKE: The hypothetical case is that the member for Cottesloe really was not too concerned about it at all. I will quote one more sentence from the letter -

May I suggest that this position be reviewed.

The member does not ask for the decision to be overturned, just reviewed. This is the member who put out his winter newsletter - based on what he has told us, because I have not read it - saying that he was an advocate for Apace in his electorate. He supported the continuation of Apace on that site, but he writes one whimsical little letter to his mate Graham Kierath asking for the position to be reviewed. We have a Leader of the Opposition -

Ms Walker interjected.

Mr KOBELKE: Was the member for Nedlands saying shame on the Leader of the Opposition?

The ACTING SPEAKER: Order, members.

Mr KOBELKE: I am speaking, but the member for Nedlands is yelling over the top of me. I will give the member for Nedlands the opportunity to interject. I thought the interjection might be constructive, but clearly it is not.

The point I wish to make to the House is that the member for Cottesloe, as the Leader of the Opposition, was not willing to lead the debate, he was not even willing to write a strong letter when he was in Government.

Mr Day: The Leader of the House has arguments of such great substance! There is actually an opposition spokesperson for planning, who quite properly led the debate. The Leader of the House's point is totally irrelevant.

Mr KOBELKE: It is not irrelevant when the facts of the matter, which the minister has laid before the House, are considered. The Leader of the Opposition has no credibility. He is the Leader of the Opposition without any clothes of integrity or honesty. In his winter newsletter, he said to his electorate that he was fighting on behalf of Apace, but we know from his letter in April, just a few months before - the only letter he wrote - that he was like a wet lettuce leaf. Yet the Leader of the Opposition has claimed that he is an advocate of Apace Western Australia. He has no credibility in the electorate or this Chamber. As someone who holds the position of Leader of the Opposition, that is an issue.

Mr Day: I was a member of Cabinet for the second four-year term of the previous Government. There is no way that this issue would have gone through Cabinet had the member for Cottesloe and one or two other members opposed it.

Mr KOBELKE: I will accept that. The Leader of the Opposition, as a minister in the Court Government, was certain that he had the numbers in Cabinet and he was going to make sure it did not get up. I do not know that many members who were here prior to the election believe that. How many members believe that the member for Cottesloe had the numbers in Cabinet or in the party room? That does not have much credibility. However,



we will have this flight of fancy, this hypothetical situation, that the member for Cottesloe had the numbers on this issue in Cabinet. If that were the case and had he put out a newsletter in his electorate heralding himself as a champion on this issue, which is what he suggested today, why did he not pursue the safeguarding of that site as an election commitment? It was not in the Liberal Party's election platform. Perhaps the Leader of the Opposition does not have the numbers in the party either. It is an interesting situation. He has suggested that he is a champion for Apace, but he failed miserably to do what an average member of Parliament would do on an issue in his electorate. That brings the credibility of the Leader of the Opposition to the centre of this debate.

The Leader of the Opposition could not be honest during his contribution to this debate. He could not acknowledge the minister's position; that is, that she inherited this matter from the previous Government, she has been honest about it and is reviewing the situation. The Leader of the Opposition tried to impute a false position to the minister. She said that she is working through the matter and made it clear that there has been no determination on it. She will give serious consideration to the valuable program run by Apace and whether it can continue. She will consider the interests of people involved in Apace and the merit of that program. That is what she said, but that was not what the Leader of the Opposition said. He totally turned that around. His accusations against the minister were without substance.

Mr Barnett: Such as?

Mr KOBELKE: The Leader of the Opposition said that the minister had already made up her mind.

Mr Barnett: That was the impression she gave Apace when she met with them.

Mr KOBELKE: The Leader of the Opposition was not there; he was missing in action. He was not on top of this issue in the Cabinet room and did not write letters to the minister at the time to drive home the point with some force. He comes in here and gets nasty with people, but his letter to then minister, Graham Kierath, was as weak as washing water. He must accept responsibility for his lack of action in this area.

Mr Barnett: The people from Apace who are here today could verify that I did not necessarily talk about the whole site in the letter I wrote to both ministers. I made that clear to Apace in my meetings with them. Apace did not occupy the whole site at that time. There was also an area for community gardens. I never suggested that the whole site should be preserved. I would like it to be preserved, but I recognise that Apace needs sufficient land to continue to be viable. I made that clear to Apace.

Mr KOBELKE: The minister has said that is also her position. The Leader of the Opposition tried to paint the minister's position as something different. That was not honest. An amendment is before the House that more clearly reflects the situation than the original motion. On that basis, I suggest members support the amendment and then the motion, as amended.

I table the paper.

[See paper No. 775.]

Amendment (words to be deleted) put and a division taken with the following result -

**Extract from *Hansard***  
[ASSEMBLY - Wednesday, 17 October 2001]  
p4527b-4542a

Mrs Cheryl Edwardes; Mr Bernie Masters; Ms Alannah MacTiernan; Mr Colin Barnett; Mr Eric Ripper; Mr John Day; Acting Speaker; Mr John Hyde; Mr John Kobelke

Ayes (28)

Mr Andrews	Ms Guise	Mr McGinty	Mr Quigley
Mr Bowler	Mr Hill	Mr McGowan	Ms Radisich
Mr Brown	Mr Hyde	Ms McHale	Mr Ripper
Mr Carpenter	Mr Kobelke	Mr Marlborough	Mrs Roberts
Mr Dean	Mr Kucera	Ms Martin	Mr Watson
Mr D'Orazio	Mr Logan	Mr Murray	Mr Whitely
Dr Edwards	Ms MacTiernan	Mr O'Gorman	Ms Quirk ( <i>Teller</i> )

Noes (19)

Mr Barnett	Mrs Edwardes	Mr Omodei	Mr Waldron
Mr Barron-Sullivan	Mr Edwards	Mr Pandal	Ms Sue Walker
Mr Birney	Mr Johnson		Dr Woollard
Mr Board	Mr McNee	Mr Sweetman	Mr Bradshaw ( <i>Teller</i> )
Dr Constable	Mr Masters	Mr Trenorden	
Mr Day			

Pairs

Mr Templeman	Mr House
Dr Gallop	Mr Ainsworth

Amendment thus passed.

Amendment (words to be substituted) put and a division taken with the following result -

Ayes (28)

Mr Andrews	Ms Guise	Mr McGinty	Mr Quigley
Mr Bowler	Mr Hill	Mr McGowan	Ms Radisich
Mr Brown	Mr Hyde	Ms McHale	Mr Ripper
Mr Carpenter	Mr Kobelke	Mr Marlborough	Mrs Roberts
Mr Dean	Mr Kucera	Ms Martin	Mr Watson
Mr D'Orazio	Mr Logan	Mr Murray	Mr Whitely
Dr Edwards	Ms MacTiernan	Mr O'Gorman	Ms Quirk ( <i>Teller</i> )

Noes (20)

Mr Barnett	Mr Day	Mr McNee	Mr Trenorden
Mr Barron-Sullivan	Mrs Edwardes	Mr Masters	Mr Waldron
Mr Birney	Mr Edwards	Mr Omodei	Ms Sue Walker
Mr Board	Mrs Hodson-Thomas	Mr Pandal	Dr Woollard
Dr Constable	Mr Johnson	Mr Sweetman	Mr Bradshaw ( <i>Teller</i> )

Pairs

Dr Gallop	Mr House
Mr Templeman	Mr Ainsworth

Amendment thus passed.

*Motion, as Amended*

Question put and passed.